

Minutes

City Council/Public Financing Authority City of Huntington Beach

Monday, March 19, 2018
4:00 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**A video recording of the 4:00 PM and 6:00 PM portion of this meeting
is on file in the Office of the City Clerk, and archived at
www.surfcity-hb.org/government/agendas/**

4:00 PM — COUNCIL CHAMBERS

CALLED TO ORDER — 4:00 PM

Pursuant to Resolution No. 2001-54, Councilmember Brenden requested, and was granted, permission to be absent from tonight's meeting.

ROLL CALL

Present: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
Absent: Brenden

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were received by her office following distribution of the Council Agenda packet:

Study Session Item No. 1:

- 1) A PowerPoint communication entitled *HB Plan to Address Homelessness*, an Update on Homelessness from the City's Homeless Task Force, dated March 19, 2018
- 2) A communication received from Ralph Bauer entitled *Some Thoughts About Homelessness*.

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS

(3 Minute Time Limit) — 2 Speakers

The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas>.

Ralph Bauer was called to speak and provided a brief historical review of the organizations and volunteers available and willing to reach out to the homeless. He further stated that in his opinion the City has yet to establish a written plan, and actions to date are inadequate to the challenge. Mr. Bauer requested that the City provide a better response to homelessness. (00:01:39)

Jeff Lebow, a longtime resident, was called to speak and stated his opinion that the homeless issue is only going to get worse, and he encouraged Huntington Beach to be a leader for Orange County in providing solutions that all cities can participate in. He stated his opinion that the County is responsible for health and welfare, and each city must participate to successfully deal with the homeless tsunami. (00:04:10)

STUDY SESSION

1. **A plan to address homelessness was presented by City staff and other outside agencies involved with the Huntington Beach Homeless Task Force**

City Manager Wilson deferred to Assistant City Manager Lori Ann Farrell who introduced the team who worked on this ongoing project. They presented a PowerPoint communication entitled: *HB Plan to Address Homelessness* which included slides titled: *Homeless Plan Highlights, Who Are The Homeless?, HUD Definition of Homeless, Multiple Segments of Homeless Population, No One Size Fits All - Multiple Solutions Required - Transitional Youth Case, No One Size Fits All - Multiple Solutions Required - Elderly Homeless Case, Complex Issues Require Complex Solutions, Homeless in Huntington Beach, Point-in-Time Census and Survey Overview, Orange County Demographics - Point In Time Survey, Huntington Beach Demographics - Point In Time Survey, What Have We Done About It?, 2013 Initial Efforts, 2014 Additional Efforts, 2015 Additional Efforts, 2016 Additional Efforts, 2017 Additional Efforts, 2018 New and Upcoming Efforts, Homeless Task Force, HB's Steps for Success, Homeless Task Force Results - 2016 and 2017, Homeless Task Force Results - 2017 Snapshot (2), HB Task Force Success Story, Community Homeless Task Force Recommendations, Community Task Force Recommendations and Implementation, City Commitments to Housing, City Funded Housing - Existing Inventory and Funding, The Cost of Homelessness (3), HB Plan to Address Homelessness, 10 Point Plan to Address Homelessness, Increase Public Private Partnerships (2), Create an "HB Fund for the Homeless," Increase Opportunities for Additional Funding, Expand Partnership with County and Central Service Area Cities, Summary and Next Steps, and Questions*

Councilmember Delgleize and staff discussed the typical response to the Task Force newsletter and confirmed that in 2017 approximately \$6,000 to \$7,000 in donations were received. Councilmember Delgleize suggested that the City look into hiring a Homeless Case Manager, possibly in coordination with a neighboring city. Councilmember Delgleize also described working solutions being used by area cities as examples of what Huntington Beach may want to consider. She thanked all of the people who have been working to combat issues related to homelessness.

Councilmember Semeta and staff discussed how categories of need and numbers are determined, and communicating with available resource centers. Regarding grant opportunities, Deputy Director of Economic Development Kellee Fritzel confirmed there is an ongoing effort to locate funding possibilities.

Councilmember Hardy requested that all Council Members receive the Task Force newsletter.

Councilmember O'Connell and Police Chief Handy discussed that the cost of homelessness is much less than the cost of incarceration. Councilmember O'Connell stated that California does have funding available to assist people with substance abuse issues through a grant program that shares funds with the city and the non-profit providing the service.

Mayor Posey expressed appreciation for an opportunity to do a ride-along with Officers Ricci and Schloss which provided him with a greater understanding of the homeless situation. He also thanked the staff and volunteers for their ongoing efforts and tonight's presentation.

Catherine Lukehart, Homeless Outreach Coordinator, invited anyone wanting to get involved to contact her by email or phone at: Catherine.Lukehart@surfcity-hb.org or 714.536.5583

RECESSED TO CLOSED SESSION — 5:04 PM

A motion was made by O'Connell, second Hardy to recess to Closed Session for Items 2 — 8. With no objections, the motion carried.

Mayor Posey Announced: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator, City Manager Fred Wilson, who will be participating in today's Closed Session discussions regarding labor negotiations with: Management Employees' Organization (MEO), and Surf City Lifeguard Employees' Association (SCLEA).

CLOSED SESSION

2. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Vanessa Martinez v. City of Huntington Beach, Orange County Superior Court Case No. 30-2016-00845460.
3. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: The Kennedy Commission, et al. v. City of Huntington Beach, Orange County Superior Court Case No. 30-2015-00801675, Court of Appeal Case No. E066605, California Supreme Court Case No. S245855.
4. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Sunny Kang v. City of Huntington Beach, et al., Orange County Superior Court Case No. 30-2013-00626834.
5. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Angela Hernandez v. City of Huntington Beach, et al., U.S. District Court Case No: 8:17-cv-01257 AG (KESx).
6. Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Michael and Todd Bartlett v. City of Huntington Beach, et al., Orange County Superior Court Case No. 30-2015-00778560.
7. Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiators and Fred Wilson, City Manager regarding the following: Management Employees' Organization (MEO), and Surf City Lifeguard Employees' Association (SCLEA).
8. Pursuant to Government Code § 54956.9(d)(2) the City Council recessed into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, two (2).

6:00 PM – COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:32 PM

Pursuant to Resolution No. 2001-54, Councilmember Brenden requested, and was granted, permission to be absent from tonight's meeting.

ROLL CALL

Present: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
Absent: Brenden

PLEDGE OF ALLEGIANCE — Led by Councilmember Semeta

INVOCATION — Kelly Frankiewicz, MDiv, Leisure World Community Church, Seal Beach and member of the Greater Huntington Beach Interfaith Council

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.

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

Mayor Posey presented a commendation to the Waterfront Beach Resort, a Hilton Hotel, General Manager Paulette Fischer for her years of service. Ms. Fischer recently welcomed and registered the first guest for the new tower, just as she had done more than 20 years ago for the first guest at the hotel's grand opening. Scott O'Hanlan, Director of Marketing and Public Relations, Waterfront Beach Resort, introduced Paulette as a life-long resident of Huntington Beach who graduated from Edison High School and started as the Front Desk Concierge 27 years ago. Paulette expressed her appreciation for the opportunity to represent the Waterfront Beach Resort, and the City of Huntington Beach through the years, and thanked Mayor Posey for the recognition.

Mayor Posey called on representatives from the HB Auto Dealers Association for the selection of the 2018 winner of the \$25,000 Opportunity Drawing for a new vehicle, and an additional prize, a year's worth of Sonic Burgers. Pete Shaver, owner of Huntington Beach Chrysler, Dodge, Jeep and Ram, recognized the local non-profits as beneficiaries of the Opportunity Drawing: Fountain Valley/Huntington Beach Boys and Girls Club, O. C. Motor Officers' Association, Huntington Beach Police Department, Huntington Beach Fire Association, Huntington Beach Chamber of Commerce, Huntington Beach Kiwanis Club, Bolsa Chica Conservancy, Elks Lodge, Taste of Huntington Beach, and Huntington Beach High School Boosters. The Huntington Beach Hilton and Cucina Alessa were also major contributors. Including the \$25,000 donated car, a total of \$95,000 was raised. Tim Quickerberg represented Sonic Drive-In, 17811 Beach Boulevard, which provided a year's worth of hamburgers for a second place winner. Mayor Posey pulled a ticket with Adam Blake's name, Huntington Beach resident, as the winner of the car. Mr. Quickerberg pulled a ticket with Bill Summerfield's name, a Murietta resident, as the winner of a year of hamburgers.

Mayor Posey called on Library Services Director Stephanie Beverage who presented the Mayor's Award to Library Specialist, Robin Ott. Robin started as a Page at the Library 37 years ago, and has become the public face of the Library on Channel 3. Twenty years ago she was promoted to Branch Manager, and has worked as Manager at the Helen Murphy, Main Street, and Banning Branches. This recognition acknowledges her care, dedication and attention through the years.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were received by her office following distribution of the Council Agenda packet:

Consent Calendar

Item No. 10 - Email communication received from Pat Quintana related to AB 2003 — Public Contracts; Sanitation Districts.

Items for Public Hearings will be announced during the Public Hearings.

PUBLIC COMMENTS (3 Minute Time Limit) — 11 Speakers

The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas>.

Maureen was called to speak and shared a past personal experience related to communicating with the Police Chief and Dispatch about people begging on a street corner and what she perceived as a lack of response. (01:30:34)

Craig was called to speak and voiced concerns about the presence of hidden meth labs across southern California. (01:32:53)

Barbara Haynes, Huntington Beach Public Art Alliance, was called to speak and shared details about the current student art contest. Working in conjunction with the Environmental Board, all middle and high school students are invited to create pieces based on the environment using any media they choose. Application forms are available at hbpublicart.org and winners will be selected in May. (01:36:02)

Debbie Killey, resident and Environmental Board Chair, was called to speak and stated her support for Consent Calendar Item No. 4, the appointment of Diana Dehm to the Environmental Board. She also shared her excitement for the student art contest which is co-sponsored by the Environmental Board and Huntington Beach Public Art Alliance, and thanked the City for their support for the recent Fix-It Clinic held at Central Library. (01:37:10)

Bob Wentzel, Huntington Beach Kiwanis President, was called to speak and thanked Pete Shaver and the Huntington Beach Auto Dealers Association for the successful fundraiser. He also announced the Kiwanis Family Funday fundraiser on March 31 at Central Park Sports Complex which will feature "Dunk Tank A Public Official." (01:39:09)

Lynn Davis, resident, was called to speak and shared details related to what she perceives as a lack of adequate storm drains on Bolsa Chica Street in front of Cabo Del Mar. She provided pictures to show the accumulation of rainwater which forms a lake over the sidewalk, and asked for assistance to get this situation remedied. Mayor Posey asked her to complete a blue card for follow-up. (01:41:26)

Robert Redaelli was called to speak and stated his support for Consent Calendar Item No. 7 regarding an update to the Murdy Park Master Plan to include bocce ball courts. (01:42:48)

Dave Shenkman, Kite Connection on the Pier, was called to speak and provided a report on the recently successful Kite Party at the beach, as well as the kite making opportunity at the Cherry Blossom Festival in Central Park. He also asked the Council to consider hosting the Japan-America Society Fall Kite Event. Mayor Posey asked him to complete a blue card for follow-up. (01:44:07)

Gerald Chapman, 30-year resident, was called to speak and stated his opposition to the Planning Commission's granting of a variance on December 12, 2017, to allow the property owner to exceed the two foot cut and fill restriction identified in the area's specific plan. (01:46:19)

Blake Adham was called to speak and stated his opposition to the recent Orange County Board of Supervisors' decision to install a "temporary" homeless encampment in Huntington Beach, and encouraged the City to fight against allowing this to happen. (01:47:54)

Diana Dehm was called to speak and stated her appreciation at being considered for an appointment to the Environmental Board. (01:50:22)

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

Councilmember Hardy announced her appointment of Jane Hudson to the Citizen's Infrastructure Advisory Board (CIAB), and recognized the Huntington Beach Reads One Book program where author Regina Calcaterra will discuss her life story as described in *Etched in Sand* on Thursday, March 22nd at 7:00 PM at the Central Library. Councilmember Hardy encouraged people to shop at Barnes and Noble before March 24 as a percentage of sales for anyone who mentions HB Reads will be donated to support the HB Reads program.

Councilmember Delgleize reported attending an Orange County Transit Authority Board meeting where it was announced that a northwest part of Huntington Beach has been selected for a pilot program making a wheelchair-friendly Access bus available by appointment. This program is expected to be available at the beginning of summer.

Mayor Pro Tem Peterson reported that the Sanitation District uses digesters, which are being replaced, and there is no open-air composting. He stated that someone from the Sanitation District will attend the Southeast Area meeting on Wednesday, March 28th, 4:30 p.m. to answer questions.

Councilmember Semeta, as a Council Liaison, reported attending a Visit HB Board meeting where it was announced that the contract for the City's new wayfinding signs program will be finalized this week.

Councilmember O'Connell reported visiting Sacramento with the Association of California Cities – Orange County (ACC-OC) and meeting with Matt Rodriguez, Secretary of the California Environmental Protection Agency. He also reported attending the Visit HB Summit.

Mayor Posey reported attending a meeting of the Vector Control Board and announced that Huntington Beach has no reported cases of West Nile Virus. He also reported being in Sacramento with the ACC-OC and meeting with a number of state officials to discuss topics of local interest.

1. Approved Amendments to City Council Boards and Commissions' Liaison Appointments

A motion was made by Peterson, second Delgleize to approve amendments to the Boards and Commissions Appointments List as presented by Mayor Posey. (The City Clerk certifies that FPPC Form 806 "Agency Report of Public Official Appointments" which is used to report additional compensation that officials receive when appointing themselves to positions on committees, boards or commissions of a public agency, special district and joint powers agency or authority was posted to the City's website according to law prior to this vote.)

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

CITY MANAGER'S REPORT

City Manager Wilson announced that Youth in Government Day (YIGD) will take place on Tuesday, March 20. YIGD provides an opportunity for approximately 100 high school students to discover how local government operates. Manager Wilson explained that there will be a mock City Council meeting, as well as the opportunity to meet with department heads. Manager Wilson thanked The Boeing Company for being Title Sponsor and underwriter of this exciting event.

CITY CLERK'S REPORT

2. Presentation on the Safe and Sane Fireworks Stand Application and Lottery Process for 2018

City Clerk Robin Estanislau presented a PowerPoint communication entitled: *Safe and Sane Fireworks Stand Application and Lottery Process 2018* with slides entitled, *2018 Fireworks Stand Application/Lottery Process (7)*, and *Questions?*

City Clerk Robin Estanislau also announced that Barbara Haynes of HB Preserve Our Past was successful in recently locating a newsprint photo of Mayor Elson G. Conrad who served as the 13th Mayor of Huntington Beach in 1931. His photo has now been added to the Mayors' Gallery at the entrance to Council Chambers.

CONSENT CALENDAR

Mayor Posey stated verbally his support of Consent Item #4 and his belief that Diana Dehm will be a great addition to the Environmental Board.

3. Approved and adopted minutes

A motion was made by Posey, second Peterson to approve and adopt the City Council special meeting minutes dated February 13, 2018, and the City Council/Public Financing Authority regular meeting minutes dated February 20, 2018, as written and on file in the Office of the City Clerk.

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

4. Approved the appointment of Diana Dehm to the Environmental Board as recommended by Council Liaisons Mayor Posey and Councilmember Delgleize

A motion was made by Posey, second Peterson to approve the appointment Diana Dehm to the Environmental Board as recommended by Council Liaisons Mayor Posey and Councilmember Delgleize. Diana Dehm will fill the seat left vacant by Kim Nicolson, her term will expire on June 30, 2019.

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

5. Approved Fiscal Year 2016/17 Year End Preliminary Unaudited General Fund Balance Designations and Inter-fund Transfers

A motion was made by Posey, second Peterson to approve the assignment of preliminary FY 2016/17 year-end General Fund Balances in the amounts and for the purposes indicated in Attachment 1, including the assignment and transfer of \$2.0 million to the Infrastructure Fund for Police facility enhancements; and, approve \$1.4 million in year-end inter-fund transfers for the Fiscal Year 2016/17 Revised Budget in the Funds and by the amounts contained in Attachment 2; and, increase appropriations for the FY 2017/18 Revised Budget by \$708,681 in the Funds and amounts contained in Attachment 3 to reconcile the budget with actual expenses incurred.

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

6. Approved FY 2016/17 Year-End Budget Adjustments for the Workers' Compensation Internal Service Fund

A motion was made by Posey, second Peterson to approve the appropriation of \$422,723 in the Fiscal Year 2016/17 Revised Budget in the General Fund (100) and transfer to the Self Insurance Workers' Compensation Internal Service Fund (551); and, approve an appropriation increase to record the increased liability and actual expenses incurred in the Self Insurance Workers' Compensation Internal Service Fund (551) of \$6.4 million.

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

7. Approved an update to the Murdy Park Master Plan to include bocce ball courts

A motion was made by Posey, second Peterson to approve an update to the Murdy Park Master Plan to reconfigure the existing picnic shelter area to install new bocce ball courts as presented.

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

8. Approved appropriation and funding to install new rubberized surfacing at Peter Green Park as recommended by the Community Services Commission (CSC)

A motion was made by Posey, second Peterson to approve the installation of new rubberized surfacing at Peter Green Park; and, authorize the appropriation of \$110,000 from Park Impact Fee Fund 228 to account 22845010 to complete the project.

The motion carried by the following vote:

AYES:	O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES:	None
ABSENT:	Brenden

9. Awarded and authorized execution of a construction contract in the amount of \$716,400 to CJ Concrete Construction, Inc. for the FY 17/18 Curb Access Ramp Installation Project, CC-1566, approve appropriation of Community Development Block Grant (CDBG) funds and an amendment to the FY 2017/18 Capital Improvement Program (CIP)

A motion was made by Posey, second Peterson to accept lowest responsive and responsible bid submitted by CJ Concrete Construction, Inc. in the amount of \$716,400; and, allocate prior year unallocated CDGB Funds from business unit 121982003 (\$82,532) and 123580101 (\$57,125) and appropriate to CDBG account 23985722.82300; and, approve an amendment to the FY 17/18 Capital Improvement Program (CIP) to include \$266,546 in CDBG funding for the 17/18 Curb Access Ramp Installation Project, CC 1566; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following vote:

AYES:	O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES:	None
ABSENT:	Brenden

10. Approved City Council Position on Legislation pending before Congress and the State Legislature as recommended by the City Council Intergovernmental Relations Committee (IRC), and adopt Resolution No. 2018-02 supporting the Reducing Crime and Keeping California Safe Act of 2018

A motion was made by Posey, second Peterson to approve a City position of Oppose on Assembly Bill 1759 (McCarty) - General Plans Housing Element; and, approve a City position of Oppose on Senate Bill 827 (Weiner) - Transit Rich Housing Bonus; and, approve a City position of Support if Amended on Assembly Bill 2050 (Caballero) Small System Water Authority Act of 2018; and, approve a City position of Support on Assembly Bill 2003 (Daly) - Public Contracts: Sanitation Districts; and, approve a City position of Oppose on Senate Bill 831 (Wieckowski) - Accessory Dwelling Units; and, approve a City position of Oppose on Assembly Bill 2162 (Chiu & Daly) - Planning and Zoning: Housing Development Supportive Housing; and, approve a City position of Support on Senate Bill 1031 (Moorlach) - Public Employees' Retirement - Cost of Living Adjustments; and, authorize City staff and the City's State Advocate to work with State Senator Janet Nguyen on Spot Bill 1299 (Nguyen) - State Property; and, authorize a support position for the National Priority Listing of the Orange County North Basin Site as requested by the Orange County Water District; and, adopt Resolution No. 2018-02, "A Resolution of the City Council of the City of Huntington Beach Supporting the Reducing Crime and Keeping California Safe Act of 2018."

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

11. Adopted Resolution No. 2018-10 declaring weeds and rubbish a nuisance on specific properties and fixing April 16, 2018 at 6:00 p.m. for hearing protests and objections to the abatement thereof

A motion was made by Posey, second Peterson to adopt Resolution No. 2018-10, "A Resolution of the City Council of the City of Huntington Beach Finding and Declaring That Certain Weeds Growing in the City, and Rubbish and Refuse Deposited on Public Ways and Private Property are a Public Nuisance; and Fixing the Time for Hearing Protests and Objections to the Abatement Thereof," including Exhibit A: 2018 Weed Abatement - Vacant Parcels Private Ownership.

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

12. Adopted Resolution No. 2018-15 adopting the Measure M2 Expenditure Report to comply with Renewed Measure M2 funding eligibility for the City of Huntington Beach

A motion was made by Posey, second Peterson to adopt Resolution No. 2018-15, "A Resolution of the City Council of the City of Huntington Beach Adopting the Measure M2 Expenditure Report for the City of Huntington Beach."

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

13. Adopted Resolution No. 2018-16 certifying that the City has the resources to implement the projects to be included in the 2018 Federal Transportation Improvement Program (FTIP) as required by the Orange County Transportation Authority (OCTA)

A motion was made by Posey, second Peterson to adopt Resolution No. 2018-16, "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 FFY 2018/19 - 2023/24 Transportation Improvement Program and Affirms Its Commitment to Implement All Projects in the Program."

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

14. Approved and authorized execution of a License Agreement between the City of Huntington Beach and Orange County California Genealogical Society for use of City-owned Genealogical materials

A motion was made by Posey, second Peterson to approve the "License Agreement by and between the City of Huntington Beach and the Orange County California Genealogical Society for Use of City-owned Genealogical Materials;" and, authorize the Mayor, City Manager, and City Clerk to execute the License Agreement on behalf of the City.

The motion carried by the following vote:

AYES:	O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES:	None
ABSENT:	Brenden

**15. Adopted Ordinance No. 4154 amending Chapter 2.70 of the Huntington Beach Municipal Code (HBMC) relating to Openness in Labor Negotiations
Approved for introduction 2/20/2018 - Vote: 7-0**

A motion was made by Posey, second Peterson to adopt Ordinance No. 4154, "An Ordinance of the City of Huntington Beach Amending Chapter 2.70 of the Huntington Beach Municipal Code Relating to Openness in Labor Negotiations."

The motion carried by the following vote:

AYES:	O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES:	None
ABSENT:	Brenden

PUBLIC HEARINGS

16. Continued to April 2nd request to adopt Resolution Nos. 2018-17, 2018-19 and 2018-20 to set municipal utility rates for water, and approve for introduction Ordinance No. 4157 amending Section 14.12.040 of Chapter 14.12 of the Huntington Beach Municipal Code (HBMC) regarding water meter rates and commodity rates, and approve for introduction Ordinance No. 4158 amending Section 14.54.040 and 14.54.060, deleting sections 14.54.110 and 14.54.120 and Chapter 14.55 of the Huntington Beach Municipal Code (HBMC) regarding sewer service user charges

City Manager Wilson introduced Senior Administrative Analyst Chris Davis who presented a PowerPoint communication entitled: *Water and Sewer Rate Adjustment* with slides entitled: *Water Rates Background (2), Water Master Plan, Rate Study Recommendations, Beginning Reserve Balance, Value of our Water Infrastructure (2), WMP Projects & Costs, Water Master Plan Fund Balance, Capital Surcharge Recommendation, Water Supply, Water Meter Rate, Water Meter Charges, Impacts of Proposed Adjustment on a Single Family Residence, Comparison of Monthly Water Bills, Sewer Rates (2), Proposition 218 Procedures, Recommended Actions, Next Steps, and Questions?*

City Engineer Tom Herbel presented the "Value of our Water Infrastructure" portion of the presentation.

Mayor Pro Tem Peterson and Public Works Director Travis Hopkins discussed that if federal funds are secured for these infrastructure expenses, the proposed fee increases could be reduced.

Councilmember Delgleize and Director Hopkins discussed that the surcharge was put into place in 1995 and continued until 2007. Since 2007, there has been no capital surcharge. Councilmember Delgleize

further expressed her concern that federal funds are a temporary source, and she believes there needs to also be a more permanent source of revenue.

Mayor Posey voiced his observation that it appears the Construction Cost Index (CCI) is increasing much faster than the Consumer Price Index (CPI). Engineer Herbel stated that from his observation of construction in the area, such as the 405 Freeway widening project, there is going to be enough demand for construction products and staff to probably ensure continued increases in the CCI, which has increased 15 percent since 2012.

Councilmember Semeta and staff discussed that billing according to meter size affects just commercial accounts because all residential accounts use the same meter size.

Councilmember O'Connell and staff discussed concerns regarding charges for family multi-unit vs. single-family residences. Staff explained that the water bill consists of two parts: a fixed meter charge plus the amount of commodity used, and a single-family residence may use more water because of landscape requirements.

Councilmember Semeta requested that the Finance Commission provide an analysis on the material presented before the next City Council meeting when a vote is expected to take place.

Mayor Posey opened the Public Hearing for Item 16.

City Clerk Robin Estanislau announced Supplemental Communications (received after distribution of the Agenda Packet) for Item 16:

1. 59 Protest Letters regarding water meter rates, commodity rates and sewer services user charges.
2. A PowerPoint communication entitled, *Water and Sewer Rate Adjustment* dated March 19, 2018.

Public Hearing for Item 16 — 5 Speakers

Erik Faraldo, representing Huntington Landmark, a senior community with over 1,200 units, was called to speak and stated opposition to Item No. 16, the proposed municipal water and sewer service user charges. (02:35:28)

Ted Ross, resident, was called to speak and stated his opposition to Item No. 16, the proposed municipal water and sewer service user charges. Mr. Ross stated that using a regional Consumer Price Index (CPI) rather than the national CPI, in his opinion, results in a double taxation afforded by Sacramento. (02:36:14)

Connie Ngo was called to speak and stated opposition to Item No. 16, the proposed municipal water and sewer service user charges, and asked that the Council consider the poor, elderly, and lower middle class residents who will be most impacted by increased costs. (02:38:04)

Lynn Davis, Huntington Beach resident and rental property owner, was called to speak and stated opposition to Item No. 16, the proposed municipal water and sewer service user charges. Ms. Davis stated that in her opinion there are enough new development projects that should offset the need for increased rates. (02:41:18)

Kim Carr, Public Works Commission member and City Council Candidate in 2018, was called to speak and stated support for Item No. 16, the proposed municipal water and sewer service user charges. Ms. Carr stated that Public Works has been very successful in securing major funding from federal and

regional agencies to help cover infrastructure maintenance and repair costs. In her opinion, it is best to ensure necessary funds are available in the future by using nominal, incremental increases, rather than depending upon outside agencies. (02:43:05)

There being no more speakers, Mayor Posey closed the Public Hearing for Item 16.

A motion was made by Semeta, second O'Connell ***to continue the item to April 2nd and forward staff report material to the Finance Commission for analysis.***

FIVE AFFIRMATIVE VOTES ARE REQUIRED TO ADOPT THE RESOLUTIONS AND ORDINANCES PER HEALTH AND SAFETY CODE SECTION 5471

The motion as amended carried by the following vote:

AYES:	O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES:	None
ABSENT:	Brenden

17. Approved Substantial Amendment No. 3 to the City of Huntington Beach 2015-20 Consolidated Plan for Housing and Urban Development (HUD) Programs and Amendment No. 1 to FY 2017-18 Annual Action Plan for the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Program to coincide with the City's new Fiscal Year

City Manager Wilson confirmed that this item is needed to change to the new fiscal year, July 1 to June 30, for HUD, and action to move \$126,000 to the ADA project which was approved on the Consent Calendar.

Mayor Posey opened the Public Hearing for Item 17.

City Clerk Robin Estanislau announced no one had signed up to speak.

Mayor Posey closed the Public Hearing for Item 17.

A motion was made by O'Connell, second Delgleize to approve Substantial Amendment No. 3 to the City of Huntington Beach 2015-20 Consolidated Plan and Amendment No. 1 to the FY 2017-18 Annual Action Plan for the Community Development Block Grant and Home Investment Partnership Programs; and, authorize the City Manager to sign all necessary documents.

The motion carried by the following vote:

AYES:	O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES:	None
ABSENT:	Brenden

18. Approved Zoning Text Amendment (ZTA) No. 17-006 by approving for introduction Ordinance Nos. 4131, 4132, 4133, 4144, 4145, and 4146 to remove references to the California Government Code in certain sections of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO)

City Attorney Gates introduced this item as a response to a request made by Councilmembers Semeta and Peterson in September 2017 to remove unnecessary references to the "California Government Code" to maintain consistency and clarity with the City's desire for local control.

Mayor Posey opened the Public Hearing for Item No. 18.

City Clerk Robin Estanislau announced no one had signed up to speak.

Mayor Posey closed the Public Hearing for Item No. 18.

A motion was made by Semeta, second O'Connell to approve Zoning Text Amendment No. 17-006 with findings (Attachment No. 1); and, after the City Clerk reads by titles, approve for introduction Ordinance No. 4131, "An Ordinance of the City of Huntington Beach Amending Chapter 201 of the Huntington Beach Zoning and Subdivision Ordinance Relating to the Purpose of the Zoning and Subdivision Ordinance" (Attachment No. 2); Ordinance No. 4132, "An Ordinance of the City of Huntington Beach Amending Chapter 203 of the Huntington Beach Zoning and Subdivision Ordinance Relating to Code Relating to Definitions" (Attachment No. 3); Ordinance No. 4133, "An Ordinance of the City of Huntington Beach Amending Chapter 215 of the Huntington Beach Zoning and Subdivision Ordinance Relating to the Specific Plan District Established" (Attachment No. 4); Ordinance No. 4144, "An Ordinance of the City of Huntington Beach Amending Chapter 215 of the Huntington Beach Zoning and Subdivision Ordinance Relating to Status of Specific Plan" (Attachment No. 5); Ordinance No. 4145, "An Ordinance of the City of Huntington Beach Amending Chapter 222 of the Huntington Beach Zoning and Subdivision Ordinance Relating to Statutory Authorization" (Attachment No. 6); and, Ordinance No. 4146, "An Ordinance of the City of Huntington Beach Amending Chapter 230.14 of the Huntington Beach Zoning and Subdivision Ordinance Relating to Affordable Housing Density Bonus" (Attachment No. 7).

The motion carried by the following vote:

AYES:	O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES:	None
ABSENT:	Brenden

19. **Approved for introduction Ordinance No. 4159 approving Zoning Text Amendment No. 16-002 (Ellis-Goldenwest Specific Plan Equestrian Trail Realignment); approved Land Transfer Agreement between the City of Huntington Beach and Courtney Dubar; approved a Special Easement Agreement for the Dubar property; approved Special Easement Agreement for the Gath property; approved Resolution of Intent Nos. 2018-08, 2018-11 and 2018-13 to vacate certain easements on the Dubar property; and, established April 16, 2018, as time for Public Hearing**

City Attorney Gates recused himself from this matter because he owns property in the neighborhood, announced that Chief Assistant Attorney Vigliotti would represent the City Attorney's office for this matter, and left the dais.

City Manager Wilson introduced Assistant Planner Nicolle Bourgeois who presented a PowerPoint communication entitled: *Ellis-Goldenwest Specific Plan Area* with slides entitled: *Subject Areas, Background, Requests, Zoning Text Amendment No. 2016-002, Existing SP7, Proposed SP7, Equestrian Trail Connections, ZTA No. 16-002: Analysis (2), Property Exchange(3), Property Exchange Analysis(2), Special Easement Agreements & Easement Vacation, Existing Easements Currently Held by the City(2), Existing Easements Currently Held by the City to be Vacated, Easements to be Dedicated to*

the City, Net End Result, Easement Vacation & Special Easement Agreements Analysis; Entitlements Heard by the Planning Commission, Summary, and Staff Recommendation.

Mayor Posey opened the Public Hearing for Item No. 19.

City Clerk Robin Estanislau announced there were six (6) people signed up to speak, and the following Supplemental Communication was received by her office after distribution of the Agenda packet:

Public Hearing Item No. 19:

1. Interdepartmental Communication received from Public Works Director Travis Hopkins submitting the signed Special Easement Agreement with the City of Huntington Beach and Donald Gath.
2. A PowerPoint communication entitled *Ellis-Goldenwest Specific Plan Area* dated March 19, 2018.

Public Hearing Speakers — 6

Gerald Chapman was called to speak and asked how the water, sewer line and equestrian easements were approved for the wrong place in the original development. Mr. Chapman asked City Council to follow the Planning Commission's Minutes action and fund the equestrian trail completion. (03:07:46)

John Scandura, Planning Commission Chair, was called to speak and stated that on December 12, 2017, the Planning Commission recommended the City Council approve Zoning Text Amendment (ZTA) No. 16-002. Mr. Scandura further stated that the swale area was originally intended to become common open space per the Specific Plan, however the developer never purchased the encyclopedia lots in the swale to dedicate as open space. The new ZTA shows the horse trail routed around the Dubar property on easements which are twice as wide as those currently running through the Dubar property. The Planning Commission also approved asking the City to budget funds to maintain, improve and provide signage on these horse trails since the City will own them, not the Edwards Hill HOA. It is the opinion of the Planning Commission that these easements conform to the General Plan. (03:10:18)

Mary Behrens, owner/operator of the Equestrian Center, was called to speak and introduced Justine Makoff, Equestrian Center boarder, Co-Founder of Free Reign non-profit, and resident in the neighborhood. Ms. Behrens stated how important the equestrian trails are, and Ms. Makoff expressed concern about how the City will be held accountable for maintaining safe trails. Ms. Behrens also stated that these trails are used by the whole community as people walk their dogs, ride their bikes and ride their horses on them. (03:13:13)

Les Hubner, resident for 34 years, was called to speak and stated he has used these trails for 14 years and supports Public Hearing Item No. 19. Mr. Hubner further stated that in his opinion this is the safest and most used horse trail area, and he fully supports this realignment. (03:14:50)

Joanne Milichich, friend to long-time residents and original owners in the neighborhood, was called to speak and stated in her opinion there are a lot of unanswered questions about this situation. Ms. Milichich expressed concerns about the community remaining equestrian focused, and raised the issue of how increased traffic will be handled if Mr. Dubar decides to build additional homes on his property. Ms. Milichich further stated that it is her understanding that three lots originally belonged to Dubar, and she wonders what the real plan is. (03:16:01)

Ryan Easter, Paul Mary Tyler, Legal Counsel for the Dubars, was called to speak and stated that the Planning Commission unanimously recommended approval for this project because the project makes sense. It is Mr. Easter's opinion that the current 8 foot easements are useless to the public, and this project corrects the Specific Plan and provides new easements that reflect horse trails as they are

currently being used. This project is a significant net gain for the City and the community. Mr. Easter also stated that the City requested the land swap. (03:19:07)

There being no more public speakers, Mayor Posey closed the Public Hearing for Item 19.

Councilmember Hardy and staff discussed the area grading variance which was approved by the Planning Commission does not get forwarded to City Council. In regards to possible new development on the lots towards Ellis that are open space, staff confirmed that the Specific Plan requires a minimum of ten (10) acres, or two non-contiguous five-acre parcels, and these encyclopedia lots are just under 5 acres. Other development considerations are meeting open space corridor requirements, access for development, and the drainage swale and storm drain which run through the center of these encyclopedia lots. Chief Assistant Attorney Vigliotti stated that City Council would have to act in order to close down any equestrian trail.

Councilmember Delgleize and staff discussed 10-foot utility easement requirements from years past compared to current 20-foot utility easements. Staff confirmed that the City will be responsible for maintaining the trails, and Councilmember Delgleize stated her concern about the cost, as well as the potential liabilities. Staff confirmed that these concerns could be addressed in more detail at a future meeting.

A motion was made by Semeta, second Peterson to find the proposed project exempt from the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act, and pursuant to section 153061 (B)(3) of the CEQA Guidelines, because the requests are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (Attachment No. 1); and, approve Zoning Text Amendment No. 16-002 with findings and after the City Clerk reads by title, approve for introduction Ordinance No. 4159, "An Ordinance of the City of Huntington Beach Amending SP7 (Ellis-Goldenwest Specific Plan) by Amending the Equestrian Trail Alignment (Zoning Text Amendment No. 16-002)." (Attachments No. 1, 2, 3, 4, and 5); and, 1) declare the four City-owned parcels as surplus property; 2) approve and authorize the Mayor, City Manager, and City Clerk to execute an Agreement for Exchange of Real Property and Escrow Instructions and all other related documents with Thomas Courtney Dubar (Attachment No. 6); and, 3) authorize the City Manager to execute all required escrow documents to effectuate the exchange of parcels; and, approve and authorize the Mayor and City Manager to execute the "Special Easement Agreement between the City of Huntington Beach and Thomas Courtney Dubar" (Attachment No. 8) and, record the Special Easement Agreement with the Orange County Recorder; and, approve and authorize the Mayor and City Manager to execute the "Special Easement Agreement between the City of Huntington Beach and Donald Gath" (Attachment No. 9) and, record the Special Easement Agreement with the Orange County Recorder; and, 1) adopt Resolution No. 2018-08, "A Resolution of the City Council of the City of Huntington Beach Declaring Intent to Process a General Street Vacation of that Certain Public Use Easement Over The Entire Width of Lots A, B and C of The Fairview Addition to Huntington Beach," (Attachment No. 10); 2) adopt Resolution No. 2018-11, "A Resolution of the City Council of the City of Huntington Beach Declaring Intent to Process a General Street Vacation of that Certain 8-Foot Wide Equestrian Trail Easement Over Portions of Lots A, B and C of The Fairview Addition to Huntington Beach," (Attachment No. 11); 3) adopt Resolution No. 2018-13, "A Resolution of the City Council of the City of Huntington Beach Declaring Intent to Process a General Street Vacation of that Certain 15-Foot Wide Sewer Easement Over A Portion of Lot C of The Fairview Addition to Huntington Beach," (Attachment No. 12); and, establish a time for the Public Hearing of April 16, 2018, for all persons interested in or objecting to the proposed easement vacations listed above.

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

ADMINISTRATIVE ITEMS

20. Approved City of Huntington Beach Strategic Plan Update

City Manager Wilson presented a recap of the Strategic Objectives as defined in a Special Meeting held on February 13, 2018, and briefly shared a PowerPoint communication entitled *City of Huntington Beach Strategic Objectives (February 13, 2018 - January 1, 2019)*, with slides entitled: *Improve Quality of Life, Enhance and Maintain Infrastructure, Strengthen Economic and Financial Sustainability, Enhance and Maintain Public Safety, and Enhance and Maintain City Service Delivery.*

Mayor Pro Tem Peterson stated support for this process that, in his opinion, provides more transparency, as each goal requires staff to report back to City Council to allow for discussion and public feedback.

A motion was made by Peterson, second O'Connell to approve the February 13, 2018, Strategic Objectives as contained within Attachment 1.

The motion carried by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, and Hardy
NOES: None
ABSENT: Brenden

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Hardy reported attending the STEM Fair sponsored by the AirShow Foundation, encouraged any middle or high school teachers interested in starting a Cyberpatriot program to contact her to be put in touch with other Cyberpatriot advisors, attended the opening of Seaview Little League, congratulated Huntington Valley Little League on their 50th season, and announced that HB Reads One Book event details for this week can be found at HBReads.org. She participated in Read Across America to celebrate Dr. Seuss's birthday by reading a book to students at Peterson Elementary, congratulated the students who participated in the Huntington Beach City School District coding competition, and will be actively involved in tomorrow's Youth In Government Day at City Hall.

Councilmember Delgleize reported holding a third meeting with Councilmember Brenden of the Air Traffic Noise Working Group, and after a few more meetings there will be a public report. She reported attending a United to End Homeless meeting in conjunction with United Way and UC Irvine, participated in the Association of California Cities - Orange County (ACC-OC) Sacramento Advocacy trip, attended the Grand Opening of the Orange County Animal Shelter, an ACC-OC meeting on Pension Reform where Assistant City Manager Lori Ann Farrell made an excellent presentation, and concluded her comments by highly recommending the very talented production of *Young Frankenstein* by the Huntington Beach Academy for the Performing Arts.

Mayor Pro Tem Peterson reported attending the Southeast Area Police Update meeting which included the six officers who routinely patrol that area, the excellent Huntington Beach Police Department annual

Employee Awards luncheon, and a panel discussion at Grace Lutheran Church to discuss how the faith-based community can become more involved in the local community.

Councilmember Semeta reported attending the Huntington Beach Police Department Employee Awards luncheon where well deserved Medal of Valor awards were presented to Officers Eric Esparza and Steven Tennant, represented the City at the Fire Academy graduation to welcome nine new members to the Fire Department, attended the Visit HB Tourism Summit, encouraged residents to vote for Huntington Beach as the Best Beach in California in the USA Today poll, attended the Boys and Girls Club Fundraiser event, the ACC-OC meeting on Pension Reform, and the Cherry Blossom Festival at Central Park which was managed by Maureen Anzivino and Frank Nakabayashi. She congratulated a local business, Teacher Created Materials, for being recently inducted into the Cal State Fullerton Center for Family Business Hall of Fame to recognize family businesses which intend to pass ownership on to the next generation, and concluded her comments by expressing condolences to the family and friends of radio personality Lyle Kilgore who lived his retirement years in Huntington Beach, and provided a recap of his career accomplishments.

Councilmember O'Connell reported attending the Visit HB Tourism Summit, the informative Chamber of Commerce AM Connect breakfast at the Police Department, the 3/1 Marines 5K Run/Walk, ACC-OC Sacramento Advocacy trip, and Huntington Beach Fire Department Fire Academy graduation. He expressed appreciation for the many Huntington Beach Police Officers who ensured a safe St. Patrick's Day, and announced he was recognized and presented a Community Service Award for Leadership by the California State Senate and Assembly.

Mayor Posey reported on his first two "Meet the Mayor" events, attended the Huntington Valley Little League 50th Season Opener, the ACC-OC Sacramento Advocacy trip, 3/1 Marines 5K Run/Walk, the Huntington Beach Police Department Employee Awards luncheon, Sister City Cherry Blossom Festival, and conducted a taped interview with the creator of Mach 5. He also attended the opening of the history of skateboards exhibit, Surf2Skate, at the International Surfing Museum, and concluded his comments by expressing condolences to the family and friends of Pastor Blaine "Sumo" Sato, and read a statement written by Diana Dehm, Executive Director of the International Surfing Museum, describing Sumo's many contributions to the local community.

ADJOURNMENT — 9:19 PM, in memory of local radio personality Lyle Kilgore who passed away on February 22nd, and local surfing Pastor Blaine "Sumo" Sato, who passed away on March 11th, to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, April 2, 2018, at 4:00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.



City Clerk and ex-officio Clerk of the City
Council of the City of Huntington Beach
and Secretary of the Public Financing Authority
of the City of Huntington Beach, California

ATTEST:



City Clerk-Secretary



Mayor-Chair