



AGENDA

City Council/Public Financing Authority Monday, June 1, 2020 at 4:00 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 June 1, 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 agendized or non-agendized 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 agendized or non-agendized items may call **(669) 900-6833** and enter **Webinar ID: 986 8508 6898**. 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 Study Session or Closed Session should enter the call queue at 4:00 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.

4:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

At 4:00 PM, individuals wishing to provide a comment on a Study Session or Closed Session item may call 1+ (669) 900-6833 and enter Webinar ID: 986 8508 6898. 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.

STUDY SESSION

1. **20-1644 Fiscal Year 20/21 Proposed Budget**

RECESS TO CLOSED SESSION

CLOSED SESSION

2. **20-1667 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: HBPOA and Nikitin (Yasha) v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01093906.**

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.

3. **20-1670** **Scott Wilson from Saint 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

4. **20-1445** **Mayor Semeta to call on City Clerk Robin Estanislau to assist with conducting the 4th of July fireworks booth lottery drawing**

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 agendized or non-agendized item may call 1+ (669) 900-6833 and enter Webinar ID: 986 8508 6898. 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

5. **20-1489** **Ascon Landfill Site Update**
6. **20-1669** **Update of the City COVID-19 Response Plan and Actions for Review and Discussion**
7. **20-1671** **July 4th Celebration Activities Update**

CONSENT CALENDAR

8. **[20-1655](#)** **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes

dated May 4, 2020, as written and on file in the office of the City Clerk.

9. **20-1588** **Accept the lowest responsive and responsible bid and authorize execution of a construction contract with Green Giant Landscape, Inc., in the amount of \$169,000 for the Central Park Restrooms Phase 2, CC-1601**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Green Giant Landscape, Inc. in the amount of \$169,000; and,

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

10. **20-1648** **Accept the lowest responsive and responsible bid and authorize execution of a construction contract with Mehta Mechanical Co. Inc., dba MMC Inc., in the amount of \$3,684,400 for the Saybrook Lift Station Replacement Project, CC-1585; and authorize appropriation of funds**

Recommended Action:

A) Appropriate \$190,800 from the Sewer Service Fund (511) to Account 51189012.82600; and,

B) Accept the lowest responsive and responsible bid submitted by Mehta Mechanical Co. Inc., dba MMC Inc., in the amount of \$3,684,400; and,

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

11. **20-1649** **Approve the Infrastructure Fund Annual Report for Fiscal Year 2018-19**

Recommended Action:

Approve the Infrastructure Fund Annual Report for Fiscal Year 2018-19.

12. **20-1666** **Approve the Memorandum of Understanding between the City of Huntington Beach, Huntington Beach Chamber of Commerce, Community for Innovation, Entrepreneurship, Leadership and Opportunities (CIELO), and the CSUF Small Business Development Center (SBDC) for One HB Business Support Program (OneHB Program)**

Recommended Action:

Approve and authorize the City Manager or his designated representative to execute the Memorandum of Understanding (MOU) to establish a partnership between the City of Huntington Beach, Huntington Beach Chamber of Commerce, Community for Innovation, Entrepreneurship, Leadership and Opportunities (CIELO), and the CSUF Small Business Development Center (SBDC).

13. **20-1449** **Approve and authorize execution of contract agreement with The City of Westminster for use of the Westminster Firearm Training Facility**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute a two-year "Indemnification and Hold Harmless Agreement" with the City of Westminster to continue access and use of their Firearms Training Facility beginning on July 1, 2020.

14. **[20-1654](#)** **Adopt 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 Approved for introduction 5/18/20 - Vote: 7-0**

Recommended Action:

Adopt 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."

ADMINISTRATIVE ITEMS

15. **20-1664** **Approve a program to allow Temporary Emergency Outdoor Commercial Activity on Private and Public Property during the COVID-19 pandemic**

Recommended Action:

A) Confirm that allowing temporary emergency outdoor commercial activity on private and public property with issuance of a Temporary Emergency Use Permit during the period of the emergency is reasonably related to the protection of property being impacted by the COVID-19 emergency, and allow the City Manager, or his designee, to implement the temporary emergency use permit process; and,

B) Confirm that allowing a Temporary Sign/Banner Permit in conjunction with issuance of a Temporary Emergency Use Permit during the period of the emergency is reasonably related to the protection of property being impacted by the COVID-19 emergency, and allow the City Manager, or his designee, to implement the temporary sign and banner

permit process including minor design deviations; and ,

C) Forego all fees associated with Temporary Emergency Use Permits and associated Temporary Sign/Banner Permits; and,

D) Direct and authorize staff to engage with the Downtown BID to develop a possible Downtown Pilot Program along the Second Block of Main Street, and return with program details for formal City Council consideration at the June 15th City Council meeting.

- 16. 20-1668 Adopt Resolution No. 2020-37 amending Resolution Nos. 2016-59, 2017-28, 2017-44, 2017-46, 2018-01, 2018-29, 2018-48, 2018-55, 2019-07, 2019-19 and 2019-87, which established a Consolidated Comprehensive Citywide Master Fee and Charges Schedule (Supplemental Fee Resolution No. 11) allowing patrons with disabled parking to park for free in beach parking lots along PCH and downtown parking structures**

Recommended Action:

Adopt Resolution No. 2020-37, "A Resolution of the City Council of the City of Huntington Beach Amending Resolution Nos. 2016-59, 2017-28, 2017-44, 2017-46, 2018-01, 2018-29, 2018-48, 2018-55, 2019-07, 2019-19 and 2019-87, which established a Consolidated Comprehensive Citywide Master Fee and Charges Schedule (Supplemental Fee Resolution No. 11)."

COUNCILMEMBER ITEMS

- 17. 20-1675 Submitted by Councilmember Posey - Let's Go Fishing 90-Day Lease Extension**

Recommended Action:

Based on my assessment of the situation, I am requesting that the City Council vote to direct staff to execute a new contract with Let's Go Fishing to provide for an additional 3-month term to their base lease agreement, pursuant to the terms outlined above.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, June 15, 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>