



AGENDA

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

Tuesday, January 22, 2019
Council Chambers
2000 Main Street
Huntington Beach, CA 92648

**Study Session - None / Closed Session - 4:30 PM / Successor Agency Special Meeting and City Council/Public Financing Authority
Regular Meeting - 6:00 PM**

MAYOR AND CITY COUNCIL

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

STAFF

FRED A. WILSON, 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>.

4:30 PM - COUNCIL CHAMBERS**CALL TO ORDER****ROLL CALL**

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

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. [19-106](#) **Mayor Peterson to Announce: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiators: Fred A. Wilson, City Manager, Peter Brown, outside counsel and Chief Negotiator, Lori Ann Farrell-Harrison, Assistant City Manager; also in attendance: Robert Handy, Chief of Police, Gilbert Garcia, Chief Financial Officer, and Michele Warren, Director of Human Resources regarding the following: Huntington Beach Police Officers' Association (POA) and Police Management Association (PMA).**

2. [19-107](#) **Mayor Peterson to Announce: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator: Peter Brown, regarding labor negotiations with: Assistant City Manager, Chief Assistant City Attorney, Chief Financial Officer, Chief Information Officer, City Manager, Community Development Director, Community Services Director, Deputy Director of Community Development, Fire Chief, Human Resources Director, Library Services Director, Deputy Community Prosecutor, Police Chief, Public Works Director, as well as the elected City Attorney, City Clerk and City Treasurer.**

CLOSED SESSION

3. [18-663](#) **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: *Duran (Anthony) v. City of Huntington Beach, et al.*; USDC Case No.: 8:18-cv-00659 JVS (DFMx).**

4. [18-665](#) 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: Harrison-Swaim (Jaime) v. City of Huntington Beach, et al.; OCSC Case No.: 30-2018-01014886.
5. [19-094](#) 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: Decock (Eugene and Sandra) v. City of Huntington Beach; OCSC Case No. 30-2017-00956312.
6. [19-098](#) 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: Moore (Neal), et. al. v. City of Huntington Beach, et al.; USDC Case No. 8:19-cv-00009-DOC (ADSx).
7. [19-099](#) 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 claim: Langton v. Surf City Seniors on the Go; DFEH case #20180-05-02444531.
8. [19-101](#) Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator, Peter Brown, regarding labor negotiations with: Assistant City Manager, Chief Assistant City Attorney, Chief Financial Officer, Chief Information Officer, City Manager, Community Development Director, Community Services Director, Deputy Director of Community Development, Fire Chief, Human Resources Director, Library Services Director, Deputy Community Prosecutor, Police Chief, Assistant Police Chief, Public Works Director, as well as the elected City Attorney, City Clerk and City Treasurer
9. [19-102](#) Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiators: Fred A. Wilson, City Manager, Peter Brown, outside counsel and Chief Negotiator, Lori Ann Farrell-Harrison, Assistant City Manager; also in attendance: Robert Handy, Chief of Police, Gilbert Garcia, Chief Financial Officer, Michele Warren, Director of Human Resources regarding the following: Huntington Beach Police Officers' Association (POA) and Police Management Association (PMA).
10. [19-104](#) 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, one (1).

11. [19-105](#) 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: Kennedy Commission, et al. v. City of Huntington Beach; OCSC Case No. 30-2015-00801675.

6:00 PM – COUNCIL CHAMBERS

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

ROLL CALL

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

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.

12. [18-635](#) Maneck Bhujwala of the Zoroastrian Community and member of the Greater Huntington Beach Interfaith Council.

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

13. [18-633](#) Mayor Peterson to call on Victoria Alberty to present the Adoptable Pet of the Month.
14. [18-634](#) Mayor Peterson to call on Finance Director Gilbert Garcia to present the Mayor's Award to Paulina Flores, Senior Finance Analyst.

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**CITY ATTORNEY'S REPORT**

15. [18-637](#) **The filing of the lawsuit, City of Huntington Beach v. State of California, challenging the Constitutionality of the State's recently enacted SB 35**

CONSENT CALENDAR

16. [18-625](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting and Special Meetings of the Housing Authority, Parking Authority and Successor Agency minutes dated December 17, 2018, as written and on file in the Office of the City Clerk.

17. [18-642](#) **Receive and file the Notification of a City Council Strategic Planning Session to be held on February 7, 2019**

Recommended Action:

Receive and file the Notification of the City Council's Strategic Planning Session scheduled for February 7, 2019.

18. [18-640](#) **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.

19. [19-095](#) **Approve revision to the Maddy Act Local Appointments List - 2019, to include the addition of newly established Harbor and Jet Noise commissions adopted by the City Council in late 2018**

Recommended Action:

Approve the Maddy Act Local Appointments List - 2019 (Revised) to include the addition of the Jet Noise Commission adopted by Council on November 19, 2018, and the Harbor Commission adopted by Council on December 17, 2018; and, direct the City Clerk to post the revised list at official posting locations (Civic Center, Huntington Central Library, and Main Street Library). Copies of the Maddy Act Local Appointments List - 2019 (Revised) will also be posted at all branch libraries and on the City's website.

20. [18-582](#) **Approve the December 2018 City of Huntington Beach Strategic Plan Update**

Recommended Action:

Approve the December 2018 Strategic Objectives Update as contained within Attachment 1.

21. [18-644](#) **Approve the appointment of Amory Hanson and Mark Zambrano to the Historic Resources Board (HRB) with terms to expire July 2022 as recommended by City Council liaisons Mayor Erik Peterson and Mayor Pro Tempore Lyn Semeta**

Recommended Action:

Approve the appointment of Amory Hanson and Mark Zambrano to the Historic Resources Board, as recommended by City Council liaisons to the Board, Mayor Peterson and Mayor Pro-tem Semeta, with terms to expire July 1, 2022.

22. [19-003](#) **Approve and authorize the City of Huntington Beach to give a six (6) month prior written Notice of Intent to Terminate from the Public Cable Television Authority**

Recommended Action:

Authorize the City Manager to give a six (6) month prior written Notice of Intent to Terminate to the Public Cable Television Authority and to all other Members pursuant to Section 4 of the Joint Powers Agreement.

23. [18-641](#) **Approve and authorize execution of Amendment No. 1 to Cooperative Agreement No. C-5-3614 between Orange County Transportation Authority (OCTA) and City of Huntington Beach for I-405 Improvement Project**

Recommended Action:

Authorize the Mayor and City Clerk to execute "Amendment No. 1 to Cooperative Agreement No. C-5-3614 between Orange County Transportation Authority and City of Huntington Beach for I-405 Improvement Project."

24. [18-652](#) **Approve a sole source agreement for the purchase and refurbishment of a lifeguard rescue boat with Willard Marine, Inc.**

Recommended Action:

Approve the sole source agreement with Willard Marine, Inc.

25. [18-588](#) **Adopt Resolution Nos. 2019-01, 2019-02, 2019-03, 2019-04 and 2019-05 for Summary Vacation of certain existing Easements at the Pacific City Residential Development (Final Tract Map Number 16338) located at 21002 Pacific Coast Highway**

Recommended Action:

A) Adopt Resolution No. 2019-01, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of a Pedestrian Ingress and Egress Easement on Property Located at Pacific City (Final Tract Map Number 16338);" and,

B) Adopt Resolution No. 2019-02, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Easement for Access Purposes

on Property Located at Pacific City (Final Tract Map Number 16338)"; and,

C) Adopt Resolution No. 2019-03, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Easement for Village Green Park and Open Space Purposes on Property Located at Pacific City (Final Tract Map Number 16338);" and,

D) Adopt Resolution No. 2019-04, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Easement for Waterline Purposes on Property Located at Pacific City (Final Tract Map Number 16338);" and,

E) Adopt Resolution No. 2019-05, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Easement for Public Park and Open Space Purposes on Property Located at Pacific City (Final Tract Map Number 16338);" and,

F) Instruct the City Clerk to record said Resolutions (and attachments) with the Orange County Recorder.

26. [18-610](#) **Adopt Resolution Nos. 2019-01 and 2019-02 approving the Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for the Huntington Beach Successor Agency for the period of July 1, 2019 through June 30, 2020, in accordance with Health and Safety Code Section 34177 and related actions**

Recommended Action:

A) Adopt Resolution No. 2019-01, "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, 2019, through June 30, 2020;" and,

B) Adopt Resolution No. 2019-02, "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, 2019 - June 30, 2020 ('ROPS 19-20')."

27. [18-626](#) **Adopt Ordinance No. 4148 adding Chapter 10.50 to the Code, both relating to On-Street Parking Meter Zones and Off-Street City Parking Lots**

Approved for introduction December 17, 2018 - Vote: 7-0

Recommended Action:

Adopt Ordinance No. 4148, "An Ordinance of the City of Huntington Beach Amending Huntington Beach Municipal Code Chapters 10.04, 10.52, 10.56, 10.60 and 10.68, and Adding Chapter 10.50 to the Code, Both Relating to On-Street Parking Meter Zones and Off-Street City Parking Lots."

28. [18-627](#) **Adopt Ordinance No. 4169 Amending Huntington Beach Municipal Code Chapter 3.03 Relating to Professional Services Contracts**

Approved for introduction December 17, 2018 - Vote: 5-2 (Posey, Delgleize - No)

Recommended Action:

Adopt Ordinance No. 4169, "An Ordinance of the City of Huntington Beach Amending Sections 3.03.020, 3.03.060, and 3.03.080 of Chapter 3.03 of the Huntington Beach Municipal Code Relating to Professional Services Contracts."

PUBLIC HEARING

29. [19-001](#) **Adopt Resolution No. 2019-06 modifying the Management District Plan (MDP) of the Huntington Beach Tourism Business Improvement District (HBTBID); approve execution of the terminating Grant Agreement with Visit Huntington Beach (VHB) and authorize entering into a new Memorandum of Understanding (MOU)**

Recommended Action:

A) Adopt Resolution No. 2019-06, "A Resolution of the City Council of the City of Huntington Beach Modifying the Management District Plan of the Huntington Beach Tourism Business Improvement District"; and,

B) Approve and authorize the Mayor and City Clerk to execute the "Mutual Agreement to Terminate the Grant Agreement between the City of Huntington Beach and Visit Huntington Beach"; and,

C) Authorize the City Manager to negotiate and execute an Agreement for Tourism Business Improvement District Management to administer the TBID activities and improvements in a form acceptable to the City Attorney along with the required budget modifications.

30. [19-005](#) **Approve for introduction Ordinance Nos. 4172, 4173, 4174, 4175, and 4176 approving Zoning Text Amendment (ZTA) No. 18-003 (Zoning and Subdivision Ordinance Update)**

Recommended Action:

A) Find and determine that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements

CEQA (Attachment No. 1); and,

B) Approve Zoning Text Amendment No. 18-003 with findings (Attachment No. 1) and approve for introduction:

Ordinance No. 4172, "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. 18-003);"

Ordinance No. 4173, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 214 of the Huntington Beach Zoning and Subdivision Ordinance Titled PS Public-Semipublic Districts (Zoning Text Amendment No. 18-003);"

Ordinance No. 4174, "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. 18-003);"

Ordinance No. 4175, "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. 18-003);" and,

Ordinance No. 4176, "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. 18-003)" (Attachment Nos. 3 - 7).

ADMINISTRATIVE ITEMS

- 31. [19-103](#) Adopt Emergency Ordinance No. 4177 adding Chapter 5.100 to the Huntington Beach Municipal Code (HBMC) establishing a Sidewalk Vending Permitting and Regulatory Program and repealing Section 5.50.170(F) which prohibits vending from a human powered conveyance**

Five Affirmative Votes are required to adopt per Charter Section 501

Recommended Action:

Adopt Emergency Ordinance No. 4177, "An Emergency Ordinance of the City of Huntington Beach Adding Chapter 5.100 To The Huntington Beach Municipal Code Establishing A Sidewalk Vending Permitting And Regulatory Program And Repealing Section 5.50.170(F) Which Prohibits Vending From A Human Powered Conveyance."

ORDINANCES FOR INTRODUCTION

- 32. [18-590](#) Expedite Permit Process for Electric Vehicle Charging Stations on Private Property by approving for introduction Ordinance No. 4166**

Recommended Action:

Approve for introduction Ordinance No. 4166, "An Ordinance of the City of Huntington Beach Adding Chapter 17.62 to the Huntington Beach Municipal Code Regarding Expedited Electric Vehicle Charging Station Permitting."

33. [18-664](#) **Approve for introduction Ordinance No. 4171 amending the Huntington Beach Municipal Code (HBMC) by updating Chapter 17.56.200 related to emergency responder access to private property**

Recommended Action:

Approve for introduction Ordinance No. 4171, "An Ordinance of the City of Huntington Beach Amending Chapter 17.56.200 of the Huntington Beach Municipal Code Regarding Security Gates."

COUNCILMEMBER ITEMS

34. [19-097](#) **City Councilmember Item submitted by Councilmember Posey for the January 22, 2019 City Council meeting - Formation of a Charter Review Commission**

Recommended Action:

Direct the City Manager to:

- A) Convene the Charter Review Commission to be made up of 15 members--7 appointed individually by each of the City Council Members and 8 to be appointed by the City Council as a whole; and
- B) Retain the services of a Charter Review Consultant to assist the Commission and staff in the review of the Charter.

COUNCILMEMBER COMMENTS (Not Agendized)**ADJOURNMENT**

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, February 4, 2019, 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>