



AGENDA

City Council/Public Financing Authority

Tuesday, September 6, 2022

Special Meeting of the Housing Authority

3:30 PM Closed Session / 4:00 PM Study Session

6:00 PM Regular Meeting

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

AL ZELINKA, 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 HBTB 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 agenda-related or non-agenda-related 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.

3:30 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

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

City Clerk Robin Estanislau has requested permission to be absent pursuant to City Charter Section 310 (a)

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit) - At approximately 3:30 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.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

1. [22-723](#) **Mayor Delgleize to Announce: Pursuant to Government Code § 54957.6., the City Council takes this opportunity to publicly introduce and identify labor negotiators: Al Zelinka, City Manager; also in attendance: Brittany Mello, Director of Administrative Services, regarding the following: Huntington Beach Municipal Teamsters (HBMT), Management Employees' Organization (MEO), Police Officers' Association (POA), Police Management Association (PMA), Huntington Beach Firefighters' Association (HBFA), Fire Management Association (FMA), Marine Safety Management Association (MSMA), Surf City Lifeguard Employees' Association (SCLEA), and Non-Represented (Non-Associated) Employees (NA).**

CLOSED SESSION

2. [22-725](#) **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Al Zelinka, City Manager; also in attendance: Brittany Mello, Director of Administrative Services, regarding the following: Huntington Beach Municipal Teamsters (HBMT), Management Employees' Organization (MEO), Police Officers' Association (POA), Police Management Association (PMA), Huntington Beach Firefighters' Association (HBFA), Fire Management Association (FMA), Marine Safety Management Association (MSMA), Surf City Lifeguard Employees' Association (SCLEA), and Non-Represented (Non-Associated) Employees (NA).**

3. [22-756](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9: Number of cases, one (1) - Air Show/Oil Spill.**

4:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

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

City Clerk Robin Estanislau has requested permission to be absent pursuant to City Charter Section 310 (a)

PUBLIC COMMENTS PERTAINING TO STUDY SESSION ITEMS (3 Minute Time Limit) - At approximately 4:00 PM, individuals wishing to provide a comment on item(s) scheduled for Study 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.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

STUDY SESSION

4. [22-729](#) **Bolsa Chica Annexation Study**
5. [22-742](#) **Mobility Implementation Plan Update**

RECESS

6:00 PM – COUNCIL CHAMBERS

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALL TO ORDER
THE SPECIAL MEETING OF THE HOUSING AUTHORITY**

ROLL CALL

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

**City Clerk Robin Estanislau has requested permission to be absent pursuant to City Charter
Section 310 (a)**

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.

6. [22-513](#) **Mike Michaud with Dance4Joy Ministries and member of the Greater
Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

7. [22-611](#) **Mayor Delgleize to call on HBPD Chief Eric Parra to present
graduation certificates to the Wildlife Watch volunteers**
8. [22-666](#) **Mayor Delgleize to present commendation to Special Olympics
athlete Joe Hreish for receiving the Kiwanis Team Special Olympics
Athlete of the Year Award for 2022**
9. [22-720](#) **Mayor Delgleize to present a proclamation to OC Hunger Alliance in
recognition of Hunger Action Month**

10. [22-739](#) Mayor Delgleize to call on Chief Parra to present commendations to members of Home Depot's Management Team for coordinating the design and fabrication of two memorial benches in honor of fallen officer Nicholas Vella

11. [22-754](#) Mayor Delgleize to present the July Mayor's HB Excellence Award to Jimmy Hoang, Code Enforcement Supervisor in the Community Development Department, and the August Mayor's HB Excellence Award to Sergeant Scott Marsh with HBPD

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3 Minute Time Limit) - At approximately 6:00 PM, individuals wishing to provide a comment on agendized or non-agendized 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

12. [22-524](#) Appoint Voting Delegate and Alternates for the League of California Cities Annual Conference and Expo - September 7-9, 2022

Recommended Action:

Appoint a City Council Member to serve as the voting delegate and a City Council Member as an alternate, to represent the City of Huntington Beach at the 2022 League of California Cities Annual Conference & Expo. The General Assembly will be held on

Friday, September 9, 2022.

CITY MANAGER'S REPORT

13. [22-691](#) **Welcome to New OneHB Team Members**

CONSENT CALENDAR

14. [22-711](#) **Approve and Adopt Minutes**

Recommended Action:

A) Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated July 19, 2022; and,

B) Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated August 2, 2022.

15. [22-627](#) **Receive and file the City Clerk's quarterly listing of professional services contracts filed in the City Clerk's Office between January 1, 2022 and June 30, 2022**

Recommended Action:

A) Receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the period of January 1, 2022 and March 31, 2022;" and,

B) Receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the period of April 1, 2022 and June 30, 2022."

16. [22-237](#) **Reaffirm adoption of Resolution No. 2021-62 finding a proclaimed state of emergency continues to impact the ability to meet safely in person, and allows meetings of the City Council and all City boards, commissions and committees to be conducted remotely as needed in compliance with new Brown Act provisions identified in Assembly Bill 361**

Recommended Action:

Reaffirm Resolution No. 2021-62, "A Resolution of the City Council of the City of Huntington Beach, California, Finding that the Proclaimed State of Emergency Continues to Impact the Ability to Meet Safely in Person."

17. [22-586](#) **Approve and authorize execution of a Density Bonus and Affordable Housing Agreement with The Olson Company, LLC for the 34-unit townhome project located at 8375 Talbert Avenue**

Recommended Action:

A) Approve the Density Bonus and Affordable Housing Agreement by and between the City and The Olson Company, LLC for the development of 34 ownership units at 8375 Talbert Avenue; and,

B) Authorize the City Manager, or designee, to implement and execute the Density Bonus and Affordable Housing Agreement for the Project, including all necessary related documents; and

C) Authorize the Housing Authority Executive Director or designee to execute all necessary implementing agreements and related documents.

18. [22-606](#) **Approve Sole Source Procurement request with Jones Chemical (JCI) for Chlorine Gas**

Recommended Action:

Approve the sole source procurement request for the purchase of chlorine gas from JCI.

19. [22-665](#) **Approve the Finance Department's plan to conduct a comprehensive review of the City's procurement policies**

Recommended Action:

Approve the plan to review the City's procurement policies as outlined in this report.

20. [22-675](#) **Approve the Huntington Beach Downtown Business Improvement District's (HBDBID) Annual Report and Proposed Budget for Fiscal Year (FY) 2022-2023; Adopt Resolution No. 2022-44 declaring the City's intention to levy an annual assessment for FY 2022-2023 at a public hearing scheduled for October 4, 2022; and, Approve and authorize execution of an Agreement between the City and the Huntington Beach Downtown Business Improvement District to Act as the District Advisory Board**

Recommended Action:

A) Approve the Huntington Beach Downtown Business Improvement District Annual Report and Proposed Budget for FY 2022-2023; and,

B) Adopt Resolution No. 2022-44, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2022-2023 within the Huntington Beach Downtown Business Improvement District", which sets a public hearing for October 4, 2022 to consider continuation of the Huntington Beach Downtown Business Improvement District; and,

C) Approve the Agreement between the City of Huntington Beach and the Huntington Beach Downtown Business Improvement District to act as the District Advisory Board and

authorize the City Manager to execute the Agreement; and,

D) Authorize the revenue appropriation of \$1,000 in account 71000710.40500 and an expenditure appropriation of \$1,000 in account 71080101.69505, for a net zero impact to the fund.

21. [22-706](#) **Substitution of Subdivision Agreement with Shea Homes Limited Partnership and Bonds for the Cameron Townhomes Project (Tract 19154)**

Recommended Action:

A) Approve the Subdivision Agreement by and between the City of Huntington Beach and Shea Homes Limited Partnership for the Cameron Townhomes Project (Tract 19154), and authorize execution by the Mayor and City Clerk; and

B) Accept Faithful Performance Bond No. CMS0349976 for \$94,495.50, Labor and Material Bond No. CMS0349976 for \$47,229.75 and Monument Bond No. CMS0349977 for \$1,800.00, the sureties furnished for installation of the required public improvements, and instruct the City Clerk to file the bonds with the City Treasurer; and

C) Release the Faithful Performance/Labor and Material Bond No. 1001181018 and Monument Bond No. 1001181019 and instruct the City Treasurer to notify the surety company, American Contractors Indemnity Company of such Council action.

22. [22-727](#) **Consider for approval the naming of the area known as the “Secret Garden” located in Huntington Central Park East, as recommended by the Community & Library Services Commission**

Recommended Action:

Approve the recommendation by the Community & Library Services Commission to formally name a parkland area located in the eastern section of Huntington Central Park as “Secret Garden.”

23. [22-715](#) **Consider for approval the City’s responses to Grand Jury Report “Where’s the Fire? Stop Sending Fire Trucks to Medical Calls”**

Recommended Action:

Approve the City Council and Fire Chief responses to the findings and recommendations in the Grand Jury report “Where’s the Fire? Stop Sending Fire Trucks to Medical Calls” and authorize the Mayor to sign the attached transmittal letter to The Honorable Erick L. Larsh, Presiding Judge of the Superior Court of Orange County.

24. [22-722](#) **Approve the City’s Responses to the Orange County Grand Jury Report: “Orange County Power Authority: Come Clean”**

Recommended Action:

A) Receive and file the City's initial response concurring with OCGJ's Recommendation No. 4 in "Orange County Power Authority: Come Clean."

B) Approve the City's follow up response to the OCGJ, directing the City Council's OCPA Board Representative to request an action item from the OCPA, per the Grand Jury Report, to hire a qualified clerk to manage agendas and minutes for the OCPA Board and OCPA Community Advisory Committee; authorize the Mayor to sign and submit the letter to the Honorable Erick L. Larsh, Presiding Judge of the Superior Court of Orange County.

25. [22-679](#) **Adopt Ordinance No. 4258 approving Zoning Text Amendment No. 22-003 to Chapter 222 (Floodplain Overlay District) of the Huntington Beach Zoning and Subdivision Ordinance
Approved for introduction August 2, 2022 (Vote: 7-0)**

Recommended Action:

Adopt Ordinance No. 4258, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 222 of the Huntington Beach Zoning and Subdivision Ordinance Relating to the Floodplain Overlay District (FP1, FP2, FP3) (Zoning Text Amendment No. 22-003)." (Attachment No. 2)

26. [22-732](#) **Approve the appointment of Eric Bornstein to the Environmental and Sustainability Board as recommended by City Council Liaisons Dan Kalmick and Natalie Moser**

Recommended Action:

Approve the appointment of Eric Bornstein as a member of the Environmental and Sustainability Board through June 30, 2023, the end of term for the current unscheduled vacancy, as recommended by City Council Liaisons Kalmick and Moser.

27. [22-705](#) **Adopt Resolution No. 2022-54 amending Residential Permit Parking District "L" affecting residents on Freeborn Drive in Huntington Beach**

Recommended Action:

Adopt Resolution No. 2022-54, "A Resolution of the City Council of the City of Huntington Beach Amending Permit Parking District "L" Within the City of Huntington Beach."

PUBLIC HEARING

28. [22-648](#) **Adopt Resolution No. 2022-55 approving the street name change from Jason Circle to Revival Circle in Huntington Beach**

Recommended Action:

Adopt Resolution No. 2022-55, "A Resolution of the City Council of the City of Huntington Beach to Approve the Name Change From Jason Circle to Revival Circle in Huntington

Beach.”

ADMINISTRATIVE ITEMS

29. [22-712](#) **Approve and authorize the formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners**

Recommended Action:

A) Approve the proposed Mobile Home Tenant Based Rental Assistance Program for eligible very-low income senior mobile home owners to provide rental assistance for space rent; and,

B) Direct staff to return to City Council for approval of the following: 1) Amendment No. One to the 2022-23 Annual Action Plan; 2) Amendment No. Three to the 2020-24 Consolidated Plan; 3) MHTBRA Program Guidelines and Operating Procedures; and 4) Amendment No. One to the City’s Residential Rehabilitation Program Guidelines

30. [22-733](#) **Consider a request from Pacific Airshow event organizer, Code Four, to approve a subsidy for the September 30 through October 1, 2022 event, as well as a deferred payment schedule for fees and charges due to the City**

Recommended Action:

A) Consider Code Four’s request for a subsidy, and based on previous approvals, grant up to \$110,000 in parking and camping revenue for the 2022 event to cover a portion of direct staffing expenses and direct staff to transfer said amount; **AND/OR**,

B) Consider Code Four’s request to delay the portion of the fees and charges due related to direct City event staffing and auto parking spaces, to be invoiced to Code Four following reconciliation of actual costs and due to the City by November 15, 2022. Require payment of the \$17,797 in permit fees and \$64,000 in HB RV Campground site revenue prior to the event per the Huntington Beach Municipal Code; **OR**,

C) Deny Code Four’s subsidy request and direct staff to require full payment of all fees, charges, and HB RV Campground site revenue in the amount of \$256,963 no later than September 23, 2022.

D) Provide any direction City Council deems appropriate regarding financial support of future air show events.

ORDINANCES FOR INTRODUCTION

31. [22-398](#) **Approve for Introduction Ordinance No. 4261 authorizing the assignment of a Franchise Agreement with Focus Media Group for Transit Shelter Services**

Recommended Action:

A) Approve and authorize the Mayor and City Clerk to execute a “Franchise Agreement Between City of Huntington Beach and Focus Media Group Inc., for Transit Shelter Services;” and,

B) Approve for introduction Ordinance No. 4261, “A Non-Codified Ordinance of the City of Huntington Beach Providing Consent to the Assignment of the Transit Shelter Services Franchise to Focus Media Group, Inc.”

32. [22-713](#) **Approve for introduction Ordinance No. 4266 amending Chapter 15.32 of the Huntington Beach Municipal Code relating to nonproducing and idle oil wells**

Recommended Action:

Approve for introduction Ordinance No. 4266, “An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 15.32 of the Huntington Beach Municipal Code Relating to Nonproducing and Idle Wells.”

33. [22-714](#) **Approve for introduction Ordinance No. 4260 amending Chapter 17.56 of the Huntington Beach Municipal Code relating to the Fire Code**

Recommended Action:

Approve for introduction Ordinance No. 4260, “An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 17.56 of the Huntington Beach Municipal Code Relating to the Fire Code.”

COUNCILMEMBER ITEMS

34. [22-726](#) **Submitted by Councilmember Moser - Establishing Rules of Order and Procedure for City Council Business**

Recommended Action:

City Council to provide input on the topics that are important for inclusion in the Rules of Order and Procedure and to request that the City Manager prepare a draft set of Rules of Order and Procedure for City Council’s consideration on or before the first meeting in November 2022.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, September 20, 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>