

Minutes

City Council/Public Financing Authority City of Huntington Beach

Monday, March 2, 2020
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 portions 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

ROLL CALL

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

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 #1 (20-1453)

PowerPoint Communication entitled *Community Development Block Grant (CDBG) Overview & Upcoming Milestones*, received from Robert Ramirez, Economic Development Project Manager.

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS

(3 Minute Time Limit) — None

STUDY SESSION

1. **20-1453 Review of Community Development Block Grant (CDBG) Recommendations 2020-21 by members of the Citizen Participation Advisory Board (CPAB) and City Council**

CPAB Board Members Present/Absent:

Present: Peter Andres (Vice Chair), Chris Byrne, and Gigi Jackson (Secretary)
Absent: Shelly Grace-Bowers (Chair), Mike Massie, Paul Morrow, and Donna Traversi

- a) Five Year Consolidated Plan — Tim Gottgetreu, Western Economics
- b) Regional Analysis of Impediment to Fair Housing Choice — Diane Glauber, Lawyers Committee for Civil Rights Under Law

Director of Community Development, Ursula Luna-Reynosa; Economic Development Project Manager, Robert Ramirez; CPAB Vice Chair, Peter Andres; and, Director of Research at Western Economics, Tim Gottgetreu jointly presented a PowerPoint communication entitled: *Community Development Block Grant (CDBG) Overview & Upcoming Milestones* with slides titled: *Study Session Agenda, Annual Action Plan (AAP), HUD Allocations 2020-21, HUD Allocations Public Services, CDBG Allocation Process, 2020/21 HOME Projects, 2020-21 CPAB Recommendations for Community Development Block Grant Funding, Public Services: 15% Cap (2), Admin, Housing & Code Enforcement, Public Improvements, 2020/21 HOME Program, Consolidated Plan, Purpose of the Five-Year Consolidated Plan, Consolidated Plan Planning Process, Funding Categories, Demographics (5), Housing Problems (3), Housing and Community Development Survey Results (9), Goals and Finding s(3), and Questions.*

Diane Glauber, of Lawyers Committee for Civil Rights Under Law gave a presentation entitled: *Orange County Regional Analysis of Impediment to Fair Housing Choice* with slides titled: *The Fair Housing Act, Overview of the AI Process (2), Overview of the AI Document, Race and Ethnicity in Huntington Beach, Housing Tenure in Huntington Beach and Questions.*

Director Luna-Reynosa completed the presentation with slides titled: *Next Steps, and Questions?*

Councilmember Carr and Director Luna-Reynosa discussed managing the use of additional administration funds and spending timelines, and Councilmember Carr commended Robyne's Nest, a Huntington Beach nonprofit that will benefit from Community Development Block Grant (CDBG) funding.

Councilmember Posey thanked the Citizen Participation Advisory Board (CPAB) and staff for this comprehensive review, and stated his agreement with the allocations, including Robyne's Nest Housing for Homeless Youth, StandUp for Kids OC — Street Outreach Team, HBPD/OBD — Homeless Outreach, and Central Library Lower Level Restroom Renovations.

Councilmember Brenden concurred with other Council Member comments to acknowledge benefactors, and asked for the CDBG Administration and Code Enforcement budget figures versus actual spending for FY 2019/20, and Director Luna-Reynosa indicated that information would be provided at the next meeting. Councilmember Brenden stated he would like to see more funding allocated for homeless outreach, and thanked everyone for their presentations.

Mayor Pro Tem Hardy thanked the CPAB members and staff for their very successful efforts.

Mayor Semeta and Director Luna-Reynosa discussed that it can be difficult to spend the funds within a year because many of the projects are not able to be completed during that timeframe as they may require design, plans and permits, the benefactors may not have infrastructure in place for timely invoicing, and the possibility of breaking future projects into phases. Mayor Semeta expressed her support for additional funds to be allocated to the Homeless Task Force as well.

Councilmember Delgleize and Director Luna-Reynosa discussed that the reason the City is receiving additional funding this year is unknown, and Councilmember Delgleize thanked everyone for their presentations.

2. 20-1463 Year End Audit Results and Mid-Year Budget Update

Acting Chief Financial Officer (CFO) Dahle Bulosan introduced Assistant Chief Finance Officer Sunny Rief who jointly with audit partner Jennifer Farr of Davis Farr presented a PowerPoint communication entitled: *Year End Audit Results and Mid-Year Budget Update* with slides titled: *Overview, FY 2018/19 Financial Results Audit and Year-End Overview, FY 2018/19 Audit Results, Audit Results, Internal Controls, Areas of Audit Focus in FY 18/19, FY 2018/19 Performance (audited), FY 2018/19 General Fund, General Fund Balance, FY 2019/20 General Fund Budget Overview, FY 2019/20 Budget Update, Potential Uses of One-Time Funds, FY 2020/21 Budget Development, Economic Indicators, Pensions and Unfunded Liabilities, Net Pension Liabilities Overview as of 6/30/19, UAL Cost Increase Impact on HB, City of Huntington Beach UAL Payment Amounts, Pension Obligation Bond Savings, Long Term Financial Planning, Five-Year Financial Plan - General Fund (2), Summary Comparison - POB vs. No POB, Community & Organizational Needs, City Council Policy Options, FY 2020/21 Proposed Budget Calendar, and Questions.*

Councilmember Posey expressed his opinion that Pension Obligation Bonds are not a good idea for the City and explained his reasons. Councilmember Posey and Acting CFO Bulosan discussed details related to how unfunded liability will not grow after a refinance. City Manager Chi expanded on possible options for addressing unfunded liability in the future, and policies being presented to the Finance Commission. Councilmember Posey stated his opinion that the most responsible action would be to designate 100% of excess proceeds to the Trust 115 Account, and getting the issue on the ballot for the voters to decide.

Councilmember Carr stated her desire to have Senator Moorlach present his position regarding Pension Obligation Bonds to the Council, her support for Councilmember Posey's desire to see more funds going to the Trust 115 Account, and thanked staff for their comprehensive report.

A motion was made by Brenden, second by Carr to recess to Closed Session for Items 3 – 7. With no objections, the motion passed.

RECESSED TO CLOSED SESSION — 5:08 PM

CLOSED SESSION ANNOUNCEMENT(S)

- 3. 20-1461 Mayor Semeta Announced: Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiators: Oliver Chi, City Manager and Peter Brown; also in attendance: Travis Hopkins, Assistant City Manager and Robert Handy, Chief of Police, regarding the following: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); and Police Officer's Association (POA).**

CLOSED SESSION

- 4. 20-1456 Pursuant to Government Code § 54956.9(d)(2), the City Council recessed into Closed Session to confer with the City Attorney regarding a matter involving a Threat of Litigation (1), and a matter involving Potential Litigation (1).**
- 5. 20-1457 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: Moore (Neal) v. City of Huntington Beach, et al.; OCSC Case No. 30-2019-01071686.**

6. **20-1459 Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiator: Oliver Chi, City Manager and Peter Brown; also in attendance: Travis Hopkins, Assistant City Manager and Robert Handy, Chief of Police, regarding the following: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); and Police Officer's Association (POA).**
7. **20-1460 Pursuant to Government Code § 54956.9(d)(1), the City Council recessed into Closed Session to confer with the City Attorney regarding the following Workers' Compensation Claims: Jeffrey T. Huss v. City of Huntington Beach; Workers' Comp. Case No. COHB-18-0071; and Dennis Fulton v. City of Huntington Beach; Workers' Comp. Case No. COHB-17-0078.**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:08 PM

ROLL CALL

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

City Clerk Estanislau announced that due to illness, City Attorney Gates had left the meeting, and Chief Deputy City Attorney Mike Vigliotta would be present for the remainder of the meeting.

PLEDGE OF ALLEGIANCE — Led by Councilmember Brenden

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.

8. **20-1380 Marsha Rechsteiner of Saints Simon and Jude Catholic Church and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

9. **20-1374 Mayor Semeta proclaimed March 7 as California Arbor Day, and presented a proclamation to Jean Nagy and Annie Anderson, members of the HB Tree Society.**

HB Tree Society President Jean Nagy introduced Annie Anderson who has volunteered at the Urban Forest for over ten years, and encouraged anyone who needs a small tree on their property to plant the City's Official Tree, the Western Redbud. At the end of the meeting, Mayor Semeta also thanked volunteer Mr. Chris MacDonald for providing publicity for the HB Tree Society.

- 10. 20-1436 Mayor Semeta called on members of the City's Sister City Association who promoted the Annual Cherry Blossom Festival to be held March 13-15 in Central Park.**

Board Member Maureen Anzivino shared some details about the Sister City Organization, and provided details for the March 13-15 Orange County Cherry Blossom Festival which will be held at Central Park. Kevin Elliott, Code 4, shared some additional details and noted changes that have been made for this year's event.

- 11. 20-1437 Mayor Semeta presented her "Making a Difference Award" to Huntington Harbour Boat Rentals, and volunteers with Surfrider Foundation, for their countless hours in keeping the Harbour clean.**

Harbour Boat Rentals provides the equipment for the volunteers, including local high school students, who usually meet the first Sunday of every month to remove trash from Huntington Harbour under the guidance of the Huntington Beach/Seal Beach Surfrider Foundation volunteers.

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:

City Manager's Report

Assistant City Manager Travis Hopkins provided a brief PowerPoint communication entitled *Ascon Landfill Site Update*.

PUBLIC COMMENTS (3 Minute Time Limit) — 3 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>.

Kathryn Levassieur, a resident of Huntington Beach and founder of the Huntington Beach Short Term Rental Alliance, was called to speak and thanked City Council and staff for the on-line short term rental survey that is available through the City's website through March 13, 2020, and encouraged the City Council to use data, rather than opinions, when considering short term rental regulations. (01:45:39)

John Swarm, a long time Huntington Beach renter, was called to speak and shared his opposition to short term rentals based on his personal experiences living next door to one. (01:47:27)

Eric Richmond Massey, a resident of Huntington Beach, was called to speak and shared his personal experiences and opinions regarding how he is being mistreated and maligned. (01:49:57)

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

Councilmember Brenden reported two (2) conversations with Huntington Beach Police Officers' Association (HBPOA) representatives.

Councilmember Carr reported a conversation with a Huntington Beach Police Officers' Association (HBPOA) representative.

Mayor Pro Tem Hardy announced her new appointee, Julia Barry, to the Citizen Infrastructure Advisory Board (CIAB), and reported that the Environmental Board currently has two (2) open seats and the applications are available on line. Mayor Pro Tem Hardy also announced that *The 57 Bus: A True Story of Two Teenagers and the Crime That Changed Their Lives* by a Bay Area reporter, is the title of this year's HB Reads One Book, and an opportunity for the public to meet the author is planned for Thursday, March 12, 7 p.m. at Central Library. All of the details can be found at www.HBReads.org.

Councilmember Delgleize announced that Larry Owen is her new appointee to the Finance Commission.

Councilmember Posey reported attending the Orange County Taxpayers membership lunch with former Assembly Speaker Curt Pringle, Congressmen Lou Correa and Harley Rouda regarding National Infrastructure bills; attended a Vector Control meeting to discuss ways to control mosquitos; a Legislative Update with Assemblywoman Cottie Petrie-Norris regarding housing grant opportunities within the county; interviewing candidates for the Mobile Home Advisory Board; and reported a conversation with a Huntington Beach Police Officers' Association (HBPOA) representative.

CITY MANAGER'S REPORT

City Manager Oliver Chi introduced Assistant City Manager Travis Hopkins who presented a PowerPoint communication entitled: *Ascon Landfill Site Update* with slides titled: *Tenting & Enclosure Pilot Plan (2)*, *Air Quality (3)*, *Ascon Landfill Site Update (2)*, *Technical Advisor*, and *Ascon Landfill Site Update*.

Mayor Semeta stated she is pleased to see that there is a plan in process for tenting/enclosing the work.

Councilmember Brenden thanked Director of Public Works Tom Herbel for the Facebook Live event to provide updated information on the Ascon project.

Councilmember Carr and Assistant City Manager Hopkins discussed that at the present time, there is no timeline for the Department of Toxic Substance Control (DTSC) or Air Quality Management District (AQMD) permit processes.

CONSENT CALENDAR

Mayor Semeta pulled Item 13. (20-1446) regarding Cal OES Violence Against Women Act Grant to commend the Huntington Beach Police Department for applying for this grant and utilizing the funds to assist battered victims through Waymakers and advocates. Police Chief Handy stated that Interval House is another integral partner in providing services for battered victims.

Councilmember Posey also thanked Police Chief Handy for applying for the Cal OES Violence Against Women Act Grant, and for the public's benefit, described how the funds are used.

12. 20-1433 Approved and Adopted Minutes

A motion was made by Brenden, second Semeta to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated February 3, 2020, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, and Brenden
NOES: None

- 13. 20-1446 Approved Cal OES Violence Against Women Act Grant (LE19036860) for the 2020 calendar year which includes accepting the grant between the State of California, Governor's Office of Emergency Services (Cal OES) and the City; authorized the Chief of Police to execute documents; approved the appropriation of \$203,143 which is fully reimbursed by the grant from Cal OES; and, amended the Professional Services Listing to include provided domestic violence services**

A motion was made by Brenden, second Semeta to accept the grant between the State of California, Governor's Office of Emergency Services (Cal OES) and the City of Huntington Beach; and, assign authority to the Chief of Police as the official to execute and sign for the award and to approve amendments and extensions; and, appropriate \$203,143 for the Violence against Women Program costs, all of which will be reimbursed by the grant from Cal OES; and, amend the Professional Services Listing to include domestic violence services in the amount of \$270,857.

The motion carried by the following vote:

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, and Brenden
NOES: None

- 14. 20-1410 Awarded and authorized execution of a construction contract with All American Asphalt Company in the amount of \$5,181,955.00 for the FY19/20 Arterial Rehabilitation Project, CC-1576; and, authorized the appropriation of funds**

A motion was made by Brenden, second Semeta to appropriate \$426,770 from the RMRA Fund (1247) to the RMRA Fund, Account 124790003.82300; and, accept the lowest responsive and responsible bid submitted by All American Asphalt Company in the amount of \$5,181,955.00; 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: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, and Brenden
NOES: None

- 15. 20-1441 Accepted the lowest responsive and responsible bid and authorized execution of a construction contract with R.J. Noble Company in the amount of \$2,551,614 for the Residential Overlay Zone 9 Project, CC-1596; and, authorized the appropriation of funds**

A motion was made by Brenden, second Semeta to appropriate \$178,685 from Gas Tax Fund (207) to Account 20790057.82300; and, accept the lowest responsive and responsible bid submitted by R.J. Noble Company in the amount of \$2,551,614; 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: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, and Brenden

NOES: None

**16. 20-1302 Adopted Ordinance No. 4203 approving Zoning Map Amendment No. 19-002 rezoning property located at the terminus of Park Avenue in Huntington Harbour (Park Avenue Rezone)
Approved for introduction 2-18-2020 — Vote: 7-0**

A motion was made by Brenden, second Semeta to adopt Ordinance No. 4203, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Property Located at the Terminus of Park Avenue in Huntington Harbour from OS-WR-CZ-FP2 (Open Space-Water Recreation - Coastal Zone Overlay - Floodplain Overlay) to RL-CZ-FP2 (Residential Low Density - Coastal Zone Overlay - Floodplain Overlay) (Zoning Map Amendment No. 19-002)" (Attachment No. 3).

The motion carried by the following vote:

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

NOES: None

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Posey announced the Treasures by the Sea fundraising event for the Assistance League to be held on March 28. Tickets are available on-line, and details can be found at www.assistanceleague.org/huntington-beach.

Councilmember Delgleize reported taking a tour of the Goodwill Facility on North Fairview Street in Santa Ana which offers e-recycling.

Mayor Pro Tem Hardy reported attending the Sea View Little League Opening Day events; a book signing at Barnes and Noble for Loni (Smith) Forbes, a former Huntington Beach High School student, who has authored a Young Adult novel, *Seventh Sun*; and celebrated the birthday of Dr. Seuss, along with City Attorney Michael Gates, by reading to students at Peterson Elementary School.

Councilmember Peterson shared that he was invited by American Legion Post 133 to speak at the Blue and Gold Dinner and Bridging Ceremony for Cub Scout Pack 101.

Councilmember Carr reported attending the Association of California Cities — Orange County (ACC-OC) Regional Housing Needs Assessment (RHNA) workshop; a conference hosted by University of Southern California (USC) Price School regarding sustainability and coming state environmental policies; a USC Public Policy Class hosted by the ACC-OC; and participating in the Read Across America program to celebrate the birthday of Dr. Seuss at Golden View Elementary School where a local business, Teacher Created Materials, provided each student with a backpack full of books. Councilmember Carr also reported examples of the positive changes that have taken place at Golden View in the last year under the leadership of new Principal Lori Florgan.

Councilmember Brenden reported providing a City Update to the Surf City Rotary Club; attending the Association of California Cities - Orange County (ACC-OC) Regional Housing Needs Assessment (RHNA) workshop; Eagle Court of Honor for Jason Voris, Justin Plantiko, and Ben Ransom from Troop

319; an Aviation Noise and Emissions Symposium in San Diego; a meeting with the Long Beach Airport staff on jet noise issues; and a meeting of the Jet Noise Commission.

Mayor Semeta reported attending a meeting hosted by Congressman Rouda for the mayors of neighboring cities, representatives of the Federal Aviation Administration (FAA), John Wayne Airport and several airlines, to discuss jet noise issues; the first meeting of the Council Subcommittee on Housing, consisting of Mayor Semeta, Mayor Pro Tem Hardy and Councilmember Brenden, to address Regional Housing Needs Assessment (RHNA) issues; a reception for Robert Mayer, Sr. to acknowledge his \$2M donation to the Boys and Girls Club of Huntington Valley; the Court Hearing for the City of Costa Mesa's successful effort to prevent the use of Fairview Development Center as a quarantine center for COVID-19, and stated that the greater local community, including Huntington Beach, is prepared with proper protocols; an Orange County Council of Governments (OCCOG) Board meeting; and throwing the opening pitch for Ocean View Little League Opening Day.

At 7:12 PM, the Council recessed into Closed Session for continued discussion on Closed Session Item Nos. 6 and 7.

CLOSED SESSION REPORT – None.

ADJOURNMENT — At **8:00 PM** to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority meeting on Monday, March 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>**

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