Minutes

City Council/Public Financing Authority Regular Minutes
Housing Authority Special Minutes
City of Huntington Beach

Tuesday, February 18, 2020
4:00 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

A video recording of the 4:00 PM and 6:00 PM portions of this meeting is on file in the Office of the City Clerk, and archived at www.surfcity-hb.org/government/agendas/

4:00 PM - COUNCIL CHAMBERS

CALLED TO ORDER - 4:00 PM

ROLL CALL

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Study Session

#1. 20-1409 PowerPoint Communication titled *Year End Audit Results and Mid-Year Budget Update* received from Chief Financial Officer Dahle Bulosan.

#2. 20-1423 PowerPoint communication titled *Rogers Senior Center Site Master Plan Community Workshop Summary Report from Community* Services Director Chris Slama.

#2. 20-1423 PowerPoint communications titled *Rogers Senior Center Site Community Conceptual Plan* received from Community Services Director Chris Slama.

#2. 20-1423 Three (3) email communications.

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS
(3 Minute Time Limit) – 17 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.

Ross Dohrmann was called to speak and stated his support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, and expressed the need for sufficient parking. (00:01:50)

Tom Welch, member of American Legion Huntington Beach Post 133, was called to speak and stated his support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, shared that Huntington Beach has the largest number of veteran residents in Orange County, and stated the need for additional space at the Veteran's Resource Center (VRC). (00:04:11)

Frank Passarelli, member of American Legion Huntington Beach Post 133, was called to speak and stated his support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, and thanked the City Council and the Central Library for their assistance with starting the Veteran's Resource Center (VRC). (00:07:28)

Chris Varga, 18th Street resident, was called to speak and stated his support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, and shared concerns regarding potential parking designs for the area. (00:08:30)

Fran Varga, 18th Street resident, was called to speak and spoke in opposition to Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse as she believes it should remain park space. (00:11:39)

Michelle Marciniec, a twenty (20) year resident on 18th Street and Orange Avenue, was called to speak and stated support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, and expressed the need for open space and parking similar to Lake Park. (00:14:19)

Bridget Johnson, lifelong resident, was called to speak and spoke in opposition of Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, in her opinion it should be restored to a park. (00:15:52)

Richard Nelson, twenty (20) year resident, lives next to project site, was called to speak and stated his support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse. (00:17:01)

Angie Nelson, wife of Richard Nelson, was called to speak and stated her support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse. (00:18:01)

Barbara Haynes, member of HB Preserve our Past, was called to speak and stated her support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse. (00:18:26)

Barbara Robinson, 42 year resident on 17th Street, was called to speak and stated support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse. She thanked Community Services Director Slama for his efforts on this project. (00:19:15)

Amory Hanson, was called to speak, and expressed his concerns regarding Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, voicing opposition to closing the main building and sharing his opinion that a tennis court should replace the former playground. (00:20:27)

Barbara Zeno, 17th Street resident, was called to speak and expressed concerns regarding Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, specifically the playground and parking lot areas, and provided support for keeping the smaller building for the American Legion and the rest of the land to be allocated as a park. (00:22:23)

Catherine Johnson, lifelong resident, was called to speak and stated support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse, with reconsideration of parking. (00:25:03)

David Sullivan, former Mayor and 53-year resident, was called to speak and stated support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse and expressed his support of providing a post for the American Legion. (00:26:17)

Bill Patch, 18th Street resident, was called to speak and stated his support for Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse. (00:29:34)

Deb Obzinski, 19th Street property owner, was called to speak and opposed the proposed large parking area in Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse. (00:30:42)

STUDY SESSION

Mayor Semeta moved Item No. 2 (20-1423) Rodgers Seniors' Center Site Reuse Conceptual Diagram Review up.

City Manager Chi recommended continuing Item No. 1 (20-1409) Year End Audit Results and Mid-Year Budget Update to the March 2, 2020 meeting.

1. 20-1409 Continued to March 2nd - Year End Audit Results and Mid-Year Budget Update

2. 20-1423 Rodgers Seniors' Center Site Reuse Conceptual Diagram Review

Community Services Director Chris Slama and Design Consultant, Zachary Mueting from RJM, presented a PowerPoint communication with slides entitled: *Workshop Presentation Overview; Rodgers Seniors' Center Site Master Plan; Background; City Council Directive Summary; Community Design Workshop; Group Activities; Group Responses; Group Activity - Likes; Group Activity - Dislikes; Group Activity - Issues/Concerns; Group Activity - Amenities (2); Design Charrette; Group Design Template; Group 1 (2); Group 2 (2); Group 3 (2); Group 4 (2) Group 5 (2); Group 7 (2); Group 9 (2); Group 10 (2); Groups 6 & 8; Master Plan Development; Composite Plan (8); Composite Plan Tot Lot (7); Composite Plan - Parking (8); Consensus Diagram; Conceptual Diagram; Refined Conceptual Diagram; Master Plan Development;* and *Thank you.*

Councilmember Brenden and Director Slama discussed the number and location of parking spaces.

Councilmember Carr and Director Slama discussed researching additional parking options, the notification process and number of participants in attendance at the outreach meeting, possible secondary uses for the proposed American Legion assembly building, a multi-use parking lot, green space with drought tolerant plants and timeline of project.

Councilmember Peterson and Director Slama discussed the parking requirement, consideration of moving the parking lot along the property off of 17th Street for safety, and the need to utilize green space in lieu of a tot lot.

Mayor Pro Tem Hardy and Mr. Mueting from RJM discussed the residential perception of required parking at the outreach meeting. Mayor Pro Tem Hardy expressed concern regarding the parking being

located too far from the building to meet ADA requirements, and feels we should be able to utilize street parking to meet the parking requirement. She also suggested painting the curb blue where necessary, expressed concern regarding parking lot use, and agreed with utilizing green space and assembly hall usage.

Councilmember Delgleize acknowledged Director Slama and his team on the successful community involvement at the outreach meeting, expressed her feelings that parking is needed, suggesting moving the parking onto 18th Street, and confirmed with Director Slama that the assembly hall would not solely be for the American Legion use as there is a demand for meeting space.

Councilmember Posey complimented Director Slama and the citizens on their work at the outreach meeting, discussed the project funding with Director Slama and requested an updated CIP funds presentation that was originally presented by Director Janeen Laudenback in 2016.

Mayor Semeta confirmed with all Councilmembers that they are in support of the American Legion Post 133 use of the assembly hall, expressed her belief that parking is needed for assembly use with limited reduction in green space, and thanked all the speakers for attending the meeting and speaking out.

RECESSED TO CLOSED SESSION – 5:08 PM

A motion was made by Brenden, second by Posey to recess to Closed Session for Items 4 – 6, and with no objections, the motion passed.

CLOSED SESSION ANNOUNCEMENT(S)

3. 20-1425 **Mayor Semeta Announced: Pursuant to Government Code § 54957.6, the City Council shall recess into Closed Session to meet with its designated labor negotiator: Oliver Chi, City Manager and Peter Brown; also in attendance: Travis Hopkins, Assistant City Manager and Robert Handy, Chief of Police, regarding the following: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); and Police Officer's Association (POA).**

CLOSED SESSION

4. 20-1418 **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).**

5. 20-1419 **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: Kilhullen (Barbara) v. City of Huntington Beach; OCSC Case No.: 30-2019-01091611.**

6. 20-1424 **Pursuant to Government Code § 54957.6, the City Council recessed into Closed Session to meet with its designated labor negotiator: Oliver Chi, City Manager and Peter Brown; also in attendance: Travis Hopkins, Assistant City Manager and Robert Handy, Chief of Police, regarding the following: Huntington Beach Municipal Teamsters (HBMT); Management Employees' Organization (MEO); and Police Officer's Association (POA).**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING, AND CALLED TO ORDER A SPECIAL MEETING OF THE HOUSING AUTHORITY - 6:09 PM

ROLL CALL

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

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 of belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

7. 20-1379 Mike Michaud of Dance 4 Joy Ministries and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY – City Attorney Gates reported that by a vote of 4-3 (Posey, Delgleize, Carr-No), Council authorized the filing of a lawsuit to challenge State Assembly Bill AB 68 – Land Use: Accessory Dwelling Units; in addition, City Attorney Gates reported on the successful defense verdict in the case of Maliek Rosier vs. the City of Huntington Beach, Federal Court Trial CV 18-2175.

AWARDS AND PRESENTATIONS

8. 20-1369 Mayor Semeta called on Victoria Alberty to present the "Adoptable Pet of the Month"

Victoria Alberty, of Waggin' Trails Rescue Foundation, introduced Karen, of Top Dog Barkery, and Eenie a lab/dachshund mix puppy and littermates. For more information, contact Top Dog Barkery in Pacific City. Victoria also announced their upcoming Wags and Wine event on May 3, 2020 - details at https://www.wagsnwine.com/

9. 20-1412 Mayor Semeta called on new Huntington Beach Fire Chief Scott Haberle for an official pinning ceremony

Fire Chief Scott Haberle introduced his wife Kathy, sons Gavin and Logan, and daughter Skyler who is away at college. Mrs. Haberle pinned the new Fire Chief with his badge.

10. 20-1431 Mayor Semeta called on Kenneth Inouye, President of the Orange County Human Relations Committee, to present its Annual Report

Minzak Malik, Vice President, Board of Directors, and Ken Inouye, President, shared details on programming that was available exclusively to Huntington Beach, including teaching respect, tolerance

and diversity in a school setting. He recognized Police Chief Robert Handy as the reason that hate crime numbers have declined. A commendation certificate was presented to Mayor Semeta.

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

#11 (20-1426) PowerPoint Communication entitled *Ascon Landfill Site Update* received from Assistant City Manager, Travis Hopkins.

#12 (20-1427) PowerPoint Communication entitled *Police Department Crime Update 2019* received from Chief Robert Handy.

Administrative Items

#24 (20-1400) Email communication regarding Orange County Housing Finance Trust Joint Powers Agreement.

#25 (20-1432) Three email communications regarding property acquisition of 17631 Cameron Lane.

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.

Jenny Braithwaite, member of Homeless United of Huntington Beach, was called to speak and supported Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT) and Agenda Item No. 25 (20-1432) regarding Purchase and Sale Agreement of real property located at 17631 Cameron Lane. (00:17:59)

Pat Goodman, longtime resident and member of Homeless United of Huntington Beach, was called to speak and supported Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT), and Agenda Item No. 25 (20-1432) regarding Purchase and Sale Agreement of real property located at 17631 Cameron Lane. (00:21:39)

Galen Pickett, member of Homeless United Huntington Beach, was called to speak and supported Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT) and Agenda Item No. 25 (20-1432) regarding Purchase and Sale Agreement of real property located at 17631 Cameron Lane. (00:23:12)

Debra Jacobs-Robinson was called to speak and shared her opinion regarding climate change and global warming, and the City's responsibility in the crisis. (00:25:14)

Natalie Moser, longtime resident, homeowner, and member of Homeless United Huntington Beach, was called to speak and stated support for Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT), and Agenda Item No. 25 (20-1432) regarding Purchase and Sale Agreement of real property located at 17631 Cameron Lane. (00:28:05)

Cheri Atkinson, member of Homeless United Huntington Beach, Community United Methodist Church, Clinical Social Worker and resident, was called to speak and expressed appreciation for City Council and their hard work. She described the services provided by Homeless United Huntington Beach (HUHB) through the all-volunteer organization comprised of Huntington Beach residents. (00:31:14)

Cari Swan was called to speak and stated opposition to Agenda Item No. 23 (20-1393) Ellis Avenue Condos. She also spoke in opposition of Community Choice Aggregation (CCA)/Community Choice Energy (CCE). (00:33:52)

Rob Pool was called to speak and expressed his opposition regarding Community Choice Energy (CCE). (00:37:01)

Brian Cleugh, longtime Huntington Beach resident, was called to speak and expressed concerns regarding the sale of the property and future development of Geisler Middle School and park. He emphasized the importance of the lighted fields to American Youth Soccer Organization (AYSO) and suggested something similar to how LeBard was developed. (00:41:03)

Shammy Dingus, longtime resident, was called to speak and stated support for Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT). (00:42:55)

John Bostick, longtime Huntington Beach resident, was called to speak and stated his support for Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT), and Agenda Item No. 25 (20-1432) regarding Purchase and Sale Agreement of real property located at 17631 Cameron Lane. (00:45:41)

Ann McCarthy, longtime resident and Regional Commissioner and volunteer for American Youth Soccer Organization (AYSO), Region 56, was called to speak and spoke regarding the plans to sell Geisler Middle School property and potential sale of another school. She emphasized the importance of the lighted fields to AYSO, and suggested that the City purchase a portion of the property, similar to LeBard. (00:47:55)

Tung Tran, Senior Director at Jamboree Housing, was called to speak and stated support for Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT). (00:50:54)

Adam Eliason, manager of the Orange County Housing Finance Trust (OCHFT), was called to speak and described their services, funding sources, and homelessness solutions. (00:54:12)

Steve Shepherd was called to speak and stated support for Agenda Item No. 23 (20-1393) Ellis Avenue Condos. He also expressed his support for the Community Choice Energy (CCE) vote from the previous meeting. (00:56:42)

Elizabeth Hansburg, Co-founder and Director of People for Housing Orange County, was called to speak and stated support for Agenda Item No. 23 (20-1393) Ellis Avenue Condos, and Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT). (00:58:53)

Kimberly Adams, representing Yes In My Backyard (YIMBY) Voice, CMA Barrios California YIMBY, was called to speak and stated support for Agenda Item No. 23 (20-1393) Ellis Avenue Condos. (01:00:11)

Jose Castaneda was called to speak and thanked City Council for their decision on Community Choice Energy (CCE), and expressed caution as there has been no feasibility study done yet. He spoke in support of Agenda Item No. 23 (20-1393) Ellis Avenue Condos, and Agenda Item No. 24 (20-1400) regarding Joint Exercise of Powers Membership in the OC Housing Finance Trust (OCHFT). (01:03:20)

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

Councilmember Posey reported that he spoke with members of the Huntington Beach Police Officers' Association (HBPOA), and attended a Southern California Association of Governments (SCAG) Community of Economic and Human Development meeting where a discussion was held regarding apartments that have affordable covenants in place that are expiring, and how to reintroduce them back into the affordable portfolio. He also commented on discussions regarding the potential to recover Regional Housing Needs Allocation (RHNA) credit, and will share additional information as it becomes available.

Councilmember Delgleize reported that as a member of the Southern California Edison (SCE) Safety Unit, she recommends that anyone who is reliant on electrical medical machines for oxygen or dialysis register directly with SCE.

Councilmember Carr reported attending a Youth Board meeting, and announced that Youth and Government Day is scheduled for March 17th. She reported attending a HB Council on Aging meeting, and discussed the success of their Valentine's lunch and dinner, as well as upcoming events in the community, and also reported speaking with members of the Huntington Beach Police Officers' Association (HBPOA).

CITY MANAGER'S REPORT

11. 20-1426 Ascon Landfill Site Update

Assistant City Manager, Travis Hopkins presented a PowerPoint communication titled: *Ascon Landfill Site Update, with slides entitled: Stormwater Management (2), Air Quality (3), Ascon Landfill Site Update, Technical Advisor,* and *Ascon Landfill Site Update.*

Councilmember Delgleize and Manager Hopkins discussed the schedule for completion pending receipt of permits from the Air Quality Management District (AQMD) and approval from Department of Toxic Substance Control (DTSC). Manager Hopkins advised that the community group has been working with a third party technical advisor to keep the residents informed, and that DTSC and ASCON have both committed to have a public community meeting prior to remediation.

Councilmember Carr and Mr. Hopkins discussed the upcoming Facebook Live event, and how the public will be able to submit questions. Acting Public Works Director Tom Herbel advised that they polled the community for the questions that will be answered during the event, and advised that they plans to have a one-on-one opportunity for the community to ask questions in the future.

12. 20-1427 Police Department 2019 Recap

Police Chief Handy presented a PowerPoint communication entitled: *Police Department Crime Update 2019* with slides titled: *2019 Part 1 Crimes, Numbers*, *2019 Part 1 Property Crime Breakdown*, *Burglaries in Huntington Beach*, *Larcenies in Huntington Beach*, *Larcenies Continued*, *Other Updates*, and *Questions*?

Councilmember Brenden thanked Chief Handy and asked if the Council could obtain a copy of the Power Point communication.

City Manager Chi requested to withdraw Consent Item #17 - Reducing Crime and Keeping California Safe Act 2020 Initiative, from the agenda as there were inquiries regarding factual accuracy of some of the language. The item will go before voters in November 2020 and is intended to address some of the consequences of AB109, Prop 47, and Prop 57. This item will be brought back for discussion in March.

CITY CLERK'S REPORT

13. 20-1398 Presentation on the Safe and Sane Fireworks Stand Application and Lottery Process for 2020

City Clerk Robin Estanislau presented a PowerPoint communication entitled: *Safe and Sane Fireworks Stand Application and Lottery Process 2020* with slides titled: *Application Period: March 1 through March 31*, *Civic Organizations* (5), *High School* (5), *Private High Schools*, *Youth Sports* (5), *Application/Lottery Process*(2), and *Questions*?

CONSENT CALENDAR

Councilmember Posey pulled Item 16 (20-1417), and Mayor Semeta pulled item No. 15 (20-1420) for further discussion.

14. 20-1372 Approved and Adopted Minutes

A motion was made by Peterson, second Brenden to approve and adopt the City Council/Public Financing Authority regular meeting, and Successor Agency special meeting minutes dated January 21, 2020, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

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

15. 20-1420 Received and filed the updated Huntington Beach City Council Manual 2020 digitally compiled to incorporate policy information previously adopted by resolution

Mayor Semeta pulled this item to ask City Clerk Estanislau to highlight the new Mayor's HB Excellence Award program to be included in the 2020 City Council Manual.

Clerk Estanislau displayed a slide that outlined the new award program.

A motion was made by Semeta, second Posey to receive and file the updated Huntington Beach City Council Manual 2020.

The motion carried by the following vote:

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

16. 20-1417 Received and filed the monthly status update on the 6th cycle Regional Housing Needs Assessment process

Councilmember Posey pulled this item to share his concern with the factual accuracy of the letter sent to SCAG, which was not signed by all seven (7) members of the City Council, and is hopeful that there is a robust appeals process to oppose this.

Mayor Semeta announced that a new Council Subcommittee consisting of herself, Mayor Pro Tem Hardy and Councilmember Brenden would be meeting for the first time the following day, and described how with input from staff, the City would carefully come up with an appropriate response challenging the recent RHNA assessment. She concurred with Councilmember Posey's call for a robust protest, and described her understanding of actions that led to the vote taken by Regional Council on the high number assessed for Huntington Beach, and her knowledge of methodology changes proposed by Mayors Bailey (Riverside) and Garcetti (Los Angeles).

A motion was made by Posey, second Semeta to receive and file the monthly status update on the 6th cycle Regional Housing Needs Assessment process

The motion carried by the following vote:

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

~~17.~~ 20-1397 ITEM WITHDRAWN FROM CONSIDERATION ~~Adopt Resolution Nos. 2020-11 and 2020-12 allowing the City Council to support the Reducing Crime and Keeping California Safe Act of 2020 initiative as recommended by the City Council Intergovernmental Relations Committee (IRC)~~

18. 20-1389 Approved and authorized execution of a five (5) year License Agreement with Southern California Edison (SCE), No. 9.3265 for public parkland located at Arevalos Park

A motion was made by Peterson, second Brenden to approve and authorize execution of a five (5) year License Agreement with Southern California Edison (SCE), No. 9.3265 for public parkland located at Arevalos Park

The motion carried by the following vote:

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

19. 20-1394 Approved and authorized execution of a Professional Services Contract with iKW Solutions Inc. for $193,010 for Oracle/JD Edwards Tools Software Upgrade and As Needed System Support Consulting Services

A motion was made by Peterson, second Brenden to approve and authorize execution of a Professional Services Contract with iKW Solutions Inc. for $193,010 for Oracle/JD Edwards Tools Software Upgrade and As Needed System Support Consulting Services

The motion carried by the following vote:

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

20. 19-1186 Approved Zoning Map Amendment (ZMA) No. 18-002 by adopting Ordinance No. 4191 to amend the zoning designation from CG (Commercial General) to RM (Residential Medium Density)
Approved for introduction February 3, 2020 - Vote: 7-0

A motion was made by Peterson, second Brenden to approve Zoning Map Amendment (ZMA) No. 18-002 by adopting Ordinance No. 4191 to amend the zoning designation from CG (Commercial General) to RM (Residential Medium Density).

The motion carried by the following vote:

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

21. 19-1288 Adopted Ordinance No. 4204 repealing Chapter 10.40.125 of the Huntington Beach Municipal Code regarding vehicles marked for sale on streets, as it is no longer legally valid
Approved for introduction February 3, 2020 - Vote: 7-0

A motion was made by Peterson, second Brenden to adopt Ordinance No. 4204 repealing Chapter 10.40.125 of the Huntington Beach Municipal Code regarding vehicles marked for sale on streets, as it is no longer legally valid.

The motion carried by the following vote:

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

PUBLIC HEARING

22. 20-1302 Approved Mitigated Negative Declaration No. 19-004, General Plan Amendment No. 19-002 by adopting Resolution No. 2020-03, Zoning Map Amendment No. 19-002 by approving for introduction Ordinance No. 4203, and Local Coastal Program Amendment No. 19-001 by adopting Resolution No. 2020-04 (Park Avenue Rezone)

PowerPoint communication was presented by Senior Planner Ricky Ramos entitled: *Park Ave. Rezone* with slides titled: *Project Site*, *Background*, *Request* (3), *Analysis*, *Recommendation* and *End*.

Mayor Pro Tem Hardy opened the Public Hearing.

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

#22 (20-1302) Two email communications regarding Park Avenue rezoning.

> PowerPoint communication entitled *Project Site* submitted by Senior Planner Ricky Ramos.

Mike Adams, Applicant, was called to speak and representing the property owner, Methat Rafael, described the history of the project and spoke in support of Agenda Item No. 22 – (20-1302) Park Avenue Rezone. (01:55:03)

John Scandura, Planning Commissioner, was called to speak and stated support for Agenda Item No. 22 – (20-1302) Park Avenue Rezone. (01:56:28)

Lindsay Puckett from Best, Best and Krieger law firm, attorney for applicant was called to speak and stated support for Agenda Item No. 22 – (20-1302) Park Avenue Rezone Agenda Item No. 23 (20-1393) Ellis Avenue Condos. (01:58:41)

There being no additional speakers, Mayor Semeta closed the Public Hearing.

Mayor Pro Tem Hardy expressed that it is unusual for her to support a zoning change such as this; however, hearing from the neighbors helped her understand this is the appropriate use for the land.

Councilmember Posey spoke in support of the project, as the property does not have a viable commercial use.

Mayor Semeta concurred with Councilmember Posey's comments.

A motion was made by Peterson, second Posey to approve Mitigated Negative Declaration No. 19-004 with findings (Attachment No. 1) and mitigation measures; and, approve General Plan Amendment No. 19-002 and adopt Resolution No. 2020-03, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 19-002" (Attachment No. 2); Zoning Map Amendment No. 19-002 with findings (Attachment No. 1) and, after the City Clerk reads by title, approve for introduction Ordinance No. 4203, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Property Located at the Terminus of Park Avenue in Huntington Harbour from OS-WR-CZ-FP2 (Open Space-Water Recreation - Coastal Zone Overlay - Floodplain Overlay) to RL-CZ-FP2 (Residential Low Density - Coastal Zone Overlay - Floodplain Overlay) (Zoning Map Amendment No. 19-002)" (Attachment No. 3); and Local Coastal Program No. 19-001 with findings (Attachment No. 1) and adopt Resolution No. 2020-04, "A Resolution of the City Council of the City of Huntington Beach Adopting Local Coastal Program

Amendment No. 19-001 and Requesting Certification by the California Coastal Commission" (Attachment No. 4).

The motion carried by the following vote:

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

23. 20-1393 Denial of Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 (Ellis Avenue Condos).

City Attorney Gates provided a brief overview explaining why the item was re-agendized at the appellant's request.

Associate Planner Nicolle Aube presented a PowerPoint communication entitled: *Ellis Avenue Condos* with slides titled: *Project Overview*, *Map, Project Description*, *Background*, *Californians for Homeownership v. City of Huntington Beach*, *Expert Reports*, and *Council Action*.

Mayor Semeta opened the Public Hearing.

Pursuant to the Brown "Open Meetings" Act, City Clerk Estanislau announced supplemental communications received by her office after distribution of the agenda packet:

#23 (20-1393) PowerPoint communication submitted by Director of Community Development, Ursula Luna-Reynosa, entitled *Ellis Avenue Condos*;

Two (2) communications from Matthew Gelfand, Counsel for the Californians for Homeownership; and

Seven (7) email communications.

Pamela McCay, registered nurse and longtime resident on Patterson Lane behind the project site, was called to speak and spoke in opposition to Agenda Item No. 23 (20-1393) Ellis Avenue Condos. She requested that City Council uphold their previous decision and expressed concerns regarding the current traffic congestion and her opinion that the proposed median on Ellis will prohibit Fire Department emergency service access, and new units would not be considered affordable. She added that the chemical smells and noise from the adjacent carwash extends throughout the neighborhood. (02:11:35)

Elizabeth Hansburg, Co-founder and Director of People for Housing Orange County, was called to speak and stated support for the project as it complies with code. She expressed concerns of housing shortage and the necessity for additional units at the middle-income level. She also supports joining the Orange County Housing Finance Trust (OCHFT), and working with Jamboree Housing. (02:14:30)

Kenneth Stahl, attorney for applicant Tahir Salim, and California Renters Legal Advocacy and Education Fund, was called to speak and stated support for the project, adding that the applicant has complied will all staff recommendations, General Plan, Zoning Code and Beach Edinger Corridor Specific Plan. (02:16:24)

Thomas Jeffries, property owner on Patterson Lane, was called to speak and spoke in opposition of the project due to traffic and safety concerns. (02:19:50)

John Scandura, Planning Commissioner, was called to speak and described the Planning Commission's concerns related to size, location and traffic. (02:22:04)

There being no additional speakers, Mayor Semeta closed the public hearing.

Mayor Pro Tem Hardy stated that she initially voted to deny the project in September 2019 due to fire and traffic safety concerns, and her concerns remain the same. In her opinion, the expert Traffic Report shows that the number, type and severity of accidents since the Elan development was constructed have increased, and added the mass and scale of this project makes it unsafe.

Councilmember Delgleize concurred with Mayor Pro Tem Hardy. She is concerned with fire and traffic safety and added that the intersection is already one of the worst within the City.

Councilmember Carr agreed with Councilmember Delgleize that the project is not safe and stated that housing is needed, but it needs to be safe, and this is not a NIMBY issue.

Councilmember Peterson thanked the City Attorney's Office for sharing documentation that affirmed the previous decision.

Councilmember Posey thanked the Planning Commission and City Attorney Gates, who all reinforced his decision.

Mayor Semeta concurred that the expert reports reaffirmed their previous decision.

A motion was made by Peterson, second Posey to deny Tentative Tract Map No. 18157 and Conditional Use Permit No. 17-042 with findings (Attachment No. 1).

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

24. 20-1400 Adopted Resolution No. 2020-13 related to the Joint Exercise of Powers for Membership in the Orange County Housing Finance Trust (OCHFT), and authorized the City Manager to execute the Orange County Housing Finance Trust Joint Powers Authority (JPA) Agreement

Community Development Director Ursula Luna-Reynosa provided a brief background for the item.

Councilmember Carr and Director Luna-Reynosa discussed membership fees.

Councilmember Posey and Director Luna-Reynosa discussed that a certified housing element is required to access funds in the Trust.

Councilmember Delgleize highlighted the history of the topic and the effect of AB 448.

Councilmember Peterson asked for the amount in the fund and expressed his lack of support for these organizations.

Mayor Semeta asked Adam Eliason, Manager of the Orange County Housing Finance Trust (OCHFT), to come forward. Mr. Eliason shared that OCHFT has existed for under one (1) year, and discussed notice of available funding with approximately $11.45 million dollars in combined State and County funds.

Councilmember Peterson and Mr. Eliason discussed multiple aspects of accessing funds.

Mayor Semeta and Mr. Eliason discussed requirements for funding recipients, including another local housing trust fund that is setup with a similar name combined with Orange County Business Council (OCBC) targeting private corporate dollars to come into Orange County. Mr. Eliason added that 22 cities in Orange County have joined the OCHFT.

Councilmember Delgleize shared that the County has agreed to pay the administration fees this year. Mr. Eliason shared that the State has already approved Prop 1 funding and the County has set aside funding for the next five years.

Councilmember Peterson and Director Luna-Reynosa discussed our chances for consideration if we don't have enough affordable housing. Director Luna-Reynosa expressed that location is important to remain competitive and Jamboree Housing has already assessed this location for eligibility.

A motion was made by Delgleize, second Posey to adopt Resolution No. 2020-13, "A Resolution of the City Council of the City of Huntington Beach Relating to the Joint Exercise of Powers for Membership in the Orange County Housing Finance Trust;" and, authorize the City Manager to execute the proposed Joint Powers Agreement to join the Orange County Housing Finance Trust.

The motion carried by the following vote:

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

25. 20-1432 Authorized and directed the City Manager/Executive Director to execute a Purchase and Sale Agreement, in a form approved by the City Attorney, for acquisition of real property located at 17631 Cameron Lane by and between the City of Huntington Beach and Shigeru Yamada, Trustee of the Shigeru Yamada Living Trust, and Mitsuru Yamada, Trustee of the Mitsuru Yamada Living Trust; Authorized and directed the City Manager to execute an Option Agreement, in a form approved by the City Attorney, to acquire real property located 17642 Beach Blvd. by and between the City of Huntington Beach and Shigeru Yamada, Trustee of the Shigeru Yamada Living Trust, and Mitsuru Yamada, Trustee of the Mitsuru Yamada Living Trust; and approved allocation of funds necessary to complete the transaction to acquire the property located at 17631 Cameron Lane

Director of Community Development Ursula Luna-Reynosa presented a PowerPoint communication entitled: *17361 Cameron Lane* PowerPoint with slides titled: *Properties* (1), *Deal Points* (1), *Funding Source* (1), *Next Steps* (1), and *Questions* (1)

Councilmember Peterson and Director Luna-Reynosa discussed the funding process.

Councilmember Carr and Director Luna-Reynosa discussed that the funds need to be encumbered prior to June 30, 2020, with a project timeframe of three (3) to five (5) years.

Mayor Pro Tem Hardy and Director Luna-Reynosa discussed how the City, as property owner, would be allowed to include additional parking for this site.

Councilmember Posey confirmed that the City Attorney's office would be involved in the due diligence regarding the property, and commended staff on their presentation of the project.

Councilmember Delgleize acknowledged the Yamada family for selecting the City to be the new property owner.

Councilmember Brenden reiterated the importance of keeping the funds in the City and the importance of City control. He concurred with Councilmember Posey regarding the necessity of due diligence of the City Attorney's office pertaining to development of this property.

Mayor Semeta concurred that keeping the funds in the City, as well as City control of the parcel is important.

A motion was made by Posey, second Delgleize to authorize and direct the City Manager/ Executive Director to execute a Purchase and Sale Agreement and any additional necessary documents to consummate the transaction, in a form approved by the City Attorney, by and between the City of Huntington Beach/ Housing Authority and Shigeru Yamada, Trustee of the Shigeru Yamada Living Trust, and Mitsuru Yamada, Trustee of the Mitsuru Yamada Living Trust to acquire the Property; and, authorize and direct the City Manager/ Executive Director to execute an Option Agreement, in a form approved by the City Attorney, by and between the City of Huntington Beach/ Housing Authority and Shigeru Yamada, Trustee of the Shigeru Yamada Living Trust, and Mitsuru Yamada, Trustee of the Mitsuru Yamada Living Trust to acquire the Option Property; and, appropriate funds of $3,250,000 from Fund 352 for acquisition of the Property.

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

26. 20-1421 Item Submitted by Councilmember Posey approved as amended - Direct The City Manager to return to Council with a resolution that institutes a Free Handicap Beach Parking Program

Councilmember Posey described his intent to become consistent with state law. He read language from a disabled parking placard, and while acknowledging that parking structures and beach parking lot restrictions may differ, requested support from Council to institute a program consistent with state law, and made a motion to approve the item.

Councilmember Hardy requested more information, and asked staff to report back.

Councilmember Peterson stated that the City is in compliance with ADA requirements and concurred that he would like staff to report back.

Councilmember Carr expressed that we should not be charging for blue zone parking as State law states ADA parking is free, and Councilmember Brenden concurred.

City Attorney Gates interjected that Councilmember Items have historically been for Council to vote on as an idea or suggestion, and to direct the City Manager to come back with a proposal.

Councilmember Posey revised his motion to direct the City Manager to compose a Resolution authorizing free parking in blue zones for handicap placards.

Councilmember Delgleize supported the new wording.

Councilmember Hardy requested more information to address logistics.

Mayor Semeta concurred with Councilmember Hardy regarding the need for more information regarding the use of handicap spots.

A motion was made by Posey, second Brenden to direct the City Manager to return with a resolution to institute parking program modifications that would allow those with a disabled parking placard to park for free in our beach parking lots located along PCH and our downtown parking structures.

The motion as amended carried by the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carr reported that she attended the Orange County Business Council (OCBC) 2020 Annual Dinner & Installation of Board of Directors featuring Keynote Speaker Richard Davis; the Buena Park Training Center Tour at Carpenters Training Center; the 10th Annual Love Grows by Giving - Waymakers Youth Shelter Fundraiser; the Grand Opening Ribbon Cutting of McKenna Subaru; and the HB Council on Aging Annual Valentine's dance at the Senior Center.

Councilmember Peterson attended the American Legion Post 133 pancake breakfast with new Fire Chief Haberle. They raised approximately $600 which goes directly to the Veterans Resource Center for local veterans.

Councilmember Hardy attended the 10th Annual Love Grows by Giving - Waymakers Youth Shelter Fundraiser; she thanked Oliver Chi for inviting her to assist him with his Boy Scout project, and attended the Huntington Beach Public Library Makerspace Grand Opening.

Councilmember Delgleize recognized the American Legion for their success with the Veterans Resource Center at Central Library.

Councilmember Posey reported attending the Orange County Business Council (OCBC) 2020 Annual Dinner & Installation of Board of Directors featuring Keynote Speaker Richard Davis.

Mayor Semeta reported attending Fire Chief David Segura's Retirement Celebration at City Hall; the 10th Annual Love Grows by Giving - Waymakers Youth Shelter Fundraiser; Girl Scout Silver Award Ceremony at Faith Lutheran Church for Mariana Swete, Christine Marin, Leanne Carr, Madeline Woolbright, and Angelina Wickstrom; speaking at the American Legion Post 133 meeting to provide a City update; attending Art for Lunch at the Art Center; and attending the McKenna Subaru Grand Opening Ribbon Cutting.

Councilmember Brenden reported attending Fire Chief David Segura's Retirement Celebration at City Hall; HB Council on Aging Annual Valentine's dance at the Senior Center; Huntington Beach Police Department Promotional Swearing In Ceremony for Sergeant Mike Thomas; the Buena Park State of the City luncheon; a Huntington Central Park Subcommittee meeting; Kathy Mays for a Cheryl Koman monthly event to provide a brief State of the City address; 10th Annual Love Grows by Giving - Waymakers Youth Shelter Fundraiser; McKenna Subaru Grand Opening Ribbon Cutting; playing in the Annual Golf Tournament for the Every 15 Minutes Organization; and, as a member of the Orange County Citizens Advisory Council, he presented a brief overview of the upcoming Census procedures.

Mayor Semeta congratulated the City Attorney's office on their successful defense verdict in the case of Maliek Rosier vs. the City of Huntington Beach, Federal Court Trial CV 18-2175.

ADJOURNMENT at **9:50 PM** to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, March 2, 2020, at 4:00 PM in the Council Chambers, 2000 Main St., Huntington Beach, CA.

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

Lyn Rose Semeta
Mayor/Chair