Minutes

City Council/Public Financing Authority
City of Huntington Beach

Monday, August 5, 2019
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: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, and Hardy
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Study Session
Item No. 1 (19-810), a PowerPoint communication was received from Ursula Luna-Reynosa, Community Development Director, entitled *Huntington Beach Code Enforcement Overview*

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS — 1 Speaker
(3 Minute Time Limit)
The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at http://www.surfcity-hb.org/government/agendas.

Maureen was called to speak and shared her opinion that Olive trees in selected areas of the City are dying from lack of irrigation water, and her concern about the weeds in Bartlett Park which might result in another fire. (00:00:51)

STUDY SESSION

1. 19-810 Code Enforcement Overview

Community Development Director Ursula Luna-Reynosa and Scott Barber of Anderson Penna presented a PowerPoint communication entitled: *Huntington Beach Code Enforcement Overview* with slides titled: *Code Enforcement Team, Staffing, Code Enforcement Assessment, Policy & Procedures Manual, CE*

Activities & Investigative Techniques, Trend Analysis, Recommendations, Implementation, Process, Code Modifications, Case Studies, Nugget Circle, Property Maintenance, and *Hoarding Cases(2).*

Councilmember Posey congratulated and welcomed the new Code Enforcement Officers.

Councilmember Hardy and Director Luna-Reynosa discussed the process related to interior inspections of properties suspected of hoarding, including the Divisionary hearing and Warrant processes. Councilmember Hardy and Director Luna-Reynosa also discussed available resources and volunteers available to help with property cleanup, and Councilmember Hardy encouraged a process for making families aware of how to create a conservatorship.

Mayor Pro Tem Semeta confirmed with Director Luna-Reynosa purchase of the new Code Enforcement component of Accela software, and discussed the protocol for addressing a rat infestation, which requires the County Health Department (CHD) to declare. Director Luna-Reynosa clarified if the CHD fails to declare infestation, then local code enforcement authority takes over.

Councilmember Delgleize and Director Luna-Reynosa discussed the issues that receive the most complaints: construction without permits, abandoned vehicles, weed abatement, short term rentals, and hoarding.

Councilmember Brenden and Director Luna-Reynosa discussed response from time of reported violation, and that moving forward the new Accela reporting feature will allow for better statistical analysis of reported categories.

Mayor Peterson confirmed with Director Luna-Reynosa that the Code Enforcement staff is currently short four (4) positions, and stated that Code Enforcement staff are addressing issues that affect quality of life.

RECESSED TO CLOSED SESSION — 4:50 PM

A motion by Brenden, second by Semeta to recess to Closed Session for Items 2 – 10. With no objections, the motion passed.

CLOSED SESSION ANNOUNCEMENT

2. 19-836 Mayor Peterson announced: Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: David Kiff, Interim City Manager; also in attendance: Chuck Adams, Interim Chief Financial Officer; Michele Warren, Director of Human Resources; Mike Baumgartner, Marine Safety Division Chief and Robert Handy, Police Chief regarding the following: Surf City Lifeguard Employees Association (SCLEA) and Police Management Association (PMA).

CLOSED SESSION

3. 19-827 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: In Re: National Prescription Opiate Litigation; USDC - Ohio Case No. 1:17-md-02804-DAP.

4. **19-829** **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: City of Huntington Beach v. Gray Dove Church of Peace, et al.; OCSC Case No. 30-2018-00997348.**

5. **19-830** **Pursuant to Government Code § 54956.9(d)(2), the City Council recessed into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, three (3).**

6. **19-831** **Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiator David Kiff, Interim City Manager; also in attendance: Chuck Adams, Interim Chief Financial Officer; Michele Warren, Director of Human Resources and Mike Baumgartner, Marine Safety Division Chief regarding the following: Surf City Lifeguard Employees Association (SCLEA).**

7. **19-832** **Pursuant to Government Code § 54954.5(e), the City Council recessed into Closed Session to discuss the public employment of the Fire Chief.**

8. **19-838** **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 Claim: Richard Glover v. City of Huntington Beach; Workers' Comp. Case No. COHB-15-0123.**

9. **19-841** **Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiator: David Kiff, Interim City Manager; also in attendance: Robert Handy, Police Chief; Chuck Adams, Interim Chief Financial Officer; and Michele Warren, Director of Human Resources regarding the following: Police Management Association (PMA).**

10. **19-843** **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: Calif. Dept. of Housing and Community Development v. City of Huntington Beach (HCD); OCSC Case No.: 30-2019-01046493.**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:00 PM

ROLL CALL

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

PLEDGE OF ALLEGIANCE — Led by Councilmember Posey

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.

11. 19-667 Deacon Joe Sullivan of St. Bonaventure Catholic Church and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

12. 19-822 Mayor Peterson called on Executive Director Elsa Greenfield and volunteers of the Waymakers Youth Shelter who presented commendations for their time and talents in making a difference in the lives of its young residents

Executive Director Greenfield introduced the volunteers who have served over 400 youth, helping them to acquire new skills while they heal from trauma. Executive Director Greenfield described the volunteers as being examples of goodness and kindness: Dr. Lois Abrams, Dr. Corinne Aragaki, Tom Gonzell, Steve Camarillo, Janice Cornwell, Janet Lewis and Paul Guzman.

Councilmember Posey announced that he was withdrawing Item No. 22 (19-826) regarding adopting an Annual Work Plan for the Finance Commission, due to the fact that a new City Manager may or may not adopt the Strategic Planning initiatives, and to allow time for another look at every Commission and Committee to ensure their objectives are aligned with the objectives of the City Council.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

City Manager's Report
PowerPoint Presentation entitled *Ascon Landfill Site Update* received from Interim Assistant City Manager, Travis Hopkins.

Consent Calendar
#16. (19-813) Email communication received from Amory Hanson regarding Mr. Robert Wentzel's appointment to the Huntington Beach Personnel Commission.

#17. (19-833) Email communication received from Professor Galen T. Pickett regarding AB 302.

Administrative Items
#20. (19-835) Communication from Interim City Manager, Dave Kiff submitting Resolution No 2019-55 approving a City Manager Employment Agreement including Exhibit A, the proposed employment with Oliver Chi.

#20. (19-835) PowerPoint communication entitled *Contract with City Manager* received from Interim City Manager, Dave Kiff.

#20. (19-835) Communication from Interim City Manager, Dave Kiff submitting minor changes to pages 3 and 6 of the proposed City Manager Employment Agreement with Oliver Chi.

#20. (19-835) Five (5) email communications received regarding the proposed City Manager Employment Agreement with Oliver Chi.

Councilmember Items

#21. (18-825) Email communication and *City of Irvine - Community Choice Energy Feasibility Study and Technical Assessment* received from Steven C. Shepherd.

#21. (19-825) Fifty-four (54) email communications received regarding the Community Choice Energy Feasibility Study.

#22. (19-826) Forty-one (41) email communications received regarding adopting an Annual Work Plan for the Finance Commission.

PUBLIC COMMENTS (3 Minute Time Limit)
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.

Rob Pool was called to speak and stated his opposition to Administrative Item No. 21 (19-825) regarding a Community Choice Energy Feasibility Study and Item No. 22 (19-826) (withdrawn) regarding adopting an Annual Work Plan for the Finance Commission. (01:04:16)

Ryan Messick was called to speak and shared his concerns and made some suggestions for addressing the Ascon clean-up project. (01:06:21)

Sharon Messick was called to speak and shared her concerns and made some suggestions for addressing the Ascon clean-up project. (01:09:39)

Dayna Bellanca was called to speak and shared her concerns and made some suggestions for addressing the Ascon clean-up project. (01:13:02)

Cari Swan was called to speak and thanked Councilmember Posey for withdrawing Item 22 (19-826) from the agenda, and stated her opposition to Administrative Item No. 21 (19-825) regarding a Community Choice Energy Feasibility Study. (01:15:13)

Kathryn Levassiur, Founding Member of the Short Term Rental Alliance, was called to speak, introduced her granddaughter Ali who learned to surf today and she greeted the Mayor. Ms. Levassiur stated her support for the scheduled September Study Session on Short Term Vacation Rentals. (01:18:17)

Dianne Thompson, Huntington Beach resident and business owner, representing the Huntington Beach Chamber of Commerce as Chairman of the Government Affairs Committee, was called to speak and stated support for Administrative Item 21 (19-825) regarding a Community Choice Energy Feasibility Study. (01:20:07)

Ben Pickens was called to speak and shared his opinions on various national and local issues and stated his opposition to Agenda Item 16 (19-813) regarding appointments to the Personnel Commission. Mayor Peterson asked Mr. Pickens to complete a blue card from the Sergeant of Arms. (01:21:13)

Eric Richmond Massey was called to speak and shared situations of personal harassment and defamation that in his opinion were triggered by false accusations. (01:22:34)

Robyn Sladek, a 48-year resident of Huntington Beach, was called to speak and stated her concerns regarding the Ascon clean-up project. (01:26:35)

Ceason Baker, a 10-year resident of southeast Huntington Beach, was called to speak and stated her concerns regarding the Ascon clean-up project. (01:29:48)

Cathey Ryder, a resident of Huntington Beach since 1985, was called to speak and stated support for Administrative Item 21 (19-825) regarding a Community Choice Energy Feasibility Study. (01:32:39)

Mary Behrens with the Huntington Central Park Equestrian Center, and Justine Makoff with the Free Reign Foundation were called to speak and announced the Summer Classic Horse Show and Competition from August 8th - 11th, which concludes with a Free Reign Foundation fundraiser, and invited everyone to come and enjoy. (01:33:16)

Patricia Goodman, representing Homeless United Huntington Beach, was called to speak and stated support for, rather than opposition to, Consent Calendar Item No. 17 (19-833) A). regarding Assembly Bill 302 addressing parking for Homeless Students. (01:35:06)

Maneck Bujwala, Past President of the Huntington Beach Interfaith Council, was called to speak and stated support for, rather than opposition to, Consent Calendar Item No. 17 (19-833) A). regarding Assembly Bill 302 addressing parking for Homeless Students. (01:37:42)

Kathleen McGowan, 7-year resident of Huntington Beach, was called to speak and stated her support for Administrative Item No. 21 (19-825) regarding a Community Choice Energy Feasibility Study. (01:38:59)

Tara Barton was called to speak and shared her concerns regarding the Ascon clean-up project. (01:39:57)

Steve Shepherd was called to speak and stated his support for Administrative Item No. 21 (19-825) regarding a Community Choice Energy Feasibility Study. (01:43:08)

Tony Bisson, a resident of southeast Huntington Beach, was called to speak and shared his concerns regarding a new business that would like to open at Brookhurst Street and Adams Avenue. (01:46:02)

Amy Foell, Surfrider Foundation Community Choice Energy Campaign Chair, was called to speak and stated support for Administrative Item No. 21 (19-825) regarding a Community Choice Energy Feasibility Study. (01:49:21)

Denise Erkeneff, Surfrider Foundation South Orange County, was called to speak and stated support for Administrative Item No. 21 (19-825) regarding a Community Choice Energy Feasibility Study. (01:51:41)

Alexander C. Gonzales, Field Representative for Congressman Harley Rouda, was called to speak and announced House of Representatives Resolution No. 534 recognizing the 60th Anniversary of the U. S. Open of Surfing in Huntington Beach as introduced by Representative Rouda. (01:53:33)

Amber was called to speak and shared her concerns regarding the Ascon clean-up project. (01:56:27)

Linda Kraemer was called to speak and stated her support for Administrative Item No. 21 (19-825) regarding a Community Choice Energy Feasibility Study. (01:59:42)

Dr. Kathleen Treseder, Professor of Biology at UC Irvine, was called to speak and stated her support for Administrative Item No. 21 (19-825) regarding a Community Choice Energy Feasibility Study. (02:02:52)

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

Councilmember Posey reported attending an Orange County Parks Commission meeting where they received an update on the Irvine Ranch Open Space Interim Recreation Resource Management Plan.

Councilmember Hardy reported having a phone conversation with the Police Management Association (PMA).

Councilmember Carr reporting meeting with the Police Management Association (PMA).

Mayor Peterson reported a meeting with the Police Management Association (PMA).

Councilmember Brenden reported a meeting with the Huntington Beach Police Officers' Association (HBPOA), and attending the final meeting as a member of the Public Cable Television Authority (PCTA). Councilmember Brenden noted that Huntington Beach residents will no longer be subsidizing public TV for other area cities.

Mayor Pro Tem Semeta reported attending a meeting of the Southern California Association of Government (SCAG) Economic and Human Development Committee and Regional Council, and encouraged the public to provide input on the Regional Housing Needs Assessment (RHNA) options before the September 3rd deadline. She also reported that on August 22 from 1-3 PM, Irvine Civic Center will host a public meeting on the RHNA options, and comments can be emailed to housing@scag.ca.gov.

Councilmember Delgleize reported attending a meeting of the Orange County Transit Authority (OCTA) where adjustments to the 2019/2020 Bus Service Plan were presented which results in Routes 211 and 21 being eliminated in Huntington Beach. Further details can be found on the OCTA website. Councilmember Delgleize announced an OCTA sponsored Bike Safety Workshop at Huntington Beach City Hall on August 13th at 5:30 PM. Councilmember Delgleize also reported meeting with the Huntington Beach Police Officers' Association (HBPOA).

CITY MANAGER'S REPORT

Interim City Manager Dave Kiff presented a PowerPoint communication entitled *Ascon Landfill Site Update*; Police Chief Robert Handy provided a brief overview of the *U.S. Open of Surfing* held July 27th through August 3rd including Fire Med and Marine Safety activity; Community Services Director Marie

Knight provided additional comments related to the *U.S. Open of Surfing;* Acting Fire Chief Mark Daggett reported on injuries sustained by four Fire Department personnel in a recent traffic accident that occurred at the intersection of Graham Street and Warner Avenue.

CITY TREASURER'S REPORT

13. 19-807 Received and filed the City Treasurer's June 2019 Quarterly Investment Report

City Treasurer Alisa Backstrom presented a PowerPoint communication entitled *City of Huntington Beach Quarterly Investment Report* with slides titled: *Economic and Market Overview - At June 28, 2019, Interest Rates - US Treasuries & Fed Funds, Portfolio Summary, Investments by Type, Monthly Activity - Quarterly Activity, Portfolio Earnings - As of June 28, 2019, Interest Rates (volatile) versus Portfolio Yield (smooth),* and *Selected Investment Policy Compliance Requirements.*

Councilmember Posey and Treasurer Backstrom discussed the rate of return for the Trust Fund 115 account which is invested thru Public Agency Retirement Services (PARS). As of 6/30/19 there was a one-year return of 6.79% compared to California Public Employees Retirement System (CalPERS) one-year return of 6.17%.

A motion was made by Posey, second Hardy to receive and file the City Treasurer's Quarterly Investment Report for June 2019, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried with no objections.

CONSENT CALENDAR

Councilmember Carr pulled Consent Calendar Item No. 17 (A) for further discussion.

14. 19-803 Approved and Adopted Minutes

A motion was made by Semeta, second Hardy to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated July 15, 2019; and, approve and adopt the City Council special meeting minutes dated July 26, 2019.

The motion carried by the following vote:

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

15. 19-819 Approved the July 2019 Huntington Beach Strategic Plan Update

A motion was made by Semeta, second Hardy to approve the July 2019 Strategic Objectives Update as contained within Attachment 1.

The motion carried by the following vote:

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

16. 19-813 Approved recommendations by Council Liaisons Semeta and Peterson to appoint George Rivera, Robert Binam, and Robert Wentzel to the Personnel Commission

A motion was made by Semeta, second Hardy to approve the appointment of George Rivera, Robert Binam, and Robert Wentzel with terms effective July 1, 2019, through June 30, 2021, as recommended by the Council Liaisons to the Personnel Commission.

The motion carried by the following vote:

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

17. 19-833 Approved City Council positions on Legislation pending before the State Legislature as recommended by the City Council Intergovernmental Relations Committee (IRC); and, adopted Resolution No. 2019-53

Councilmember Carr stated her opinion that it is premature to take a position of Oppose to Assembly Bill 302 (Berman) – Parking: Homeless Students, suggesting Council consider a position of Watch since it is being worked out between the community colleges and State legislature.

Mayor Peterson stated that community colleges oppose this legislation, and the IRC recommended support for the City's community college.

A motion was made by Carr, second Delgleize to approve a City position of Watch on Assembly Bill 302 (Berman) - Parking: Homeless Students.

Councilmember Brenden and Mayor Peterson discussed the ability to change a vote of opposition, if future significant changes are made to Assembly Bill 302.

A substitute motion was made by Semeta, second Posey to approve a City position of Oppose on Assembly Bill 302 (Berman) - Parking: Homeless Students.

The substitute motion carried by the following vote:

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

A motion was made by Semeta, second Hardy to approve a City position of Oppose on Assembly Bill 1482 (Chiu) - Tenancy: Rent Caps; and, adopt Resolution No. 2019-53, "A Resolution of the City Council of the City of Huntington Beach Urging the State of California to Implement a Variety of Strategies and Technologies that Further Reduce Greenhouse Gas Emissions as the State Considers Building Decarbonization."

The motion carried by the following vote:

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

18. 19-762 Approved and authorized execution of a Wireline Crossing Agreement with the Union Pacific Railroad Company for the installation of traffic signal communication conduit on Center Avenue (CC-1489)

A motion was made by Semeta, second Hardy to approve and authorize the Mayor and City Clerk to execute a "Wireline Crossing Agreement" at Mile Post 519.28, Stanton Industrial Lead, between the Union Pacific Railroad Company and the City of Huntington Beach.

The motion carried by the following vote:

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

19. 19-815 Adopted Ordinance 4185 repealing Huntington Beach Municipal Code Section 2.101 relating to the dissolution of the Allied Arts Board (AAB)
Approved for introduction 7/15/2019, Vote: 7-0

A motion was made by Semeta, second Hardy to adopt Ordinance 4185, "An Ordinance of the City of Huntington Beach Repealing Huntington Beach Municipal Code Section 2.101 Allied Arts Board."

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

20. 19-835 Adopted Resolution 2019-55 approving a City Manager Employment Agreement

Interim City Manager Dave Kiff presented a PowerPoint communication entitled: *Contract w/City Manager* with slides titled: *Contract Terms, How Rolling Terms Work(11), Section 2(c) - Rolling 4-year Term,* and *Section 2(c) - Four Years, then Rolling 2.*

Mayor Pro Tem Semeta and Manager Kiff clarified the terms for the length of the contract. Mayor Pro Tem Semeta shared her positive impression of the recruitment process that has led to the proposed appointment, and thanked Manager Kiff for his service and leadership during his short time in Huntington Beach.

Mayor Peterson described how Council's decision to involve Department Heads in the City Manager recruitment process has proven valuable.

Councilmember Posey stated his support for Mr. Chi as City Manager, but described his concerns regarding the contract's allowance for housing, specifically making a "creative" $1.5 million dollar investment in real estate that will not guarantee a return through shared equity, versus as an example making a similar investment in a 115 Trust account that would guarantee a greater return. Councilmember Posey voiced opposition to paragraph G – Home Loan, Equity Sharing Agreement (located on page 6 of the Employment Agreement), and suggested that it be voted on separately.

Councilmember Delgleize stated her support for the Employment Agreement as it stands, and discussed her positive impression of the process for recruitment. She expressed excitement for a new perspective brought to the organization by Mr. Chi, how she expects Mr. Chi will make a home in Huntington Beach, and how the City and Mr. Chi will share in the benefits of home ownership together.

Mayor Pro Tem Semeta expressed support for the "creative" proposal to share in home ownership equity, and Mr. Chi's innovation and approach to problem solving.

Councilmember Carr concurred with the comments made by Councilmember Delgleize about the creative "shared equity" option for housing, and was impressed by Mr. Chi's excitement to relocate, and his positive energy, work ethic, compassion, all of which will benefit Huntington Beach. She too stated her support for the Employment Agreement as presented.

Councilmember Hardy thanked the Councilmembers involved in drafting the Employment Agreement, and stated her support for the Agreement as presented. She discussed her favorable impressions of the creative negotiations that led to Mr. Chi's appointment, and his excitement to bring his family here and invest in the community.

Councilmember Brenden stated his support for the Employment Agreement as presented, including the "shared equity" clause. He shared what impressed him most about Mr. Chi; his innovative processes and programs with previous employers; his engaging, "hands on" management; his strong work ethic; his even temperament; and, his overall, positive personality.

Councilmembers Brenden and Posey shared differences of opinion in consideration of the "shared equity" option for housing.

Mayor Pro Tem Semeta called to move the item.

Mayor Peterson shared personal experiences of doing business in Monrovia prior to and after Mr. Chi became their City Manager, and his impression that Mr. Chi has made major, positive improvements.

Councilmember Posey called for a substitute motion to approve the Employment Agreement without paragraph "G", the Home Loan, Equity Sharing Agreement, suggesting that paragraph "G" be considered by separate vote. The substitute motion failed due to lack of a second.

A motion was made by Semeta, second Delgleize to review and consider the proposed City Manager employment agreement, and if appropriate, adopt Resolution 2019-55, "A Resolution of the City Council of the City of Huntington Beach Approving a City Manager Employment Agreement," ***as amended by Supplemental Communication (updated resolution title and identified corrections to pages 3 and 6 of the Employment Agreement); confirmation of 4-year rolling term formula; and, authorize the Mayor and City Manager to execute Employment Agreement in a form approved by the City Attorney.***

Councilmember Posey requested to go on record as a "No" for paragraph "G" Home Loan, Equity Sharing Agreement (located on page 6 of the employment agreement)

The motion ***as amended*** carried by the following vote:

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

NOES: None

COUNCILMEMBER ITEMS

21. 19-825 Approved Item Submitted by Councilmembers Delgleize and Carr — Community Choice Energy Feasibility Study

Councilmember Delgleize thanked the public speakers for their comments and provided a brief overview of the history of the topic, and clarified the definition of Community Choice Energy (CCE)/Community Choice Aggregation (CCA).

Councilmember Carr clarified some of the misunderstandings expressed by the public and stated that at the present time it is not possible to decide if a CCE is appropriate or not for Huntington Beach because a feasibility study has not been completed.

Councilmember Posey stated his support for a feasibility study and noted that the City's business community supports CCE.

Mayor Pro Tem Semeta asked the cost for doing a feasibility study, and Councilmember Carr stated that a feasibility study is expected to cost about $60,000. Mayor Pro Tem Semeta stated that many believe that CCEs are really about environmental benefits, not necessarily financial benefits, and asked if there are any documented ratepayer savings from other CCEs.

Councilmember Delgleize added that in addition to ratepayer savings and environmental benefits, CCEs also provide funds that are invested back into the community, and a feasibility study is expected to provide factual documentation of the potential benefits.

Councilmember Hardy thanked Councilmembers Carr and Delgleize for bringing this item forward, expressed her need for more information through a feasibility study, and stated her support for the item.

Councilmember Brenden stated his support for the item, and expressed the need for more information and facts that only a feasibility study will provide.

Mayor Peterson shared some issues from existing CCEs that he is aware of, and stated his opinion that CCEs are just a method to subsidize an industry by buying and selling energy credits. Mayor Peterson expressed his concern about how the City can ensure a non-biased feasibility study when to the best of his knowledge all of the organizations that provide these studies want every city to be in a CCA/E.

Mayor Pro Tem Semeta requested that staff provide examples/evidence of ratepayer savings before the Council considers approving a feasibility study.

Councilmember Brenden stated his support for also seeing examples of ratepayer savings, and suggested that the item be amended to include that.

A motion was made by Brenden, second Hardy to direct City staff to proceed with a Request for Proposal for a Community Choice Energy Feasibility Study, conduct research and return with documented evidence of ratepayer savings at the time the award of contract is presented to the City Council for approval.

The motion carried by the following vote:

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

22. 19-826 Item Submitted by Councilmember Posey WITHDRAWN — ~~Adopting an Annual Work Plan for the Finance Commission~~

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Posey described in more detail the recent accident that involved one of the City's fire trucks and commended the proactive actions taken to minimize injury to the firefighters, and reported attending the U. S. Open of Surfing, and Surfing Walk of Fame Induction.

Councilmember Hardy thanked all City staff members who were instrumental in a very successful U. S. Open of Surfing, and congratulated the Surfing Walk and Hall of Fame inductees as well as contestant winners.

Mayor Pro Tem Semeta reported attending the Public Cable Television Authority (PCTA) mediation with City Attorney staff, a Harbor Commission meeting to welcome the State Lands Commissioner, representing the City at the Huntington Beach Mazda Grand Reopening, congratulated all who were instrumental in a successful U. S. Open of Surfing including Jack's Surfboards and Huntington Surf & Sport, participating in discussions with Visit Huntington Beach regarding possible involvement in the 2028 L.A. Olympics, and reminded residents to participate in the process to help determine programming for the local Surf City channel.

Councilmember Carr expressed kudos to each of the City departments that were instrumental in the success of the U. S. Open of Surfing, and reported attending the Every 15 Minutes Dinner to celebrate the culmination of the 2019 Annual High School Scholarship Charity Golf Tournament & Fundraiser.

Councilmember Delgleize expressed appreciation to everyone involved in the successful U. S. Open of Surfing, and thanked Mayor Peterson and Councilmember Brenden for honoring Diane Abruscato, USAPA Ambassador who organizes the Pickleball Tournament.

Councilmember Brenden reported attending the Bolsa Chica Ecological Preserve event with approximately 200 volunteers from the Pacific American Volunteer Association, invited everyone to the Saturday, August 31, 11 am - 5 pm, Labor of Love Festival to be held at Bolsa Chica State Beach, and asked that this meeting be closed in memory of the victims of the recent shootings in Gilroy, California, El Paso, Texas, and Dayton, Ohio.

Mayor Peterson expressed appreciation for Diane Abruscato's enthusiasm for Pickleball, reported that he and Mayor Pro Tem Semeta were interviewed by a group interested in seeing that selected events for the 2028 Olympics are held in Huntington Beach, thanked everyone responsible for the successful U. S. Open of Surfing, and publicly acknowledged Eagle Scout Court of Honor recipient, Daniel Bryan Hencke.

RECESSED TO CLOSED SESSION — 9:00 PM

CLOSED SESSION REPORT — 9:22 PM

City Attorney Gates reported that by a 7-0 vote, the City Council authorized him to file an Appeal, if necessary, on the court's ruling on our Demurrer in the HCD v. City of HB case; OCSC CaseNo.:30-2019-01046493

ADJOURNMENT — At 9:22 PM, with condolences to the families experiencing tragedy in recent mass shootings occurring in the cities of Gilroy, California, El Paso, Texas, and Dayton, Ohio.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, August 19, 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

Robin Estanislau

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:

Robin Estanislau

City Clerk-Secretary

Mayor-Chair