



AGENDA

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

Monday, October 21, 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

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>.

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. [19-853](#) Capital Improvement Project (CIP) Unfunded Capital Projects List
2. [19-1053](#) Review of Options to Address our CalPERS Unfunded Accrued Liability

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

3. [19-1075](#) Mayor Peterson to announce: Pursuant to Government Code § 54956.8, the City Council takes this opportunity to publicly introduce and identify designated property negotiator; City Manager, Oliver Chi, who will be participating today's in Closed Session discussion regarding negotiations with:

The City of Costa Mesa concerning price and terms of payment for the disposition of real property located on a portion of 3175 Airway Avenue, Costa Mesa, California,

Five Point Plaza LLC & JHC Acquisitions LLC concerning price and terms of payment for the disposition of real property located on a portion of 18431 Beach Boulevard, Huntington Beach, California,

Dave Shenkman concerning price and terms of payment for the disposition of real property located on a portion of 61 Main Street, Huntington Beach, California,

Marian Johnson concerning price and terms of payment for the disposition of real property located on a portion of 21 Main Street, Huntington Beach, California, and

Tina Viray and Nelson Wescott GP DBA as The Surf City Store concerning price and terms of payment for the disposition of real property located on a portion of 60 Main Street, Huntington Beach, California.

CLOSED SESSION

8. [19-1047](#) 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).
9. [19-1048](#) 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: Tabares (Tiffany) v. City of Huntington Beach and Eric Esparza; USDC Case No.: 8:18-cv-00821 JLS (JDEx).
10. [19-1049](#) 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.
11. [19-1052](#) Pursuant to Government Code § 54956.8, the City Council shall recess to Closed Session to give instructions to the City's Negotiator, Oliver Chi, City Manager, regarding negotiations with the City of Costa Mesa concerning price and terms of payment for the disposition of real property located on a portion of 3175 Airway Avenue, Costa Mesa, California.
12. [19-1069](#) Pursuant to Government Code § 54956.8, the City Council shall recess to Closed Session to give instructions to the City's Negotiator, Oliver Chi, City Manager, regarding negotiations with Five Point Plaza LLC & JHC Acquisitions LLC concerning price and terms of payment for the disposition of real property located on a portion of 18431 Beach Boulevard, Huntington Beach, California.

13. [19-1070](#) Pursuant to Government Code § 54956.8, the City Council shall recess to Closed Session to give instructions to the City's Negotiator, Oliver Chi, City Manager, regarding negotiations with Dave Shenkman concerning price and terms of payment for the disposition of real property located on a portion of 61 Main Street, Huntington Beach, California.
14. [19-1071](#) Pursuant to Government Code § 54956.8, the City Council shall recess to Closed Session to give instructions to the City's Negotiator, Oliver Chi, City Manager, regarding negotiations with Marian Johnson concerning price and terms of payment for the disposition of real property located on a portion of 21 Main Street, Huntington Beach, California.
15. [19-1072](#) Pursuant to Government Code § 54956.8, the City Council shall recess to Closed Session to give instructions to the City's Negotiator, Oliver Chi, City Manager, regarding negotiations with Tina Viray and Nelson Wescott GP DBA as The Surf City Store concerning price and terms of payment for the disposition of real property located on a portion of 60 Main Street, Huntington Beach, California.
16. [19-1073](#) 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.

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.

17. [19-977](#) Deacon Tom Concitis, St. Mary's by the Sea Catholic Church and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

18. [19-980](#) Mayor Peterson to call on Victoria Alberty to present the "Adoptable Pet of the Month"
19. [19-979](#) Mayor Peterson to call on Police Chief Rob Handy to present the Mayor's award to Lieutenant Oscar Garcia

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

CONSENT CALENDAR

20. [19-1025](#) Approve and Adopt Minutes

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated October 7, 2019, as written and on file in the office of the City Clerk.

21. [19-992](#) Receive and file City Clerk's quarterly listing of professional services contracts filed in the City Clerk's office between April 1, 2019 and June 30, 2019

Recommended Action:

Receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the Period of April 1, 2019 and June 30, 2019."

22. [19-972](#) Approve the appointments of Bud Benneman, Kevin Fockler, Kathleen McGowan, Joan Siegal, Corvi Urling to the Environmental Board and the reappointment of Tony Soriano to the Environmental Board as recommended by City Council Liaisons, Councilmembers

Barbara Delgleize and Jill Hardy

Recommended Action:

A) Approve the appointments of Bud Bennemen, Kevin Fockler, Kathleen McGowan, Joan Siegal, and Corvi Urling to the Environmental Board as approved by City Council Liaisons, Councilmembers Barbara Delgleize and Jill Hardy, their terms to expire June 30, 2023; and,

B) Re-appoint Tony Soriano, his term to expire June 30, 2023.

23. [19-964](#) **Adopt Resolution No. 2019-64 certifying that the City has the resources to implement the projects to be included in the Federal Transportation Improvement Program (FTIP) as required by the Orange County Transportation Authority (OCTA)**

Recommended Action:

Adopt Resolution No. 2019-64, "A Resolution of the City Council of the City of Huntington Beach Certifying that the City has the Resources to Fund the Projects in the FY 2020/21 - 2025/26 Transportation Improvement Program and Affirms its Commitment to Implement All Projects in the Program."

24. [19-1018](#) **Adopt Resolution No. 2019-72 authorizing the execution and delivery of a Second Supplemental Indenture in connection with a change in the authorized use of proceeds of the Huntington Beach Public Financing Authority (Orange County, California) Lease Revenue Bonds, 2014 Series A, and authorizing the execution of necessary documents and certificates and related actions in connection therewith**

Recommended Action:

A) Adopt Resolution No. 2019-72, "Resolution of the City Council of the City of Huntington Beach Authorizing the Execution and Delivery of a Second Supplemental Indenture in Connection with a Change in the Authorized Use of Proceeds of the Huntington Beach Public Financing Authority (Orange County, California) Lease Revenue Bonds, 2014 Series A, and Authorizing the Execution of Necessary Documents and Certificates and Related Actions in Connection Therewith;" and,

B) Approve authorization to execute any necessary actions to comply with Resolution 2019-72 including: 1) the inter-fund transfer of \$514,651 from the Bond Project Fund (319) to the Infrastructure Fund (314); and 2) an appropriation increase of \$320,349 to the Bond Project Fund to utilize the remaining bond proceeds on capital projects as authorized in

the Bond Indenture and Supplemental Amendments.

25. [19-1019](#) **Adopt Public Financing Authority Resolution No. 24 authorizing the execution and delivery of a Second Supplemental Indenture in connection with a change in the authorized use of proceeds of the Huntington Beach Public Financing Authority Lease Revenue Bonds 2014 Series A, and authorizing the execution of necessary documents and certificates and related actions in connection therewith**

Recommended Action:

A) Adopt Resolution No. 24, "Resolution of the Board of Directors of the Huntington Beach Public Financing Authority Authorizing the Execution and Delivery of a Second Supplemental Indenture in Connection with a Change in the Authorized Use of Proceeds of the Huntington Beach Public Financing Authority Lease Revenue Bonds 2014 Series A, and Authorizing the Execution of Necessary Documents and Certificates and Related Actions in Connection Therewith;" and,

B) Approve authorization to execute any necessary actions to comply with Resolution 24.

26. [19-1000](#) **Approve and authorize execution of an Agreement for sharing consultant costs for the 2019 America's Water Infrastructure Act's Compliance Risk and Resiliency Assessments and Emergency Response Plans (Phases II and III) with the Municipal Water District of Orange County (MWDOC)**

Recommended Action:

Approve and authorize the City Manager to execute the "Agreement for Sharing Consultant Costs for 2019 AWIA Compliance Risk and Resiliency Assessments and Emergency Response Plans for Participating Agencies (Phases II and III)" with the Municipal Water District of Orange County (MWDOC).

27. [19-1008](#) **Approve and authorize execution of a three-year Professional Services Contract between the City of Huntington Beach and Wittman Enterprises, LLC in the amount of \$1,080,000 to provide billing services for emergency paramedic and ambulance services; and, increase the Fire Department's Professional Services authority accordingly**

Recommended Action:

A) Approve and authorize the Mayor and City Clerk to execute a "Professional Services

Contract Between the City of Huntington Beach and Wittman Enterprises, LLC for Billing Services for Emergency Paramedic and Ambulance Service" in an amount not to exceed \$1,080,000 over a three-year period; and,

B) Increase the Fire Department's professional services authority accordingly by the commensurate amount to ensure compliance with Administrative Regulation No. 228.

ADMINISTRATIVE ITEMS

28. [19-1037](#) **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.

29. [19-1042](#) **Authorize the Sale of City-Owned Real Property Located at 15311 Pipeline Lane for \$2,744,000**

Recommended Action:

- A) Authorize the sale of the Pipeline Property to Steve Chalabian and Jackie Jernigan for \$2,744,000; and
- B) Authorize and allocate funds for the payment of escrow fees associated with the transaction for an amount not to exceed \$19,000; and
- C) Authorize and allocate funds for the payment of associated commission fees in an amount not to exceed 2.5% of the property sale price (\$68,600) payable to Lee Associates, to be paid from the proceeds of the sale or Residual Receipts Fund 233; and
- D) Authorize the City Manager to request a 45-day period to allow for current tenants to vacate the site prior to the close of escrow; and
- E) Authorize the City Manager, with the approval as to form by the City Attorney Office, to execute any and all necessary documents to consummate the real estate transaction.

ORDINANCES FOR INTRODUCTION

30. [19-971](#) **Approve for introduction Ordinance No. 4190 adopting the 2019 Model California Construction Codes; and schedule a Public Hearing for November 18, 2019**

Recommended Action:

A) Approve Introduction of 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) and,

B) Direct that a Public Hearing be set for the adoption of Ordinance No. 4190 on November 18, 2019.

31. [19-1022](#) **Approve for introduction Ordinance No. 4189 amending Municipal Code Chapter 17.56 adopting the California Fire Code, 2019 Editions; and schedule a Public Hearing for November 18, 2019**

Recommended Action:

A) Approve for introduction 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; and,

B) Schedule a Public Hearing for November 18, 2019.

COUNCILMEMBER ITEMS

32. [19-1074](#) **Submitted by Councilmember Posey - Updating the Historic Standard Market Plaque at 126 Main Street**

Recommended Action:

Given the information that I've received, and based on a review that has already been conducted by both the City Historic Resources Board and the *Huntington Beach Preserve Our Past* group, I am recommending that the City Council vote to direct staff to update the plaque located on the historic Standard Market building with correct historical information, as outlined in the attached information packet.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

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