



AGENDA

City Council/Public Financing Authority

Tuesday, April 5, 2022

No Study Session / Closed Session - 4:30 PM

***Closed Session Items #2 and #7 Revised 4/01/22**

Regular Meeting - 6:00 PM

MAYOR AND CITY COUNCIL
*BARBARA DELGLEIZE, Mayor
MIKE POSEY, Mayor Pro Tem
RHONDA BOLTON, Councilmember
KIM CARR, Councilmember
DAN KALMICK, Councilmember
NATALIE MOSER, Councilmember
ERIK PETERSON, Councilmember*

Council Chambers
2000 Main Street
Huntington Beach, CA 92648
--or--
Virtual via Zoom Webinar

STAFF
*SEAN JOYCE, Interim City Manager
MICHAEL E. GATES, City Attorney
ROBIN ESTANISLAU, City Clerk
ALISA BACKSTROM, City Treasurer*

IN-PERSON PUBLIC PARTICIPATION/ZOOM ACCESS: Members wishing to attend the meeting in person are encouraged to wear a face covering.

Assembly Bill 361 (AB 361) authorizes public meetings to take place via teleconference (i.e., virtual using Zoom), or in person if in part, State and Local officials continue to recommend measures to promote social distancing. In addition to this hybrid format, alternate ways to view City Council meetings live or on-demand remain: livestreamed on HBTV Channel 3 (replayed on Wednesday's at 10:00 a.m. and Thursday's at 6:00 p.m.); live and archived meetings for on-demand viewing accessed from <https://huntingtonbeach.legistar.com/calendar>; or, from any Roku, Fire TV or Apple device by downloading the Cablecast Screenweave App and searching for the City of Huntington Beach channel.

PUBLIC COMMENTS: Individuals wishing to provide a comment on agendaized or non-agendized items, including Study Session, Closed Session, and Public Hearing, may do so in person by completing a **Request to Speak** form delivered to the City Clerk, or from a virtual location by entering **Zoom Webinar ID 971 5413 0528** via computer device, or by phone at **(669) 900-6833**. The **Zoom Webinar** can be accessed here: <https://huntingtonbeach.zoom.us/j/97154130528>. Instructions for those utilizing computer devices to request to speak are provided in each section of the agenda where public comments are accepted.

Members of the public unable to personally participate in the meeting but interested in communicating with the City Council on agenda-related items are encouraged to submit a written (supplemental) communication via email at SupplementalComm@Surfcity-hb.org, or City.Council@surfcity-hb.org. Supplemental Communications are public record, and if received by 2:00 PM on the day of the meeting, will be distributed to the City Council prior to consideration of agenda-related items, posted to the City website, and announced, but not read, at the meeting. Communications received following the 2:00 PM deadline will be incorporated into the administrative record.

MEETING ASSISTANCE NOTICE: In accordance with the Americans with Disabilities Act, services are available to members of our community who require special assistance to participate in public meetings. If you require special assistance, 48-hour prior notification will enable the City to make reasonable arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas. Please contact the City Clerk's Office at (714) 536-5227 for more information.

4:30 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

Peterson, Bolton, Posey, Delgleize, Carr, Moser, Kalmick

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS - At approximately 4:30 PM, individuals wishing to provide a comment on item(s) scheduled for Closed Session may do so either in person by filling out a Request to Speak form delivered to the City Clerk, via computer through Zoom Webinar ID 971 5413 0528, or Zoom Webinar by phone by calling (669) 900-6833. Once the Mayor opens Public Comments, in-person participants will be called to speak first. Zoom Webinar participants wishing to speak will be provided a 15-minute window to select the "Raise Hand" feature in the Webinar Controls section. Attendees entering the Webinar and requesting to speak by phone can enter *9 to enable the "Raise Hand" feature, followed by the *6 prompt that unmutes their handheld device microphone. Individuals will be prompted to speak when the Clerk announces their name or the last three digits of their phone number. After a virtual speaker concludes their comment, their microphone will be muted. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

1. [22-296](#) **Mayor Delgleize to Announce:** Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiators: Sean Joyce, Interim City Manager and Brittany Mello, Administrative Services Director, who will be participating in today's Closed Session discussions regarding labor negotiations for: Surf City Lifeguard Employees' Association (SCLEA)

- *2. [22-304](#) **Mayor Delgleize to Announce:** Pursuant to Government Code § 54956.8, the City Council shall recess to Closed Session to give instructions to the City's Negotiators, Sean Joyce, Interim City Manager; Ursula Luna-Reynosa, Director of Community Development; Sean Crumby, Director of Public Works, regarding negotiations with Dave Hauser, Market Vice President of Republic Services concerning price and terms of payment for the disposition of real property located at APN numbers 111-372-06 and 111-372-07.

CLOSED SESSION

3. [22-293](#) **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.

4. [22-294](#) **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.

5. [22-295](#) **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. [22-297](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.**
Significant Exposure to Litigation Pursuant to Paragraph (2) of
Subdivision (d) of Section 54956.9: Litigation threatened in
December 21, 2021 letter from Cole/Huber, LLP.

*7. [22-300](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Gov. Code
section 54956.8.) Property: APN numbers 111-372-06 and
111-372-07; Agency negotiator: Sean Joyce, Ursula Luna-Reynosa,
Sean Crumby; Negotiating parties: Dave Hauser, Market Vice
President of Republic Services; Under negotiation: Price and terms
of payment for the disposition of real property.

8. [22-305](#) **CONFERENCE WITH LEGAL COUNSEL-LITIGATION** (Gov. Code
section 54956.9(d)(4).): Tucker v. Huntington Beach Downtown
Business Assoc.; 30-2022-01244827.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

Peterson, Bolton, Posey, Delgleize, Carr, Moser, Kalmick

PLEDGE OF ALLEGIANCE

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.

9. 22-179 Reverend Amy Yoon of Surf City United Methodist Church and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

10. 22-284 Mayor Delgleize to call on Victoria Alberty to present the Adoptable Pet of the Month

11. 22-209 Mayor Delgleize to call on members of the Huntington Beach Interfaith Council to call for volunteers for the annual 'Day of Service' set for Saturday, April 23

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS - At approximately 6:00 PM, individuals wishing to provide a comment on agendaized or non-agendaized items may do so either in person by filling out a Request to Speak form delivered to the City Clerk, via computer through Zoom Webinar ID 971 5413 0528, or Zoom Webinar by phone by calling (669) 900-6833. Once the Mayor opens Public Comments, in-person participants will be called to speak first. Zoom Webinar participants wishing to speak will be provided a 15-minute window to select the "Raise Hand" feature in the Webinar Controls section. Attendees entering the Webinar and requesting to speak by phone can enter *9 to enable the "Raise Hand" feature, followed by the *6 prompt that unmutes their handheld device microphone. Individuals will be prompted to speak when the Clerk announces their name or the last three digits of their phone number. After a virtual speaker concludes their comment, their microphone will be muted but they may remain in Webinar attendance for the duration of the meeting. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

While the City Council welcomes public involvement and free speech, it rejects comments from anyone that are discriminatory, defamatory or otherwise not protected speech. Those comments will not inform nor be considered by the City Council and may be cause for the Mayor to interrupt the public speaker. Such public comments will not be consented to or otherwise adopted by the City Council in its discussions and findings for any matter tonight.

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

CITY MANAGER'S REPORT

CONSENT CALENDAR

12. **22-276** **Request to approve funding of \$250,000 from the Park Development Impact Fund for installation of new playground equipment and rubberized surfacing at Booster Park**

Recommended Action:

Authorize the appropriation of \$250,000 from the Park Development Impact Fund to account 22845029.82900 for the installation of new playground equipment and rubberized surfacing at Booster Park.

13. **22-287** **Adopt Resolution No. 2022-11 declaring weeds and rubbish a nuisance on specific properties and scheduling a Public Hearing on May 3, 2022, at 6:00 p.m. for protests and objections to the abatement thereof**

Recommended Action:

Adopt Resolution No. 2022-11, "A Resolution of the City Council of the City of Huntington Beach Finding and Declaring That Certain Weeds Growing in the City, and Rubbish and Refuse Deposited on Public Ways and Private Property are a Public Nuisance; and Fixing the Time for Hearing Protests and Objections to the Abatement Thereof."

14. **22-277** **Adopt Resolution No. 2022-12 approving City Staff to apply to the State Department of Parks and Recreation for the Huntington Beach Sand to Snow Outdoor Education Program through Outdoor Equity Grants Program Grant Funds**

Recommended Action:

Adopt Resolution No. 2022-12, "A Resolution of the City Council of the City of Huntington Beach Approving the Application for Outdoor Equity Grants Program Grant Funds."

15. **21-636** **Approve and authorize execution of a Parking License Agreement with Onni Properties LLC to Lease 50 Parking Spaces at 7842 Warner Avenue for the Oak View Pilot Parking Program (OV3P)**

Recommended Action:

Approve and authorize the Mayor to execute, "Parking License Agreement" between the City of Huntington Beach and Onni Properties LLC as part of the Oak View Pilot Parking Program.

16. 22-227 Approve and authorize execution of a Professional Services Agreement with Buro Happold for the development of a Sustainability Master Plan; and, approve appropriation of funds

Recommended Action:

A) Approve and authorize the Mayor and City Clerk to execute a “Professional Services Agreement Between the City of Huntington Beach and Buro Happold for the Development of a Sustainability Master Plan;” and,

B) Approve General Fund budget appropriation of \$300,000 in account 10030101.69365.

17. 22-230 Approve and authorize execution of 3-year Professional Services Contracts in the amount of \$850,000 for On-Call Environmental (CEQA) Services with Psomas, Michael Baker International, Environmental Science Associates, and LSA Associates

Recommended Action:

A) Approve and authorize the Mayor and the City Clerk to execute \$850,000 “Professional Services Contract between the City of Huntington Beach and Psomas, for On-Call Environmental (CEQA) Services;” and,

B) Approve and authorize the Mayor and the City Clerk to execute \$850,000 “Professional Services Contract between the City of Huntington Beach and Michael Baker International, Inc., for On-Call Environmental (CEQA) Services;” and,

C) Approve and authorize the Mayor and the City Clerk to execute \$850,000 “Professional Services Contract between the City of Huntington Beach and Environmental Science Associates, for On-Call Environmental (CEQA) Services;” and,

D) Approve and authorize the Mayor and the City Clerk to execute \$850,000 “Professional Services Contract between the City of Huntington Beach and LSA Associates, for On-Call Environmental (CEQA) Services.”

18. 22-233 Approve and accept the California Office of Emergency Services (Cal OES) Violence Against Women Act Grant (LE21056860); authorize the Chief of Police to execute documents; approve appropriations; amend the Professional Services Listing to include provided domestic violence services; and, approve contract Amendment No. 1 with Waymakers in the amount of \$116,032 for continued management of the Victim and Witness Assistance Services Program

Recommended Action:

A) Accept the grant between the State of California, Governor’s Office of Emergency

Services (Cal OES) and the City of Huntington Beach; and,

B) Assign authority to the Chief of Police as the official to execute and sign for the award and to approve amendments and extensions; and,

C) Approve the appropriation and expenditure of \$270,857, of which \$203,143 is to be fully reimbursed by the grant from Cal OES. The remaining \$67,714 will be funded from appropriations in the Police Department's budget; and,

D) Amend the Professional Services Listing to include provided domestic violence services; and,

E) Approve and authorize "Amendment No. 1 to Agreement Between the City of Huntington Beach and Waymakers for Victim and Witness Assistance Services."

19. 22-247 Accept the lowest responsive and responsible bid, approve appropriations and authorize execution of a construction contract with iBuild Spectrum in the amount of \$655,412.33 for the Harbour View Clubhouse Improvements Project, CC-1633

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by iBuild Spectrum in the amount of \$655,412.33; and,

B) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

20. 22-260 Accept the lowest responsive and responsible bid and authorize execution of a construction contract with AME Builders, Inc., dba AME Roofing in the amount of \$619,506 for the Storm Water Pump Station Facility Improvements Project, CC-1657

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by AME Builders, Inc., dba AME Roofing in the amount of \$619,506; and,

B) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

21. 22-250 Approve and authorize execution of Professional Services Contracts with MCK Americas Inc., and Rockwell Construction Services, LLC for On-Call Consulting for Electrical Inspections Services

Recommended Action:

A) Approve and authorize the Mayor and City Clerk to execute \$750,000 "Professional Services Contract Between the City of Huntington Beach and MCK Americas Inc. for On-Call Consulting for Electrical Inspections Services;" and,

B) Approve and authorize the Mayor and City Clerk to execute \$750,000 “Professional Services Contract Between the City of Huntington Beach and Rockwell Construction Services, LLC. for On-Call Consulting for Electrical Inspections Services.”

22. 22-251 Consider and direct staff to submit the 2021 Housing Element Annual Progress Report to the California Department of Housing and Community Development and Governor’s Office of Planning and Research

Recommended Action:

Approve the 2021 Housing Element Annual Progress Report and direct staff to submit the APR to the California Department of Housing and Community Development and Governor’s Office of Planning and Research.

23. 22-285 Consider positions on legislation pending before the State Legislature, as recommended by the Intergovernmental Relations Committee (IRC)

Recommended Action:

Approve one or more positions on State legislation:

1. Support AB 1611 (Davies)
2. Support AB 1657 (Nguyen)
3. Support AB 1658 (Nguyen)
4. Support AJR 24 (Nguyen)
5. Support AJR 25 (Nguyen)
6. Support SB 953 (Min)
7. Support AB 2177 (Irwin)
8. Support SB 1036 (Newman)
9. Support SB 1079 (Portantino)
10. Support AB 2496 (Petrie-Norris)
11. Support AB 1653 (Patterson)
12. Support AB 1659 (Patterson)
13. Support AB 1984 (Choi)
14. Support SB 986 (Umberg)
15. Oppose AB 1909 (Friedman)
16. Support 847 (Hurtado)

Approve a position on local policy:

17. Support and adopt Resolution No. 2022-17 to Eliminate the Threat of Fentanyl

24. 22-253 Adopt Ordinance No. 4250 amending Section 2.76.010 of the Huntington Beach Municipal Code (HBMC) related to exclusions from competitive service - Approved for introduction March 15, 2022 - Vote: 6-0-1 (Peterson absent)

Recommended Action:

Adopt Ordinance No. 4250, “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."

PUBLIC HEARING

Individuals wishing to provide a comment on an item scheduled for Public Hearing may do so either in person by filling out a Request to Speak form delivered to the City Clerk, via computer through Zoom Webinar ID 971 5413 0528, or Zoom Webinar by phone by calling (669) 900-6833. Once the Mayor opens Public Comments, in-person participants will be called to speak first. Zoom Webinar participants wishing to speak will be provided a 15-minute window to select the "Raise Hand" feature in the Webinar Controls section. Attendees entering the Webinar and requesting to speak by phone can enter *9 to enable the "Raise Hand" feature, followed by the *6 prompt that unmutes their handheld device microphone. Individuals will be prompted to speak when the Clerk announces their name or the last three digits of their phone number. After a virtual speaker concludes their comment, their microphone will be muted but they may remain in Webinar attendance for the duration of the meeting. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

25. 22-244 Adopt Interim Ordinance No. 4235 extending Urgency Ordinance No. 4249 regarding SB 9 Projects

**SIX AFFIRMATIVE VOTES ARE REQUIRED TO ADOPT THIS
ORDINANCE PER GOVERNMENT CODE SECTION 65858**

Recommended Action:

Adopt Interim Ordinance No. 4235, "An Interim Ordinance of the City Council of the City Of Huntington Beach Extending Urgency Ordinance No. 4249, Regarding Objective Standards for Urban Lot Splits and Housing Units Built in Accordance with Senate Bill 9, Declaring the Urgency Thereof, and Making a Finding of Exemption Under CEQA" (Attachment No. 1).

26. 22-261 Adopt Resolution No. 2022-08 to approve Zoning Text Amendment (ZTA) No. 21-007 regarding Medical Services and Veterinary Clinics in the Beach and Edinger Corridors Specific Plan (BECSP)

Recommended Action:

PLANNING COMMISSION AND STAFF RECOMMENDATION:

- A) Find that Zoning Text Amendment (ZTA) No. 21-007 is within the scope of the BECSP Program Environmental Impact Report No. 08-008 certified by the Planning Commission on December 8, 2009. In accordance with CEQA Guidelines Sections 15162 and 15163, no subsequent or supplement to the EIR need be prepared for this ZTA and no further environmental review or documentation is required (Attachment #1); and,
- B) Approve Zoning Text Amendment No. 21-007 with findings (Attachment No. 1) and

adopt Resolution No. 2022-08, "A Resolution of the City Council of the City of Huntington Beach Approving an Amendment to the Beach and Edinger Corridors Specific Plan (SP14) (Zoning Text Amendment 21-007)" (Attachment #2).

ADMINISTRATIVE ITEMS

27. 22-291 Adopt Resolution No. 2022-14 Declaring Certain Public Property Exempt Surplus Land Pursuant to the Surplus Lands Act (SLA)

Recommended Action:

- A) Declare one City-owned property located near Holly Lane and Main Street (APN 159-281-04) as "exempt surplus land" as defined in Government Code Section 54221(f); and,
- B) Adopt Resolution No. 2022-14, "A Resolution of the City Council of the City of Huntington Beach Declaring Certain Real Property Owned by the City (APN 159-281-04) is Exempt Surplus Land Not Necessary for the City's Use Pursuant to the Surplus Land Act and Finding That Such Declaration is Exempt from Environmental Review Under the California Environmental Quality Act," including written findings, supporting the declaration.

ORDINANCES FOR INTRODUCTION

28. 22-249 Approve for Introduction Ordinance No. 4251 adding Chapter 10.53 to Title 10 (Vehicles and Traffic) of the Huntington Beach Municipal Code, prohibiting the unlawful possession of Catalytic Converters in the City

Recommended Action:

Approve for introduction Ordinance No. 4251, "An Ordinance of the City Council of the City of Huntington Beach Adding a New Chapter 10.53 to Title 10 of the Huntington Beach Municipal Code, Prohibiting the Unlawful Possession of Catalytic Converters in the City, and Making a Finding of Exemption Under CEQA."

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, April 19, 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>