



## AGENDA

### CITY COUNCIL/PUBLIC FINANCING AUTHORITY

**Monday, March 18, 2019**  
**Council Chambers**  
**2000 Main Street**  
**Huntington Beach, CA 92648**

**No Study Session / Closed Session - 5:00 PM**  
**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>.

Based on the lack of a Study Session and time needed to cover the Closed Session items, the meeting will be called to order at 5:00 PM

5:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

Councilmembers Brenden and Delgleize have requested permission to be absent pursuant to Resolution No. 2001-54

ROLL CALL

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO  
CLOSED SESSION ITEMS (Received After Agenda Distribution)

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

RECESS TO CLOSED SESSION

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 Wilson, City Manager and Peter Brown, outside counsel; also in attendance are Gilbert Garcia, Chief Financial Officer and Michele Warren, Director of Human Resources who will be participating in today's Closed Session discussions regarding the following: Interim City Manager.

CLOSED SESSION

1. [19-314](#) 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. The Stephouse Recovery, Inc.; et al.; OCSC Case No. 30-2018-01025168.
2. [19-315](#) 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. Nevaeh Re 1, LLC; OCSC Case No. 30-2018-01025173.
3. [19-316](#) 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. David Lacy, et al.; OCSC Case No. 30-2018-01025153.

4. [19-317](#) 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. Coastline Recovery LLC; et al.; OCSC Case No. 30-2018-01025162.
5. [19-318](#) 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. Anthony Roxstrom; OCSC Case No. 30-2018-010285104.
6. [19-356](#) 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: Cody Rogers, et al. v. City of Huntington Beach, et al.; USDC Case No. 8:19-cv-00031 DOC (ADSx).
7. [19-358](#) 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: In re: Ruby's Diner, Inc., a California Corporation, US Bankruptcy Court Case No. 8:18-bk-13311-CB.
8. [19-359](#) 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, et al.; OCSC Case No. 30-2015-00801675.
9. [19-360](#) Pursuant to Government Code § 54954.5(e), the City Council shall recess into Closed Session to discuss the public employment of Interim City Manager.
10. [19-363](#) 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; also in attendance: Gilbert Garcia, Chief Financial Officer, Michele Warren, Director of Human Resources regarding the following: Interim City Manager.

11. [19-367](#) 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, three (3).

**6:00 PM – COUNCIL CHAMBERS**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING**

Councilmembers Brenden and Delgleize have requested permission to be absent pursuant to Resolution No. 2001-54

**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. [19-375](#) Reverend James Pike, Pastor of Resurrection Lutheran Church in Huntington Beach

**CLOSED SESSION REPORT BY CITY ATTORNEY**

**AWARDS AND PRESENTATIONS**

13. [19-275](#) Mayor Peterson to call on Victoria Alberty to present the Adoptable Pet of the Month
14. [19-276](#) Mayor Peterson to call on City Attorney Michael Gates who will present the Mayor's Award to Senior Trial Counsel, Brian Williams

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda**

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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. [19-365](#) **Update on Lawsuits against Illegal Residential Sober Living  
Businesses**

**CONSENT CALENDAR**

16. [19-313](#) **Approve and Adopt Minutes**

**Recommended Action:**

Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated March 4, 2019, as written and on file in the Office of the City Clerk.

17. [19-297](#) **Approve the West Orange County Water Board (WOCWB)  
proposed budget for Fiscal Year 2019-20, including the City  
of Huntington Beach's share of \$487,937**

**Recommended Action:**

Approve the WOCWB FY 2019-20 proposed operating and debt budget amount of \$649,000.

18. [19-239](#) **Amend the previously approved Park Playground and  
Equipment Replacement Priority List and appropriate funds  
from the Park Development Impact Fund for installation of  
new playground equipment at Tarbox Park in the amount of  
\$91,000**

**Recommended Action:**

A) Approve the amendment of the previously approved Park Playground and Equipment Replacement Priority List; and,

B) Authorize an appropriation increase of \$91,000 into Park Development Impact account 22845001.82900 for the installation of new playground equipment at Tarbox Park.

19. [19-304](#) **Approve Cal OES Violence Against Women Act Grant (LE  
18026860) for the 2019 calendar year**

**Recommended Action:**

- A) Accept the grant between the State of California, Governor's Office of Emergency Services (Cal OES) and the City of Huntington Beach; and,
- B) Approve an appropriation of \$203,143, which is to be fully reimbursed by the grant from Cal OES; and,
- C) Increase the Professional Services authority list to include domestic violence services.

20. [19-126](#) **Adopt Resolution No. 2019-09 adopting a revised Council Manual digitally compiled to incorporate policy information previously adopted by resolution, enhance formatting, and include links to local government resource material**

**Recommended Action:**

Adopt Resolution No. 2019-09, "A Resolution of the City Council of Huntington Beach adopting a revised Council Manual" that incorporates adopted policy and relevant government resource material into one living document, superseding all previous versions .

21. [19-159](#) **Approve and authorize execution of a Professional Services Contract with Erickson-Hall Construction Co. for the Police Department Modernization Project**

**Recommended Action:**

Approve and authorize the Mayor and City Clerk execute the "Professional Services Contract Between the City of Huntington Beach and Erickson Hall Construction Company for Program Management Services for Modernization of the Police Department Facility."

**ADMINISTRATIVE ITEMS**

22. [19-354](#) **Approve City Council position on Legislation pending before the State Legislature as recommended by the City Council Intergovernmental Relations Committee (IRC)**

**Recommended Action:**

- A) Approve a City position of Support on Assembly Bill 136 (Quirk-Silva) -Alcohol and Drug Programs; and,
- B) Approve a City position of Support on Assembly Bill 510 (Cooley) - Local Government Records; and,
- C) Approve a City position of Support on Assembly Bill 1190 (Irwin) - Unmanned Aircraft: State and Local Regulations; and,
- D) Approve a City position of Oppose unless Amended on Assembly Bill 377 (Garcia) - Microenterprise Home Kitchen Operations; and,

E) Authorize the Mayor to send a letter of support to the California Public Utilities Commission in support of Southern California Gas Company's request to allow customers to purchase renewable natural gas for their homes.

**ORDINANCES FOR INTRODUCTION**

23. [19-312](#) **Adopt Resolution No. 2019-13 adopting revised Orange County Taxi Administration Program (OCTAP) regulations and approving for introduction Ordinance No. 4178 amending Huntington Beach Municipal Code Chapter 5.48 relating to Taxi Cabs**

**Recommended Action:**

A) Adopt Resolution No. 2019-13, "A Resolution of the City Council of the City of Huntington Beach Adopting Revised Orange County Taxi Administration Program Regulations;" and,

B) Approve for introduction Ordinance No. 4178, "An Ordinance of the City of Huntington Beach Amending Huntington Beach Municipal Code Chapter 5.48 Taxi Cabs."

**COUNCILMEMBER COMMENTS (Not Agendized)**

**ADJOURNMENT**

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, April 1, 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>