



AGENDA

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

Tuesday, January 21, 2020
Council Chambers
2000 Main Street
Huntington Beach, CA 92648

**No Study Session / Closed Session - 4:00 PM / Successor Agency Special Meeting and
City Council/Public Financing Authority
Regular Meeting - 6:00 PM**

MAYOR AND CITY COUNCIL

LYN SEMETA, Mayor
JILL HARDY, Mayor Pro Tem
PATRICK BRENDEN, Councilmember
KIM CARR, Councilmember
BARBARA DELGLEIZE, Councilmember
ERIK PETERSON, Councilmember
MIKE POSEY, Councilmember

STAFF

OLIVER CHI, City Manager
MICHAEL E. GATES, City Attorney
ROBIN ESTANISLAU, City Clerk
ALISA BACKSTROM, City Treasurer

MEETING ASSISTANCE NOTICE: In accordance with the Americans with Disabilities Act, services are available to members of our community who require special assistance to participate in public meetings. If you require special assistance, 48-hour prior notification will enable the City to make reasonable arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas. Please contact the City Clerk's Office at (714) 536-5227 for more information, or request assistance from the staff or Sergeant-at-Arms at the meeting.

PUBLIC COMMENTS: To address the legislative body on items of interest not scheduled for public hearing, *Request to Speak* forms will be made available at the meeting and are collected by the staff or Sergeant at Arms. Some legislative bodies may provide different *Request to Speak* forms for public hearing items.

AUDIO/VIDEO ACCESS TO BROADCASTED MEETINGS: City Council and Planning Commission meetings are televised live on HBTV-3 Channel 3, and can be viewed via live or archived website at <https://huntingtonbeach.legistar.com>.

4:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit)

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

1. [20-1342](#) Mayor Semeta to announce: Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: Oliver Chi, City Manager and Peter Brown; also in attendance: Travis Hopkins, Assistant City Manager and Robert Handy, Chief of Police, regarding the following: Municipal Employees' Association (MEA); Management Employees' Organization (MEO); Police Officer's Association (POA); Police Management Association (PMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA) and Non-Associated.

CLOSED SESSION

2. [20-1352](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following Workers' Compensation Claims:
 - a. Cormac O'Connell v. City of Huntington Beach; Workers' Comp. Case Nos. COHB-11-0005; COHB-16-0309; and COHB-17-0266.
 - b. Bernard Atkins v. City of Huntington Beach; Workers' Comp. Case No. COHB-18-0040.
 - c. Gary Kim v. City of Huntington Beach; Workers' Comp. Case No. COHB-16-0098.
 - d. Larry Pitcher v. City of Huntington Beach; Workers' Comp. Case No. COHB-15-0196.

e. **Richard Spencer v. City of Huntington Beach; Workers' Comp. Case No. COHB-19-0003.**

f. **Estella Miranda v. City of Huntington Beach; Workers' Comp. Case No. COHB-12-0242.**

3. [20-1333](#) Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: Oliver Chi, City Manager and Peter Brown; also in attendance: Travis Hopkins, Assistant City Manager and Robert Handy, Chief of Police, regarding the following: Municipal Employees' Association (MEA); Management Employees' Organization (MEO); Police Officer's Association (POA); Police Management Association (PMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA) and Non-Associated.
4. [20-1330](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: HBPOA and Yasha Nikitin v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01093906.
5. [20-1331](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: Rosier (Maliek) v. City of Huntington Beach, et al.; USDC Case No.: SACV 18-2175 DOC (DFMx).
6. [20-1332](#) Pursuant to Government Code §54956.9(d)(2), the City Council shall recess into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, four (4).
7. [20-1343](#) Pursuant to Government Code § 54956.9(d)(1), the City Council shall recess into Closed Session to confer with the City Attorney regarding the following lawsuit: City of Huntington Beach v. State of California (SB 54); OCSC Case No. 30-2018-00984280.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALL TO ORDER A SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT

AGENCY OF THE CITY OF HUNTINGTON BEACH

ROLL CALL

Posey, Delgleize, Hardy, Semeta, Peterson, Carr, Brenden

PLEDGE OF ALLEGIANCE

INVOCATION

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

8. [19-1203](#) **Pastor Nader Hanna of Faith Lutheran Church of Huntington Beach and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

9. [19-1245](#) **Mayor Semeta to call on Victoria Albery for the “Adoptable Pet of the Month”**
10. [20-1347](#) **Mayor Semeta to present a commendation to Visit Huntington Beach President & CEO Kelly Miller and staff to recognize and celebrate the organization’s 30 years of destination brand marketing and promotion of Surf City USA as a global destination**
11. [20-1327](#) **Mayor Semeta to kick off her “Making a Difference in Huntington Beach” Awards Program by giving her first award to the volunteers of the Secret Garden and the HB Tree Society**
12. [19-1244](#) **Mayor Semeta to call on Dawn McCormick of Timeless Treasures Boutique who will present donation to the Waggin’ Trails Rescue Foundation from money raised from their boutique**
13. [19-1224](#) **Mayor Semeta to call on players and coaches from the Marina High School Varsity Football Team to recognize them as CIF Champions**

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3 Minute Time Limit)

COUNCIL COMMITTEE - APPOINTMENTS - LIAISON REPORTS, AB 1234 REPORTING, AND OPENNESS IN NEGOTIATIONS DISCLOSURES

CITY MANAGER'S REPORT

14. [20-1351](#) **Update on the Ascon Landfill Project**
15. [20-1356](#) **Update on Councilmember Brenden and Peterson's September 16, 2019 request that staff return to Council with Ordinance(s) related to Sober Living Homes**

CONSENT CALENDAR

16. [19-1248](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes and the special meetings of the Housing Authority, Parking Authority and Successor Agency dated December 16, 2019, as written and on file in the office of the City Clerk.

17. [20-1325](#) **Annual Review of the City Code of Ethics**

Recommended Action:

Direct the City Clerk to record in the official minutes that the City Code of Ethics was presented to the City Council, City Manager, Chairpersons, and City Department Directors for their review and distribution as required by Resolution No. 2016-73.

18. [20-1344](#) **Receive and file the monthly status update on the 6th cycle Regional Housing Needs Assessment process**

Recommended Action:

Receive and file the monthly Regional Housing Needs Assessment (RHNA) process status update.

19. [19-1296](#) **Approve appointments to the Huntington Beach Human Relations Task Force (HRTF) as recommended by City Council liaisons Mayor Pro Tem Jill Hardy and Councilmember Patrick Brenden**

Recommended Action:

A) Approve the reappointments of Natalie Moser and Vashia Rhone for terms to expire December 31, 2023, as recommended by City Council liaisons Jill Hardy and Patrick

Brenden; and,

B) Approve the appointments of Ashley Dos Santos, Antonio Benitez, and Hemesh Patel for terms to expire December 31, 2021, as recommended by City Council liaisons Jill Hardy and Patrick Brenden; and,

C) Approve the appointments of Rhonda Bolton, Teresa Carlisle and Timothy Stuart for terms to expire December 31, 2023, as recommended by City Council liaisons Jill Hardy and Patrick Brenden.

20. [19-1291](#) **Authorize use of existing on-call construction management/inspection contracts with Wallace and Associates, Consulting, Inc., Vali Cooper and Associates, Inc., and Dudek for City related projects**

Recommended Action:

Authorize the use the existing on-call construction management/inspection contracts with Wallace and Associates, Consulting, Inc., Vali Cooper and Associates, Inc., and Dudek for any City related projects and activities including those in the approved CIP.

21. [20-1321](#) **Adopt Resolution No. 2020-08 to accept and approve the Development Impact Fee Report for Fiscal Year 2018-19 and Make Government Code Section 66006 and 66001 Findings**

Recommended Action:

Adopt Resolution No. 2020-08, "A Resolution of the City Council of the City of Huntington Beach to Accept and Approve the Development Impact Fee Report for Fiscal Year Ending June 30, 2019 and to Make the Findings as required by Government Code Section 66006(b) and 66001(d)."

22. [19-1277](#) **Approve and authorize execution of two Landscape Maintenance Agreements with the State of California Department of Transportation (Caltrans) for Pacific City Retail and Pasea Hotel for Maintenance of Landscape Improvements within the State Highway Right of Way on Pacific Coast Highway (PCH)**

Recommended Action:

A) Approve and authorize the Mayor and City Clerk to execute and record the "Landscape Maintenance Agreement Within State Highway Right of Way on Route 1 Within the City of Huntington Beach" for the Pacific City Retail project (Attachment 1); and,

B) Approve and authorize the Mayor and City Clerk to execute and record the "Landscape

Maintenance Agreement Within State Highway Right of Way on Route 1 Within the City of Huntington Beach” for the Pasea Hotel project (Attachment 2).

23. [20-1328](#) **Approve and authorize execution of Amendment No. 1 to Agreement with Waymakers to authorize a one-year contract extension and additional compensation of \$114,509 for management of the Victim and Witness Assistance Services Program; and, approve grant fund appropriation**

Recommended Action:

A) Approve and authorize the Mayor and City Clerk to execute “Amendment No. 1 to Agreement Between the City of Huntington Beach and Community Service Programs, Inc. (Waymakers) for Victim and Witness Assistance Services;” and,

B) Approve appropriation of \$114,509 contingent upon grant funding provided by the California Office of Emergency Services, and increase professional services authority for the commensurate amount.

24. [19-1285](#) **Approve and authorize execution of an Amendment to a Memorandum of Understanding with the Orange County Transportation Authority and the cities of Fountain Valley and Costa Mesa to extend the deadline for completion of street improvements associated with the potential removal of the Garfield/Gisler crossing of the Santa Ana River**

Recommended Action:

Approve and authorize the Mayor to execute “Amendment No. 1 to Memorandum of Understanding C-6-0834 Among Cities of Costa Mesa, Fountain Valley and Huntington Beach and Orange County Transportation Authority Regarding Agency Responsibilities for Implementing the Consensus Recommendation for the Garfield-Gisler Bridge Crossing over the Santa Ana River.”

25. [19-1290](#) **Approve and authorize execution of a Memorandum of Understanding (MOU) Between the City of Huntington Beach and SC Cleaning Specialist for the Installation and Maintenance of Marina Trash Skimmer at 16011 Santa Barbara Lane**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the “Memorandum of Understanding (MOU) between the City of Huntington Beach and SC Cleaning Specialist for the Installation and Maintenance of Marina Trash Skimmer(s) in Huntington Harbour,” (16011 Santa Barbara Lane).

26. [20-1346](#) **Approve the appointment of Scott Haberle to the position of Fire Chief, and authorize the City Manager to execute the employment agreement**

Recommended Action:

Approve and authorize the City Manager to execute the "Employment Agreement between the City of Huntington Beach and Scott Haberle" for the position of Fire Chief.

27. [19-1249](#) **Adopt Resolution No. 2020-01 authorizing the Director of Public Works to submit application(s) and administer the Used Oil Payment Program (UOPP) for Eligible CalRecycle Grants; and, appropriate funds**

Recommended Action:

A) Adopt Resolution No. 2020-01, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Director of Public Works to Submit Application(s) and Administer the Used Oil Payment Program for Eligible CalRecycle Grants;" and,

B) Appropriate \$54,699 to used Used Oil OPP grant fund account 96066046.69505.

28. [20-1299](#) **Adopt Resolution No. 2020-02 approving the submittal of an application to the Orange County Transportation Authority (OCTA) for funding under the Project V Community-Based Transit/Circulators Program**

Recommended Action:

Adopt Resolution 2020-02 "A Resolution of the City Council of the City of Huntington Beach approving the submittal of the Project V application to the Orange County Transportation Authority for funding under the Project V Community-Based Transit/Circulators Program."

29. [20-1301](#) **Adopt Successor Agency Resolution Nos. 2020-02 and 2020-01 approving the Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for the Huntington Beach Successor Agency for the period of July 1, 2020, through June 3, 2021, in accordance with Health and Safety Code Section 34177 and related actions**

Recommended Action:

A) Adopt Resolution No. 2020-01, "A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Approving the Successor Agency Administrative Budget for the Period July 1, 2020, through June 30, 2021;" and,

B) Adopt Resolution No. 2020-02, "A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Approving the Recognized Obligation Payment Schedule for the Period July 1, 2020 - June 30, 2021 ('ROPS 20-21')."

PUBLIC HEARING

30. [19-1170](#) **Public Hearing Continued Open from December 16, 2019 to consider Zoning Text Amendment No. 19-002 (Huntington Beach Zoning and Subdivision Ordinance Update) by approving for introduction Ordinance Nos. 4193, 4194, 4195, 4196, 4197, 4198 and 4199**

Recommended Action:

A) Find Zoning Text Amendment No. 19-002 exempt from the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act (Attachment No. 1); and

B) Approve Zoning Text Amendment No. 19-002 with findings (Attachment No. 1) and approve for introduction:

Ordinance No. 4193, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 210 of the Huntington Beach Zoning and Subdivision Ordinance Titled R Residential Districts (Zoning Text Amendment No. 19-002);"

Ordinance No. 4194, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance Titled Definitions (Zoning Text Amendment No. 19-002);"

Ordinance No. 4195, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance Titled Use Classifications (Zoning Text Amendment No. 19-002);"

Ordinance No. 4196, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 231 of the Huntington Beach Zoning and Subdivision Ordinance Titled Off-Street Parking and Loading Provisions (Zoning Text Amendment No. 19-002);"

Ordinance No. 4197, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance Titled Site Standards (Zoning Text Amendment No. 19-002);"

Ordinance No. 4198, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 212 of the Huntington Beach Zoning and Subdivision

Ordinance Titled I Industrial Districts (Zoning Text Amendment No. 19-002);” and,

Ordinance No. 4199, “An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 211 of the Huntington Beach Zoning and Subdivision Ordinance Titled C Commercial Districts (Zoning Text Amendment No. 19-002);” (Attachment Nos. 3 - 9).

31. [19-1205](#) Appeal of Planning Commission Approval of Coastal Development Permit No. 19-001 and Conditional Use Permit No. 19-001 (3rd Street Commercial Building)

Recommended Action:

The Planning Commission recommends the City Council take the following action(s):

- A) Find the Proposed Project Exempt From the California Environmental Quality Act Pursuant to Section 15182 of the CEQA Guidelines and Government Code 65457; and,
- B) Approve Coastal Development Permit No. 19-001 and Conditional Use Permit No. 19-001 with findings and conditions of approval (Attachment No.1).

ORDINANCES FOR INTRODUCTION

32. [19-1289](#) Approve for introduction Ordinance No. 4202, which amends Chapter 13.54 of the Huntington Beach Municipal Code regarding specific events to prohibit weapons at parades and protests

Recommended Action:

Approve for introduction Ordinance No. 4202, “An Ordinance of the City of Huntington Beach Amending Chapter 13.54 Regarding Specific Events to Prohibit Weapons at Parades and Protests.”

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, February 3, 2020, at 4:00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

INTERNET ACCESS TO CITY COUNCIL/PUBLIC FINANCING AUTHORITY AGENDA AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT

<http://www.huntingtonbeachca.gov>