



AGENDA – Revised Final

City Council/Public Financing Authority
Monday, May 18, 2020 at 5:00 PM

MAYOR AND CITY COUNCIL

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

Recorded live from the
City Council Chambers
2000 Main Street
Huntington Beach, CA 92648

STAFF

OLIVER CHI, City Manager
MICHAEL E. GATES, City Attorney
ROBIN ESTANISLAU, City Clerk
ALISA BACKSTROM, City Treasurer

SPECIAL NOTICE REGARDING COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 which allows a local legislative body to hold public meetings via teleconferencing, and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that some members of the Huntington Beach City Council and/or City staff may participate in this meeting telephonically or electronically.

PUBLIC PARTICIPATION/AUDIO/VIDEO ACCESS TO BROADCASTED MEETINGS: Pursuant to Executive N-29-20 and given the current health concerns, members of the public are encouraged to access the meeting live on-line at <https://huntingtonbeach.legistar.com>, or can elect to view the meeting via cable television channel HBTv-3.

To ensure the public's right to fully participate in providing meaningful public comments at the May 18, 2020, City Council meeting:

1. The Council Chambers will be open for public attendance to provide public comments. Social distancing measures will be in place, and once a participant has made a public comment, the participant will be asked to exit the Council Chambers. The City will provide an area for viewing the Council meeting on television to a limited number of participants. During Public Comments, members of the public may provide a comment, on an agenda item or non-agenda item, **in person** with a 3-minute time limit; **or**,

2. The public may submit a comment telephonically. At 6:00 PM, individuals wishing to provide a comment on agenda item or non-agenda items may call **(669) 900-6833** and enter **Webinar ID: 962 9013 0517**. Once a caller has entered the meeting, they will be placed in a holding queue. Callers will be prompted to speak in the order received, and after the Clerk confirms the last three digits of their phone number, are encouraged, but not required to identify themselves by name. Each caller will be provided 3 minutes to speak. Individuals wishing to provide comments on items scheduled for Closed Session should enter the call queue at 5:00 PM.

Members of the public may submit **SUPPLEMENTAL COMMUNICATION** (information received by the City Clerk's Office following distribution of the Council agenda packet): Members of the public wishing to submit written (supplemental) communication on agenda items for distribution to the City Council and placed into the administrative record can email SupplementalComm@Surfcity-hb.org. Supplemental Communications received by 2:00 PM the day of the meeting will be distributed to City Council prior to consideration of agenda-related items, and will be announced, but not read, and placed into the administrative record during the Supplemental Communications portion of the Meeting. In addition, any communications sent to city.council@surfcity-hb.org on Council agenda items will be treated as Supplemental Communications and announced, but not read, during the meeting.

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.

5:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

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

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

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

*** At 5:00 PM, individuals wishing to provide a comment on a Closed Session item may call (669) 900-6833 and enter Webinar ID: 962 9013 0517. Once a caller has entered the meeting, their call will be placed in a holding queue and will be answered in the order received. When invited to speak, callers are encouraged to identify themselves by name, and can speak for no more than 3 minutes.

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

1. [20-1630](#) Mayor Semeta to Announce: 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, Assistant City Manager, regarding the following: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); Police Officer's Association (POA); Police Management Association (PMA); Huntington Beach Firefighters' Association (HBFA); Fire Management Association (FMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA) and Non-Represented (Non-Associated) Employees (NA).

CLOSED SESSION

2. [20-1620](#) 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) v. City of Huntington Beach, et al.; OCSC Case No. 30-2019-01071686.

3. [20-1621](#) 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.

4. [20-1622](#) 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).

5. [20-1627](#) 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, Assistant City Manager, regarding the following: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); Police Officers' Association (POA); Police Management Association (PMA); Huntington Beach Firefighters' Association (HBFA); Fire Management Association (FMA); Marine Safety Management Association (MSMA) Surf City Lifeguard Employees' Association (SCLEA) and Non-Represented (Non-Associated) Employees (NA).

6. [20-1628](#) 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. Newsom; OCSC Case No.: 30-2020-01139512.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

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

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.

7. [20-1551](#) **Mark Currie of Bahia of Huntington Beach and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

8. [20-1625](#) **Mayor Semeta to acknowledge National Nurses week (May 6-12), and proclaim May 10-16 as National Police Week, and May 17-23 as National Emergency Medical Services (EMS) Week.**
9. [20-1624](#) **Mayor Semeta to present the “Making a Difference Award” to Reverend James Pike of Lutheran Church of the Resurrection and member of the Greater Huntington Beach Interfaith Council for donating his time, effort and resources to those in need during this pandemic, and playing an integral part in the success of “OneHB Connects.”**

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3 Minute Time Limit)

At 6:00 PM, individuals wishing to provide a comment on an agenda item or non-agenda item may call (669) 900-6833 and enter Webinar ID: 962 9013 0517. Once a caller has entered the meeting, their call will be placed in a holding queue and will be answered in the order received. When invited to speak, callers are encouraged to identify themselves by name, and can speak for no more than 3 minutes.

COUNCIL COMMITTEE - APPOINTMENTS - LIAISON REPORTS, AB 1234 REPORTING, AND OPENNESS IN NEGOTIATIONS DISCLOSURES

CITY MANAGER'S REPORT

10. [20-1487](#) **Ascon Landfill Site Update**
11. [20-1626](#) **Update of the City COVID-19 Response Plan and Actions for Review and Discussion**

CONSENT CALENDAR

12. [20-1618](#) **Approve and Adopt Minutes**

Recommended Action:

A) Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated April 20, 2020, as written and on file in the office of the City Clerk; and,

B) Approve and adopt the City Council emergency meeting minutes dated April 30, 2020, as written and on file in the office of the City Clerk.

13. [20-1580](#) **Accept \$200,000 Coastal Commission grant and authorize City staff to establish a budget for the grant; approve and authorize execution of a Professional Services Contract with Michael Baker International for preparation of a Comprehensive Local Coastal Program Update; approve an increase in the Community Development Department's Professional Services listing authority by \$240,000; and appropriate funds**

Recommended Action:

A) Accept \$200,000 Coastal Commission grant for a Comprehensive Local Coastal Program Update and authorize City staff to establish a budget for the grant in Fund 715 (Attachment No. 1); and,

B) Approve and authorize the Mayor and City Clerk to execute a "Professional Services Contract Between the City of Huntington Beach and Michael Baker International, Inc. for a Comprehensive Local Coastal Program Update" in the amount of \$240,000 as prepared by the City Attorney (Attachment No. 2); and,

C) Approve an increase in the Community Development Department's professional services listing authority by \$240,000 for the preparation of a Comprehensive Local Coastal Program Update to ensure compliance with Administrative Regulation Number 228, Section 7.1; and,

D) Appropriate funds in the amount of \$200,000 from Fund 715, a grant from the Coastal Commission, for the Professional Services Contract between the City and Michael Baker International, Inc.

14. [20-1587](#) **Accept the lowest responsive and responsible bid and authorize execution of a construction contract with Sancon Technologies, Inc. in the amount of \$839,073.00 for the Fiscal Year 19/20 Sewer Lining Project, CC-1599**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Sancon Technologies, Inc. in the amount of \$839,073; and,

B) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

15. [20-1591](#) **Accept the lowest responsive and responsible bid and authorize execution of a construction contract with Kana Pipeline Inc., in the amount of \$2,271,700 for the Sunset Beach Water Main Project Various Locations, Anderson Street to Warner Avenue, CC-1435**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Kana Pipeline Inc., in the amount of \$2,271,700; and,

B) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

16. [20-1609](#) **Adopt Resolution No. 2020-33 directing the execution of a Notice of Cessation of Special Tax - Improvement Area B of the City of Huntington Beach Community Facilities District (CFD) No. 2002-1 (McDonnell Centre Business Park)**

Recommended Action:

A) Adopt Resolution No. 2020-33, "A Resolution of the City Council of the City of Huntington Beach, Directing the Execution of a Notice of Cessation of Special Tax - Improvement Area B (APNs 195-111-03,64) of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park)," and approving other related documents and actions; and,

B) Authorize the City Manager and City Clerk to execute Notice of Cessation and other related documents and actions.

17. [20-1632](#) **Adopt Resolution No. 2020-34 to authorize and submit an application for Local Early Action Planning (LEAP) Grant Funds**

Recommended Action:

Adopt Resolution No. 2020-34, "A Resolution of the City Council of the City of Huntington Beach to Authorize an Application for, and Receipt of, Local Government Planning Support Grant Program Funds."

ORDINANCES FOR INTRODUCTION

18. [20-1534](#) **Approve for Introduction Ordinance No. 4206 repealing Chapter 14.24 and amending Chapter 14.25 of the Huntington Beach Municipal Code (HBMC) regarding Stormwater and Urban Runoff Management Ordinance**

Recommended Action:

Approve for introduction Ordinance No. 4206, "An Ordinance of the City of Huntington Beach Repealing Chapter 14.24 and Amending Chapter 14.25 of the Huntington Beach Municipal Code Regarding Stormwater and Urban Runoff Management."

COUNCILMEMBER ITEMS

19. [20-1642](#) **Submitted by Councilmembers Posey and Brenden - Direct staff to research Outdoor Dining Program for COVID-19 restaurant relief**

Recommended Action:

Take out service for food and beverage is already allowed. Patrons should have, and for all practical purposes already have, dining access within public and private spaces. This proposed voluntary program allows more options for restaurants and patrons alike. Adoption of the program would boost restaurant sales as well as boost a return to socialization.

Based on this assessment of the situation, we are requesting that the City Council vote to direct staff to develop a program that would temporarily allow conversion of adjacent public and private spaces into outdoor dining areas to allow restaurants greater dining capacity, given COVID-19 social distancing requirements.

20. [20-1643](#) **Submitted by Councilmember Peterson - Reopening Huntington Beach**

Recommended Action:

A) Create a list of businesses essential to Huntington Beach and discuss the policies needed to get our City open; and,

B) Discuss local enforcement of the State orders.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, June 1, 2020, 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>