



## **AGENDA**

### **CITY COUNCIL/PUBLIC FINANCING AUTHORITY**

**Monday, November 18, 2019**

**Council Chambers**

**2000 Main Street**

**Huntington Beach, CA 92648**

**Study Session - 3:00 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**

*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 HBTB-3 Channel 3, and can be viewed via live or archived website at <https://huntingtonbeach.legistar.com>.

**3:00 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.     [19-998](#)       Public Art Master Plan Update
2.     [19-852](#)       Magnolia Tank Farm Project Overview

**RECESS TO CLOSED SESSION**

**CLOSED SESSION ANNOUNCEMENT(S)**

3.     [19-1164](#)       Mayor Peterson to announce: Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiators: Oliver Chi, City Manager; also in attendance: Travis Hopkins, Acting Assistant City Manager regarding the following: Municipal Employees' Association (MEA); Management Employees' Organization (MEO); Police Officers' Association (POA), Police Management Association (PMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA), and Non-Associated.

**CLOSED SESSION**

4.     [19-1157](#)       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).
5.     [19-1158](#)       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: Cruz v. City of Huntington Beach; USDC Case No.: 8:19-cv-1449-DOC (ADSx).

6. [19-1159](#) 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: Californians for Homeownership, Inc. v. City of Huntington Beach; OCSC Case No. 30-2019-01107760.
7. [19-1163](#) 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; also in attendance: Travis Hopkins, Acting Assistant City Manager 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.

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.

8. [19-1088](#) Kelly Frankiewicz of the Leisure World Community Church and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

9. [19-1153](#) Mayor Peterson to call on Victoria Albery to present the “Adoptable Pet of the Month”

10. [19-1084](#) Mayor Peterson to present commendations to the newly crowned Miss Huntington Beach 2020 Mara James and her court

**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**

11. [19-1160](#) City Attorney to report on status of certain lawsuits including, among possibly others, City's SB 54 challenge, and the AB 101 and SB 1333 challenges

**CONSENT CALENDAR**

12. [19-1139](#) Approve and Adopt Minutes

**Recommended Action:**

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

13. [19-1096](#) Approve additional appropriation of \$150,000 for professional Fire Prevention inspection, plan check, and environmental engineering services, and increase professional services authority accordingly

**Recommended Action:**

A) Approve an additional appropriation of \$150,000 for Fire Prevention inspection, plan check and environmental engineering services as these expenditures are primarily cost-neutral and generally offset by reimbursements from developers and revenues generated from inspection and plan review services; and,

B) Increase the Fire Department's professional services authority by \$150,000 to ensure compliance with Administration Regulation No. 228.

14. [19-967](#) **Approve contract for street sweeping enforcement with Universal Protection Services, LP, DBA Allied Universal Security Services**

**Recommended Action:**

Approve and authorize the Mayor and City Clerk to execute "Service Agreement Between the City of Huntington Beach and Universal Protection Services, LP DBA Allied Universal Security (UASS) for Street Sweeping Enforcement Services" in an amount not to exceed \$1,119,000 over a three-year term; and authorize the City Manager to execute the attached contract.

15. [19-1038](#) **Approve First Amendment to Lease between the City and Kokomo's Surfside Grill, Inc., for a Beach Food Concession at the Marine Safety Education Center and approve Consent to Assignment and Assumption of Lease for Kokomo's Concession**

**Recommended Action:**

A) Approve and authorize the City Manager to execute the Consent to Assignment and Assumption of Lease Agreement for Kokomo's Concession; and

B) Approve and authorize the City Manager to execute the First Amendment to Lease dated September 5, 2017 between the City of Huntington Beach and Kokomo's Surfside Grill, a California Corporation for a Beach Food Concession on the first floor level of the Marine Safety Education Center.

16. [19-1129](#) **Adopt Resolution 2019-11 approving a summary vacation of an easement over a portion of 13th Street and Crest Avenue; adopt Resolution 2019-77 declaring a strip of City-owned property as surplus property; approve Quitclaim Deed for ownership of easement and the agreement for sale of surplus real property between the City and Dawn and Naomi Shimoda; and, authorize recordation of resolutions and exhibits with the Orange County Recorder**

**Recommended Action:**

A) Adopt Resolution No. 2019-11, "A Resolution of the City Council of the City of Huntington Beach ordering the summary vacation of an easement over a portion of 13th Street and Crest Avenue in the City of Huntington Beach" (Attachment 1); and,

B) Adopt Resolution No. 2019-77, "A resolution of the City Council of the City of Huntington Beach declaring that a strip of City owned property adjacent to 743 13th Street, Huntington Beach, is surplus property" (Attachment 7); and,

C) Instruct the City Clerk to record Resolutions No. 2019-11 and 2019-77 and the attached exhibits with the Orange County Recorder; and,

D) Approve the "Agreement for Sale of Surplus Real Property and Escrow Instructions by and between the City of Huntington Beach and Dawn Michiko Shimoda and Naomi Shimoda," (Attachment 5); and

E) Approve the Quitclaim Deed transferring ownership of easement to Dawn Michiko Shimoda and Naomi Shimoda, as well as any other escrow documents necessary for this transfer (Attachment 6).

17. [19-1141](#) **Adopt Resolution No. 2019-88 establishing City policy on termination of residential water service; adopt Resolution No. 2019-87 amending the Consolidated Comprehensive Citywide Master Fee and Charges Schedule to allow reduced water service reconnection fees for households earning less than 200% of the Federal poverty line, and establish a deposit schedule for new water service customers; and, increase appropriations and professional services authority by \$60,000 to fund utility billing software updates and part time contract staffing and other related costs for implementation and administration of Senate Bill No. 998**

**Recommended Action:**

A) Adopt Resolution No. 2019-88, "A Resolution of the City Council of the City of Huntington Beach Establishing City Policy on Termination of Residential Water Service," and

B) Adopt Resolution No. 2019-87, "A Resolution of the City Council of the City of Huntington Beach Amending the Consolidated Comprehensive Citywide Master Fee and Charges Schedule to Allow Reduced Water Service Reconnection Fees for Households Earning Less Than 200% of the Federal Poverty Line, and to Establish a Deposit Schedule for New Water Service Customers, All As Established Pursuant to Resolutions Nos. 2016-59, 2017-46, 2018-01, 2018-29, 2018-48, 2018-55, 2019-07, and 2019-19 (Supplemental Fee Resolution No. 10)," and

C) Increase Appropriations and Professional Services Authority by \$60,000 in the Water Fund (Fund 506).

18. [19-1110](#) **Adopt Resolution No. 2019-76 approving the annual Measure M2 Expenditure Report for the City of Huntington Beach**

**Recommended Action:**

Adopt Resolution No. 2019-76, "A Resolution of the City Council of the City of Huntington Beach Concerning the M2 Expenditure Report for the City of Huntington Beach."

19.     [19-1140](#)     **Adopt Ordinance No. 4200 amending Huntington Beach Municipal Code Section 2.76.010 to add the Classification of Director of Organizational Learning & Engagement**  
                          **Approved for introduction 11-04-2019 - Vote: 6-0-1 (Peterson absent)**

**Recommended Action:**

Adopt Ordinance No. 4200," An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Amending Section 2.76.010 Thereof Related to Exclusions From the Competitive Service" by adding the Director of Organization Learning & Engagement.

**PUBLIC HEARING**

20.     [19-1086](#)     **Adopt Ordinance No. 4189 amending Municipal Code Chapter 17.56 adopting the California Fire Code, 2019 Editions**  
                          **Approved for introduction 10-21-2019 - Vote: 7-0**

**Recommended Action:**

Adopt Ordinance No. 4189, "An Ordinance of the City of Huntington Beach Amending Chapter 17.56 of the Huntington Beach Municipal Code Adopting the California Fire Code," 2019 edition.

21.     [19-1085](#)     **Adopt Ordinance No. 4190 adopting the 2019 Model California Construction Codes**  
                          **Approved for introduction October 21, 2019 - Vote: 7-0**

**Recommended Action:**

Adopt Ordinance No. 4190, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code, Title 17 - Building and Construction Chapters 17.04, 17.07, 17.40, 17.44, and 17.48 to Adopt by Reference the Current California Code of Regulations Title 24 Parts 1-12 with Regard to the 2019 Edition of the California Building Code, 2019 Edition of the California Residential Code, 2019 Edition of the California Mechanical Code, 2019 Edition of the California Plumbing Code, and 2019 Edition of the California Electrical Code; to Adopt the 2019 Edition of the California Administration Code, 2019 Edition of the California Energy Code, 2019 Edition of the California Historical Building Code, 2019 Edition of the Reference Standards Code, and the 2019 Edition of the Green Building Standards Code; Chapter 17.46 Amending to Reference the 2018 Uniform Swimming Pool, Spa and Hottub Code; Chapter 17.60 Amending to Reference the 2018 Uniform Solar, Energy and Hydronic and Geothermal Code;"

(Attachment No. 1).

**ADMINISTRATIVE ITEMS**

22.     [19-1145](#)     **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.

23.     [19-1167](#)     **Adopt City Council Resolution No. 2019-89 Providing for the Possible Issuance of One or More Series of City of Huntington Beach Taxable Pension Obligation Bonds and Authorizing a Trust Agreement, A Validation Action and Other Matters Relating Thereto**

**Recommended Action:**

A) Adopt Resolution 2019-89, "A Resolution of the City Council of the City of Huntington Beach Providing for the Issuance of One or More Series of City of Huntington Beach Taxable Pension Obligation Bonds and Authorizing a Trust Agreement, A Validation Action and Other Matters Relating Thereto" and,

B) Authorize the City Manager and City Clerk to take all administrative and budgetary actions necessary to perform the bond issuance, including the negotiation and execution of agreements with Orrick Herrington and Sutcliffe LLP for judicial validation proceedings, bond counsel, and disclosure counsel services; KNN Public Finance to act as municipal advisor; and US Bank to act as trustee.

**ORDINANCES FOR INTRODUCTION**

24.     [19-1128](#)     **Approve for introduction Ordinance No. 4192, which establishes Municipal Code Section 10.40.265 prohibiting misuse of disabled person placards or license plates, and adopt Resolution No. 2019-75, which establishes a bail amount for the new Municipal Code section and adds it to the Uniform Bail Schedule for Parking Violations**

**Recommended Action:**

A) Approve for Introduction Ordinance No. 4192, "An Ordinance of the City of Huntington Beach adding Section 10.40.265 to Chapter 10.60 of the Huntington Beach Municipal Code Relating to Disabled Parking Placards and License Plates;" and,

B) Adopt Resolution No. 2019-75, "A Resolution of the City Council of the City of Huntington Beach Adopting an Amended Uniform Bail Schedule for Parking Violations."



25. [19-1130](#) **Approve for Introduction Ordinance 4201 Amending Chapter 8.48 of the Huntington Beach Municipal Code Relating to Public Nuisance Abatement of Abandoned, Wrecked, Dismantled or Inoperative Vehicles.**

**Recommended Action:**

Approve for Ordinance 4201, "An Ordinance of the City of Huntington Beach Chapter 8.48 of the Huntington Beach Municipal Code Relating to Public Nuisance Abatement of Abandoned, Wrecked, Dismantled or Inoperative Vehicles."

**COUNCILMEMBER COMMENTS (Not Agendized)**

**ADJOURNMENT**

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, December 2, 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\*\*](http://www.huntingtonbeachca.gov)