

Minutes

City Council/Public Financing Authority Special Meeting City of Huntington Beach

Thursday, April 18, 2019
4:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**A video recording of the 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

ROLL CALL

Present: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
Absent: None

PLEDGE OF ALLEGIANCE — Led by Councilmember Delgleize

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Patty Esparza announced supplemental communications received by the City Clerk's office following distribution of the Council Agenda packet:

Administrative Items:

#1. (19-455) PowerPoint communication submitted by Assistant City Manager, Lori Ann Farrell Harrison entitled *Addressing Homelessness – Navigation Center Proposal, April 18th, 2019*.

#1. (19-455) Inter Office Communication received from Community Development Director, Ursula Luna-Reynosa, revising the Staff Report to include an environmental status statement.

#1. (19-455) Letter received via email from Michael H. Leifer of Palmieri Tyler, Attorneys At Law.

#1. (19-455) Thirty-six (36) communications received regarding the establishment of a Homeless Navigation Center at 15311 Pipeline lane.

PUBLIC COMMENTS — 49 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>.

Katrina Foley, Mayor of Costa Mesa, was called to speak and shared a video which described Costa Mesa's efforts to address their homeless issues, and reported that they are already seeing fewer people living on their streets and in their parks. (00:03:42)

John Stephens, Mayor Pro Tem of Costa Mesa, read part of a letter from a business owner adjacent to the recently opened Bridges Shelter location, which described the reality vs. the expected. (00:09:16)

Shirley Dettloff, a 55-year resident of Huntington Beach, was called to speak and stated her support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:10:22)

Gigi Jackson was called to speak and stated her support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:11:44)

Ralph Bauer was called to speak and stated his support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:13:08)

Pat Goodman, a long-time resident and Huntington Beach home owner, was called to speak and stated her support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:14:34)

John Bostick was called to speak and stated his support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:15:18)

Karen Collins, long-time Huntington Beach resident, was called to speak and stated her support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:18:03)

Natalie Moser, a 40+-year resident of Huntington Beach, was called to speak and stated her support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:19:34)

Dr. Cynthia Alt was called to speak and stated she has questions that have yet to be answered regarding Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. Dr. Alt handed her list of questions to the Sergeant at Arms. (00:23:04)

Chris Benzen, representing area industrial property owners, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (00:24:56)

Tammy Buck was called to speak and stated her support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (00:28:17)

Maneck Bhujwala, a long-time resident of Huntington Beach, was called to speak and stated support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:31:28)

Doug Hein, a long-time resident of Huntington Beach, was called to speak and stated his opinions related to Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:32:49)

Mitch McNally, a business owner near 15311 Pipeline Lane, was called to speak and stated opposition for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:35:55)

Michael E., a north end resident of Huntington Beach, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (00:37:21)

Gordon Benzen was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (00:40:05)

Ari Suss, owner of the business next door to 15311 Pipeline Lane, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (00:43:19)

Kelly Aguiar, an employee from a business next door to 15311 Pipeline Lane, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (00:45:27)

Howard Herdman was called to speak and stated his opinions related to Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:47:50)

Nate Barrett, homeowner and life-long resident of Huntington Beach, was called to speak and stated opposition for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:48:55)

Joey Silvernagel, a long-time resident of Huntington Beach, was called to speak and stated opposition for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:51:39)

Mark Tonkovich, a resident of north Huntington Beach, was called to speak and stated opposition for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:52:45)

Sherri Loomer, owner of a business just around the corner from 15311 Pipeline Lane, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (00:55:23)

Jenny Braithwaite, resident of Huntington Beach, was called to speak and stated support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (00:58:33)

Steve Smith, Huntington Beach resident and business owner, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:00:47)

Michael Guilfogle, employee from a business next door to 15311 Pipeline Lane, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:03:56)

Sara Smith, a resident of Huntington Beach, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:05:37)

Mary Jean Piersma, a resident of north Huntington Beach, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:07:50)

Vannia Peirce, a long-time resident of Huntington Beach, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:11:18)

Thor Faber, a lifelong resident of Huntington Beach, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:14:12)

Rebecca Weinberg, a Huntington Beach homeowner and employee from a business next door to 15311 Pipeline Lane, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:16:25)

Dave Peters, a 32-year resident of Huntington Beach and Chief Executive of SCATS Gymnastics, a youth-serving business which is about 300 yards from 15311 Pipeline Lane, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:19:35)

Judith, representing her boss, their business, and her Huntington Beach family, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding a Navigation Center at 15311 Pipeline Lane. (01:23:12)

Dianne Thompson, Chair, Chamber of Commerce Government Affairs Committee, and Huntington Beach resident and business owner, speaking on behalf of the Chairman of the Chamber Board of Directors, was called to speak and stated support for Item 1 (19-455) declaring a Shelter Crisis pursuant

to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:26:25)

Janette Ditkowsky, owner of the property at 15262 Pipeline Lane, diagonally adjacent to 15311 Pipeline Lane, was called to speak and asked that Council allow more time to evaluate the proposal and how it will impact the existing businesses. (01:29:15)

Tim Geddes, a resident and homeowner of southeast Huntington Beach, was called to speak and shared his opinions related to Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:30:22)

Ray Holt, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition for Item 1 (19-455) regarding establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:33:00)

Linda Keiser, Huntington Beach homeowner and resident for 47 years, was called to speak and stated opposition to Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane, because she has ideas for alternate solutions based on first-hand experience. Mayor Peterson asked Ms. Keiser to complete a blue card for staff follow-up. (01:36:14)

R. McDonald was called to speak and stated his opinions related to Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:40:07)

Eva Weisz was called to speak and stated support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:43:42)

Katrina Tengan, a resident of Huntington Beach with children who attend school near the 15311 Pipeline Lane location, was called to speak and stated opposition to Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:46:49)

Carmenanne Tolksdorf, a resident of Huntington Beach, was called to speak and stated support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:49:20)

Rod Vickers, a resident of Huntington Beach not too far from 15311 Pipeline Lane, was called to speak and stated opposition to Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:52:33)

Edward Heade, Huntington Beach resident and business owner, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition to Item 1 (19-455) regarding a homeless Navigation Center at 15311 Pipeline Lane. (01:53:20)

Michael Biddle, Owner of Outbreak Soccer Centers, was called to speak and stated opposition to Item 1 (19-455) regarding a homeless Navigation Center at 15311 Pipeline Lane. (01:56:31)

Callie Payetta, who works down the street from 15311 Pipeline Lane, was called to speak and stated support for a long-term solution to the City's homeless issues, but opposition to Item 1 (19-455) regarding a homeless Navigation Center at 15311 Pipeline Lane. (01:57:57)

Janet Ewell, resident of north Huntington Beach since 1975, was called to speak and shared her opinions and support for Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (01:59:41)

Dimitri Spirtos, a resident of Huntington Beach since 1987, was called to speak and stated opposition to Item 1 (19-455) declaring a Shelter Crisis pursuant to SB 850 and the City's intent to proceed with establishing a homeless Navigation Center at 15311 Pipeline Lane. (02:02:50)

ADMINISTRATIVE ITEMS

1. 19-455 Adopted Resolution 2019-22 Declaring a Shelter Crisis Pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code Section 8598.2), Declaring the City's Intent to Proceed with Establishing a Homeless Navigation Center, Authorized Execution of a Purchase and Sale Agreement for 15311 Pipeline Lane, and Amended the FY 2018/19 Revised Budget by \$2,850,000

City Manager Fred Wilson introduced Assistant City Manager, Lori Ann Farrell; City Attorney, Michael Gates; Chief of Police, Robert Handy; Director of Business Development, Kellee Fritzal; Chief Financial Officer, Gilbert Garcia, and GIS Analyst II, Leslie Edwards who jointly presented a PowerPoint communication entitled *Addressing Homelessness - Navigation Center Proposal, April 18, 2019* with slides entitled: *Overview; Why Are Here?; Point-in-Time Census and Survey; Countywide Challenges and Federal Lawsuits; Federal Authorities; Limitations Placed on Anti-Camping Ordinance by Court; Which Cities or Entities Have Been Sued?; Impact of Federal Lawsuits on Cities; What If We Do Nothing?; Huntington Beach Proposed Navigation Center; What Type of Shelter Must Huntington Beach Create?; What Sites Did We Consider?; Addressing Homelessness in Huntington Beach Fact Sheet; Who Can Use The Navigation Center?; Shelter Examples; Safety and Security; Safety and Security Key Components (3); Community Engagement; Open Houses and Community Meetings; Stakeholder Advisory Board; Financial Impact; Next Steps; and Questions?*

Mayor Peterson asked that the audience keep their comment reactions to a minimum so that everyone can hear the discussion.

Councilmember Posey and City Attorney Michael Gates discussed the fact that camping, loitering and curfew violations currently are not enforceable because the City has no shelter. Providing a shelter will allow Police Officers to enforce the ordinances and make arrests, and the City Prosecutor can ensure the violators are properly processed through the courts. The City Attorney's office has been successful in getting "stay away" orders for past repeat offenders.

Councilmember Posey and Deputy Director of Economic Development Kellee Fritzal discussed SB 2 grant funding, and how those funds could be used in meeting costs related to a Navigation Center. Nearly \$500,000 is expected to come from SB 2 funds every year.

Community Development Director, Ursula Luna-Reynosa confirmed to Councilmember Posey that in order to qualify for SB 2 grant funding the City must have a Navigation Center.

Councilmember Posey and Police Chief Robert Handy discussed that it is too early to see any impact due to Costa Mesa setting up a homeless shelter and now being able to enforce their ordinances. Chief Handy confirmed that a Navigation Center will be an enhanced tool that will help the Police Officers be more effective in dealing with loitering, camping and curfew issues; however, this does not mean there would no longer be homeless individuals in the City.

Councilmember Hardy stated that most of the questions she has on this issue, which echo many public concerns, will best be answered in the future during the process to evaluate potential operators and security providers. Councilmember Hardy further asked that the topic of setting up an Advisory Board for the Request For Proposal processes (RFP) be addressed at the May 6 City Council meeting.

Councilmember Hardy and Director Fritzel discussed different existing models for programs regarding contracting for operations and security, and their conclusion that having the City contract directly with operations and security is expected to provide the best control over the service provided.

Councilmember Hardy stated her opinion that purchasing a building, vs. leasing, provides more control over ensuring the building continues to meet possible changing needs. She also stated that doing nothing, or delaying action, will only compound the issues; and, she believes this is the right thing to do for the residents and the people who need help.

Councilmember Carr and City Attorney Gates discussed the potential need for further review and analysis regarding changing any of the City's current camping, loitering and curfew ordinances if/when a Navigation Center becomes available. Councilmember Carr also stated her support for purchasing a facility to maintain control and allow flexibility for implementing changes if needed, and confirmed with Director Fritzel that the Pipeline facility does not provide the opportunity to lease.

Councilmember Brenden and Chief Handy discussed options to consider if video monitoring is utilized. Councilmember Brenden expressed his desire to see metrics on the best staff-to-resident ratio. Director Fritzel confirmed that every location considered had an outdoor smoking area within the property's fenced perimeter. Councilmember Brenden stated that in his opinion it is important to look for ways to mitigate the effects of secondhand smoke for surrounding neighbors.

Councilmember Brenden and CFO Garcia discussed that the funding for this item comes from restricted housing and redevelopment sources and confirmed that funding this project will not impact infrastructure funds. Councilmember Brenden further stated that this is a tough spot to be in, and wanted the public to know how seriously their concerns are considered by Councilmembers. He expects to be keeping a very close eye on this situation and is thankful for the ability to observe what other municipalities are experiencing and being able to follow their best practices.

Councilmember Brenden, Chief Handy and Director Fritzel discussed the timeline and process for reinforcement of the City's camping and loitering laws. Councilmember Brenden reiterated that some homeless will welcome assistance provided by a Navigation Center while others will refuse it, opining that homelessness will not disappear; rather, a Navigation Center will provide a means of removing some of the homeless from the City's parks and streets.

Mayor Pro Tem Semeta and Director Fritzel discussed that the transportation vehicles for Navigation Center residents will most likely be vans. Director Fritzel confirmed that the current parking spaces at the Pipeline Lane facility are adequate for operations staff and volunteers. The issue of where vehicles belonging to the homeless will be kept is yet to be addressed.

Mayor Pro Tem Semeta shared her thoughts on the need to act sooner rather than later to prevent the situation from becoming worse, and before litigation is filed. As a Councilmember she is responsible to the residents and business owners for quality of life, and believes this plan will help to remove some of the impacts of homelessness. She supports the suggestion for an Advisory Board, and expects continued input from the community. In her opinion, doing nothing will indeed make matters worse.

Councilmember Delgleize shared some of the situations people find themselves in that can result in homelessness, and stated that her goal as a Councilmember is to provide better services, better tools and a better place by following the best practices of other cities who have already addressed the same issues. Councilmember Delgleize asked that concerned residents and business owners reach out and become a part of the solution.

Mayor Peterson and Director Fritzal discussed that data on actual value changes for properties in the neighborhood of existing Navigation Centers has not yet been received. Mayor Peterson and Chief Handy discussed some of the screening criteria used to determine areas most appropriate for a Navigation Center, including cities where individuals had previously resided. There was discussion on the continued need for additional Police Department staffing, and Chief Handy explained that implementing this Center will not take away from resources addressing other issues in the City, and the number one challenge for all officers is dealing with the effects of the homeless population. Chief Handy confirmed that he does not expect to assign an officer to the Navigation Center because contracted security is currently part of the facility plan; and agrees that placing a substation at the facility is an option to consider.

Mayor Peterson and CFO Garcia discussed that the ongoing budget will be determined during the RFP process, and tonight's action is just related to facility purchase. Assistant City Manager Farrell described expected costs, based on existing facilities, is \$40 to \$50 per person per night, or \$1.2 to \$1.5M annually. CFO Garcia stated some funding options for the first year of operation include Residual Receipts, pushing out debt service for the police facility to 2021 which might delay the project by one quarter, and in the 2021 budget process on-going funding would have to be determined. Mayor Peterson stated that he cannot support proceeding without a better budget for long-term operations.

Mayor Peterson and City Attorney Gates discussed that it is currently unknown if paying another service provider in another city for shelter services would withstand a legal challenge in court.

Mayor Peterson and Director Fritzal discussed that adoption of Resolution 2019-22 will allow the City to apply for funding from the Emergency Homeless Aid Program, which includes access to \$5M in the foreseeable future.

Councilmember Carr expressed appreciation to everyone who has expressed their concerns, fears and doubts on this issue, and explained that the City is in a very tight bind and there is no place within the City for a Navigation Center that would make everyone happy. Councilmember Carr expressed support for engaging community members in the ongoing process and decisions, and believes the community can be proud of being a part of the solution for homelessness. She encouraged anyone to dialogue with her about their concerns, and stated her support for this item.

Councilmember Posey stated he wholeheartedly agrees with Councilmember Carr's comments, explained how he transitioned to supporting the purchase of a facility, and expressed his hope that

property appreciation will outperform. He also confirmed with CFO Garcia that if the building is ever sold the proceeds will be used to make whole the restricted funds used for the purchase.

Councilmember Posey and Chief Handy discussed that, hypothetically speaking, a Navigation Center is expected to be a tool which will relieve some of the pressure of dealing with homeless issues.

Councilmember Posey stated his support for this item.

A motion was made by Posey, second Delgleize to approve Resolution 2019-22 "A Resolution of the City Council of the City of Huntington Beach Pursuant to SB850 (Chapter 48, Statutes of 2018 and Government Code Section 8698.2)" Declaring an Emergency Shelter Bed Crisis; declaration of the City's intent to proceed with establishing a Homeless Navigation Center; approval and authorization for the Mayor and City Clerk to enter into the Purchase and Sale Agreement for 15311 Pipeline Lane (APN 145-537-06), Huntington Beach, CA.; authorize the City Manager to execute any and all documents related to the Agreement to further this action; and, approve the appropriation of \$2,850,000 in the Fiscal Year 2018/19 Revised Budget from the following sources: Redevelopment Dissolution Assignment (100), Community Development Block Grant Funds (215 and 239), and Residual Receipts Fund (233) as needed.

The motion carried by the following vote:

AYES: Brenden, Carr, Semeta, Posey, Delgleize, and Hardy
NOES: Peterson

COUNCILMEMBER COMMENTS (Not Agendized) — None

ADJOURNMENT at 7:34 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, May 6, 2019, 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>

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