

Minutes

City Council/Public Financing Authority City of Huntington Beach

Monday, August 3, 2020
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**A video recording of the 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/**

6:00 PM - COUNCIL CHAMBERS

CALLED TO ORDER — 6:00 PM

ROLL CALL

Present: Posey, Delgleize, Hardy, Semeta, Carr (remote), and Brenden
Absent: Peterson

Pursuant to Resolution No. 2001-54, Councilmember Peterson requested and was granted permission to be absent.

PLEDGE OF ALLEGIANCE — Led by Mayor Pro Tem Hardy

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.

1. **20-1685 Marilyn Anania of Saints Simon and Jude Catholic Church and member of the Greater Huntington Beach Interfaith Council**

AWARDS AND PRESENTATIONS

2. **20-1750 Mayor Semeta recognized August 26, 2020, as the 100th Anniversary of the Ratification of the 19th Amendment of the United States Constitution, Granting Women the Right to Vote**

Mayor Semeta provided a brief history of the Ratification of the 19th Amendment granting women the right to vote, and announced that locals Matt Liffreing, owner of Marketworks, and City Archivist Kathy Schey are working on a film to commemorate this 100th anniversary and to acknowledge the 14 women who have served as Mayor of Huntington Beach, beginning with Norma Gibbs in 1975 and including Mayor Pro Tem Hardy, Councilmember Delgleize, and herself. Mayor Semeta also acknowledged City Clerk Estanislau and City Treasurer Backstrom, as two more women currently serving in elected positions for Huntington Beach.

3. 20-1801 Mayor Semeta presented the Making A Difference Award to City Archivist Kathie Schey

Mayor Semeta introduced City Archivist Kathie Schey by describing her passion for preserving the history of Huntington Beach for future generations, and listing her professional qualifications and national affiliations. Ms. Schey thanked City staff, her family, and members of the Historic Resources Board and acknowledged their support for her passion to research, value, claim, preserve and share Huntington Beach history.

4. 20-1794 Mayor Semeta presented the Mayor's HB Excellence Award to:

**Debbie DeBow, Principal Civil Engineer
Jerry Goodspeed, Police Sergeant
Kevin Justen, Administrative Analyst, Senior
Anthony Pham, Police Officer
Terry Tintle, Signs & Markings Crewleader**

Mayor Semeta stated that the staff members being recognized were nominated by their fellow employees for demonstrating extraordinary service, especially during the last five months of unprecedented responses to the challenges of COVID-19.

Debbie DeBow, Principal Civil Engineer, the first woman to hold that title for the City, was acknowledged for developing the Public Works COVID Response Plan, and as a member of the team planning the Navigation Center.

Sergeant Jerry Goodspeed, Training Unit Supervisor, was acknowledged for successfully supervising seven new recruits who, because of COVID-19, were unable to attend the Police Academy, and also supplied the Police Department with the tools and resources needed for staff to work in a safe and proactive environment.

Kevin Justen, Senior Administrative Analyst, was acknowledged for very quickly developing, equipping, staffing, and managing the new Call Center in response to COVID-19.

Police Officer Anthony Pham, Robbery Homicide Detective, Crisis Negotiations Team Leader, and Instructor on the Arrests and Control Team, was acknowledged for his compassion for community members which is demonstrated as he goes above and beyond in his community interactions.

Terry Tintle, Signs and Markings Crewleader, a 38-year employee, was acknowledged for helping to successfully manage recent protests, closure of City parks and beaches, and minimizing expenses while adjusting to the many challenges presented by COVID-19.

Each staff member thanked their co-workers for the nomination and helping them to meet the demands of their job, and thanked Mayor Semeta for the recognition.

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

- #5 (20-1802) PowerPoint communication submitted by Scott Haberle, Fire Chief, titled *Bolsa Chica Fire – Oceanridge IC*.
- #6 (20-1793) PowerPoint communication submitted by Travis Hopkins, Assistant City Manager, titled *Ascon Landfill Site Update*.
- #7 (20-1792) PowerPoint communication submitted by Oliver Chi, City Manager, titled *City of Huntington Beach – COVID-19 Response Update*.
- #7 (20-1792) Email communication received from Sandra DiGiovanni regarding the indoor dining mandate being ignored.

Consent Calendar

- #13 (20-1804) Email communication received from Amory Hanson regarding the proposed cancellation of the August 17, 2020, City Council Meeting.
- #15 (20-1748) Email communication received from Erika Jason regarding the proposed Waymakers contract for the Gang Prevention and Intervention Program (GPIP).
- #17 (20-1785) Interdepartmental Communication amending the License Agreement between the City of Huntington Beach and OC405 Partners JV for Temporary Use of City Property submitted by Ursula Luna-Reynosa, Director of Community Services.

Administrative Items

- #21 (20-1768) PowerPoint communication submitted by Robert Handy, Chief of Police, titled *Resolution 2020-53*.
- #21 (20-1768) Inter-Department Communication submitted by Robert Handy, Chief of Police, providing notification of corrections to HBMC section 10.52.020 (c) and (d) in the legislative draft pertaining to Resolution No. 2020-53.
- #22 (20-1768) PowerPoint communication submitted by City Manager Oliver Chi, entitled *Cameron/Beach Site – Establish an Operational 174-bed Shelter Facility by November 2020*
- #22 (20-1768) Inter-Department Communication submitted by Ursula Luna-Reynosa, Community Development Director, requesting to insert language in the Environmental Status section of the staff report.
- #22 (20-1799) Email communications regarding the proposed Emergency Shelter received from:
Larry McNeely Donna Dillion
LG Cheri Lewis
JB Smith Mary Adams Urashima
- #23 (20-1810) Email communications received from Jim Hall, Steve Grabowski and Moe Kanoudi regarding the 3rd Block of Main Street closure.

PUBLIC COMMENTS (3 Minute Time Limit) — 14 Call-in 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>.

Caller #857, Jim Hall, owner of Surf City Ale House on the third block of Main Street, was invited to speak and stated his support for Administrative Item #23 (20-1810) regarding a temporary closure of the third block of Main Street to vehicular traffic. (00:28:58)

Caller #762, Jose, Youth Justice Organizer in Orange County, was invited to speak and stated his opposition to Consent Calendar Item #15 (20-1748) regarding a contract with Waymakers for management of the Gang Reduction [sic] and Intervention Program, and suggested that those funds be directed to existing non-profit organizations that serve and befriend high-risk youth. (00:31:02)

Caller #133, Amory Hanson, a Candidate for City Council in 2020 and member of the Historic Resources Board, was invited to speak and stated his support for the City to resume holding meetings for deliberative committees and commissions, including the Historic Resources Board. (00:33:47)

Caller #477, Maria, Youth Advocate for At-Risk Youth, was invited to speak and stated her opposition to Consent Calendar Item #15 (20-1748) regarding a contract with Waymakers for management of the Gang Reduction [sic] and Intervention Program, and suggested that those funds be directed to existing non-profit organizations that are providing prevention programs for high-risk youth. (00:34:29)

Caller #488, Suzie, owner of Making Waves Hair Salon, was invited to speak and stated her concern that the Main Street temporary closure benefits restaurants, but not the other retail businesses, and asked that Administrative Item #23 (20-1810) regarding a temporary closure of the third block of Main Street to vehicular traffic be tabled to allow time for Downtown Business Improvement District (DTBID) meetings with all affected business owners. (00:36:49)

Caller #904, Alana Jason, was invited to speak and stated her opposition to Consent Calendar Item #15 (20-1748) regarding a contract with Waymakers for management of the Gang Reduction [sic] and Intervention Program, and asked that the city allocate the funds to positive reinforcement and healing strategy programs which are not associated with the police, rather than the existing punishment-based program. (00:38:55)

Caller #355, Erica, was invited to speak and stated her opposition to Consent Calendar Item #15 (20-1748) regarding a contract with Waymakers for management of the Gang Reduction [sic] and Intervention Program, and asked that the City allocate the funds to positive reinforcement and healing strategy programs which are not associated with police, rather than the existing punishment-based program. (00:42:02)

Caller #443, Ariana Angelique, Founder of Regardless of Color (ROC) Era, was invited to speak and stated her opposition to Consent Calendar Item #15 (20-1748) regarding a contract with Waymakers for management of the Gang Reduction [sic] and Intervention Program, and asked that the City allocate the funds to positive reinforcement and healing strategy programs which are not associated with police, rather than the existing punishment-based program. (00:45:17)

Caller #996, Dave Shenkman, President of the Downtown Business Improvement District (DTBID), was invited to speak and stated his support for Administrative Item #23 (20-1810) regarding a temporary

closure of the third block of Main Street to vehicular traffic, and support for Consent Calendar Item #14 (20-1798) regarding the DTBID Annual Report for Fiscal Year 2020-2021. (00:46:05)

Caller #598, Thomas LaParne, Candidate for City Council in 2020, was invited to speak and read a statement from a Huntington Beach resident regarding under-age children vaping in Huntington Beach, and requested a City Council proclamation making local businesses aware of this illegal activity. (00:47:13)

Caller #516, Rick Fignetti, owner of Rockin' Fig Surf Shop on the third block of Main Street, was invited to speak and stated opposition to Administrative Item #23 (20-1810) regarding a temporary closure of the third block of Main Street to vehicular traffic, and asked for a plan that helps every Downtown business. (00:50:13)

Caller #409, Tony Bisson, a resident of southeast Huntington Beach, was invited to speak and stated his concerns regarding Consent Calendar Item #19 (20-1787) regarding Ordinance No. 4201 relating to Public Nuisance Abatement. (00:51:23)

Caller #931, Kathryn Levassuir, a long-time resident of Huntington Beach and Founder of Huntington Beach Short-Term Rental Alliance, was invited to speak and stated her support for Black Lives Matter policies, and support for tax and regulation of short-term vacation rentals in Huntington Beach and Sunset Beach. (00:54:14)

Caller #654, Mr. Walton, Huntington Beach resident and CEO, ROC Era, was invited to speak and stated his opposition to Consent Calendar Item #15 (20-1748) regarding a contract with Waymakers for management of the Gang Reduction [sic] and Intervention Program, and asked that the City allocate the funds to positive reinforcement and healing strategy programs which are not associated with police, rather than the existing punishment-based program. (00:55:59)

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

Councilmember Delgleize announced the vendor selected by the Orange County Transportation Authority (OCTA) to perform the signal synchronization along Talbert Avenue to the 55 Freeway, provided an update on the 405 Freeway widening project, and announced details for anyone interested in participating in OCTA's August 6 virtual meeting which will provide 405 Freeway project updates.

Mayor Semeta announced her appointment of Casey McKeon, Vice President of Acquisitions, and life-long resident of Huntington Beach, to the Finance Commission.

CITY MANAGER'S REPORT

5. 20-1802 Update on recent fire activity at the Bolsa Chica Wetlands

City Manager Chi introduced Fire Chief Scott Haberle who presented a PowerPoint communication entitled *Bolsa Chica Fire Oceanridge IC* with slides titled: *Overview, Resources, Protected, Brightwater Community*, and *Thank You*.

Councilmember Brenden thanked Chief Haberle for the outstanding coordination in managing the resources and keeping the fire away from structures as well as protecting the wildlife, and commended

Battalion Chief Dave McBride for his part in putting the fire out. Councilmember Brenden also thanked the firefighter staffs from Fountain Valley and Orange County Fire Authority (OCFA) for their mutual aid response, as well as Anaheim and Fullerton for manning Huntington Beach fire stations during the incident.

Councilmember Delgleize and Chief Haberle discussed the fact that OCFA is in charge of the investigation into how the fire started, and it appears to have started along one of the trails. Further details will be released after the investigation is complete.

Councilmember Posey thanked Chief Haberle for managing the coordination of the mutual agency response, and commended Battalion Chief McBride for his calm control during the situation.

Mayor Semeta expressed her appreciation to Chief Haberle for the amazing job and mutual aid coordination which resulted in a successful outcome.

6. 20-1793 Ascon Landfill Site Update

Assistant City Manager Travis Hopkins presented a PowerPoint communication entitled: *Ascon Landfill Site Update*. Assistant City Manager Hopkins explained that all remediation work is halted while permits are being processed, and provided the current contact details for the project.

7. 20-1792 Update of the City COVID-19 Response Plan and Actions for Review and Discussion

City Manager Oliver Chi presented a PowerPoint communication entitled: *City of Huntington Beach COVID-19 Response Update* with slides titled: *Situational Update - U. S. Totals (3), Situational Update - California, Situational Update - Orange County (2), Local Available Hospital Resources, Situational Update - Huntington Beach (2), Situation At A Glance, Huntington Beach City Services Update, Situational Update - Opening Up the California Economy, Economic Recovery Update - COVID-19 Small Business Relief Program, and Questions?*

CONSENT CALENDAR

Councilmember Carr pulled Consent Calendar Item #11, Councilmember Brenden pulled Item #15, and Councilmember Posey pulled Item #19 for further discussions.

8. 20-1786 Approved and Adopted Minutes

A motion was made by Posey, second Brenden to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated July 20, 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, Carr, and Brenden
NOES:	None
ABSENT:	Peterson

9. 20-1783 Received and filed the City Treasurer's June 2020 Quarterly Investment Summary Report

A motion was made by Posey, second Brenden to receive and file the City Treasurer's Quarterly Investment Report for June 2020, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following vote:

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

10. 20-1733 Adopted Resolution No. 2020-[43]56, confirming the report of the cost for weed abatement on private property within the City for the 2020 season

A motion was made by Posey, second Brenden to adopt Resolution No. 2020-[43]56, "A Resolution of the City Council of the City of Huntington Beach Confirming the Report of the Public Works Director Regarding the Cost for Weed Abatement on Private Property within the City for the 2020 Season;" and, direct that all charges listed thereon be certified to the Orange County 2020/21 Property Tax Roll.

The motion carried by the following vote:

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

NOTE: A duplicate resolution number was discovered after this meeting, and these minutes reflect the corrected number for Item 20-1733 (Resolution No.2020-56).

11. 20-1780 Adopted Resolution No. 2020-48, approving the Certification of Special Assessments for Delinquent Civil Fines for Municipal Code Violations of the Municipal Code

Councilmember Carr and Chief Financial Officer Dahle Bulosan discussed the large fine which was related to an illegal medical marijuana business. City Attorney Gates explained the process through the court system which parallels the City's code enforcement process.

Councilmember Delgleize and City Attorney Gates discussed the fact that the courts are now open, after being closed for COVID-19, and are currently prioritizing criminal cases.

A motion was made by Carr, second Posey to adopt Resolution No. 2020-48, "A Resolution of the City Council of the City of Huntington Beach Certifying Special Assessments for Collecting Delinquent Civil Fines for Nuisance Violations of the Municipal Code."

The motion carried by the following vote:

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

12. 20-1769 Adopted Resolution No. 2020-51 to acknowledge receipt of a Fire Department report regarding the annual inspection of certain occupancies

A motion was made by Posey, second Brenden to adopt Resolution No. 2020-51, "A Resolution of the City Council of the City of Huntington Beach, California, Acknowledging Receipt of a Report by the Huntington Beach Fire Department Regarding the Annual Inspection of Certain Occupancies."

The motion carried by the following vote:

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

13. 20-1804 Adopted Resolution No. 2020-54, declaring the cancellation of the City Council/Public Financing Authority Regular Meeting of August 17, 2020, and directing the City Clerk to provide notice of such cancellation

A motion was made by Posey, second Brenden to adopt Resolution No. 2020-54, "A Resolution of the City Council of the City of Huntington Beach Declaring the Cancellation of the City Council and Public Financing Authority Regular Meeting of August 17, 2020 and Directing the City Clerk to Provide Notice of Such Cancellation."

The motion carried by the following vote:

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

14. 20-1798 Approved the Huntington Beach Downtown Business Improvement District (DTBID) Annual Report for Fiscal Year 2020-2021 and adopted Resolution No. 2020-49 declaring the City's intention to levy an annual assessment for Fiscal Year 2020-2021 at a public hearing scheduled for September 8, 2020

A motion was made by Posey, second Brenden to approve the Huntington Beach Downtown Business Improvement District (DTBID) Annual Report for Fiscal Year 2020-2021 (attached as Exhibit A to Resolution No. 2020-49); and, adopt Resolution No. 2020-49, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2020-2021 Within the Huntington Beach Downtown Business Improvement District," which sets a public hearing for September 8, 2020.

The motion carried by the following vote:

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

15. 20-1748 Approved and authorized execution of a three-year contract with Waymakers, in the amount of \$272,797, for management of the Gang Prevention and Intervention Program

Councilmember Brenden discussed with Chief Handy the City's experience with Waymakers vs. the company mentioned in public comments. Chief Handy clarified that Item 15 does not relate to the Gang Reduction and Intervention Program (GRIP) as stated by several public speakers. Other agencies in Orange County participate in the GRIP program, but Huntington Beach does not. Chief Handy stated the City has been with Waymakers since 1992 and Waymakers was the only responsive bidder this year. Chief Handy emphasized this is not a police program, but rather contracting with a social service agency to provide services which are not offered through the Police Department.

Councilmember Delgleize and Chief Handy discussed the fact that the Agenda Packet for this item had all of the accurate facts which were available for a clear understanding of the program, and shared some examples of the types of services and programs offered for local at-risk kids and their families.

Councilmember Posey stated his support for Waymakers, especially after meeting the Director, touring the facilities, and becoming aware of their high success rate with family re-unifications. Chief Handy stated that Waymakers has proven to be a valuable resource for the Police Department as well as community educators.

Mayor Semeta expressed her strong support and appreciation for Waymakers, and urged the community to participate in their virtual fundraising efforts.

Mayor Pro Tem Hardy explained that the City is doing exactly what the public speakers requested, i.e., giving Police Department funds to an agency that provides social services. Mayor Pro Tem Hardy also stated that both the City and school district are able to provide resources for families and students that may be struggling.

A motion was made by Brenden, second Delgleize to approve and authorize the Mayor and City Clerk to execute the "Professional Services Contract between The City of Huntington Beach and Waymakers for the Management of Gang Prevention and Intervention Program."

The motion carried by the following vote:

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

16. 20-1758 Accepted Park Improvements and the Guarantee and Warranty Bond for the Windbourne/Franklin Park Redevelopment Project (Tract 18147) at Sands Drive by Developer TRI Pointe Homes, Inc.

A motion was made by Posey, second Brenden to accept park improvements for the Windbourne/Franklin Park Redevelopment Project (Tract 18147) and instruct the City Clerk to record the "Acceptance of Public Park Improvements (Tract 18147" form (Attachment 2) with the Orange County Recorder; and, accept Guarantee and Warranty Bond No. PB03010406957 (Attachment 3), the security furnished for guarantee and warranty of park improvements, and instruct the City Clerk to file the bond with the City Treasurer; and, instruct the City Clerk to notify the developer, TRI Pointe Homes, Inc., of

this action, and the City Treasurer to notify the Surety, the Philadelphia Indemnity Insurance Company, of this action.

The motion carried by the following vote:

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

17. 20-1785 Approved and authorized execution of a License Agreement between the City of Huntington Beach and OC405 Partners JV for temporary worker parking for the I-405 Improvement Project

A motion was made by Posey, second Brenden to approve and authorize the Mayor, City Manager, and City Clerk to execute the "License Agreement By and between The City of Huntington Beach and OC405 Partners JV for Temporary Use of City Property" (Attachment 1), **as amended by Supplemental Communication.**

The motion carried by the following vote:

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

18. 20-1806 Approved and authorized execution of a License Agreement with the County of Orange to install, operate, and maintain an official and secure Ballot Drop Box at Harbour View Park, 16600 Saybrook Lane in Huntington Beach

A motion was made by Posey, second Brenden to approve and authorize the Mayor and City Clerk to execute the "License Agreement" with the County of Orange for installation, operation, and maintenance of a Ballot Drop Box, as identified in Exhibits A and B (License Area description and location), at Harbour View Park located at 16600 Saybrook Lane in Huntington Beach.

The motion carried by the following vote:

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

**19. 20-1787 Adopted Ordinance No. 4201 repealing Chapter 8.48 and adopting a new Chapter 8.48 of the Huntington Beach Municipal Code (HBMC) relating to Public Nuisance Abatement of Abandoned, Wrecked, Dismantled or Inoperative Vehicles
Approved for introduction July 20, 2020 - Vote: 7-0**

Councilmember Posey pulled this item to state his concern that a neighbor may try to weaponize this in order to antagonize another resident they don't like, and to request an annual report of inoperative cars that were determined to be a nuisance by Code Enforcement.

City Attorney Gates explained that the ordinance really can't be used as a weapon because Code Enforcement will use due diligence to determine whether a vehicle has been truly abandoned and whether there is a restoration project effort. He added the Code Enforcement process includes an appeal mechanism for anyone who is cited to ensure ample opportunity for everyone involved to describe their position.

Councilmember Delgleize stated that over her last ten years of involvement with this issue she has never felt the City was overly aggressive and has been open to working with residents.

A motion was made by Posey, second Delgleize to adopt Ordinance No. 4201, "An Ordinance of the City of Huntington Beach Repealing Chapter 8.48 and Adopting New Chapter 8.48 of the Huntington Beach Municipal Code Relating to Public Nuisance Abatement of Abandoned Vehicles."

The motion carried by the following vote:

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

PUBLIC HEARING

20. 20-1807 Public Hearing held — Approved Amendment No. 3 (SUBSTANTIAL) to Fiscal Year 2019-20 Annual Action Plan for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs

Community Development Director Ursula Luna-Reynosa provided a brief introduction for this item, explained that due to COVID-19 there are different funding restrictions this year, and this Amendment will allow CDBG funds to cover staff expenses which will positively impact the General Fund.

Councilmember Posey and Director Luna-Reynosa discussed the homeless outreach funds will be used to cover existing homeless outreach expenses.

Mayor Semeta opened the Public Hearing.

City Clerk Estanislau announced there were no call-in speakers for this item.

Mayor Semeta closed the Public Hearing.

Councilmember Posey confirmed with Director Luna-Reynosa that some of the CDBG funding, along with CARES Act funding, will be used for the Cameron Lane site.

A motion was made by Posey, second Delgleize to approve Amendment No. 3 (SUBSTANTIAL) to the City of Huntington Beach Fiscal Year 2019-20 Annual Action Plan for the Community Development Block Grant and HOME Investment Partnership Programs; and, authorize the City Manager to sign all necessary U.S. Department of Housing and Urban Development documents and take all other necessary administrative and budgetary actions.

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

21. 20-1768 **Adopted Resolution No. 2020-53 amending the current Uniform Bail Schedule for Parking Violations; and, approved for introduction Ordinance No. 4218 amending Huntington Beach Municipal Code Chapters 10.50 and 10.52 relating to City Pay Parking Lots and Off-Street City Parking Lots**

Police Chief Handy introduced this as a clean-up item, and Police Lieutenant David Dereszynski and Parking Supervisor Karissa Yniguez presented a PowerPoint communication entitled *Resolution 2020-53* with slides titled: *Resolution 2020-53 - Access Road No Parking; Resolution 2020-53 - School Loading Zone; Resolution 2020-53 - No Parking, Bus Loading Zone; Ordinance 4218 - Free Parking; Ordinance No. 4218 - EV; Resolution 2020-53 - Items 18 & 19; Resolution 2020-53 - Items 1-8; Resolution 2020-53 - Items 9-14; and Resolution 2020-53 - Items 15-21.*

Chief Handy added that no fines are being increased, but fines are being added to specific violations to allow for more specific citations and to remove some of the general categories.

Councilmember Posey and Supervisor Yniguez discussed that this item does not address parking time limits but rather the complaints that other vehicles are blocking EV charging-station parking. Lieutenant Dereszynski confirmed that the City does not enforce EV charging-station parking violations on private property.

Councilmember Brenden and Supervisor Yniguez discussed that private property owners with charging stations are responsible for their own enforcement which would involve contracting with a private security company to enforce to City requirements.

Councilmember Carr explained that as the owner of an electric vehicle she is aware that the charging costs usually automatically increase after a couple of hours, and that information is posted at the charging station. Councilmember Carr clarified with staff when and how parking violations are enforced at parks or non-metered parking lots related to curfews.

Councilmember Delgleize and Supervisor Yniguez discussed the violations that the police are able to address on private property, such as fire lanes and handicap marked stalls.

A motion was made by Brenden, second Delgleize to adopt Resolution No. 2020-53, "A Resolution of the City Council of the City of Huntington Beach Adopting an Amended Uniform Bail Schedule for Parking Violations," based on the recommended amended bail schedule with proposed existing City of Huntington Beach Municipal Codes; and, after the City Clerk reads by title, approve for introduction Ordinance No. 4218, "An Ordinance of the City of Huntington Beach Amending Huntington Beach Municipal Code Chapters 10.50 and 10.52 Relating to City Pay Parking Lots and Off-Street Lots," **as amended by Supplemental Communication.**

The motion carried by the following vote:

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

- 22. 20-1799 Authorized and directed the City Manager to take the following actions needed to begin operating an expanded 174-bed shelter facility at the Cameron Lane / Beach Boulevard site effective the first week of November 2020: (1) execution of a homeless shelter operator contract with Mercy House with a first year cost of \$2,596,240 (utilizing CDBG, SB2, and COVID-19 response funds); (2) expenditures in an amount not to exceed \$2,220,000 for site work / FF&E costs related to expanding the Cameron Lane / Beach Boulevard shelter (utilizing COVID-19 response funds); (3) execute a ground lease agreement in an amount not to exceed \$120,000 for accelerated use of 17642 Beach Boulevard (utilizing COVID-19 response funds); and (4) allocation of \$3,214,035 in housing funds for acquisition of 17642 Beach Boulevard (utilizing Low-Moderate Income Housing Asset Funds)**

City Manager Oliver Chi introduced the item as well as Community Development Director Ursula Luna-Reynosa, Environmental Consultant David Bernier with EEC Environmental, Larry Haynes, Mercy House CEO and Timothy Hume, Mercy House Chief Program Officer who presented a PowerPoint communication entitled: *Cameron / Beach Site, Establishing An Operational 174-Bed Shelter Facility By November 2020* with slides titled: *Discussion Items, City Has Been Refining Our Homeless Response Since Latte 2013, Effort Has Continued With Additional Resources Allocated Over The Years, Homeless Situation Has Become More Acute Throughout OC In Recent Years, Without A Shelter, Legal Issues Preclude Us From Enforcing Quality Of Life Rules, City Has Considered 35 Different Sites For A Local Shelter, Original Cameron / Beach Shelter Project Overview, Importance Of Establishing A 174-Bed Shelter In HB (2), Expanded 174-Bed Shelter Possible With Both Cameron and Beach Parcels, 173 Bed Shelter @ Cameron & Beach Parcels, Environmental Testing / Mitigation For Cameron Site, OCHCA May 22, 2020 Letter Regarding Use of Cameron Lane for Shelter Facility, Construction Timeline Driving Property Negotiation Process, Cameron Site Acquisition Nearing Completion, Beach Site Ground Lease Being Negotiated, Funding Overview - COVID-19 Monies Available, Mercy House Operating Contract Expenditures, Proposed Shelter Establishment and Ground Lease Expenditures, Allocation of LMIHAF Funds For Acquisition Of Beach Parcel In 2021, Staff Recommendation, Staff Has Identified The Cameron / Beach Site As Our Quickest Path Forward, and Questions?*

Councilmember Posey thanked the team for a thorough presentation, and provided a brief history of past efforts to meet the homeless needs and Council majority votes to accept CBDG and SB2 funding. Councilmember Posey confirmed with Community Development Director Ursula Lunda-Reynosa that this ministerial project is not subject to a CEQA review, and the City does not have a historic preservation ordinance, and City Historian Kathie Schey, as well as the California State Historic Preservation Office, have all confirmed the land does not contain a historic structure. Councilmember Posey provided a recap of the Gothard Site where it was determined there wasn't room for enough beds to meet Judge Carter's mandate, as well as in-compatibility with neighbors.

Councilmember Carr thanked staff for their hard work on this project, and discussed environmental testing which showed various concentrations of pesticides, lead and hex chrome in the soil with Environmental Consultant Bernier. Consultant Bernier explained that an asphalt cap will meet safety standards to prevent dermal contact or ingestion, and allow the County to build, but remediation would be required for further development in the future. Councilmember Carr confirmed with Director Luna-Reynosa that the current property owner is doing their own environmental assessment and the results are expected any day. This is creating a short delay, but is not expected to stop the sale. City Manager Chi confirmed that the Mercy House contract of \$6.2M will cover all 174 beds, and explained that the Center will be for Huntington Beach residents, and the County will have access to meet their

COVID-19 response activities which may change by the time this shelter is available for use in November. City Manager Chi stated that there will be strict COVID-19 safety measure standards, such as social distancing and testing, and Mercy House, Illumination Foundation and Salvation Army are already successfully managing other facilities in the area to these standards.

Mayor Pro Tem Hardy and City Manager Chi discussed the various reasons that the 36 City sites that were considered for the Navigation Center were deemed not acceptable. Mayor Pro Tem Hardy expressed her concerns about the areas currently designated for smoking, the dog run and trash enclosure for the Cameron side and their proximity to the homes on Cameron. City Manager Chi confirmed that when social distancing and other COVID-19 related safety standards are no longer required the number of available beds could be increased. Mayor Pro Tem Hardy stated that the Navigation Center security program will include the area surrounding the Center, and provided the example of the Spring Hill Suites site, which is currently being used by the County, to demonstrate that housing the homeless usually doesn't negatively impact the surrounding neighborhood. Mayor Pro Tem Hardy, speaking on behalf of herself and Councilmember Peterson who was absent, stated their support for accepting the offer to document and record the history of the site residence before it is demolished, even though that is not required.

Councilmember Brenden stated his support for Mayor Pro Tem Hardy's comment regarding placement of the smoking, dog run and trash areas. Councilmember Brenden invited Mercy House CEO Haynes to share their philosophy, experiences gained from other area locations they manage, and mitigating the fear from surrounding neighborhoods. Councilmember Brenden thanked City staff, Ralph Bauer, Homeless United Huntington Beach, and Homeless Awareness for their support and efforts in getting to this point.

Councilmember Delgleize acknowledged the work and efforts of the Homeless Task Force, and support from the City of Costa Mesa, which were instrumental in reaching this point, and shared her excitement that Mercy House has been selected to provide management for the Navigation Center.

Mayor Semeta expressed appreciation for the progress that has been made through the years by the efforts of many people to reach the best solution in order for the City to enforce quality of life regulations. Mayor Semeta and City Manager Chi discussed details related to the \$120,000 lease which would provide access to the site before the close of escrow which is expected in early 2021. City Manager Chi explained that the November operation date was selected based upon the availability of Mercy House to manage the facility. Mercy House CEO Haynes explained that access to the facility is needed for training and developing procedures specific to the location before residents can be accepted. Mayor Semeta and City Manager Chi discussed the City's responsibility related to the environmental toxins if permanent housing was planned sometime in the future, and confirmed the City is performing due diligence for what City Manager Chi described as a "relatively undemanding" remediation. Consultant Bernier described the due diligence considerations for what basically could become a soil removal, haul-away and clean material replacement remediation, if a future redevelopment project is approved for this site. City Manager Chi confirmed that allowing the County to have access to a selected number of beds will not negatively impact the City's court required 60% (sixty percent) threshold.

A motion was made by Brenden, second Delgleize to authorize and direct the City Manager to take the following actions to begin operating an expanded 174-bed shelter facility at the Cameron Lane / Beach Boulevard site effective November 2, 2020: (1) Execution of a homeless shelter operator contract with Mercy House with a first year cost of \$2,596,240 (utilizing CDBG, SB2, and COVID-19 response funds);

and, (2) Expenditures in an amount not to exceed \$2,220,000 for site work / FF&E costs related to expanding the Cameron Lane / Beach Boulevard shelter (utilizing COVID-19 response funds); and, (3) Execute a ground lease agreement in an amount not to exceed \$120,000 for accelerated use of 17642 Beach Boulevard (utilizing COVID-19 response funds); and, (4) Allocation of \$3,214,035 in housing funds for acquisition of 17642 Beach Boulevard (utilizing Low-Moderate Income Housing Asset Funds), **as amended by Supplemental Communication.**

The motion carried by the following vote:

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

23. 20-1810 Approved temporary closure of the third block of Main Street to vehicular traffic to permit restaurants and select retail to serve patrons in the public right-of-way

City Manager Chi introduced this item by providing a brief timeline, describing implementation for the second block of Main Street, and discussions with the Downtown Business Improvement District (DTBID) regarding expanding the use of public right-of-way to the third block of Main Street.

Sarah Kruer, DTBID Executive Director, stated the effort to close the second block of Main Street to vehicular traffic has successfully generated revenue for those businesses. Ms. Kruer explained the request of a majority of business owners on the third block of Main Street who are interested in an opportunity for increased capacity and foot traffic volume in a safe environment. She added that the DTBID effort this past week to speak with every business owner on the third block of Main Street wasn't one hundred percent successful, but the consensus among those they were able to speak with is a desire to increase safely distanced foot traffic to increase the probability for revenue and successful business operations.

Councilmember Delgleize and DTBID Director Kruer discussed concerns related to retail businesses other than restaurants and emphasized the need to work together. Director Kruer explained that approving this item would make it possible for the DTBID to develop a cost-effective retail plan to meet the needs of these retail businesses vs mostly restaurants on the second block of Main Street. City Manager Chi stated the possibility of implementing a parking validation program for retailers to use the parking structure during the pandemic.

Mayor Pro Tem Hardy stated her support for implementing a parking validation plan, and presented the possibility of moving third block restaurant tables out front and allowing salons use of the back parking lot if allowed by health codes. DTBID Director Kruer explained that per existing cosmetology code a salon must be operating adjacent to their business address if utilizing outdoor space.

Councilmember Brenden expressed his opinion that approving this program for the third block of Main Street will provide an opportunity to fine-tune the program and to implement some standardization. He expressed his concerns regarding the narrow sidewalk, especially on the east side of Main Street, and suggested possibly implementing a plan that allows those businesses use of the sidewalk in front of their business and re-routing pedestrian traffic into the street. He also stated that this is a temporary plan, not something permanent, and no one knows if it will be successful if it isn't at least tried. Councilmember Brenden emphasized that Olive Street would stay open. He stated his support for a

merchant parking validation program that does not incur any cost for the businesses, but would be underwritten by the City.

Councilmember Posey shared his first-hand conversations with happy second block restaurant owners who are pleased with their revenue increases due to the second block of Main Street being closed to vehicles, and he suggested booking live entertainment at the north end of the third block as well as the south end of the second block on selected evenings as a way to maintain and share the opportunity for increased business.

Councilmember Carr described conversations with local residents who are now exploring the businesses on the second block, and those businesses have seen increased profits since the program was implemented. She understands the third block businesses have a separate set of concerns, but believes in the end they would also benefit if this item is approved.

DTBID Director Kruer explained that the DTBID is committed to working with the concerned retail businesses to develop plans and systems that will work to increase foot traffic and ultimately revenue.

Councilmember Carr confirmed that deliveries will be worked out through changed times or location for the affected third block businesses. Councilmember Carr encouraged the DTBID to continue emphasizing the importance of social distancing and wearing of masks. DTBID Director Kruer described the coordinated effort already in place for signs and plans that support social safety measures.

Mayor Semeta shared her personal delight at the response to the second block program, and stated she understands the concerns of a few of the third block businesses, but she will support this item because she believes the DTBID has plans to address those concerns.

A motion was made by Brenden, second Delgleize to authorize the City Manager to temporarily close the third block of Main Street.

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

24. 20-1803 Item submitted by Councilmember Posey Approved — Coordinate a Study Session to review the City's Park Development Efforts between Fiscal Years 2014-15 to 2019-20, including a review of the City's Parkland Acquisition and Park Facilities Development Impact Fee

Councilmember Posey introduced his item by providing a historical perspective and described the alarming figures in the current budget which show revenues for Park Development Impact Fees for 2017/2018 at \$7.7M, but only \$315,000 for 2020/2021, and the current Park Development Impact Fees Fund of only \$3.28M. He would like to see the 2014/15 comprehensive report updated to reflect current numbers, including the spending through these years and staff alternate funding source recommendations.

Councilmember Brenden stated his support for a clear financial picture of park needs vs available funding.

Councilmember Carr expressed her desire to also see additional options for funding the maintenance of parks such as propositions and grants.

Mayor Semeta and City Manager Chi discussed that the Rodgers' Center update at the previous City Council meeting included an overview of the initial Park Master Plan.

Councilmember Posey stated that overview did not address the issue of only \$3.28M in available funds nor acknowledge the need for more funding to meet upcoming needs.

Mayor Pro Tem Hardy stated she would like to see where park funds have come from in the past, outside of the Park Fund, and suggested it might be time to consider a park assessment ballot measure.

Councilmember Posey suggested revisiting how the Senior Center was funded when the Pacific City developer went bankrupt and was unable to pay their Park Development Impact Fee, and consider borrowing as well as a bond measure.

A motion was made by Posey, second Delgleize to recommend the City Council direct the City Manager to schedule a Study Session and present an overview of the City's park development efforts from 2014 to 2020. This overview should also include a corresponding assessment of the use and current fund balance of the City's Parkland Acquisition and Park Facilities Development Impact Fee, **as amended to include all potential funding sources.**

The motion carried by the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Posey reported observing the Surfing Walk of Fame New Stone Ceremony and acknowledged John & Carla Etheridge, "PT" Peter Townend, Don MacAllister, Rick Brown, Matt Liffreing, Mike Abdelmuti and Aaron Pai for their dedication.

Mayor Semeta announced Amanda Nigro, a 2020 graduate of Edison High School, as a Girl Scout Gold Award recipient for her education project on the importance of the wetlands, and was also nominated to be one of three delegates from Orange County for National Gold Award Girl Scout recognition.

Mayor Semeta reported observing the Surfing Walk of Fame New Stone Ceremony, and attending the surprise retirement party for Susan Thomas of Visit HB.

ADJOURNMENT at 10:15 PM in memory of USMC soldiers who died in a recent Camp Pendleton training accident, to the next regularly scheduled meeting of the Huntington Beach City Council/Public

Financing Authority on Tuesday, September 8, 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