



AGENDA

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

Monday, September 16, 2019

Council Chambers

2000 Main Street

Huntington Beach, CA 92648

Study Session - 4:00 PM / 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

DAVE KIFF, Interim 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 HBTB-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

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

STUDY SESSION

1. [19-631](#) Public Works staff will present an overview of traffic conditions in the City along with current and future plans for managing traffic congestion and the technological changes affecting traffic operations, traffic flow and congestion management
2. [19-938](#) Overview of Police Department Asset Forfeiture Process

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

3. [19-946](#) Mayor Peterson to announce: Pursuant to Government Code §54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: David Kiff, Interim City Manager and Peter Brown, Chief Negotiator; also in attendance: Robert Handy, Police Chief; Chuck Adams, Interim Chief Financial Officer; and Michele Warren, Director of Human Resources regarding the following: Huntington Beach Police Officers' Association (POA)

CLOSED SESSION

4. [19-941](#) 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: Turman (Kathy M.) v. City of Huntington Beach; OCSC Case No.: 30-2018-01008686

5. [19-942](#) 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)
6. [19-943](#) Pursuant to Government Code §54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: David Kiff, Interim City Manager and Peter Brown, Chief Negotiator; also in attendance: Robert Handy, Police Chief; Chuck Adams, Interim Chief Financial Officer; and Michele Warren, Director of Human Resources regarding the following: Huntington Beach Police Officers' Association (POA)
7. [19-952](#) 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: Benzen Properties, LLC, et al. v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01070544
8. [19-953](#) 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: Huntington Beach Police Officers' Association and Nikitin (Yasha) v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01093906
9. [19-960](#) 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: Calif. Dept. of Housing and Community Development v. City (HCD); OCSC Case No.: 30-2019-01046493

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

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.

10. [19-851](#) Rev. James Pike of Lutheran Church of the Resurrection and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

11. [19-918](#) Mayor Peterson to call on Victoria Alberty who will present the “Adoptable Pet of the Month”
12. [19-917](#) Mayor Peterson to call on members of the American Legion Post 133 who will celebrate its 100th Anniversary on Saturday, September 21 at 9:00 AM with a free community celebration at Rodgers Seniors Center
13. [19-919](#) Mayor Peterson to call on Information Services Director Behzad Zamanian who will present the Mayor’s Award to Info Technology Analyst II, Brian Weinberg

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. [19-954](#) The City Manager will provide an update on the Ascon clean-up effort as well as progress on the Public Arts Master Plan, among other subjects

CONSENT CALENDAR

15. [19-811](#) Approve the reappointment of Jerry Person as City Historian, and the appointment of Kathie Schey as City Archivist, each to serve a four-year term commencing September 22, 2019, and ending on September 22, 2023

Recommended Action:

A) Reappoint Jerry Person as City Historian for a four-year term commencing September 22, 2019, to September 22, 2023; and,

B) Appoint Kathie Schey as City Archivist for a four-year term commencing September 22, 2019, to September 22, 2023.

16. [19-945](#) **Receive and File the monthly status update on the 6th cycle Regional Housing Needs Assessment (RHNA) process**

Recommended Action:

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

17. [19-950](#) **Adopt Resolution No. 2019-58 approving application(s) for specified Grant Funds and appropriate \$1.7 million from the State Department of Parks and Recreation for the Rehabilitation of the Blufftop Path**

Recommended Action:

A) Adopt Resolution No. 2019-58, "Resolution of the City Council of the City of Huntington Beach Approving Application(s) for Specified Grant Funds;" and,

B) Appropriate \$1.7 million upon receipt of Specified Grant Funds from the Department of Parks and Recreation.

18. [19-862](#) **Approve and authorize execution of an Agreement with Lorraine Mendez & Associates for US Department of Housing and Urban Development (HUD) Program Consulting Services for a total contract amount not to exceed \$120,000 through October 2022; and, authorize increase in Professional Services authority in the City Manager's Department**

Recommended Action:

A) Approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Lorraine Mendez & Associates for US Department of Housing and Urban Development (HUD) Consulting Services" in the amount of \$120,000 through October 2022; and,

B) Approve an increase in Professional Services authority in the City Manager's Department by the commensurate amount.

19. [19-905](#) **Approve, accept and authorize execution of a Grant agreement for the Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant; and approve appropriation and expenditure**

of funds by the Chief of Police

Recommended Action:

- A) Approve and accept the OTS STEP Grant agreement #PT20061 between OTS and the City of Huntington Beach for \$785,000; and,
- B) Authorize the Chief of Police to execute the grant agreement with OTS; and,
- C) Approve appropriations and estimated revenue source in the amount of \$785,000; and,
- D) Establish a separate business unit for this funding and authorize the Chief of Police to expend up to a total of \$785,000 plus accrued interest on the Selective Traffic Enforcement Program (STEP) grant.

20. [19-929](#) **Approve and authorize execution of a three-year Professional Services Contract with Keyser Marston Associates, Inc. for as-needed Economic Analysis Services; and, increase Office of Business Development Professional Services Listing**

Recommended Action:

- A) Approve and authorize the Mayor and City Clerk to execute a "Professional Services Contract Between the City of Huntington Beach and Keyser Marston Associates, Inc. for Economic Analysis Services" in an amount not to exceed \$270,000 over a three-year period; and,
- B) Increase the Office of Business Development Professional Services Listing by \$90,000.

21. [19-955](#) **Approve Fiscal Year 2018/19 Year-End Budget Adjustment and Inter-Fund Transfers**

Recommended Action:

- A) Approve the appropriation and transfer up to \$1.0 million into the Section 115 Trust from one-time FY 2018/19 year-end savings and revenues to reduce the City's unfunded pension liabilities as reflected in Attachment 1; and,
- B) Approve appropriation and transfer of \$2.0 million to the Fiscal Year 2018/19 Revised Budget in the Infrastructure Fund (314) and an additional \$250,000 for park improvements as contained in Attachment 1; and,
- C) Approve authorization to execute any necessary action to comply with Resolution 2019-55 (City Manager Employment Agreement) including the inter-fund transfer of \$1.58

million from FY 2018/19 General Fund budgetary; transfer request is reflected in Attachment 1; and,

D) Authorize appropriation and inter-fund transfers in non-General Fund accounts for expenditures totaling \$104,317 as contained in Attachment 1.

PUBLIC HEARING

- 22. [19-940](#) Public Hearing to consider adoption of Resolution 2019-69 approving an Annual Assessment within the Huntington Beach Downtown Business Improvement District (DTBID) for Fiscal Year 2019-2020; and authorize appropriation of funds**

Recommended Action:

A) Conduct the Public Hearing; and,

B) If protests of 50% are not received, adopt Resolution No. 2019-69, "A Resolution of the City Council of Huntington Beach Approving an Annual Assessment Within the Huntington Beach Downtown Business Improvement District for Fiscal Year 2019-2020" and,

C) Appropriate an additional \$29,000 for a total of \$120,000 into Fund 710 for FY 2019-20.

ADMINISTRATIVE ITEMS

- 23. [19-958](#) Consider request for fee waiver, parking offset contribution, and in-kind trash collection services for Code Four, Operator of the Great Pacific Air Show scheduled to take place on October 4-6, 2019 in the City of Huntington Beach**

Recommended Action:

A) Authorize the City Manager to approve a Specific Event Permit for the 2019 Great Pacific Airshow that includes a fee waiver of \$11,250, parking offset revenues of up to \$100,000 contingent on actual parking revenues, and that utilizes aspects of the City's in-kind contributions via its waste franchise agreements (estimated at up to \$10,000); OR

B) Deny the above requests for the 2019 event; OR

C) Consider alternative options.

COUNCILMEMBER ITEMS

- 24. [19-947](#) Submitted by Councilmember Posey - Test Claim regarding**

Prison/Jail realignment and local Public Safety costs

Recommended Action:

Direct the City Manager and Police Chief to perform a sample-based analysis of a criminal arrest histories going back to 2012 to understand the financial impact on the City. A representative sample is one technique that can be used for obtaining insights and observations about a targeted population group. For example, this analysis should look at the correlation between those with criminal records that have come into contact with our Police Department (e.g. arrests) who are homeless and who would have been in prison had it not been for the realignment. I believe that the City has a duty to understand the financial impacts of AB 109 and to bring forth a Test Claim stating the impacts to the community.

25. [19-948](#) **Submitted by Councilmember Posey - California Public Employee Retirement System (Cal-PERS) and Environmental, Social, or Governance (ESG) plans**

Recommended Action:

Direct the Finance Commission to study the impact of Cal-PERS' ESG policy on Huntington Beach's unfunded pension liability, then to report back to the Council with an estimate of what amount of the City's unfunded liability is due to or was increased by Cal-PERS' ESG policies. Concurrent with that report, direct the City Attorney to report back on a legal strategy to address any losses to HB's Cal-PERS plan due to Cal-PERS' ESG policies.

26. [19-949](#) **Submitted by Mayor Peterson and Councilmember Brenden - Sober Living Homes**

Recommended Action:

Direct the City Attorney to return to City Council by October 21, 2019 with one or more draft Ordinance(s) that strike an appropriate balance between the interests of the City and its residents to preserve residential neighborhood character and the need to provide reasonable accommodation for the disabled to reside in normalized residential environments that promote effective recovery.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, October 7, 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>