



AGENDA

City Council/Public Financing Authority Regular Meeting

Monday, October 19, 2020 at 6:00 PM

MAYOR AND CITY COUNCIL

LYN SEMETA, Mayor
KIM CARR, Mayor Pro Tem
PATRICK BRENDEN, Councilmember
BARBARA DELGLEIZE, Councilmember
JILL HARDY, 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 HBTB-3.

The Council Chambers will be not open for in-person attendance to provide public comments. In order to ensure adequate social distancing, the City will not make a physical location available for the public to observe the meeting or offer public comment in person. **To ensure the public's right to fully participate in providing meaningful public comments at the October 19, 2020, City Council meeting:**

The public may submit a comment via Zoom Webinar, with the preferred method of entry from a computer device. Zoom applications are available for Windows, Mac, iPhone, iPad, and Android devices. Proceed to <https://zoom.us/test> from the device you intend to use to ensure it is ready to join the meeting. A phone-in option is also available.

At 6:00 PM, individuals wishing to provide a comment on agendized or non-agendized items may join the webinar via the Zoom app and enter **Webinar ID 971 5413 0528**, or can click on the following link <https://huntingtonbeach.zoom.us/j/97154130528>. Individuals may also join the webinar by calling **(669) 900-6833** and entering **Webinar ID 971 5413 0528**. Attendees will be placed in a holding queue and prompted to speak when the Clerk announces their name or the last three digits of their phone number. Speakers are encouraged, but not required to identify themselves by name. Each person may have up to 3 minutes to speak, but the Mayor, at her discretion, may reduce the time allowance if warranted by the volume of calls. The public comment holding queue will remain open for approximately 15 minutes. The process as previously described will also be followed for items scheduled for Study Session, Closed Session and/or Public Hearing, and speakers should enter the queue at the time associated with each specific event. After a speaker's comments conclude, they will be disconnected from the webinar.

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, Carr, Semeta, Peterson, Hardy, Brenden

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit) - At approximately 4:00 PM, individuals wishing to provide a comment on Study Session and Closed Session items may join the Zoom Webinar by entering Webinar ID 971 5413 0528, or join by phone by calling (669) 900-6833. Individuals that enter the meeting will be placed in a holding queue and prompted to speak when the Clerk announces your name or the last three digits of your phone number. The holding queue will remain open for approximately 15 minutes, and speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes to speak, but the Mayor, at her discretion, may reduce the time allowance if warranted by the volume of speakers.

STUDY SESSION

1. **20-1951** Review of City Park Development Efforts

RECESS TO CLOSED SESSION

CLOSED SESSION

2. [20-1939](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.** Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9: Number of cases, two (2).
3. [20-1941](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Huntington Beach Police Officers' Association, et al. v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01093906.
4. [20-1942](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Brewster (Terri Lynn) v. City of Huntington Beach; OCSC Case No. 30-2020-01160094.

5. **20-1954** **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.**
 (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
 Dave Ferguson v. City of Huntington Beach: Workers' Comp. Cases
 No. COHB-17-0150.

6. **20-1955** **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION.**
 (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
 Greg Davis v. City of Huntington Beach: Workers' Comp. Cases No.
 COHB-17-0137.

7. **20-1971** **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.**
 Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of
 Section 54956.9 (Deciding Whether to Initiate Litigation): Number of
 cases, one (1) - Appeal of Southern California Association of
 Governments (SCAG) Final Regional Housing Needs Assessment
 (RHNA) Methodology for the Sixth Housing Element Cycle.

8. **20-1956** **PUBLIC EMPLOYEE PERFORMANCE EVALUATION. (Paragraph (1)**
 of subdivision (b) of Section 54957.) Name/Title: Oliver Chi, City
 Manager.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

Posey, Delgleize, Carr, Semeta, Peterson, Hardy, 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.

9. **20-1914** **Reverend Patricia Mercado of the Center for Spiritual Living and**
 member of the Greater Huntington Beach Interfaith Community

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

- 10. 20-1953 Mayor Semeta to call on Victoria Albery to present the “Adoptable Pet of the Month”**
- 11. 20-1919 Mayor Semeta to issue a proclamation recognizing October as Breast Cancer Awareness Month**
- 12. 20-1952 Mayor Semeta to present the Mayor’s HB Excellence Award to Greg Schooley, Information Technology Technician I**
- 13. 20-1972 Recognition of Retiring Police Chief Rob Handy**

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

CITY MANAGER’S REPORT

CONSENT CALENDAR

- 14. [20-1934](#) Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated October 5, 2020, as written and on file in the office of the City Clerk.

- 15. 20-1947 Approve two appointments and one reappointment to the Mobile Home Advisory Board (MHAB) as recommended by City Council**

Liaisons, Councilmembers Kim Carr and Mike Posey

Recommended Action:

- A) Approve the appointment of Mary Jo Baretich as a Resident Representative to the Mobile Home Advisory Board through August 5, 2024, the end of the current term; and/or,
- B) Approve the appointment of Jerry Bleiweiss as a Resident Representative to the Mobile Home Advisory Board through August 5, 2024, the end of the current term; and/or,
- C) Approve the re-appointment of Donald Hart as an At-Large Member Representative to the Mobile Home Advisory Board through August 5, 2024, the end of the current term.

- 16. 20-1938 Adopt Resolution No. 2020-61 authorizing the Manual and/or Facsimile Signatures of the Chief Financial Officer, the City Treasurer, the Assistant Chief Financial Officer, and the Deputy City Treasurer as persons authorized to execute Financial Transactions in the name of the City of Huntington Beach**

Recommended Action:

Adopt Resolution No. 2020-61, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Manual and/or Facsimile Signatures of the Chief Financial Officer, the City Treasurer, the Assistant Chief Financial Officer, and the Deputy City Treasurer as Persons Authorized to Execute Financial Transactions in the name of the City of Huntington Beach."

- 17. 20-1929 Adopt Resolution Nos. 2020-66 and 2020-67 ordering the Summary Vacations of Easements over portions of Delaware Street and Huntington Street in the City of Huntington Beach; and, authorize recordation and execution of a Warranty Deed transferring the vacated portion of Delaware Street to Surf City Beach Cottages, L.P.**

Recommended Action:

- A) Adopt Resolution No. 2020-66, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Easement Over a Portion of Delaware Street in the City of Huntington Beach" (Attachment 1); and,
- B) Adopt Resolution No. 2020-67, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Easement Over a Portion of Huntington Street in the City of Huntington Beach" (Attachment 2); and,
- C) Instruct the City Clerk to record Resolution No. 2020-66 and Resolution No. 2020-67 and the respective attached exhibits with the Orange County Recorder.

D) Approve and authorize the City Manager to execute the Warranty Deed (Attachment 8), with minor modifications in a form approved by the City Attorney, and any documents needed to process the transfer of the portion of Delaware Street.

18. 20-1943 Fiscal Year 2019/20 Year End Budget Adjustments and Inter-Fund Transfers

Recommended Action:

A) Approve the year-end inter-fund transfers for the FY 2019/20 Revised Budget in the Funds and by the amounts contained in Attachment 1; and,

B) Increase appropriations for the FY 2019/20 Revised Budget by \$1,612,000 in the Funds and amounts contained in Attachment 1 to reconcile the budget with actual expenses incurred.

19. 20-1930 Accept the lowest responsive and responsible bid and authorize execution of a construction contract with Horizons Construction in the amount of \$897,524 for the Edison Community Center Improvements, MSC-533

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Horizons Construction in the amount of \$897,524; and,

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

20. 20-1921 Approve and authorize execution of a Professional Services Contract with Kimley-Horn and Associates, Inc. for preparation of the 2021-2029 General Plan Housing Element Update contingent upon award of a \$500,000 Department of Housing and Community Development Local Early Action Planning (LEAP) Grant

Recommended Action:

A) Approve the Professional Services Contract between the City and Kimley-Horn and Associates, Inc. for preparation of the 2021-2029 General Plan Housing Element Update contingent upon award of a \$500,000 HCD LEAP Grant; and,

B) Approve and authorize the Mayor and City Clerk to execute a "Professional Services Contract Between the City of Huntington Beach and Kimley-Horn and Associates, Inc. for Preparation of the 2021-2029 General Plan Housing Element Update" in the amount of

\$581,158 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 \$581,158 for the preparation of the 2021-2029 General Plan Housing Element Update to ensure compliance with Administrative Regulation Number 228, Section 7.1; and,

D) Appropriate funds in the amount of \$500,000 from Fund 715, a grant from HCD, for the Professional Services Contract between the City and Kimley-Horn and Associates, Inc.

21. [20-1933](#) **Adopt Ordinance No. 4219 Adding Chapter 10.49 to the Huntington Beach Municipal Code (HBMC) Relating to the Prohibition on Repairs and Sales of Bicycles and Bicycles Parts on Public Property**
 Approved for introduction 10/5/2020 - Vote: 7-0

Recommended Action:

Adopt Ordinance No. 4219, "An Ordinance of the City of Huntington Beach Adding Chapter 10.49 to the Huntington Beach Municipal Code Relating to the Prohibition on Repairs and Sales of Bicycles and Bicycle Parts on Public Property."

PUBLIC HEARING

Individuals wishing to speak on matters scheduled for Public Hearing may join the Zoom Webinar by entering Webinar ID 971 5413 0528, or join by phone by calling (669) 900-6833. Individuals that enter the meeting will be placed in a holding queue and prompted to speak when the Clerk announces your name or the last three digits of your phone number. The holding queue will remain open for approximately 15 minutes, and speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes to speak, but the Mayor, at her discretion, may reduce the time allowance if warranted by the volume of speakers.

22. 20-1950 **Public Hearing to consider acceptance of the Fiscal Year 2019-2020 Consolidated Annual Performance & Evaluation Report (CAPER)**

Recommended Action:

A) Conduct the Public Hearing to hear comments and approve the FY 2019-2020 Consolidated Annual Performance and Evaluation Report for CDBG and HOME Federal funds; and,

B) Authorize the City Manager to transmit this report to the United States Department of Housing and Urban Development (HUD) by October 23, 2020.

ADMINISTRATIVE ITEMS

23. 20-1848 **Approve Local Coastal Program Amendment (LCPA) No. 20-001 by**

**adopting City Council Resolution No. 2020-59; and, requesting its
certification by the California Coastal Commission**

Recommended Action:

Approve Local Coastal Program Amendment No. 20-001 by adopting City Council Resolution No. 2020-59, "A Resolution of the City Council of the City of Huntington Beach, State of California, Adopting Local Coastal Program Amendment No. 20-001 and Requesting its Certification by the California Coastal Commission (Attachment No. 1)."

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, November 2, 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>