



## AGENDA

### City Council/Public Financing Authority Regular Meeting

**Monday, November 2, 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 HBTv-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 November 2, 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 agenda 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 Closed Session 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](mailto: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](mailto: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 CLOSED SESSION ITEMS (3 Minute Time Limit) - At approximately 4:00 PM, individuals wishing to provide a comment on 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 caller 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.**

**RECESS TO CLOSED SESSION**

**CLOSED SESSION ANNOUNCEMENT(S)**

- 1. 20-2001 Mayor Semeta to announce: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated representatives: Oliver Chi, City Manager and Travis Hopkins, Assistant City Manager, who will be participating in today's Closed Session discussions regarding labor negotiations with: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); and Marine Safety Management Association (MSMA)**

**CLOSED SESSION**

- 2. 20-1991 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Moore/Field v. City of Huntington Beach, et al., OCSC Case No. 30-2019-01071686.**
- 3. 20-1996 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:**

**In re: RUBY'S DINER, INC., a California Corporation, US Bankruptcy Court Case No. 8:18-bk-13311-CB.**

- 4. 20-1997 PUBLIC EMPLOYEE PERFORMANCE EVALUATION. (Paragraph (1) of subdivision (b) of Section 54957.) Name/Title: Oliver Chi, City Manager.**
  
- 5. 20-2000 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Oliver Chi, City Manager and Travis Hopkins, Assistant City Manager. Employee Organizations: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); Marine Safety Management Association (MSMA).**

**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.

- 6. 20-1915 Reverend James Pike of Lutheran Church of the Resurrection and member of the Greater Huntington Beach Interfaith Community**

**CLOSED SESSION REPORT BY CITY ATTORNEY**

**AWARDS AND PRESENTATIONS**

- 7. 20-1985 Mayor Semeta to present the Making a Difference Award to John Etheridge**
  
- 8. 20-1986 Mayor Semeta to issue a proclamation recognizing November 8-14, 2020 as National Nurse Practitioner Week**

9. **20-1987** Mayor Semeta to present “Mayor’s Reflection”, a documentary commemorating the 100th Anniversary of the 19th Amendment and the 14 women who served as Mayor of Huntington Beach

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)**

**PUBLIC COMMENTS (3 Minute Time Limit)** - At approximately 6:00 PM, individuals wishing to provide a comment on agendized or non-agendized 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.

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

**CITY MANAGER'S REPORT**

10. **20-1994** Ascon Landfill Site Update

**CITY TREASURER'S REPORT**

11. **20-1935** Receive and File the City Treasurer's September 2020 Quarterly Investment Summary Report

**Recommended Action:**

Receive and file the City Treasurer’s Quarterly Investment Report for September 2020, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach .

**CONSENT CALENDAR**

12. **20-1975** Approve and Adopt Minutes

**Recommended Action:**

Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated October 19, 2020, as written and on file in the office of the City Clerk.

13. **20-1932** Adopt Resolution No. 2020-58 to accept Grant Funds from the California Department of Fish and Wildlife, Office of Spill Prevention and Response for Oil Spill Response Equipment

**Recommended Action:**

Adopt Resolution No. 2020-58, "A Resolution of the City Council of the City of Huntington Beach to Accept Grant Funds from the California Department of Fish and Wildlife, Office of Spill Prevention and Response for Oil Spill Response Equipment."

- 14. 20-1949 Adopt Resolutions Nos. 2020-68, 2020-69, 2020-70, 2020-71, 2020-72, 2020-73 and 2020-74 requesting authorization by the City of Huntington Beach and approval from California Department of Transportation for temporary closure of streets for certain special events in 2021**

**Recommended Action:**

A) Adopt Resolution No. 2020-68, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Closing of Main Street and 5th Street to Vehicular Traffic for Certain Special Events;" and,

B) Adopt Resolution No. 2020-69, "A Resolution of the City Council of the City of Huntington Beach Approving the Temporary Closure of 12th Street in Sunset Beach for the Annual Sunset Beach Art Festival and Halloween Party;" and,

C) Adopt Resolution No. 2020-70, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway and Certain Ingress and Egress for the Surf City USA Marathon Run;" and,

D) Adopt Resolution No. 2020-71, "A Resolution of the City Council of the City of Huntington Beach Approving the Temporary Closure of Portions of Goldenwest Street, Garfield Avenue, Huntington Street, Twin Dolphin Drive, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, Main Street, Walnut Avenue, and Central Park Drive for the Surf City USA Marathon Run;" and,

E) Adopt Resolution No. 2020-72, "A Resolution of the City Council of the City of Huntington Beach Requesting Caltrans Approve the Closing of Pacific Coast Highway and Certain Ingress and Egress Within the City of Huntington Beach for the Annual Surf City 10 Run;" and,

F) Adopt Resolution No. 2020-73, "A Resolution of the City Council of the City of Huntington Beach Approving the Closing of Pacific Coast Highway for the Huntington Beach Fourth of July Parade and Fireworks;" and,

G) Adopt Resolution No. 2020-74, "A Resolution of the City Council of the City of Huntington Beach Authorizing Street Closures for the Fourth of July."

- 15. 20-1936 Accept the lowest responsive and responsible bid and authorize execution of a construction contract with R.J. Noble Company in the amount of \$3,171,848.50 for the Fiscal Year 2020-2021 Arterial Rehabilitation Project, CC-1595; and, authorize appropriation of funds**

**Recommended Action:**

A) Accept the lowest responsive and responsible bid submitted by R.J. Noble Company in the amount of \$3,171,848.50; and,

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

C) Appropriate \$190,060 from the undesignated Infrastructure Fund (314) fund balance to Account 31490007.82300.

- 16. 20-1989 Approve and authorize the Mayor and City Clerk to execute Professional Service Contracts with FSB Public Affairs and Barrios & Associates, LLC, for On-Call Public Affairs Services**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and FSB Public Affairs, Inc." and,

B) Approve and authorize the Mayor and City Clerk to execute "Professional Services Contract Between the City of Huntington Beach and Barrios & Associates LLC."

- 17. 20-1979 Approve Memorandum of Understanding (MOU) between the City of Huntington Beach and the Huntington Beach Community Garden (HBCG) to manage a community garden on Southern California Edison (SCE) property located south of Atlanta Avenue and adjacent to the Santa Ana River**

**Recommended Action:**

Approve and authorize the Mayor and City Clerk to execute a "Memorandum of Understanding Between the City of Huntington Beach and the Huntington Beach Community Garden."

**ADMINISTRATIVE ITEMS**

- 18. 20-1998 Adopt Resolution No. 2020-81 supporting the mural-based architectural treatment and associated funding, and approve and**

**authorize execution of a Memorandum of Understanding (MOU)  
between the City of Huntington Beach and AES Southland  
Development, LLC**

**Recommended Action:**

A) Adopt Resolution No. 2020-81, "A Resolution of the City Council of the City of Huntington Beach Supporting the Mural-Based Architectural Treatment and Capital Improvement Projects and Programs Related to the Newly Constructed Huntington Beach Energy Project" (Attachment 1); and,

B) Approve the "Memorandum of Understanding AES Southland Development, LLC and City of Huntington Beach" (Attachment 2) and authorize and direct the City Manager to execute the MOU on behalf of the City.

- 19. 20-1999 Approve the Fiscal Year 2020/21 Reorganization Plan in Response to COVID-19 by adopting Resolutions No. 2020-77, 2020-78, 2020-79, 2020-80 related to Side Letters of Agreement with the Huntington Beach Municipal Teamsters (HBMT) , Marine Safety Management Association (MSMA), and Huntington Beach Municipal Employees' Organization (MEO); by adopting Resolution No. 2020-80 modifying salary and benefits for Non-Associated (NA) employees; and, by approving for introduction Ordinance No. 4221 to amend Section 2.76.010 of the Huntington Beach Municipal Code related to exclusions from competitive service**

**Recommended Action:**

A) Adopt Resolution No. 2020-77, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan and Memorandum of Understanding Between the City and the Huntington Beach Municipal Teamsters (HBMT) by Adopting the Side Letter of Agreement" (Attachment 1); and,

B) Adopt Resolution No. 2020-78, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan and the Memorandum of Understanding Between the City and the Huntington Beach Marine Safety Management Association (MSMA) by Adopting the Side Letter of Agreement" (Attachment 2); and,

C) Adopt Resolution No. 2020-79, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan and the Memorandum of Understanding Between the City and the Huntington Beach Municipal Employees' Organization (MEO) by Adopting the Side Letter of Agreement" (Attachment 3); and,

D) Approve for Introduction Ordinance No. 4221, "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” (Attachment 4); and,

E) Adopt Resolution No. 2020-80, “A Resolution of the City Council of the City of Huntington Beach Modifying Salary and Benefits for Non-Represented Employees by Adding the Director and Deputy Director of Administrative Services, Deputy Director of Public Works, Deputy Director of Community & Library Services, & Amending the Classification and Compensation for the Director of Community Services” (Attachment 5), and delegate authority to the City Manager and City Attorney to execute the corresponding employment agreements; and,

F) Authorize the City Manager to take all administrative and budgetary actions necessary to implement the Citywide Reorganization Plan.

#### **ORDINANCES FOR INTRODUCTION**

- 20. 20-1931 Approve for introduction Ordinance No. 4222 amending Chapter 8.40 of the Huntington Beach Municipal Code (HBMC) titled Noise Control relating to the control of unnecessary, excessive, and annoying sounds and protecting noise-sensitive land uses, ensuring land use/noise compatibility, reducing noise from mobile sources, and mitigating noise from construction, maintenance, and other sources**

**Recommended Action:**

Approve for introduction Ordinance No. 4222, “An Ordinance of the City of Huntington Beach Amending Chapter 8.40 of the Huntington Beach Municipal Code Relating to Noise Control.” (Attachment 1).

#### **COUNCILMEMBER COMMENTS (Not Agendized)**

#### **ADJOURNMENT**

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, November 16, 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>**