

Minutes

City Council/Public Financing Authority City of Huntington Beach

Monday, August 19, 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

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

Present: Brenden, Carr, Semeta, Peterson (arrived at 4:17 pm), and Hardy
Absent: Posey, Delgleize

Pursuant to City Charter Section 309(d), City Attorney Michael Gates requested, and was granted, permission to be absent. Chief Deputy City Attorney Mike Vigliotta attended in his place.

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

#1. (19-881) PowerPoint Presentation entitled *Cannabis/CBD* received from Interim Assistant City Manager, Travis Hopkins.

#1. (19-881) Updated PowerPoint Presentation entitled *Cannabis/CBD* received from Deputy Director of Economic Development, Kellee Fritzel.

STUDY SESSION

- 1. 19-881 Reviewed the pros and cons of cannabis and the economy, along with a cost-benefit analysis and discussion of CBD**

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS

(3 Minute Time Limit) — 4 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>.

Anna Quarress, a 35-year resident of Huntington Beach and member of Angeles Emeralds, advocates for responsible cannabis regulations in Los Angeles County, was called to speak and stated support for licensing cannabis businesses. (00:03:38)

Leif Meisinger, Member of American Legion Chapter 133, Huntington Beach, and injured combat veteran, was called to speak and stated his support for licensing cannabis businesses. (00:06:47)

Henry Carey was called to speak and shared personal experiences in stating his support for licensing cannabis businesses. (00:10:01)

Kathryn Levassiur, resident of Huntington Beach, was called to speak and stated her support for licensing cannabis businesses. (00:12:59)

Mayor Pro Tem Semeta called on Deputy Director of Economic Development Kellee Fritzal who presented a PowerPoint communication jointly with Consultant David McPherson, Cannabis Compliance Director with HdL Companies, and Ursula Luna-Reynosa, Director of Community Development, titled: *Cannabis/CBD with slides entitled: Study Session Presentation, City Council Strategic Goal, Background(2), Federal Government, HdL Companies, Distribution, Distribution Fiscal Impact, Manufacturing, Manufacturing Fiscal Impact, Testing Laboratories, Testing Laboratories Fiscal Impact, Retail Sales, Cultivation/Microbusiness - Non Considered, Overview of Fiscal Impact, Potential Land Use Area - 600 Feet Buffer, CBD, HBZSO 204.20, Adult use of Marijuana Act (Prop 64), H&S Code Section 11018.5(a), CA Business & Professions Code 26001(f), Food & Agricultural Code Section 81006, Next Steps and Questions.*

Staff identified a correction for Slide 21, *H&S Code Section 11018.5(a)*, changing the text "having more than" to "having no more than."

Councilmember Carr and Mr. McPherson discussed the "sweet spot" total tax rate is under 30% to be sustainable for manufacturing, distribution, and retail cannabis businesses. There was further discussion of the fact that approximately 75 municipalities state-wide had cannabis measures on the 2018 ballot; and, according to Mr. McPherson, municipalities can tax product deliveries under a retail component, and the focus should be on defining illegal, legal & beyond-your-control situations.

Councilmember Brenden stated his opinion that industrial CBD from hemp should be allowed in Huntington Beach because of the low THC level. Councilmember Brenden and Mr. McPherson discussed that typically eight percent (8%) of an adult population uses medical CBD, and the current average is thirteen percent (13%) for medical and adult usage; but the use rate appears to be moving to eighteen (18%) to twenty-two percent (22%) as people explore replacing over-the-counter and prescription drugs. Councilmember Brenden and Mr. McPherson discussed the definitions for retail vs non-storefront operations, including retail operations outside of Huntington Beach delivering within the City. Councilmember Brenden asked that the full HdL report be made available to Council members.

Councilmember Hardy shared her concerns about storefront operations, and expressed the need for clear signage codes regarding flags and window advertising for CBD products.

Mayor Pro Tem Semeta stated support for Councilmember Brenden's comments regarding industrial hemp CBD, and agreement with Councilmember Hardy's comments regarding signage regulations.

Mayor Peterson stated his support of Councilmember Brenden's position on allowing industrial Hemp CBD products. He also expressed a need to have input from the Police and Fire Departments regarding their safety and security concerns, and stated support for the flags and window advertising concerns that Councilmember Hardy expressed.

Councilmember Brenden asked staff to look into the largest area retailer and determine how much product they are delivering in Huntington Beach to have more accurate numbers for potential income projections. Councilmember Brenden asked for more discussion and information on the Next Steps as well as looking at the positive and negative experiences of other municipalities.

Deputy Director Fritzal explained that staff is keeping track of cannabis sales tax measures across the state, and stated that there is currently a Cannabis Committee that includes the Police Chief, Fire Chief, a Fire Marshall, Planning staff, and City Manager representative all working with the consultant, HdL Companies.

Mayor Pro Tem Semeta stated that currently she is not interested in supporting storefront CBD retail sales, and explained that in her opinion it is important to ensure that CBD operations do not harm existing Huntington Beach businesses, such as increasing commercial rental space rates.

Councilmember Carr requested a deeper dive into all aspects of CBD businesses, including retail, and the pros and cons of creating a "Green Zone" which may potentially limit an increase on commercial space citywide, but she has no interest in cultivation.

Mayor Peterson summarized that there are so many questions to answer on this topic that he expects it will require multiple study sessions to cover everything, but he would place a priority on sales tax for CBD products.

A motion by Brenden, second by Semeta to recess to Closed Session for Items 3 – 9. With no objections, the motion passed.

RECESSED TO CLOSED SESSION — 4:55 PM

CLOSED SESSION ANNOUNCEMENT(S)

- 2. 19-891 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 and Peter Brown, Chief Negotiator; also in attendance: Robert Handy, Police Chief; Chuck Adams, Interim Chief Financial Officer; and Michele Warren, Director of Human Resources regarding the following: Police Officers' Association (POA).**

CLOSED SESSION

- 3. 19-884 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.

4. **19-885 Pursuant to Government Code § 54956.9(d)(2), the City Council recessed into Closed Session to confer with the City Attorney regarding potential litigation. Number of cases, two (2).**
5. **19-886 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.**
6. **19-888 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 and Peter Brown, Chief Negotiator; also in attendance: Robert Handy, Police Chief; Chuck Adams, Interim Chief Financial Officer; and Michele Warren, Director of Human Resources regarding the following: Huntington Beach Police Officers' Association (POA).**
7. **19-893 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. City of Fountain Valley, et al. (PCTA); OCSC Case No. 30-2019-01071652.**
8. **19-897 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: Benzen Properties, LLC, et al. v. City of Huntington Beach, et al.; OCSC Case No.: 30-2019-01070544.**
9. **19-904 Pursuant to Government Code § 54956.9(d)(4), the City Council recessed into Closed Session to confer with the City Attorney regarding whether to authorize the City Attorney to add the City's name to the Amicus Brief in Support of the City of Boise in their Petition to the United States Supreme Court for review of the case Martin v. City of Boise (9th Cir. 2018) 902 F.3d 1031.**

6:00 PM - COUNCIL CHAMBERS

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

ROLL CALL

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

Present: Brenden, Carr, Semeta, Peterson, Posey (arrived at 6:49 pm), and Hardy
Absent: Delgleize

Pursuant to City Charter Section 309(d), City Attorney Michael Gates requested, and was granted, permission to be absent. Chief Deputy City Attorney Mike Vigliotta attended in his place.

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.

10. 19-668 Pastor Nadar Hanna of Faith Lutheran Church and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY — By a vote of 5-0-2 (Posey, Delgleize - Absent), the City Council authorized the City Attorney to add the City's name to the Amicus Brief in Support of the City of Boise in their Petition to the United States Supreme Court for review of the case *Martin v. City of Boise* (9th Cir. 2018) 902 F.3d 1031.

AWARDS AND PRESENTATIONS

11. 19-847 ~~Mayor Peterson to call on Victoria Alberty to present the "Adoptable Pet of the Month"~~

12. 19-848 Mayor Peterson called on Community Development Director Ursula Luna-Reynosa to present the Mayor's Award to Kevin Kirby, Building Inspector III

Director Luna-Reynosa introduced Kevin Kirby and described his career path, contributions and accomplishments during his tenure with the City, including strong code knowledge and superior inspection skills. Mr. Kirby expressed appreciation for the acknowledgement, the opportunity to serve, and stated his goal is to help contractors, owners and developers achieve successful projects.

13. 19-849 Mayor Peterson called on Sister City exchange students from Anjo, Japan to share their experiences of visiting Huntington Beach

Carmen Erber, Sister City Association of Huntington Beach Representative, briefly described the 37-year old exchange program for high school students in Huntington Beach and Anjo, Japan, and introduced this year's Anjo chaperone Yusuki Suzuki. Chaperone Suzuki introduced the exchange students and described some of the local activities they were participating in.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS

(Received After Agenda Distribution) — None

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

Mayor Peterson announced the continuance of Public Hearing Item No. 20 (Appeal of Planning Commission Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos) to September 3, 2019.

Brant Stebbins, a long-time resident of Huntington Beach, was called to speak and expressed several opinions related to potential cannabis business in the City. (02:19:04)

Jeffrey Davis, a resident of Huntington Beach, was called to speak and shared personal experiences in support of his opposition to Public Hearing Item No. 20. (19-758) regarding Ellis Avenue Condos. (02:21:24)

Beth Hambelton, Huntington Beach Council on Aging (HBCOA) President, was called to speak and announced the 31st Annual Senior Saturday Community Festival, Pier Plaza, Saturday, September 7th, 9 am – 1 pm. (02:24:26)

Jose Santana, a 20-year Huntington Beach business owner, was called to speak and stated his opposition to Public Hearing Item No. 20 (19-758) Appeal regarding Ellis Avenue Condos. (02:26:50)

Tiffany Tabares, mother of Dillon Tabares, was called to speak and shared her anguish related to the police shooting of her son, Dillon. (02:28:34)

Nancy Buchoz was called to speak and shared her opinions regarding recent Planning Commission meetings related to the Magnolia Tank Farm project. (02:31:33)

Eric R. Massey was called to speak and shared situations of personal harassment and defamation that in his opinion were triggered by false accusations. (02:33:19)

Tara Barton, Huntington Beach resident, mother and scientist, was called to speak and shared concerns about the Magnolia Tank Farm and Ascon clean-up projects. (02:36:32)

Kathryn Levassiur, resident of Huntington Beach and founding member of the Huntington Beach Short-Term Rental Alliance, was called to speak and stated her support for the scheduled September Study Session on Short Term Vacation Rentals. (02:39:43)

Sharon Messick, a resident of southeast Huntington Beach, was called to speak and shared concerns related to the Ascon clean-up and Magnolia Tank Farm projects. (02:40:57)

Lynn Meyer, resident of west Fountain Valley, was called to speak and stated his opposition to Public Hearing Item No. 20 (19-758) Appeal regarding Ellis Avenue Condos. (02:44:07)

Ben Pickens was called to speak and stated his opposition to Public Hearing Item No. 20 (19-758) Appeal regarding Ellis Avenue Condos, and requested a denial for the Magnolia Tank Farm project. (02:47:17)

Steve Shepherd was called to speak and stated his support of Public Hearing Item No. 20 (19-758) Appeal regarding Ellis Avenue Condos. (02:49:11)

Judith Meyer, resident near the intersection of Ellis Avenue and Newland Street, was called to speak and stated her opposition to Public Hearing Item No. 20 (19-758) Appeal regarding Ellis Avenue Condos. (02:51:52)

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

Councilmember Posey reported speaking with the Huntington Beach Firefighters' Association (HBFA) and meeting with the Huntington Beach Police Officers' Association (HBPOA).

Mayor Pro Tem Semeta reported meeting with the Police Management Association (PMA).

Councilmember Brenden reported meeting with the Huntington Beach Police Officers' Association (HBPOA) president, and a conversation with Huntington Beach Firefighters' Association (HBFA) president.

Councilmember Carr reported a conversation with the Huntington Beach Firefighters' Association (HBFA).

CITY MANAGER'S REPORT

Interim City Manager David Kiff provided a brief PowerPoint communication entitled *Ascon Landfill Site Update*.

Mayor Peterson discussed a meeting with a few members of the community to review the qualifications of possible Technical Advisors regarding the Ascon project, and Interim Assistant City Manager Travis Hopkins discussed City staff's efforts to bring the Technical Advisor on board.

CONSENT CALENDAR

Councilmember Posey pulled Items 15 (19-818), 17 (19-837), and 19 (19-879) for further discussion.

14. 19-859 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 August 5, 2019.

The motion carried by the following vote:

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

15. 19-818 Approved Fiscal Year 2018/19 Year-End Budget Adjustment and Inter-Fund Transfers

Councilmember Posey pulled this item to compliment City Treasurer Backstrom for successfully finding funds for the Trust 15 account for future pension benefits.

A motion was made by Posey, second Brenden to approve the appropriation and transfer of \$1.0 million into the Section 115 Trust from the General Fund year-end balances (Attachment 1); and, approve appropriation and transfer of \$850,000 from the General Fund year-end balances to the Fiscal Year 2018/19 Revised Budget in the Technology Fund (323) and \$150,000 in the Retiree Supplemental Fund (703) (Attachment 1); and, increase appropriations by \$1.08 million in the Retiree Supplemental Fund (703) (Attachment 1).

The motion carried by the following vote:

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

16. 19-840 Approved and authorized execution of a five-year License Agreement with Southern California Edison for public parkland located at Le Bard Park

A motion was made by Brenden, second Semeta to approve the "License Agreement" with Southern California Edison for the use of the 2.02 acres of property commonly known as Le Bard Park (Contract No. 9.2480), and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction.

The motion carried by the following vote:

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

17. 19-837 Approved Annual Report and Fiscal Year 2019-2020 Huntington Beach Downtown Business Improvement District (DTBID) Budget; adopted Resolution No. 2019-54 declaring the City's intention to levy an annual assessment for Fiscal Year 2019-2020 within the Huntington Beach Downtown Business Improvement District; and, scheduled a Public Meeting for September 3, 2019, and a Public Hearing for September 16, 2019

Councilmember Posey pulled this item to thank Deputy Director of Economic Development Kellee Fritzel for ensuring a complete packet of documents was presented.

A motion was made by Posey, second Hardy to adopt Resolution No. 2019-54, "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 2019-2020 within Huntington Beach Downtown Business Improvement District," including Exhibit A - Huntington Beach Downtown Business Improvement District 2019-2020 Annual Report, Exhibit B - Boundary Map, and List of Businesses to be assessed, and Exhibit C - Types of improvements and activities proposed to be funded; and, direct the City Clerk to agendize the item for the City Council's regular meeting of September 3, 2019, hold a public hearing on September 16, 2019, send copies of the Resolution of Intention, including the BID Boundary Map and assessment formula to each business to be assessed, and publish in a newspaper of general circulation.

The motion carried by the following vote:

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

18. 19-877 Adopted Resolution No. 2019-56 authorizing submittal of an application for a California Coastal Commission (CCC) Local Coastal Program (LCP) Planning Grant

A motion was made by Brenden, second Semeta to adopt Resolution No. 2019-56, "A Resolution of the City Council of the City of Huntington Beach Authorizing Submittal of an Application for a California Coastal Commission LCP Planning Grant."

The motion carried by the following vote:

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

19. 19-879 Adopted Resolution No. 2019-57 appointing David Segura as Interim Fire Chief and approving the Employment Agreement

Councilmember Posey pulled this item to thank Interim Fire Chief David Segura for returning until the Fire Chief position is filled, and confirmed with Interim City Manager David Kiff that Chief Segura could be available to fill the position for up to six (6) months if necessary.

A motion was made by Posey, second Hardy to adopt Resolution No. 2019-57, "A Resolution of the City Council of the City of Huntington Beach Appointing David Segura as Interim Fire Chief;" and, approve and authorize the Mayor to execute the "Employment Agreement Between the City of Huntington Beach and David Segura."

The motion carried by the following vote:

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

PUBLIC HEARING

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>.

20. 19-758 CONTINUED TO SEPTEMBER 3, 2019, WITH PUBLIC HEARING OPEN request to consider the Appeal of Planning Commission Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos)

Mayor Peterson announced the continuance of the item to September 3, 2019 at the applicant's request, that no staff report is being presented, and that the Public Hearing would be opened for those wishing to speak on the item tonight, and will remain open for public comments on September 3, 2019.

Mayor Peterson opened the Public Hearing.

Public Hearing — 9 Speakers

City Clerk Robin Estanislau announced twenty-one (21) email communications received regarding the appeal of the Planning Commission's denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos).

Brant Stebbins was called to speak and stated his opposition to this Appeal and support for the Planning Commission Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos) based on his opinion that approval would create dangerous traffic conditions for area intersections which are already congested, and could negatively impact the passage of emergency vehicles. (03:02:19)

Andrea D. Arazian, a resident of Huntington Beach, was called to speak and stated her opposition to the Appeal of the Planning Commission Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos) based on her opinion that approval would create dangerous traffic conditions for anyone using Beach Boulevard and/or Ellis Avenue. Ms. Arazian asked if a traffic impact report had been completed, if additional signal lights would be considered along Ellis Avenue, if additional Police and Fire staff would be hired, and how area schools could be impacted by this development. (03:04:15)

Tahir Salim, a resident of Anaheim and Developer for the Ellis Ave. Condos, was called to speak and provided a brief history of changes from the original plans because of resident concerns, confirmed that a traffic impact study was completed, and stated his opinion that area safety would improve if this project was approved as the project would replace the existing liquor store. Mr. Salim further described the types of units in the project including moderate and low-income housing, stated that the Planning Commission decision was not a unanimous decision, and requested approval of the project. (03:06:00)

Steve Farnsworth, a 36-year resident of Huntington Beach, was called to speak and voiced his support of the Planning Commission Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos) and noted that the Developer confirmed the project is actually composed of apartments, not condominiums. Mr. Farnsworth further stated concerns about the number of units planned for the small parcel, mixed use classification, building a 4-story unit adjacent to a residential neighborhood which could negatively impact skyline views and create shadows that may negatively impact solar panel options, and negatively impact safety because of increased traffic congestion. (03:08:27)

Ken Stahl, representing People for Housing Orange County, was called to speak and described some Housing Accountability Act (HAA) requirements for housing projects, stated that this project complies, and provided support for the Appeal. Mr. Stahl stated that the Planning Commission Denial did not list any HAA requirements the project did not meet, nor any finding that the development would be a threat to public health or safety, but rather listed subjective standards which were not in the Beach/Ellis Specific Plan. Mr. Stahl voiced his opinion that if the City Council supports the Planning Commission Denial for this project, they will be in violation of the HAA. (03:11:37)

Pamela McCay, a 33-year resident of Huntington Beach and currently living on Patterson Lane directly behind the Ellis Ave. Condos project, was called to speak and in supporting the Planning Commission Denial, described the current difficulty with traffic when accessing Patterson Lane, the existing neighborhood parking congestion created by residents of Elan who already park on Patterson, and anticipated increases to existing rental rates. (03:13:27)

Denise Nevin, a 42-year resident, was called to speak, and in support of the Planning Commission Denial of the Ellis Ave. Condos project, stated how challenging it has become to drive in Huntington Beach because of the existing huge residential buildings, and in her opinion, Ellis Avenue is already too congested. (03:15:48)

Stephanie Green, a resident of Huntington Beach, was called to speak and requested that the Public Hearing not be continued to September 3rd. She voiced her support of the Planning Commission Denial for the Ellis Avenue Condos, stating her opinion that there is already a traffic problem on Ellis Avenue with no plans to address the current situation, and another apartment complex will not improve the quality of life for Huntington Beach residents, nor will it fix the traffic problem. (03:18:55)

Jesus Rodriguez, a resident of Huntington Beach on La Palma Drive near the intersection of Ellis Avenue and Beach Boulevard, was called to speak and in opposing the Appeal to the Planning Commission Denial for the Ellis Avenue Condos, described how the parking issues in the City of Santa Ana resulted in his move to Huntington Beach, and shared his concerns and opinions about the negative effect this proposed project will have on the quality of life for his neighborhood. (03:21:48)

Mayor Peterson confirmed with City Clerk Robin Estanislau there were no more public speakers, and continued the Public Hearing to September 3, 2019.

A motion was made by Posey, second Hardy to open the public hearing and continue the item with public hearing open to a date certain of September 3, 2019 at the applicant's request (Attachment No. 9), the appeal of Planning Commission Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Ave. Condos).

The motion carried by the following vote:

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

21. 19-805 Approved General Plan Amendment No. 2019-001 by adopting Resolution No. 2019-50, Zoning Map Amendment No. 2018-001 by approving for introduction Ordinance 4184, and Zoning Text Amendment No. 2018-002 by approving for introduction Ordinance 4183 (Gothard Property & Research and Technology Zoning)

Councilmember Carr recused herself from this item because of property proximity to her residence.

Interim City Manager David Kiff introduced Senior Planner Hayden Beckman who introduced consultant Diane Bathgate, Principal, RRM Design Group, and presented a PowerPoint communication entitled: *County Gothard Property and Research & Technology Zoning* with slides titled: *County Gothard Property & Research and Technology (RT) Zoning, GPA 19-001 - County Gothard Property, ZMA 18-001(2), ZMA 18-002, Research & Technology (RT) Zoning(3), ZTA 18-002 (4), Companion Topics, Recommendation and Questions.*

Mayor Peterson and Senior Planner Beckman discussed the General Plan Update supports keeping two zones in the area of the former Boeing facility.

Councilmember Posey and Senior Planner Beckman discussed options of value with the proposed zoning, and how conditions for existing businesses would be grandfathered, even if properties were sold.

Councilmember Brenden and Senior Planner Beckman discussed that if the zoning changes are approved, any existing industrial business wanting to expand could be subject to the new zoning code, but each situation would be independently reviewed.

Mayor Peterson opened the Public Hearing for this item.

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:

#21. (19-805) communication from Congressman Harley Rouda supporting the item including the recommendation to form an ad hoc committee to review policy and outline goals for broadband, technology and transportation improvements;

#21. (19-805) three (3) email communications regarding the item including the recommendation to form an ad hoc committee to review policy and outline goals for broadband, technology and transportation improvements; and

#21. (19-805) a PowerPoint presentation entitled *County Gothard Property and Research & Technology Zoning* received from Ursula Luna-Reynosa, Community Development Director.

Public Hearing — 1 Speaker

Dan Kalmick, Planning Commissioner, was called to speak and stated support for the R/T Zone with sidewalks and added that the Urban Design Guidelines need to be updated. Mr. Kalmick voiced support for the formation of an ad hoc committee to ensure proper support of businesses, providing a competitive advantage, and developing a cohesive policy that will benefit residents, businesses and government. (03:42:46)

There being no more speakers, Mayor Peterson closed the Public Hearing.

Councilmember Posey stated his wholehearted support for this item, described planned business visits to observe the types of businesses that would benefit from the proposed changes, and made a motion to approve the recommended action. Councilmember Hardy provided a second.

Mayor Peterson stated his concern that the sidewalk, landscaping and parking requirements don't become limiting factors for how a parcel can be built up to meet business needs. He also expressed his opinion that there are already multiple wireless providers available, and stated support for these zoning changes.

Councilmember Hardy suggested that the ad hoc committee meet on an as-needed basis, and that Councilmember Delgleize be considered for one of the committee positions.

Mayor Pro Tem Semeta confirmed with staff that there will be a strategic planning session regarding a Broadband Master Plan staff report in the next month or two, and suggested that a vote on the recommendation to create a Broadband and Wireless Ad-Hoc Commission be delayed until after that report.

Councilmember Brenden stated support for forming an Ad Hoc Committee at this time, and expressed concerns about requiring sidewalks and therefore would like to see further details that a study would provide. Councilmember Brenden stated support for Councilmember Posey's motion.

A substitute motion was made by Semeta, second Peterson to approve General Plan Amendment No. 19-001 by adopting City Council Resolution No. 19-50, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 19-001." (Attachment 1); and, approve Zoning Map Amendment No. 18-001 with findings for approval and approving for introduction Ordinance No. 4184, "An Ordinance of the City of Huntington Beach amending the Huntington Beach Zoning and Subdivision Ordinance by changing the zoning designation from IG (Industrial General), IL (Industrial Limited), or CG (Commercial General) to RT (Research and Technology) on real property located in two existing industrial areas herein referred to as the Gothard Street Corridor and Northwest Industrial Area (Zoning Map Amendment No. 18-001)." (Attachments 2 and 3); and, approve Zoning Text Amendment No. 18-002 with findings for approval and approving for introduction Ordinance No. 4183, "An Ordinance of the City of Huntington Beach amending Chapters 204 Use Classifications, 212 Industrial Districts, and 231 Off-Street Parking and Loading of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 18-002)." (Staff Recommended Action for public agency owned property) (Attachments 4 and 5); and, consider and provide direction on Planning Commission Minute Action to update the City's Urban Design Guidelines; and, ~~consider and provide direction on Planning Commission Minute Action to create a Broadband and Wireless Ad-Hoc Committee;~~ and, consider and provide direction on Planning Commission Minute Action to study implementation of public sidewalks in all Industrial districts.

The motion failed by the following vote:

AYES:	Semeta, and Peterson
NOES:	Brenden, Posey, and Hardy
ABSENT/OUT OF ROOM:	Delgleize – Absent; Carr – Recused

Discussion ensued and Council elected to proceed as follows:

A motion was made by Posey, second Hardy to approve General Plan Amendment No. 19-001 by adopting City Council Resolution No. 19-50, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 19-001." (Attachment 1); and, approve Zoning Map Amendment No. 18-001 with findings for approval and, after the City Clerk reads by title, approve for introduction Ordinance No. 4184, "An Ordinance of the City of Huntington Beach amending the Huntington Beach Zoning and Subdivision Ordinance by changing the zoning designation from IG (Industrial General), IL (Industrial Limited), or CG (Commercial General) to RT (Research and Technology) on real property located in two existing industrial areas herein referred to as the Gothard Street Corridor and Northwest Industrial Area (Zoning Map Amendment No. 18-001)." (Attachments 2 and 3); and, approve Zoning Text Amendment No. 18-002 with findings for approval and after the City Clerk reads by title, approve for introduction Ordinance No. 4183, "An Ordinance of the City of Huntington Beach amending Chapters 204 Use Classifications, 212 Industrial Districts, and 231 Off-Street Parking and Loading of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 18-002)." (Staff Recommended Action for public agency owned property) (Attachments 4 and 5).

The motion carried by the following vote:

AYES:	Brenden, Semeta, Peterson, Posey, and Hardy
NOES:	None
ABSENT/OUT OF ROOM:	Delgleize–Absent; Carr-Recused

Councilmember Carr rejoined the meeting.

A motion was made by Posey, second Hardy to ~~consider and provide direction on Planning Commission Minute Action to update~~ **Study** the City's Urban Design Guidelines, and report back to Council;

The motion carried by the following vote:

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

A motion was made by Posey, second Hardy to ~~consider and provide direction on Planning Commission Minute Action to create~~ a Broadband and Wireless Ad-Hoc Committee **that will meet on an as-needed basis — Council appointees to be named at a later date.**

The motion carried by the following vote:

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

A motion was made by Posey, second Hardy to ~~Consider and provide direction on Planning Commission Minute Action to study~~ implementation of public sidewalks in all Industrial districts.

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

22. 19-870 Received and Filed a Status Update on the 6th Cycle Regional Housing Needs Assessment (RHNA) Process

Interim City Manager David Kiff introduced Community Development Director Ursula Luna-Reynosa who stated that the process is continuing and a methodology has not yet been selected. Director Luna-Reynosa agreed to provide a written summary report to Council after the next Regional Housing Needs Assessment (RHNA) public meeting in Irvine on Thursday, August 22.

No objections received.

23. 19-880 Approved Tentative Agreement and introduction of proposed Memorandum of Understanding between the Huntington Beach Police Management Association (HBPMA) and the City of Huntington Beach for the period of January 1, 2018, through June 30, 2020

Interim City Manager David Kiff introduced Human Resources Director Michele Warren who presented a PowerPoint communication entitled *Huntington Beach Police Management Association Tentative Agreement and Proposed MOU 2019-2020* with slides titled: *HBPMA - Tentative Agreement (2)*.

A motion was made by Peterson, second Posey to approve the "Tentative Agreement" and the introduction of the proposed Memorandum of Understanding between the Huntington Beach Police Management Association and the City of Huntington Beach for the period January 1, 2018, through June 30, 2020.

The motion carried by the following vote:

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

NOES: None

ABSENT: Delgleize

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Brenden reported attending a Neighborhood Watch formation meeting where residents want to become part of the solution, the 13th Annual Huntington Beach Police Officers' Foundation Constable Classic, and kick-off of Rocky McKinnon's Adaptive Surf Program for individuals with physical limitations. He announced the August 24 fundraising event at Old World to benefit the non-profit Hula School, and invited everyone to the free Labor of Love Festival scheduled for Saturday, August 31, 11 am - 5 pm, at Bolsa Chica State Beach.

Councilmember Posey reported attending the Chamber of Commerce AM Connect Breakfast where Councilmember Hardy provided a great City Update and thanked Antonia Graham, Assistant to the City Manager, for her presentation on the City's Sustainable Business Certification Program, and his participation in the 13th Annual Huntington Beach Police Officers' Foundation Constable Classic.

Mayor Pro Tem Semeta reported attending the kick-off of Rocky McKinnon's Adaptive Surf Program for individuals with physical limitations, Huntington Beach Police Department Swearing-in Ceremony, and joining with Councilmembers Delgleize and Brenden to meet with the Mayor of Garden Grove to discuss regional collaboration on homeless issues.

Councilmember Carr reported attending National Night Out in Central Park, 2019 Junior Lifeguard Program Graduation Ceremonies, Census 2020 Committee Kick-off, participating in the Senior Scam Stopper event hosted by Assemblywoman Cottie Petrie-Norris, attending the Addiction Crisis Roundtable sponsored by Congressman Harley Rouda, and commended Mayor Pro Tem Semeta for her outstanding artwork on display at the Central Library.

Mayor Peterson reported attending the kick-off for Rocky McKinnon's Adaptive Surf Program for individuals with physical limitations, 2019 Junior Lifeguard Program Graduation Ceremonies, Tee It Up for the Troops Ceremony, and Lions Club Pancake Breakfast Fundraiser for American Legion Post 133 which is celebrating its 100th Anniversary.

Councilmember Hardy reported attending the 2020 Census Committee Kick-off, National Night Out at Central Park, Senator Thomas Umberg's District Office Grand Opening and School Supply Giveaway, and Sand Crab Graduation. Councilmember Hardy provided a brief history of long-time resident Frances Pate Rathburn, who recently passed away at the age of 98 1/2, and asked that the meeting be closed in Ms. Rathburn's memory.

ADJOURNMENT — 8:22 PM in memory of Frances P. Rathburn, to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, September 3, 2019, at 4:00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

INTERNET ACCESS TO CITY COUNCIL/PUBLIC FINANCING AUTHORITY AGENDA AND
STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT
<http://www.huntingtonbeachca.gov>



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

ATTEST:


City Clerk-Secretary
Mayor-Chair