

Minutes

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

Tuesday, May 3, 2022
5:30 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648
OR Virtual via Zoom Webinar

**A video recording of the 5:30 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/**

5:30 PM - COUNCIL CHAMBERS

CALLED TO ORDER — 5:30 PM

ROLL CALL

Present: Peterson, Bolton, Posey, Delgleize (via Zoom), Carr, Moser, and Kalmick
Absent: None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO CLOSED SESSION ITEMS (Received After Agenda Distribution) — None

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit)— None

A motion was made by Carr, second by Kalmick, to recess to Closed Session for Items 2 – 4. With no objections, the motion carried.

RECESSED TO CLOSED SESSION — 5:31 PM

CLOSED SESSION ANNOUNCEMENT(S)

1. 22-388 Mayor Pro Tem Posey Announced: Pursuant to Government Code § 54957.6., the City Council takes this opportunity to publicly introduce and identify labor negotiators: Sean Joyce, Interim City Manager; also in attendance: Brittany Mello, Director of Administrative Services, regarding the following: Surf City Lifeguard Employees' Association (SCLEA).

CLOSED SESSION

2. 22-385 CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: California Renters Legal Advocacy and Education Fund/THDT Investment, Inc. v. City of Huntington Beach; OCSC Case No.: 30-2020-01140855.

3. 22-386 **CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Californians for Homeownership, Inc. v. City of Huntington Beach; OCSC Case No. 30-2019-01107760.
4. 22-384 **CONFERENCE WITH LABOR NEGOTIATORS** (Gov. Code section 54957.6.) Agency designated representatives: Sean Joyce, Interim City Manager; also in attendance: Brittany Mello, Director of Administrative Services, regarding the following: Surf City Lifeguard Employees' Association (SCLEA).

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALLED TO ORDER A SPECIAL MEETING OF THE HOUSING AUTHORITY — 6:06 PM

ROLL CALL

Present: Peterson, Bolton, Posey, Delgleize (via Zoom), Carr, Moser, and Kalmick
Absent: None

PLEDGE OF ALLEGIANCE — Led by Councilmember Carr

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.

5. 22-312 **Kelly Frankiewicz of Leisure World Community Church, Seal Beach, and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

6. 22-372 **Mayor Pro Tem Posey called on Victoria Alberty who presented the Adoptable Pet of the Month**

Ms. Alberty introduced S.A.F.E. Rescue Team founder Markelle and 2-year-old Rita, a Yorkie/Poodle mix, and stated additional details can be found at <https://saferescueteam.org>. Markelle also announced there is a real need for foster families at this time.

7. 22-325 **Mayor Pro Tem Posey called on local resident and student athlete, Oscar Aranda III, a senior at St. John Bosco High School, to acknowledge him for his scholastic achievements and acceptance to West Point Academy in New York where he will wrestle Division 1**

Mayor Pro Tem Posey introduced Oscar, and acknowledged his success by being in the group of 10, out of 100 applicants actually accepted to West Point Academy. Oscar is one of 12 students accepted for the rigorous bio-medical pathway program, and maintained a 4.0 GPA while also participating in wrestling at St. John Bosco High School. Oscar is finishing his senior year with a 41-5 wrestling record, and ranks third overall in the state. At West Point Academy, he will join the Black Knights Wrestling Team at the NCAA Division 1 level.

Oscar shared that his parents always stressed the importance of academics, as well as doing something you love, which was wrestling for him. He expressed his gratitude for the recognition, and stated he plans to continue with his pre-med program to become a pediatrician.

Oscar was presented with a certificate of recognition on behalf of the Mayor and City Council.

8. 22-383 Mayor Pro Tem Posey proclaimed May as Older Americans Month and presented proclamations to Randy Pesqueira, Senior Supervisor at the Senior Center in Central Park and Judy Osuna, 2nd Vice President of the Huntington Beach Council on Aging

Mayor Pro Tem Posey introduced Randy Pesqueira and Judy Osuna.

Mr. Pesqueira announced the theme for 2022 Older American's Month is *Age My Way*, and described some of the opportunities to "Age My Way" offered at the Senior Center in the next several months.

Ms. Osuna thanked the Council for recognizing May is Older American's Month, and noted that additional details on programs for Huntington Beach seniors are available at hbcoa.org.

9. 22-389 Mayor Pro Tem Posey proclaimed May as National Bike Safety Month and presented a proclamation to Public Works Director Sean Crumby

Mayor Pro Tem Posey announced there are a number of great biking activities planned in Huntington Beach to celebrate National Bike Safety Month, and highlighted some of the recent projects to enhance safety for cyclists and pedestrians.

Mayor Pro Tem Posey introduced Public Works Director Sean Crumby, who described several events to be held in May to acknowledge National Bike Safety Month, and presented him with a proclamation from the Mayor and City Council.

Director Crumby invited the community to participate in a new survey for residents to share their ideas on future pedestrian and bike mobility options, including the beach path.

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:

Consent Calendar

#20 (22-360) Inter-Departmental Communication providing an updated Exhibit A for the first amendment to the license agreement with Bella Terra Associations, LLC for a Police

Substation at 7777 Edinger Avenue, Suite D-135 submitted by Ursula Luna-Reynosa,
Director of Community Development.

PUBLIC COMMENTS (3 Minute Time Limit) — 20 In-Person and 5 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>.

Sara Kazimi, Founder of Global Agriculture Development that is focused on building community outreach programs in Afghanistan, was called to speak and stated her support for legalized marijuana and cannabis product sales in Huntington Beach, and asked how she can use her skills and knowledge to assist the City in making this happen. Mayor Pro Tem Posey asked that Ms. Kazimi complete a blue card for staff follow-up. (00:36:03)

Arthur Estrada, resident of Skandia Mobile Home Park, was called to speak and thanked the Mobile Home Advisory Board for their support, and asked that City Council support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election. (00:38:41)

Cheri Auerbach, speaking on behalf of Carol Rohr, Skandia Mobile Home Park Homeowners Association President, was called to speak and thanked the Mobile Home Advisory Board for their support, and asked that City Council support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election. (00:41:10)

Mary Jo Baretich, a 39-year resident of Cabrillo Beachfront Village, was called to speak and thanked the Mobile Home Advisory Board for their support, and asked that City Council support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election. (00:43:19)

Douglas Taylor, a resident of Huntington Beach for most of his life, was called to speak and shared his opinions and experiences living and working in Huntington Beach, and asked for Council support related to potential out-of-control mobile home park rental increases. (00:45:52)

Jennifer Mulford, Skandia Mobile Home Park owner, was called to speak and thanked the Mobile Home Advisory Board for their majority support, and asked that City Council support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election. (00:49:19)

Patricia Taylor, a resident of Rancho Huntington for 28 years, was called to speak and thanked the Mobile Home Advisory Board for their support, and asked that City Council support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election. (00:51:06)

Tim Geddes, a long-time resident, homeowner and At-Large Member of the Mobile Home Advisory Board (MHAB), was called to speak, and speaking as an individual noted MHAB majority support and asked that City Council also support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election. (00:53:25)

Amory Hanson, a Candidate for City Council in 2022 and member of the Historic Resources Board, was called to speak and stated his support for the appointment of Donald Ramsey to the Huntington Beach Fourth of July Executive Board. (00:55:51)

Stephanie Harrison, caregiver for her father-in-law, a resident of Beachwalk, was called to speak and shared her concerns and experiences related to the coyotes running around Downtown and creating unsafe conditions for children, people and their pets, and asked that the City follow their Coyote Management Plan to make public spaces safer. (00:56:17)

Maureen was called to speak and repeated her concerns and experiences in dealing with the green poles placed on Delaware Street that she believes has created a hazardous situation, especially for the area residents. Maureen asked why affected residents were not included during the planning for this project. (00:59:14)

Pano Frousiakis, a Candidate for City Council in 2022, was called to speak and shared his opposition to a Charter Review Commission recommendation that the positions of City Attorney, City Clerk and Treasurer become appointed rather than allowing the citizens to elect these representatives. He also stated his concerns about the growing coyote problem and asked that the Coyote Management Plan be expanded to include a mobile task force of animal control experts to proactively help protect children and pets. (01:03:01)

Rina Zaide was called to speak and shared her experience of recently losing a dog because of a coyote attack in her back yard, and asked Council for a plan of action to control coyotes, and that plan be announced to the public by May 15, 2022. (01:06:14)

Pamela Martin, a five-year resident of Huntington Beach, was called to speak and shared her experiences with her Yorkies related to coyotes, and asked that the Coyote Management Plan be fully implemented to control the growing local coyote population. (01:08:37)

Kristoffer Karas was called to speak and shared his support for the comments already made regarding the coyote problem, and noted the need for action since a child was attacked. (01:09:50)

Scotty Lundstrom, a resident since 1985, was called to speak and asked if there could be more cameras, and more Police Officers, in an effort to catch those stealing e-bikes in Huntington Beach. He further asked for the City's assistance in graffiti removal so that Huntington Beach does not look like parts of Santa Ana. (01:10:51)

Edward Ryan was called to speak and suggested spraying peppermint oil and/or ammonia on property fence tops may help keep coyotes away, and noted that coyotes are routinely going through his property. (01:13:13)

Roger Noor was called to speak and shared his personal unsatisfactory experience with the Huntington Beach Police Department regarding a towed vehicle, and asked that Council set up a Police Oversight Committee. (01:14:44)

Suzan Neil, Skandia Mobile Home Park homeowner, was called to speak and shared recent discussions with Councilmembers who refuse to support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election, and who

suggested that Skandia homeowners focus their efforts on negotiating with the new owners. Ms. Neil stated her opinion that public Council support could help create a win-win situation. (01:17:55)

Byron Costa was called to speak and shared his support for his friend who is dealing with Huntington Beach Police Department regarding a towed vehicle, and shared his opinions related to the State's towing laws. (01:19:52)

Caller Allison Plum, a homeowner in Del Mar Estates Mobile Home Park, and Member of the Mobile Home Advisory Board (MHAB), was invited to speak and asked that City Council support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election. (01:22:23)

Caller Paul was invited to speak and shared his opinion that over the last 40 years it appears that property has become more important than people to most politicians, from the federal level all the way down to the local municipality. (01:25:03)

Caller Ada Hand, a resident of Del Mar Estates Mobile Home Park, was invited to speak and stated her support for a City Council Study Session with mobile home experts. Ms. Hand also noted that in January the Mobile Home Advisory Board (MHAB) passed a motion in support of funding an independent comprehensive market study of current mobile home costs as well as costs of living, to update the report last completed in 2002, and asked about the status of the updated report. (01:26:45)

Caller Wilson Truong, speaking on behalf of the California Mortgage Relief Program that is managed by the California Homeowner Relief Corporation and is part of the California Housing Finance Authority, was invited to speak and shared that there is an emergency program that can provide up to \$8,000 for eligible homeowners. All details are available at camortgagerelief.org. (01:28:22)

Caller Barbara King, a resident of Del Mar Estates Mobile Home Park, was invited to speak and asked that City Council support a carve out to City Charter Section 803 for a Rent Stabilization Ordinance to be voted on by the residents in the November 2022 election. (01:29:13)

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

Councilmember Kalmick reported attending meetings of the West Orange County Water Board; Communications Committee; League of California Cities Community Services Committee; and Orange County Power Authority (OCPA) on behalf of Mayor Pro Tem Posey.

Councilmember Moser reported attending meetings of the Communications Committee; West Orange County Water Board; League of California Cities event on homelessness; Human Relations Committee Day of Dialogue; Homeless Task Force; Youth Board, and Youth In Government Day; and Huntington Beach Central Park Collaborative and ribbon cutting for Central Park West elevated path.

Councilmember Carr reported attending the Youth in Government Day sponsored by the Youth Board, and announced new applicants are being considered now; meetings of the Mobile Home Advisory Board; Greater Huntington Beach Interfaith Council Iftar dinner; Huntington Beach State of the County; Retiring Offshore Rigs Decommissioning Workshop to Clear the Horizon; Glenview Park Ribbon Cutting; and Huntington Beach Council on Aging Volunteer Recognition event.

Councilmember Bolton reported participating in the Youth in Government Day; meetings with the League of California Cities Orange County Legislative and Regulatory Committee; Specific Events Committee; Historic Resources Board; and a meeting with the Huntington Beach Police Officers' Association (HBPOA).

Mayor Pro Tem Posey reported attending a meeting of the Orange County Council of Governments (OCCOG).

CITY MANAGER'S REPORT

Interim City Manager Sean Joyce shared information on the City's efforts to remediate graffiti in response to a public speaker's concerns; Manager Joyce educated the public on the Council's limited ability to engage in dialogue with public speakers during the Public Comments portion of the meeting; and in response to a recent coyote attack at the City Beach involving an infant, Manager Joyce announced there will be an upcoming public town hall meeting in the next week or two.

Police Captain Svendsbo arranged for Rebecca Barbosa of the California Department of Fish and Wildlife, to share a presentation entitled *Coyotes in Southern California* with slides titled: *Identification and Biology, Breeding, Space Use and Food Habits, Coyote Home Range, Coyote Diet, NPS Coyote Diet Study, Behavior Around Humans, Recognizing Problem Coyote Behavior, Coyote Conflict Management Exclusion, Hazing and Behavior Modification, Habitat Management; Pet Management (2), Pet Management - Livestock, Never Feed Coyotes, Responding to Coyote Aggression and Attack (2), CDFW Relocation Policy, Coyote Removal, Coyote Management, and Wildlife Watch.*

CITY TREASURER'S REPORT

10. 22-160 Received and Filed the City Treasurer's March 2022 Quarterly Investment Summary Report

City Treasurer Alisa Backstrom presented a PowerPoint communication entitled *Quarterly Investment Report* with slides titled: *Investment Portfolio - Summary, Investment Portfolio - Investments by Type, Investment Portfolio - Quarterly Activity (Jan-March), Investment Portfolio - Earnings, Interest Rates - US Treasury Rates, Selected Investment Policy Compliance Requirements, and Summary.*

Mayor Pro Tem Posey commended City Treasurer Backstrom for successfully maintaining liquidity and minimizing risk while still making money for the taxpayers within the constraints that exist, and providing understandable and clear reports.

A motion was made by Carr, second Moser to receive and file the City Treasurer's Quarterly Investment Report for March 2022, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

CONSENT CALENDAR

Councilmember Moser pulled Item #12 for further discussion.

11. 22-374 Approved and Adopted Minutes

A motion was made by Kalmick, second Carr to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated April 19, 2022.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

12. 22-378 Approved as amended appointments and reappointments to the Fourth of July Executive Board with terms set to expire in 2023 and 2025

Councilmember Moser stated her excitement at seeing more people added to the Fourth of July Executive Board, and after much consideration, she decided to pull this item because she cannot support the reappointment of Mr. Chris Young. Councilmember Moser described recent social media comments made by Mr. Young to support her opinion that he has recently, and regularly, violated the City's Code of Ethics, which he signed and agreed to in January 2018.

A motion was made by Moser, second Kalmick to as recommended by City Council Member Liaisons Peterson and Moser, approve the reappointment of Andi Kowal, Pat Love, Karen Pederson, and Linda Vircks, and the appointment of Lisa Marie Moreo and Don Ramsey to the Fourth of July Executive Board with terms to expire September 30, 2023; and, as recommended by City Council Member Liaisons Peterson and Moser, approve the appointment of Paul Simonds, Shannon Smith, Allison Stevens, Floreal Taboada, and Ryan Van Tuyl to the Fourth of July Executive Board with terms to expire September 30, 2025, ***as amended to deny the reappointment of Chris Young.***

Councilmember Peterson shared his opinion that people do not always appropriately control themselves, and he sees the amended action being used to shut down someone with a differing opinion. Councilmember Peterson asked if there was any attempt to discuss the situation with Mr. Young, and/or the Fourth of July Board Chair, before arbitrarily shutting down a productive member of this Board.

A substitute motion made by Peterson to as recommended by City Council Member Liaisons Peterson and Moser, approve the reappointment of Andi Kowal, Pat Love, Karen Pederson, Linda Vircks, and Chris Young and the appointment of Lisa Marie Moreo and Don Ramsey to the Fourth of July Executive Board with terms to expire September 30, 2023; and, as recommended by City Council Member Liaisons Peterson and Moser, approve the appointment of Paul Simonds, Shannon Smith, Allison Stevens, Floreal Taboada, and Ryan Van Tuyl to the Fourth of July Executive Board with terms to expire September 30, 2025. The substitute motion failed due to lack of a second.

The original motion as amended carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: Peterson on record as a no to deny the reappointment of Chris Young

13. 22-353 Adopted Resolution 2022-21 adopting a list of projects for Fiscal Year 2022/23 fund by SB 1: The Road Repair and Accountability Act of 2017

A motion was made by Kalmick, second Carr to adopt Resolution 2022-21, "A Resolution of the City Council of the City of Huntington Beach Adopting a List of Projects for Fiscal Year 2022/23 Funded by SB 1: The Road Repair and Accountability Act of 2017."

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

14. 22-323 Approved and accepted Public Improvements for the Slater Storm Water Pump Station and release the Securities posted with Tract 15377

A motion was made by Kalmick, second Carr to accept the improvements constructed to the Slater Storm Water Pump Station with Tract 15377 (Attachment 1) and instruct the City Clerk to record the "Notice of Acceptance of Public Improvements" (Attachment 2) with the Orange County Recorder; and, release the Faithful Performance Bond No. 0195161, Labor and Materials Bond No. 0195161, pursuant to the California Government Code Section No. 66499.7(a); and, accept Guarantee and Warranty Bond No. 0195161M (Attachment 3): the security furnished for guarantee and warranty of public improvements, and instruct the City Clerk to file the bond with the City Treasurer; and, instruct the City Clerk to notify Shea Homes Limited Partnership, the subdivider of Tract No. 15377, and the City Treasurer to notify Berkley Insurance Company of these actions.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

15. 22-359 Approved sole source purchases of an L3 Wescam IR camera, Aerocomputers moving map system, and Technisonic aviation radio for the Huntington Beach Police Department (HBPd) Aero Unit

A motion was made by Kalmick, second Carr to approve Sole Source purchase of L3 Wescam IR camera, Aerocomputers moving map system, and Technisonic aviation radio; and, appropriate \$1.4 million in the Equipment Replacement Fund (Fund 324) to replace the damaged helicopter and equipment.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

16. 22-332 Accepted bid and authorized the Mayor and City Clerk's execution of a construction contract with Ferreira Construction Co., Inc., dba Ferreira Coastal Construction Co., in the amount of \$109,021 for the construction of Fiber Optic Communications from City Hall to the Utility Yard, CC-1646, and authorized change orders not to exceed 15 percent.

A motion was made by Kalmick, second Carr to accept the lowest responsive and responsible bid submitted by Ferreira Construction Co. Inc., dba Ferreira Costal Construction Co., in the amount of \$109,021; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and, authorize the Director of Public Works to execute change orders not to exceed a total of 15 percent of the contract construction costs, or \$16,353.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

17. 22-352 Accepted bid and authorized execution of a construction contract with Asplundh Construction, LLC, in the amount of \$696,776 for the construction of the Street Lighting Modification Project on Orange Avenue (CC-1612) and Crest Avenue (CC-1644), and authorize change orders not to exceed 15 percent

A motion was made by Kalmick, second Carr to accept the lowest responsive and responsible bid submitted by Asplundh Construction, LLC, in the amount of \$696,776; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and, authorize the Director of Public Works to execute change orders not to exceed a total of 15 percent of the contract construction costs, or \$104,516.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

18. 22-365 Accepted the lowest responsive and responsible bid, approved appropriations and authorized execution of a construction contract with Orion Construction Corporation in the amount of \$747,000 and appropriate funds for the McCallen Storm Drain Trash Removal Project CC-1588.

A motion was made by Kalmick, second Carr to accept the lowest responsive and responsible bid submitted by Orion Construction Corporation in the amount of \$747,000; and appropriate \$161,100 in additional funding from the Drainage Fund to account 21185201.82500; 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: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

19. 22-363 Authorized additional contingency and appropriated funds for the Zone 5 Residential Overlay Project, CC-1638

A motion was made by Kalmick, second Carr to authorize a 20% contingency for the Zone 5 Residential Overlay Project, CC-1638; and, appropriate \$266,000 from the undesignated Measure M fund balance to account 21390002.82300.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

20. 22-360 Approved and authorized a First Amendment to the License Agreement with Bella Terra Associates, LLC for a Police Substation at 7777 Edinger Avenue, Suite D-135

A motion was made by Kalmick, second Carr to approve and authorize the Mayor and City Clerk to execute the "Amendment to License Agreement - Bella Terra" for use of real property located at 7777 Edinger Avenue, Suite D-135 by the Police Department for the Bella Terra Substation.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

21. 22-364 Approved and authorized execution of a three-year Professional Service Contract with Davis Farr LLP in the amount of \$156,076 to perform financial audit services

A motion was made by Kalmick, second Carr to approve and authorize the Mayor and City Clerk to execute the "Professional Services Contract Between the City of Huntington Beach and Davis Farr LLP for Financial Audit Services."

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

22. 22-369 Approved and authorized execution of a Density Bonus and Affordable Housing Agreement with S.G.V. Property Fund LLC for the 18-unit townhome project located at 17532 Cameron Lane

A motion was made by Kalmick, second Carr to approve the "Density Bonus and Affordable Housing Agreement for 17532 Cameron Lane, Huntington Beach, by and between the City of Huntington Beach, a California Municipal Corporation and S.G.V. Property Fund LLC, a Limited Liability Corporation," for the development an 18-unit townhome project; and, authorize the City Manager or their designee to implement and execute the Density Bonus and Affordable Housing Agreement for the Project, including all necessary related documents; and authorize the Executive Director or their designee to execute all necessary implementing agreements and related documents.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

23. 22-376 Approved and authorized the execution of the Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800-Megahertz Countywide Coordinated Communications System

A motion was made by Kalmick, second Carr to approve and authorize the Mayor and City Clerk to execute the "Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800-Megahertz Countywide Coordinated Communications System."

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

Mayor Pro Tem Posey and Council requested to hear Administrative Item No. 26 before the Public Hearing portion of the agenda. Documented action for Administrative Item No. 26 remains listed in the originally agendized order.

PUBLIC HEARING

24. 22-373 Public Hearing held; accepted the Five-Year Economic Development Subsidy Report for Surf City Auto Group II, Inc. Sales Tax Sharing Agreement

Ursula Luna-Reynosa Director of Community Development introduced Economic Development Manager Kriss Casanova who presented a PowerPoint communication entitled *Five-Year Economic Development Subsidy Report Pursuant to Government Code Section 53083* with slides entitled: *Background, AB 562 - Section 53083, 5 Year Report - Key Points, New Stand-Alone Jeep Dealership, and Questions.*

Mayor Pro Tem Posey opened the Public Hearing.

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

Public Hearing

#24 (22-373) PowerPoint presentation entitled *Five-Year Economic Development Subsidy Report Pursuant to Government Code Section 53803* submitted by Ursula Luna-Reynosa, Director of Community Development.

City Clerk Estanislau announced there were no public speakers.

Mayor Pro Tem Posey closed the Public Hearing.

Mayor Pro Tem Posey noted the incredible sales generated by Surf City Auto Group, including sales in other states.

A motion was made by Peterson, second Kalmick to open the public hearing and receive written and oral testimony; and, receive and file the "Five-Year Economic Development Subsidy Report Pursuant to California Government Code Section 53083 for a Sales Tax Sharing Agreement by and Between the City

of Huntington Beach and Surf City Auto Group II, Inc.," in compliance with Government Code Section 53083.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

ADMINISTRATIVE PUBLIC HEARING

25. 22-368 Conducted Public Hearing for the 2022 Annual Weed Abatement Program and authorized the Director of Public Works to proceed with abatement

Director of Community Development Ursula Luna-Reynosa introduced Code Enforcement Supervisor Jimmy Hoang who presented a PowerPoint communication entitled *Annual Weed Abatement Public Hearing* with slides titled: *Program Timeline (4)*, and *Questions*.

Mayor Pro Tem Posey and Supervisor Hoang discussed that the same properties usually appear on this list year after year, however, this year's list of 104 parcels is a bit smaller than last year's 128 parcels, mainly because some vacant properties are now being developed.

Mayor Pro Tem Posey opened the Administrative Public Hearing.

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communication that was received by her office for this Administrative Public Hearing after distribution of the Agenda packet:

Administrative Public Hearing

#25 (22-368) PowerPoint presentation entitled *Annual Weed Abatement Public Hearing* submitted by Ursula Luna-Reynosa, Director of Community Development.

Administrative Public Hearing Public Speakers — 1

An unnamed public speaker stated that as a new landowner they received a notice, and noted they do not see "weeds" on their property. She asked who determines what weeds are. Mayor Pro Tem Posey asked this individual to complete a blue card so that staff can follow-up.

Mayor Pro Tem Posey closed the Administrative Public Hearing.

A motion was made by Kalmick, second Carr to open a public hearing for any objections to the proposed removal of weeds and rubbish; and, authorize the Director of Public Works to proceed with the abatement of the nuisance.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

ADMINISTRATIVE ITEMS

26. 22-380 Adopted Resolution No. 2022-25 to appoint Alfred Zelinka as City Manager and approve the Employment Agreement; adopted Resolution No. 2022-24 amending the Non-Associated Appointed Executive Management pay schedule to update the compensation range for the City Manager

Mayor Delgleize briefly described the importance of the City Manager's position, the process Council used to fill the vacancy, and announced the recommendation to appoint candidate Alfred Zelinka as City Manager.

Director of Administrative Services Brittany Mello reviewed in detail the process to fill the position of City Manager.

Interim City Manager Sean Joyce thanked Director Mello for her support throughout the process; David Morgan of Ralph Anderson & Associates for finding highly-qualified candidates and working so well with the Subcommittee; and the City Attorney's Office for quickly reviewing the submitted Employment Contract.

Each Councilmember thanked Interim City Manager Joyce and greeted newly appointed City Manager Zelinka.

Mayor Pro Tem Posey invited Mr. Zelinka to the podium where he introduced himself and shared his excitement at the prospect of working to create great things for Huntington Beach.

A motion was made by Delgleize, second Peterson to review and consider the proposed City Manager employment agreement, and if appropriate, adopt Resolution No. 2022-25, "A Resolution of the City Council of the City of Huntington Beach Appointing Alfred Zelinka as City Manager;" and adopt Resolution No. 2022-24, "A Resolution of the City Council of the City of Huntington Beach Modifying the Non-Elected Non-Represented Employees Pay Schedule to Amend the Compensation for the City Manager."

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

ORDINANCES FOR INTRODUCTION

27. 22-337 Adopted Uncodified Police Equipment Use Policy Emergency Ordinance No. 4254 and approved for introduction Uncodified Police Equipment Use Policy Ordinance No. 4255 consistent with Assembly Bill No. 481 and making a Finding of Exemption under CEQA

5 Affirmative Votes are required to adopt Emergency Ordinance No. 4254 per City Charter Section 501

Police Chief Parra explained the Police Equipment program, and introduced Captain Bo Svendsbo who described the 13 types of equipment purchased through this program: 1) Unmanned Aircraft Systems, commonly known as drones; 2) Robots, remotely controlled machines that operate on the ground; 3)

Armored Rescue Vehicles, wheeled vehicles specifically designed for civilian law enforcement; 4) Mobile Command Post Vehicle; 5) Mobile Crisis Negotiation Team Vehicle; 6) Long-Range Acoustic Device (L-RAD); 7) 40 mm Launchers and Rounds; 8) 40 mm Tactical Launching Cup; 9) Noise/Flash Diversionary Devices; 10) Rifles; 11) Chemical Agents and Smoke Canisters; 12) Explosive Breaching Tools; and 13) Pepper Ball Launchers and Projectiles.

Each Councilmember thanked Chief Parra and Police Department staff for taking the time for such a thorough report, and noted this equipment is important for efficiency, community and officer safety, and large event control. It was also confirmed that none of the equipment covered by this ordinance came from, or had been previously used by the military, in spite of the Ordinance title.

Interim City Manager Joyce noted for the record that the Police Department held several "show and tell" meetings for Councilmembers to ensure there were never more than a quorum present at any meeting.

A motion was made by Peterson, second Kalmick to, after City Clerk reads by title, adopt Uncodified Police Equipment Use Policy Emergency Ordinance 4254, "An Emergency Ordinance of the City Council of the City of Huntington Beach Adopting a Military Equipment Use Policy Consistent With Assembly Bill No. 481, and Making a Finding of Exemption Under CEQA"; and, approve for introduction Uncodified Police Equipment Use Policy Ordinance 4255, "An Ordinance of the City Council of the City of Huntington Beach Adopting a Military Equipment Use Policy Consistent With Assembly Bill No. 481, and Making a Finding of Exemption Under CEQA."

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carr invited everyone to the Greater Huntington Beach Interfaith Council's Community Day of Prayer on Thursday, May 5, 7:45 – 9:15 AM, at Community Methodist Church. She also announced the Orange County Sanitation District, Orange County Sand Wastewater 101 Kickoff Citizen's Academy on Thursday, May 12, which requires pre-registration, and stated that all the details are available at ocsand.gov.

Councilmember Moser acknowledged the successful Greater Huntington Beach Interfaith Council's Community Day of Service on April 23 with eight projects throughout the area; reported attending the Fine Wine Tasting Fundraiser for the Sunset Beach Community Association; announced the 54th Annual Sunset Beach Art Festival on May 7 and 8, with all the details available at sunsetbeachartfestival.net; invited everyone to participate in the Community Bike Ride, May 14, 10 AM, starting at City Hall; noted that May 16 – 20 is National Bike to Work Week; and invited anyone interested in volunteering for the 4th of July festivities to go to hb4thofjuly.org for all of the details. Councilmember Moser welcomed newly appointed City Manager Al Zelinka. She also reported participating in the Lake Park Community Picnic and Ribbon Cutting; and participating in the Council Chambers visit for Girl Scout Troop 6232.

Councilmember Kalmick reported attending the Retiring Offshore Oil Rigs Decommissioning Workshop presented by Orange County Coastkeeper; League of California Cities — Orange County Division General Membership meeting; and the Senior Center Volunteer Appreciation Concert.

Mayor Pro Tem Posey noted the many efforts recognized in the month of May, in addition to Bicycle Safety Month, such as National Military Appreciation Month; National Motorcycle Awareness Month; State of California Wildfire Preparedness Week, May 1 – 7; and National Wildfire Awareness Month. Mayor Pro Tem Posey announced he will attend the Southern California Association of Government (SCAG) General Assembly Annual Conference to elect officers, approve the budget, and review policy issues; and reported participating in a tour of the Ironworkers Union Hall hosted by Ernesto Madrano, including an overview of the Apprenticeship and Training program, as well as their local 30-year construction cycle.

ADJOURNMENT — 9:25 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, May 17, 2022, 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, Secretary of the
Public Financing Authority and Housing Authority
of the City of Huntington Beach, California

ATTEST:



City Clerk-Secretary



Mayor-Chair