

Minutes

City Council/Public Financing Authority City of Huntington Beach

Monday, November 16, 2020
5:00 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

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

5:00 PM - COUNCIL CHAMBERS

CALLED TO ORDER — 5:00 PM

ROLL CALL

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)
— None

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit)
— 1 Call-In Speaker

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/>.

Michelle Peterson, a 17-year resident of Huntington Beach, was invited to speak and requested that City Council Chamber be opened for public speakers to make their comments in person, following proper COVID-19 public safety protocols. (00:00:36)

A motion was made by Brenden, second Posey, to recess to Closed Session for Items 1 – 2. With no objections the motion passed.

RECESSED TO CLOSED SESSION – 5:04 PM

CLOSED SESSION

- 1. 20-2024 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Jeffrey (Terrence) v. City of Huntington Beach, et al.; OCSC Case No.: 30-2020-01165156.**

- 2. 20-2025 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Brewster (Terri Lynn) v. City of Huntington Beach; OCSC Case No. 30-2020-01160094.**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:01 PM

ROLL CALL

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

PLEDGE OF ALLEGIANCE — Led by Councilmember Hardy

INVOCATION

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

- 3. 20-1916 Pastor Joe Pedick, Calvary Chapel of the Harbour**

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

- 4. 20-1988 Mayor Semeta presented a video of the Navigation Center Ribbon Cutting Ceremony held on November 2, 2020**

Mayor Semeta introduced the video and provided a brief overview of the construction timeline, and stated the facility expects to begin accepting clients on November 30. Mayor Semeta expressed appreciation to the County for their partnership on this project. Details related to the Navigation Center can be found at www.hbhomelessolutions.com.

- 5. 20-2028 Mayor Semeta presented the Mayor's HB Excellence Award to Sarah Whitecotton, Senior Accounting Technician, Department of Public Works**

Mayor Semeta introduced Sarah Whitecotton, who was selected for this award by her co-workers. Ms. Whitecotton was employed in 2015 as Administrative Secretary, was quickly promoted to Accounting Tech II, and in July 2019 was promoted to Senior Accounting Technician. She is a Teamsters Steward, active member of Team P.O.W.E.R. (Promoting Optimism With Enthusiasm and Recreation), and is pursuing her Bachelor's degree. Her fellow employees describe her as helpful, courteous, reliable, and someone who goes well beyond her job description to keep the Department of Public Works running smoothly, all with a humble attitude.

Sean Crumby, Director of Public Works, expressed appreciation for Sarah's positive attitude, and congratulated her for receiving the Mayor's HB Excellence Award.

Sarah thanked her incredible co-workers in the Engineering Department for helping to make her job so enjoyable. As a member of Team P.O.W.E.R she enjoys joining with other Team P.O.W.E.R. employees to provide "extra-curricular" opportunities to raise employee morale. She introduced her husband Rob, and expressed her appreciation for the acknowledgement.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Consent Calendar

#12 (20-2033) Email communication received from Susie Smith regarding the proposed interim extension of the temporary closure of the second and third blocks of Main Street.

Administrative Items

#17 (20-2029) Email communication providing the 4th of July Board 2017 audit paperwork received from Chris Young, Executive Board Member. (Note: Non-Attest Review of Financial and Operational Procedures was not received in a printable or downloadable format – Submitter notified).

#17 (20-2029) PowerPoint communication received from Chris Slama, Director of Community Services, titled *Fourth of July Celebration Management Proposal*.

Ordinances For Introduction

#18 (20-1978) Thirty-four (34) email communications received regarding proposed Ordinance No. 4224 (Short-Term Rentals):

Alison & Michelle Arvizu
Karen
Julie Kimmel
W. Marshall
Nicole Stuntz
Deb Vogel
Louise Wright
Bob & Sue Delmer
James & Patricia Brydon

Chuck Burns
Melinda Koppel
Kathryn Levassiur (10)
Anthony Nemel
Susan Tillou
George Vogel
Pat Dawson
Betty Elkins

Tod Fox
Alan Kornicks
Pat & Shelly Love
Steve Nguyen
Georgina Troxell
Greg Wagner
Pat Byers
Mark Hill

#18 (20-1978) PowerPoint communication received from Tess Nguyen, Associate Planner, titled *Short-Term Rentals*.

PUBLIC COMMENTS (3 Minute Time Limit) — 11 Call-In Speakers

The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas>.

Dave Sullivan, former Mayor and City Council member, was invited to speak and expressed his opposition to Administrative Item No. 17 (20-2029) regarding using an outside agency for planning the City's July 4th Celebration, rather than continuing to utilize the great team of volunteers who have provided outstanding celebrations for many years. (00:17:25)

Jim Hall, owner of Surf City Ale House on Main Street, was invited to speak and stated that he and John Tillotson, the owner of the property, are both in support of Item 12. (20-2033) regarding an Interim Extension of the Temporary Closure of the Second and Third Blocks of Main Street to Vehicular Traffic,

and recommended the extension go through at least Memorial Day 2021, with curfew until 10 PM on weekdays and 11 PM on weekends. (00:19:52)

Nate Bernal, a homeowner in Huntington Beach and partner in Baja Sharkeez Restaurant Group and Killarney's Irish Pub on Main Street, was invited to speak and asked the City Council to extend the hours of operation to midnight for patio spaces, and to permanently close Main Street to vehicular traffic. (00:21:54)

Sean Brady, Attorney with Michel & Associates, Long Beach, California, and 20-year resident of Huntington Beach, was invited to speak and asked City Council to resist Governor Newsom's unconstitutional and unlawful renewed efforts to shut down businesses in Huntington Beach. (00:23:47)

Caller #262, an anonymous Airbnb host in Huntington Beach, was invited to speak and stated her support for Item #18 (20-1978) regarding Introduction of Ordinance No. 4224 regulating Short-Term Rentals. (00:26:22)

Tom was invited to speak and stated his opinions and support for Item #18 (20-1978) regarding introduction of Ordinance No. 4224 regulating Short-Term Rentals. (00:27:16)

Caller #099, owner of a furnished Huntington Beach rental whose tenants stay from 30 days up to 9 months, was called to speak and asked that Item #18 (20-1978) regarding regulation of Short-Term Rentals, stipulate that hosts are required to live on the property, or an adjacent property, or the property be professionally managed (00:30:48)

Audrey, a resident of Huntington Beach and short-term rental host with a 2-bedroom condominium, was called to speak and stated her opposition to a stipulation that requires hosts to live on, or adjacent to, the rented property. (00:34:13)

Caller #401, Albert Levassiur, a resident and homeowner in Huntington Beach for over 21 years, and husband of the Founder of the Huntington Beach Short-Term Rental Alliance, Kathryn Levassiur, was invited to speak and stated his appreciation to everyone who had a part in creating Ordinance No. 4224 for Short-Term Rental regulation. (00:36:00)

Eric Silkenson, was invited to speak, and stated his support for Item No. 18 (20-1978) regarding introduction of Ordinance No. 4224 regulating Short-Term Rentals, and expressed his concern whether Code Enforcement is adequately staffed to actually enforce. He also stated his support for an extended closure of Main Street to vehicular traffic. (00:38:03)

Kathryn Levassiur, a resident of Huntington Beach and Founder of the Huntington Beach Short-Term Rental Alliance, was invited to speak and stated the Alliance's support for Item No. 18 (20-1978) regarding introduction of Ordinance No. 4224, thanked Council, City staff, and Lisa Wise Consulting for submitting a reasonable STR ordinance, as well as members of the public who submitted written statements. She encouraged support for including all existing STRs, and suggested this Ordinance be reviewed in a year to determine if any changes may be needed as real numbers will be available for analysis. (00:40:36)

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

Councilmember Delgleize reported attending an Orange County Transportation Authority (OCTA) South County Planning Committee meeting regarding such issues as Ortega Highway widening, extending Avenida de Pico to the County line, and new lanes at San Juan Creek Road.

Councilmember Posey reported the Southern California Association of Government (SCAG) Community Academic and Human Development (CAHD) Policy Committee met which included a Go Human presentation and campaign to bring vehicle driver attention to the safety of cyclists and pedestrians who may be sharing the road. He also thanked Mayor Semeta for getting him on the SCAG CAHD committee.

Mayor Semeta congratulated John Ehlenfeldt, Executive Vice President of Visit HB, for receiving the Chairman's Award from Meeting Professionals International (MPI), which is the largest world-wide meeting and event association. As a member of the MPI Board of Directors, he was acknowledged for his efforts in diversity, equity and inclusion, and for educating and holding professionals accountable.

Mayor Semeta reported that as a member of the Economic Development Committee, along with Mayor Pro Tem Carr and Councilmember Peterson, 2020 has been mostly focused on helping businesses survive COVID-19. However, a consultant was hired to collect data related to housing, retail and industrial activities in Huntington Beach to provide statistics which can be used for future economic development efforts to target new business and support the local economy.

CITY MANAGER'S REPORT

As a result of Governor Newsom's new COVID-19 restrictions announced just a few hours ago, City Manager Chi presented an unagendized PowerPoint communication entitled *City of Huntington Beach COVID-19 Update* with slides entitled: *Situational Update US Totals, Situational Update California, Situational Update Orange County (5), Changes Announced by the Governor Today Regarding the Blueprint for Safer Economy Guidelines, Effective 11/17/20, Shifting Operations from Red to Purple, School Impacts Based On New State Regulations, and Questions.*

Mayor Pro Tem Carr and City Manager Chi discussed another change Governor Newsom has implemented, per conversations with Orange County Health Department officials, that will allow for counties to move into a new tier more rapidly than in the past to allow for less restrictions when conditions improve.

Councilmember Delgleize confirmed with City Manager Chi that this information is in the process of being made available on the HBReady.com website, and the Call Center is available to answer questions.

CITY CLERK'S REPORT

6. 20-2002 Recognition of Award by California Revealed Initiative of the State Library to Digitize Archival Materials

City Clerk Robin Estanislau introduced the City's Archivist, Kathie Schey, who presented a PowerPoint communication entitled: *California Revealed Digitization, Preservation, On-Line Access* with slides titled: *Central Park and Library and "New" City Hall Complex, Last City Council Meeting in "Old" City Hall March 30, 1974, Downtown 1975, Bolsa Chica About 1947, Adventure Playground 1976, July 4th Parade, Independence Day Parade, and Next Steps.*

Mayor Semeta thanked Archivist Schey for the tremendous amount of time she volunteers to ensure that the City's history remains available to everyone.

CONSENT CALENDAR

Mayor Semeta pulled Item #11, Councilmember Peterson pulled Items #8, #12 and #15, and Councilmember Posey pulled Item #10 for further discussion.

7. 20-2008 Approved and Adopted Minutes

A motion was made by Posey, second Carr to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated November 2, 2020, and the City Council special meeting minutes dated November 5, 2020, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

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

8. 20-1970 Adopted Resolution No. 2020-75 modifying the salary of the elected City Clerk

Councilmember Peterson pulled the item to share his opinion that it is not appropriate to give an 11.5% raise in these economic times.

Councilmember Delgleize and City Clerk Estanislau discussed her appointment four years ago to the position, and the Council's resolution at that time to set her salary at the position's lowest level.

Councilmember Posey stated for the public's benefit that other elected department heads requested and were granted salary increases last year, and he commended City Clerk Estanislau for not joining that effort. He further stated that the amount being considered is immaterial to the General Fund budget, and therefore has his support.

Councilmember Hardy explained her thoughts and policies that have guided her through her years as a Councilmember, and considering she voted no to salary increases requested earlier in the year, she cannot support this request only due to the continued economic environment.

Councilmember Delgleize expressed understanding Councilmember Hardy's comments, and explained that she sees the City Clerk's office as being run very efficiently, and the service of processing passport applications which most cities do not offer, as additional reasons for supporting this item.

Councilmember Posey stated his appreciation for Councilmember Hardy's comments, and explained that City Clerk Estanislau made an exception for herself when she was appointed and requested her pay start at the bottom of the scale, and she didn't ask for an increase when other department heads did, so he still supports this item.

Mayor Pro Tem Carr, in stating her support for this item, commended City Clerk Estanislau for being a great boss as evidenced by the on-point responses of her well-trained staff, and explained that the only way an elected official can get a raise is to publicly ask for it.

Councilmember Brenden and City Manager Chi discussed that three options are available for consideration based upon the approved salary schedule. Councilmember Brenden expressed appreciation for City Clerk Estanislau's previous salary generosity when she accepted the appointment, explained that the increases he supported earlier in the year had been negotiated in good faith before COVID-19 arrived, but under the current economic uncertainty, he cannot support approving any raise.

Mayor Semeta explained her opinion that this position has been at the bottom of the scale for four years, and there is a fairness aspect in that other elected officials have already received salary increases, and stated support to move City Clerk Estanislau's salary to the middle tier.

A motion was made by Delgleize, second Carr to adopt Resolution No. 2020-75, "A Resolution of the City Council of the City of Huntington Beach Modifying the Salary for the Elected City Clerk," including Exhibit "A" - Exhibit 1 of the Non-Associated Executive Management Salary Schedule, Effective November 2, 2020.

The motion carried by the following vote:

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

9. 20-2004 Adopted Resolution No. 2020-76 approving the M2 Expenditure Report for the City of Huntington Beach to comply with Renewed Measure M2 funding eligibility as administered by the Orange County Transportation Authority (OCTA)

A motion was made by Posey, second Carr to adopt Resolution No. 2020-76, "A Resolution of the City Council of the City of Huntington Beach Concerning the Measure M2 Expenditure Report for the City of Huntington Beach."

The motion carried by the following vote:

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

10. 20-2011 Received and filed a status update on the 6th Cycle Regional Housing Needs Assessment (RHNA) process

Councilmember Posey pulled this item to discuss appeal expectations with City Attorney Gates.

A motion was made by Posey, second Brenden to receive and file the Regional Housing Needs Assessment process status update.

The motion carried by the following vote:

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

11. 20-2019 Approved one (1) appointment and two (2) reappointments to the Harbor Commission, as recommended by City Council Liaisons, Mayor Semeta and Councilmember Peterson

Mayor Semeta pulled this item to thank Mike Van Voorhis and John Ochs for agreeing to serve another term on the Harbor Commission, and to welcome Brian Griley, who is a long-time resident in Huntington Harbour, one of the first Junior Members of the Harbour Yacht Club, and a very active and generous donor to the Huntington Harbour Philharmonic which raises funds for children's music programs.

A motion was made by Semeta, second Peterson to approve the appointment of Brian Griley as a Member of the Harbor Commission through December 31, 2024; and, approve the re-appointment of John Ochs as a Member of the Harbor Commission through December 31, 2024; and, approve the re-appointment of Michael Van Voorhis as a Member of the Harbor Commission through December 31, 2024.

The motion carried by the following vote:

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

NOES: None

12. 20-2033 Approved an Interim Extension of the Temporary Closure of the Second and Third Blocks of Main Street to Vehicular Traffic Through February 28, 2021, to Allow Restaurants and Select Retail to Serve Patrons in the Public Right-of-Way

Councilmember Peterson pulled the item to state his support for having Second Block closed off, and opening up the Third Block to vehicular traffic.

Councilmember Brenden stated that in acknowledging the big hit that Main Street businesses have taken this year, he proposes extending Main Street closure to the end of 2021 to provide certainty and encourage business owners to make the extra investments for safe outdoor service. Adding his opinion that extending this item to the end of 2021 will provide more opportunity for greater capacity and an opportunity to make up for the losses incurred based on the positive feedback from the public and many of the impacted business owners, he made a motion to approve the item with the extended timeline.

Councilmember Hardy stated her support for an extended closure of the Second and Third Blocks of Main Street, and added her opinion that extending the time to the end of 2021 at this time does not allow for a proper discussion of the proposed extension. She therefore made a substitute motion to continue the item for further discussion to the meeting of December 21, or the first Council meeting in January.

Councilmember Posey stated his support for a substitute motion that includes staff consideration to extend the hours of operation to at least 11:00 pm.

Councilmember Brenden stated his support for a future discussion on extending hours of operation, and supports extending the temporary closure past February 28, 2021, in tonight's motion.

Mayor Pro Tem Carr stated support for having the new Council address this issue, including discussing a long-term vision for Downtown with a plan that will help those businesses be more successful.

Mayor Semeta and City Manager Chi discussed options for the Third Block where it appears that many businesses are not in favor of keeping that block closed to vehicular traffic.

The substitution motion made by Hardy was seconded by Delgleize to authorize the City Manager to continue the temporary closure of the second and third blocks of Main Street to vehicular traffic to accommodate outdoor dining and retail in the public right-of-way until February 28, 2021, **as amended to return to Council on December 21, 2020 to discuss extending temporary closure past February 28, 2021, the extension of dining hours, and long-term vision for the Downtown.**

The substitute motion carried by the following vote:

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

NOES: None

*Councilmember Peterson stated for the record his opposition to closure of the Third Block.

13. 20-1981 Accepted the lowest responsive and responsible bid and authorized execution of a construction contract with Golden State Constructors in the amount of \$845,925 for the Zone 3 Residential Curb Ramp Project, CC-1620; and, authorized appropriation of funds

A motion was made by Posey, second Carr to accept the lowest responsive and responsible bid submitted by Golden State Constructors in the amount of \$845,925; and, appropriate \$190,000 from the undesignated Measure "M" Fund (213) fund balance to Account 21390004.82300; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following vote:

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

NOES: None

14. 20-1982 Approved an increase in contingency for the Water Well No. 1A, Replacement Project of Well No. 1, CC-1495 by allocating additional funds of \$270,000

A motion was made by Posey, second Carr to approve an increase in contingency for the Water Well No. 1A, Replacement Project of Well No. 1, CC-1495, from ten percent (10%) to seventeen percent (17%), allocating an additional \$270,000.

The motion carried by the following vote:

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

NOES: None

15. 20-2027 Approved and authorized the Mayor and City Clerk to execute Professional Service Contracts with Dakota Communications and Barrios & Associates, LLC, for On-Call Public Affairs Services

Councilmember Peterson pulled the item to clarify why there is a need to contract with outside resources when the City currently employs a staff member with a degree in Public Relations. Manager Chi explained that there are terrific staff members that can handle a lot of the issues, but experience through this past year related to COVID-19 has demonstrated the need for enhancements moving ahead. Responding to COVID-19 has required much more social media interaction, as well as the production of more videos, setting up and maintaining multiple websites, and designing of information graphics. A lot of this has been done very well, but the intent of this item is to get approval for "on-call" contracts. This item will not remove responsibilities from current staff, but will provide additional support where needed.

Councilmember Hardy expressed her desire to see this as a Study Session item for proper discussion, rather than a Consent Calendar item, stating she cannot support this item tonight because a clear picture of the need, nor how these resources would be integrated with current staff and processes, has not been presented. She further stated that the Council needs to fully understand the PR process so they can react appropriately for the next incident.

Mayor Pro Tem Carr stated her opinion that this item is a way to expand options, and expressed her understanding that current staff will be a part of determining when these outside resources are utilized. She further stated that she sees this as an effort to secure expert resources to enhance the City's PR efforts and she supports this item.

Councilmember Brenden and City Manager Chi discussed specific details for the type of work these resources would provide, and Manager Chi explained there is staff with a terrific knowledge base and skill set, but the volume of work required on the PR front to meet Council and public expectations is such that it requires more tools and resources on an as-needed basis, which he feels is a better option than hiring more staff.

Councilmember Delgleize stated her appreciation for the outstanding job that staff has done and believes it is time for the City to become proactive, rather than reactive, regarding PR, and expressed her support for this item. She also confirmed with City Manager Chi further reporting or a Study Session on the improved PR processes and procedures for the benefit of the incoming Councilmembers.

Mayor Semeta explained that from her personal experiences this past year she understands "crisis communication" processes and procedures are critical, and suggested that if this item is approved, there be a follow-up report or Study Session outlining how the PR tools are to be used. Mayor Semeta also thanked Assistant to the City Manager Catherine Jun and Firefighter Paramedic Eric Blaska, who provided her with great PR support this past year.

Councilmember Posey summarized his support for the item and his belief it will allow the City to become PR proactive, and sees these companies as augmenting City staff and providing another level of expertise. He also stated his opinion of the importance to share at least a report that explains the PR function, process and procedures with the in-coming Councilmembers.

Councilmember Peterson and City Manager Chi discussed that funds for PR services provided by these resources could come from Public, Educational and Government (PEG) funds, or from the City Manager's operating budget, depending upon the specific project. There was also discussion on how to integrate new vendor expenses into the current pool of PEG resources.

A motion was made by Brenden, second Delgleize to approve and authorize the Mayor and City Clerk to execute "Professional Services Contract between the City of Huntington Beach and Dakota Communications"; and, approve and authorize the Mayor and City Clerk to execute "Professional Services Contract between the City of Huntington Beach and Barrios & Associates LLC."

The motion carried by the following vote:

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

**16. 20-2009 Adopted Ordinance No. 4221 to amend Section 2.76.010 of the Huntington Beach Municipal Code related to exclusions from competitive service (Fiscal Year 2020/21 Reorganization Plan in Response to COVID-19)
Approved for introduction November 2, 2020 - Vote: 7-0**

A motion was made by Posey, second Carr to adopt Ordinance No. 4221, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Amending Section 2.76.010 Thereof Related to Exclusions from the Competitive Service."

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

17. 20-2029 Approved Professional Services Contracts between the City of Huntington Beach and Soundkilz, Inc. for Production and Management of the Annual Fourth of July Celebration; and, between the City of Huntington Beach and Stacey Newton, Independent Contractor for Consultative Services for the Annual Fourth of July Celebration

City Manager Chi shared that the 4th of July Board has been focused on ways to improve the annual celebration, and introduced Director of Community Services Chris Slama who presented a PowerPoint communication entitled *Fourth of July Celebration Management Proposal* with slides titled: *4th of July Event Production History, Adjustments Made To Improve Operations, Contract Management Plan, Soundkilz, Inc. (Contractor), Stacey Newton (Consultant), 4th of July Event Finances, Fiscal Impacts From New Management Plan, Recommended Action and Questions.*

Councilmember Peterson, as a member of the evaluation team, thanked staff for the excellent process and presentation, and explained that during the RFQ process, Soundkilz, Inc. described their role as filling the talent agent position working with the 4th of July Board as the talent. Councilmember Peterson added that utilizing the history and skills of Consultant Stacey Newton to manage the Board and liaison with Contractor Soundkilz, is fundamental for a successful experience.

Councilmember Hardy and Director Slama discussed options and decision makers involved if COVID-19 impacts the 2021 4th of July celebration, and the fact that contractor representatives and consultant are expected to attend 4th of July Board meetings so everyone can be involved in the decisions made.

Councilmember Brenden stated his support for keeping the 4th of July Board in their leadership position, and his belief that Soundskilz will be an excellent resource for the Board. He confirmed with staff that there is a 30-day cancellation clause in both the contractor and consultant contracts in stating his support for this item.

Mayor Pro Tem Carr expressed concerns about the consultant selling sponsorships, and how to ensure that new sponsors maintain the existing brand. Councilmember Peterson explained that that specific issue was discussed during negotiations, and that the 4th of July Board and staff will manage control.

Councilmember Posey and Community Services Manager Chris Cole discussed that Pageantry Productions may still be involved if selected as a subcontractor by Soundskilz.

Councilmember Delgleize commended staff for the process and stated her support for their recommendations.

Mayor Semeta, as a member of the evaluating team, expressed her excitement for the synergy between the selected contractor and consultant, and stated her support for the item. She and staff further discussed the typical contract cancellation clause which is 30 day notice, for no cause, by either party.

A motion was made by Peterson, second Hardy to approve and authorize the Mayor and City Clerk to execute a "Professional Services Contract between the City of Huntington Beach and Soundskilz, Inc. for production and management service of the annual Fourth of July Celebration," and; approve and authorize the Mayor and City Clerk to execute a "Professional Services Contract between the City of Huntington Beach and Stacey Newton, Independent Contractor for consultation service of the annual Fourth of July Celebration."

The motion carried by the following vote:

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

ORDINANCES FOR INTRODUCTION

18. 20-1978 CONTINUED TO DECEMBER 21 Request to Approve for Introduction Ordinance No. 4224 amending the Huntington Beach Municipal Code by adding Chapter 5.120 (Short-Term Rentals)

City Manager Chi introduced Community Development Director Ursula Luna-Reynosa and Associate Planner Tess Nguyen who presented a PowerPoint communication entitled *Short-Term Rentals* with slides titled: *Background, STR Regulations, Types of STRs, Permitted Locations, STR Permit, Criteria for STRs, STR Key Provisions, STR Requirements, Postings, Hosting Platforms, Enforcement, Fiscal Impact (3), and Recommendation.*

Director Luna-Reynosa stated for the record that Lisa Wise Consulting did not prepare the ordinance, and thanked the City Attorney's Office for their timely assistance with that. Director Luna-Reynosa also explained that an ordinance has to exist before a fee schedule can be created, and that if this item is approved, a GIS layer will be created for the public's use to see the locations of permitted STRs within the City, including contact information. She also provided some details on how the process, if

approved, would affect Sunset Beach STRs, and noted that a service provider would be selected to handle the 24-hour hotline and some of the other required services.

A motion was made by Carr, second Posey, to continue the item to December 21, 2020. Mayor Pro Tem Carr and staff continued to discuss concerns related to the number of allowed STRs per property/parcel, Accessory Dwelling Units (ADUs), the responsibility of owners and guests for illegal activity, and support of hosting platforms for the City's regulations. City Attorney Michael Gates and Chief Assistant City Attorney Mike Vigliotta confirmed that the hosting platforms would be treated like any other business operating within the City in relation to City regulations.

Councilmember Delgleize and staff discussed some of the surveillance tools that are available to monitor noise levels and property activity, and the fact that the proposed ordinance does not require use of these types of equipment. Director Luna-Reynosa reviewed the process for owners to secure a permit which includes an application, and successful required inspections, before the permit would be issued, as well as the process for addressing neighbor complaints.

Councilmember Brenden expressed his appreciation to staff for the tremendous amount of effort required to reach this result, and discussed with Director Luna-Reynosa his concerns regarding owner rentals and number of STR permits allowed, the notification to adjacent properties for awareness, maximum occupancy, using percentages rather than hard numbers to determine allowable number of permits per housing project, hosts being able to hire out for a responsible contact, concerns expressed by some members of the public about having their personal phone number on published documents, annual renewals and required inspections, enforcement standards for illegal activity, enforcing hosting platform responsibilities, and potential fines.

Motion by Brenden, second Posey ...

Councilmember Posey confirmed with Director Luna-Reynosa that applicants need a Business License, and Transient Occupancy Certificate prior to receiving the STR permit, and annual inspections by the Fire Department. They also discussed the need for additional Code Enforcement employees, which was included in the budget, excessive noise will most likely be addressed in an upcoming noise ordinance, legality of stipulating renter's age requirement, fine amount regulated by State law, currently no ceiling on total number of permits, nor distance between STRs. The expectation is that this very restrictive program will be self-limiting.

The motion by Carr, second Posey to **continue to December 21, 2020** the introduction of Ordinance No. 4224, "An Ordinance of the City Council of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding Chapter 5.120, Regulating Short-Term Rentals" (Attachment 1) carried by the following vote:

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

19. 20-2030 Approved for Introduction Ordinance No. 4223 Amending Chapter 10.44 of the Huntington Beach Municipal Code Regarding Recreational Vehicles

City Manager Oliver Chi introduced Assistant City Manager Travis Hopkins who presented a PowerPoint communication entitled *City of Huntington Beach Recreational Vehicles*, with slides titled:

Parking of Recreational Vehicles, Proposed Modifications Municipal Code Section 140.44, Other Proposed Modifications Municipal Code Section 140.44, and Questions.

City Manager Chi also stated that Interim Chief of Police Julian Harvey and Lieutenant David Dereszynski were available to answer questions.

Councilmember Hardy stated support for this item and recommended there be no other changes made regarding recreational vehicles.

Councilmember Brenden suggested a wording change that describes vehicle owner residence to clarify that the owner must reside at the permitted address. He also suggested a Study Session be held to allow for a more thorough discussion, proposing to continue the item to a future meeting so that the introduction and potential adoption of the ordinance are addressed by the incoming Council. Additionally, he recommended Council consider an exemption for people with disabilities on the 20-foot vehicle length restriction.

Mayor Pro Tem Carr confirmed with staff that even with a parking permit, there is the 72-hour rule, and stated her support for the comments made by Councilmember Brenden regarding a vehicle length exemption for people with disabilities. City Attorney Michael Gates stated that there is another section of the ordinance that addresses that issue.

Councilmember Delgleize confirmed with staff that whomever has the parking permit must be the resident of that address, whether owner or renter. She also discussed changing time limits with staff, and there was consensus for not making any changes at this time.

Mayor Semeta asked for clarification on "in front of your property" vs "adjacent to your property". Assistant City Manager Hopkins explained this generally would relate to a corner parcel where the vehicle may be parked around the corner (by their side lot) rather than in front of the home. Chief Assistant City Attorney Vigliotta confirmed that the ordinance does state the Chief of Police has discretion over whether or not to issue any permit.

Councilmember Hardy stated her expectation that this would be a simple and straightforward ordinance that allows parking of less than 20 foot vehicles, and remove any other references to vehicles over 20 feet.

A motion was made by Brenden, second Posey to **continue for 60 days** the Introduction of Ordinance No. 4223, "An Ordinance of the City Council of the City of Huntington Beach amending Chapter 10.44 of the Huntington Beach Municipal Code regarding recreational vehicles."

A substitute motion was made by Hardy, second Carr to after the City Clerk reads by title, approve for Introduction Ordinance No. 4223, "An Ordinance of the City Council of the City of Huntington Beach amending Chapter 10.44 of the Huntington Beach Municipal Code regarding recreational vehicles." **as amended to approve new language as written in Section B only.**

City Manager Chi confirmed with Council their wish to approve the addition of Section B only, as written.

The substitute motion carried by the following vote:

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

NOES: Semeta, and Brenden

COUNCILMEMBER COMMENTS (Not Agendized)

Mayor Pro Tem Carr reported participating in the recent Chamber of Commerce State of the City where she shared what is anticipated for 2021, and she thanked Mayor Semeta for her cool and calm leadership during a very unique year. She also reported attending the Grand Opening for Wholesome by Yogurtland, a new concept being tested in Huntington Beach, and encouraged everyone to stop by the business located in the shopping center across the street from the Bella Terra.

Councilmember Brenden reported attending the much-needed satirical Election Day Luncheon hosted by the Orange County Business Council (OCBC), and shared a resident communication expressing appreciation for the City Council Candidate Interviews filmed by Videographer Matt Liffreing. He also congratulated the three newly elected Councilmembers Dan Kalmick, Natalie Moser and Tito Ortiz; and welcomed Interim Police Chief Julian Harvey. Councilmember Brenden described some things that the Police Department is doing to cut down on the number of loud vehicle noises from such things as modified exhaust, exhibition speed or intersection takeovers, and shared there have been 129 citations for these issues since January 1, 2020. He thanked Lt. Dereszynski and the entire Police Department for their focus on addressing these issues. He thanked Mayor Semeta for her moving Veterans Day speech, and wished everyone a Happy Thanksgiving even if it means creating new ways to share time with family and friends this year.

Councilmember Hardy reported attending the rededication of the remodeled Murdy Community Center, and the groundbreaking for the Edison Community Center remodel. She also expressed appreciation for the times during her time on Council she has been invited to sing the National Anthem.

Councilmember Posey reported attending the OCBS Election Day Luncheon, describing it as a fun way to end the election, and recommended looking online for Don Hanson's hilarious performance. He also attended the Murdy Community Center reopening ceremony, and reported that at a recent meeting of the Southern California Association of Government (SCAG) City Selection Committee, he was selected as Orange County's Voting Representative. He attended the Chamber of Commerce State of the City meeting and commended Mayor Semeta and Mayor Pro Tem Carr for their speeches.

Councilmember Delgleize expressed appreciation for being included in the Murdy Community Center Reopening and the opportunity to relive the days she used to take her kids to Murdy Park. She also thanked Mayor Semeta for her comments at this year's more intimate and much smaller Veterans Day Ceremony.

Mayor Semeta stated her appreciation for the recognition of her personal comments about the service of her various family members at the recent Veterans Day Ceremony. She reported welcoming participants in the first Operation Open Water event this year for first responders, veterans and surfers who paddled in from Catalina. She also welcomed participants in the recent modified Law Enforcement Torch Run for Special Olympics. She reported that Women Impacting Public Policy and the Small Business Saturday Coalition have coordinated an effort to designate Small Business Saturday on November 28 to encourage people to patronize local small businesses.

ADJOURNMENT — 10:01 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, December 7, 2020, at 6:00 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