

Minutes

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

Tuesday, September 6, 2022
3:30 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 4:00 PM and 6:00 PM portions of this meeting is on file in the Office of the City Clerk, and archived at www.surfcity-hb.org/government/agendas/

3:30 PM — COUNCIL CHAMBERS

CALLED TO ORDER — 3:31 PM

ROLL CALL

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

City Clerk Robin Estanislau requested, and was granted, permission to be absent pursuant to City Charter Section 310 (a).

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

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

CLOSED SESSION ANNOUNCEMENT(S)

1. 22-723 **Mayor Delgleize Announced:** 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 and Peter Brown, 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).

A motion by Carr, second Bolton to recess to Closed Session. With no objections the motion passed.

RECESSED TO CLOSED SESSION — 3:32 PM

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 and Peter Brown, 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

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 4:04 PM

ROLL CALL

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

City Clerk Robin Estanislau requested, and was granted, permission to be absent pursuant to City Charter Section 310 (a).

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO STUDY SESSION
(Received After Agenda Distribution)

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

Study Session

- #4 (22-729)** PowerPoint presentation entitled *Bolsa Chica Annexation Study* submitted by Ursula Luna-Reynosa, Director of Community Development.
- Email communication received regarding the Bolsa Chica Annexation Study.
- #5 (22-742)** PowerPoint presentation entitled *Huntington Beach Mobility Implementation Plan (MIP) Update – HB in Motion* submitted by Sean Crumby, Director of Public Works.

STUDY SESSION

4. **22-729 Bolsa Chica Annexation Study**

City Manager Al Zelinka introduced Deputy Director of Community Development Jennifer Villasenor, who noted that the purpose of the study was to outline potential financial impacts or liabilities associated with annexing this sensitive ecosystem into the City's jurisdiction.

Monroe Roush and Jim Simon of RSG presented a PowerPoint communication titled *Bolsa Chica Annexation Study* with slides entitled: *Background; Map; Previous Studies & Actions; Methodology; Stakeholder Interviews; Financial Data; Oil Taxes and Fees; Findings; Fiscal Impact; Liability; Wieder Park; and Questions?*

Director of Community Development Ursula Luna-Reynosa added clarification regarding the oil taxes and fees which the State has made clear they will not be responsible for if the land is annexed by Huntington Beach.

Councilmember Kalmick and Deputy Director Villasenor discussed the maintenance of the inlet, which is currently the responsibility of the State Lands Commission.

Councilmember Kalmick stated he has no interest in acquiring Wieder Park, and Deputy Director Villasenor explained the City's Local Agency Formation Commission (LAFCO) application would not be processed without an agreement with the County. Director Luna-Reynosa clarified the County has made clear that if the annexation moves forward the County expects all of the land to be included in a transaction.

Councilmember Kalmick noted that fuel mitigation or management was not presented and stated there are still a lot of unknown details, but through negotiation he believes annexation could become feasible. He further stated his opinion that with the added 1,300 acres of open space the City could be in a position to benefit from restoration funds from both state and federal sources.

Mayor Delgleize and Director Luna-Reynosa discussed that "park" funds for the City generally come from Development Impact Fees, and the County has been pretty vague about their actual costs to maintain this land because they don't budget by specific areas, and noted that some of the park equipment is at the end of its useful life and needs to be replaced.

Councilmember Carr and Director Luna-Reynosa discussed that the Wieder Park maintenance amount of \$240,000 also includes servicing the acres of unimproved land.

Councilmember Moser noted she did not read the report yet, which arrived just before the meeting, and suggested this item be brought back at a future date for more informed discussion.

Deputy Director Villasenor confirmed that Council would like to agenize continued discussion to a council meeting in October.

5. 22-742 Mobility Implementation Plan Update

Public Works Director Sean Crumby noted that Tool Design and Cityfy were additional Consultants for this project, and acknowledged the major efforts of Transportation Manager Bob Stachelski on the Mobility Plan, and introduced Deputy Director of Public Works Chau Vu and Consultant Joe Iacobucci, of Sam Schwartz, who presented a PowerPoint communication titled *Huntington Beach Mobility Implementation Plan (MIP) Update - HB in Motion* with slides entitled: *Project Goals/Guiding Principles; Average Commute Time & Distance; Travel Analysis; Roadway Network; Sustainable Mode Analysis: Pedestrian; Sustainable Mode Analysis: Bicycle; Sustainable Mode Analysis: Transit; Sustainable Mode*

Analysis: Circuit On-Demand Microtransit; Project Website & Survey; Survey Findings (General); Survey Findings (Beach Path); Survey Findings Cont. (Beach Path); SURVEY COMMENTS (Other Improvements to Beach Path?); Survey Findings (Bicycle); Survey Findings (Pedestrian); Detailed Schedule; Beach Path Discussion; and Questions?

Mayor Delgleize shared from her experiences it appears too many cyclists are not aware of the rules of the road, especially the younger riders, and asked how that can be addressed. Director Crumby stated that in regards to Ebikes it is a rapidly evolving situation, and the Police Department is proactive with training and events. He further noted that 61 percent of survey participants appear to support a permitting/registration/training program.

Councilmember Bolton noted the community concerns regarding Ebike safety and asked for more details on enforcement plans. Director Crumby stated that addressing evolving Ebike situations is a work in progress. Police Chief Parra stated that officers spend a lot of time along the beach and at schools to issue warnings, citations, and educate people. Chief Para noted that Traffic Safety Fairs, Bike/Pedestrian Safety Classes, Bicycle Rodeos, social media video clips, as well as School District presentations are offered.

Mayor Pro Tem Posey stated his appreciation for the information presented, especially the survey results, and expressed his support for increasing the number of bike lanes as it will result in less congestion because there will be fewer cars on the streets.

Councilmember Kalmick and Deputy Director Vu discussed the registration process for Ebikes used by The Orange County Sheriff Department to educate users and track Ebikes. Director Crumby stated moving forward the goals will focus on education. There was also discussion on the effort of the State legislature to potentially limit municipalities for Ebike regulations, and ongoing discussions regarding vouchers/credits towards Ebikes purchased in conjunction with older model cars taken off the street. Councilmember Kalmick stated he supports required wearing of helmets with Ebikes, and noted his support for encouraging Ebikes to help reduce the number of cars on the road. He suggested staff set up an event for vendors and residents to possibly include a question-and-answer panel as an opportunity to inform and educate residents.

Councilmember Peterson and Chief Parra discussed bike citations are issued for lack of helmet and wrong-way travel which are California Vehicle Codes, and failure to obey speed limit or yield or stop signs which are Huntington Beach Municipal Codes. Councilmember Peterson suggested that Huntington Beach implement a traffic school component, including a fee in addition to the ticket fee, for all bike citations issued.

Councilmember Moser suggested asking kids, such as the Youth Board, for suggestions on novel and interesting ways to instill the importance of safety on bikes. Councilmember Moser and Director Crumby discussed several specific ways that bike lanes will incorporate improved safety. Councilmember Moser expressed appreciation for positive comments received from the public regarding the improvements on the Bluff Path.

Councilmember Bolton referenced the issues with drivers doing doughnuts in various intersections and wondered if adding round-a-bouts could be a method of curbing that behavior.

RECESSED — 5:19 PM

Motion by Councilmember Kalmick, second by Moser to recess to Closed Session.

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALLED TO ORDER THE SPECIAL MEETING OF THE HOUSING AUTHORITY — 6:10PM

ROLL CALL

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

City Clerk Robin Estanislau requested, and was granted, permission to be absent pursuant to City Charter Section 310 (a).

PLEDGE OF ALLEGIANCE — *Led by Councilmember Kalmick*

INVOCATION

6. 22-513 Mike Michaud with Dance4Joy Ministries and member of the Greater Huntington Beach Interfaith Council

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.

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

7. 22-611 Mayor Delgleize called on HBPD Chief Eric Parra who presented graduation certificates to the Wildlife Watch volunteers

Mayor Delgleize and Huntington Beach Police Chief Parra introduced Captain Nelson, who described the Wildlife Watch program which emphasizes respect for people and wildlife through education, outreach, assistance in developing sustainable solutions to human and wildlife conflicts, as well as training and support for the local community. Graduation certificates were presented to Wildlife Watch Volunteers (Volunteers in Police Service, VIPS): Hayley Yantorn, HBPD Community Relations Specialist, Jim Dwyer, Christine Fairchild (in absentia), Harriet Foster, Chris Masuzumi, and Nobu Stillwell.

8. 22-666 Mayor Delgleize presented commendation to Special Olympics athlete Joe Hreish for receiving the Kiwanis Team Special Olympics Athlete of the Year Award for 2022

Special Olympics Athlete Joe Hreish thanked everyone for their support and stated what an honor this is for him and his Special Olympic teammates. Mayor Delgleize noted that Joe is very active in Huntington Beach, as a Torch Runner in the Special Olympics, participating in Tip-A-Cop fundraisers, involvement with Kiwanis for over 30 years, volunteering for the Huntington Beach Fishing Derby and Easter Egg Hunt, and monthly Special Needs dances, as well as Sports Ambassador and Global Messenger for the Special Olympics speaking on the need for inclusion.

Congresswoman Michelle Steele's Representative also presented a commendation certificate to Joe in recognition of his Kiwanis Athlete of the Year Award for 2022.

9. 22-720 Mayor Delgleize presented a proclamation to OC Hunger Alliance in recognition of Hunger Action Month

Mayor Delgleize introduced Mike Learakos, President and CEO of Abound Food Care who stated the OC Hunger Alliance is comprised of Abound Food Care, OC Food Bank and Second Harvest Food Bank. He stated that OC Hunger Alliance serves all of the 310 non-profit organizations that serve food-insecure people throughout Orange County. Mr. Learakos thanked Huntington Beach for acknowledging food insecurity which can lead to homelessness.

Mayor Delgleize thanked Mr. Learakos for supporting all of the organizations that serve people in need.

10. 22-739 Mayor Delgleize called on Chief Parra who presented 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

Police Chief Parra commended the Home Depot Management Team for providing two memorial benches in honor of fallen officer Nicholas Vella. One bench is in the Police Department Debriefing area, and the other is at the Heliport, which was base operations for Officer Vella. Chief Parra expressed gratitude and appreciation to Home Depot Store Manager Yoalmo "Yo" Aleman, Home Center District Manager Luis Gonzalez, and Customer Experience Manager Yesenia Carrillo for remembering Officer Vella in such an inspirational manner.

11. 22-754 Mayor Delgleize presented 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

Mayor Delgleize shared that Jimmy's co-workers describe him as passionate about his job, performing exceptionally by working with other departments and stakeholders to resolve issues, takes ownership of his responsibilities, and is always looking for way to improve processes. He listens to his team members' ideas and suggestions, keeps his promises, and is trustworthy in demonstrating his integrity.

Community Development Director Ursula Luna-Reynosa described Jimmy's thoroughness, diligence and initiative and stated he is a phenomenal asset to the City. She added he is not only respected by his Community Development colleagues but co-workers in other departments as well.

Jimmy thanked Mayor Delgleize for this recognition, and acknowledged his Code Enforcement team members: Devin, Eric, Carol, Bobby, Gerardo, Roy, Janice, Ben and Eva. He also thanked City Council for supporting Code Enforcement efforts, staff in all departments, and the public for helping to improve quality of life in Huntington Beach.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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

Consent Calendar

#19 (22-665)

PowerPoint presentation entitled *Procurement Policy Review Plan* submitted by Dahle Bulosan, Chief Financial Officer.

- #20 (22-675)** Original signed counterpart signature page for the Agreement between the City and the Huntington Beach Downtown Business Improvement District (HBDBID) to act as the District Advisory Board submitted by Ursula Luna-Reynosa, Director of Community Development.
- #22 (22-727)** Email communication received regarding the naming of the "Secret Garden".
- #27 (22-705)** Email communication received regarding adoption of Resolution No. 2022-54 amending Residential Permit Parking District "L".

Administrative Items

- #29 (22-712)** PowerPoint presentation entitled "Mobile Home Tenant Based Rental Assistance Program" submitted by Ursula Luna-Reynosa, Director of Community Development.
- #30 (22-733)** PowerPoint presentation entitled "Pacific Airshow" submitted by Chris Slama, Director of Community & Library Services.
- Email from Kevin Elliott, CEO of Code 4, regarding the Air Show

Ordinances for Introduction

- #31 (22-398)** PowerPoint presentation entitled "Transit Shelter Franchise Agreement" submitted by Sean Crumby, Director of Public Works.
- #32 (22-713)** PowerPoint presentation entitled "Oil Code Amendment" submitted by Fire Chief Haberle.
- #33 (22-714)** PowerPoint presentation entitled "Fire Code Amendment" submitted by Fire Chief Haberle.

Councilmember Items

- #34 (22-726)** Three (3) email communications received regarding Establishing Rules of Order and Procedure for City Council Business.

PUBLIC COMMENTS (3 Minute Time Limit) — 22 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>.

Art Estrada, a resident of Skandia Mobile Park Home and active volunteer member of the Mobile Home Coalition, was called to speak and shared his opinions related to a mobile home carve out to Charter Section 803 for a Rent Stabilization Ordinance (RSO) for the ballot in November 2024, and noted that mobile home owners will be diligent in supporting City Council candidates who demonstrate support for protecting mobile home owners. (01:56:38)

Jeanne Farrens, a resident of Skandia Mobile Home Park, was called to speak and shared her concerns related to Administrative Items #29 regarding the formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners. (01:59:12)

Carol Rohr, President of Skandia Mobile Home Park Home Owners Association (HOA) and Leader of the Mobile Home Coalition, was called to speak and stated her and the Coalition's support for Administrative

Items #29 regarding the formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners. She described this item as a token effort until permanent measures can be voted on in November 2024. (02:02:37)

Tim Geddes, a long-time resident of Huntington Beach, and Huntington Beach Mobile Home Advisory Board Chair, was called to speak and stated his personal support for Administrative Items #29 regarding the formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners, as a step in the right direction. He added it doesn't offer the protection that a Rent Stabilization Ordinance (RSO), which will be voted on in November 2024. (02:05:12)

Allie Plum, a resident of Del Mar Estates and Resident Member of the HB Mobile Home Advisory Board, was called to speak and stated support, as an individual representing many other mobile home owners, for Administrative Items #29 regarding the formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners as a small step in the right direction. She encouraged any interested residents to attend the next quarterly meeting of the Mobile Home Advisory Board in October. (02:07:38)

Steve Engel was called to speak and stated his support for Consent Calendar Item #22 regarding naming of the area known as the "Secret Garden" in Huntington Central Park East, and acknowledged the original four volunteers who spearheaded efforts to improve that area through the last eight years. He also acknowledged donors, sponsors and supporters, and noted the volunteers intend to continue their beautification efforts. (02:09:59)

Bobby Britton, a Candidate for City Council in 2022, was called to speak and shared his perspective that too many people focus on proving why they are right, rather than working on what is right and collaborating to meet on common ground. He concluded by asking questions related to Charter Amendments on the current ballot regarding the City Attorney position. (02:11:50)

Steve Matus, a life-long resident of Huntington Beach, was called to speak and stated his support for Consent Calendar Item #27 to adopt Resolution No. 2022-54 amending Residential Permit Parking District "L" affecting residents on Freeborn Drive in Huntington Beach. (02:15:02)

WynDee Swartz, a resident of the Glen Mar neighborhood, was called to speak and stated she brought the issue of the poor condition of their border wall to Councilmembers in October 2018. She invited all Councilmembers to drive by Magnolia, Yorktown and Adams to see the conditions, and asked that at least one Councilmember provide support to ensure this project is addressed. Mayor Delgleize asked Ms. Swartz to complete a blue card for staff follow-up. Councilmember Carr asked that staff provide an update on this project as an agenda item for the next meeting. (02:15:57)

Brian Cardinal, a resident of Freeborn Drive for over 30 years, was called to speak and shared a diagram to convey his concerns regarding Consent Calendar Item #27 regarding Residential Permit Parking District "L" affecting residents on Freeborn Drive in Huntington Beach. He noted that the adjacent Edwards Street homes will get permit parking, but none of the homes on Freeborn Drive will get parking permits. He described the "dumping ground" area in front of the Freeborn Drive homes which has drug paraphernalia as well as abandoned automobiles and is used for long-term parking, and thanked City staff for their efforts on this project. (02:18:43)

Mike Costello, a 40-year resident of Huntington Beach, was called to speak and stated his opposition to Councilmember Items #34 submitted by Councilmember Moser regarding establishing Rules of Order and Procedure for City Council Business, which in his opinion will restrict free speech, further limit time

allowed for public speakers, as well as eliminate any signage. He reminded the Councilmembers the public are their employers, and this item appears to be an effort to shut people down. (02:22:43)

Cari Swan was called to speak and stated her opposition to Councilmember Items #34 submitted by Councilmember Moser regarding establishing Rules of Order and Procedure for City Council Business because it appears this effort will infringe upon her First Amendment rights. (02:24:20)

Chris Waring, a 20-year resident of Surf City Cottages Mobile Home Park, was called to speak and stated he is currently paying about 73% of his fixed retirement income for his space rental. He requested support for a small fixed percentage increase in space rental fees. (02:26:16)

Matthew Silcock, a resident of Huntington Beach, was called to speak and stated appreciation for the fact that his phone calls are accepted at City Hall, and the issues addressed that he has presented related to lights not working or streets needing attention. He requested left and right turn signals on Adams at Newland and Brookhurst to help mitigate the accidents at those intersections. He also reported that the fire lane is not properly marked at the corner of Cobra Lane and Norino Drive. Mayor Delgleize asked him to complete a blue card for staff follow-up. (02:29:29)

Stephen Quinn, a retired school bus driver, was called to speak and proposed that to quell those who dare to disagree with City Council, City Hall be officially declared a "sarcasm-free" zone. He stated his support for City Attorney Michael Gates, and the "Fab Four" Council Candidates. (02:31:47)

Russell Neal, a resident of Huntington Beach, was called to speak and stated his opposition to Consent Calendar Item #17 regarding a Density Bonus with The Olson Company for the townhome project at 8375 Talbert Avenue, specifically the relaxed parking, as it will only negatively affect the surrounding homeowners. For Consent Calendar Item #26, regarding the appointment to the Environmental and Sustainability Board, he questioned the appropriateness of supporting lobbyists to push for particular political agendas. He shared his opinion that Councilmember Items #34 regarding establishing Rules of Order and Procedure for City Council Business, is problematic by its association with California SB1100, and over-the-top reaction to parents complaining about what school boards are doing to their children. (02:32:45)

Cesar Barrera was called to speak and described his experiences with graffiti, broken glass, trash and unsafe conditions for the residents on Freeborn Drive, and stated his support for Consent Calendar Item #27 regarding Resolution No. 2022-54 amending Residential Permit Parking District "L" affecting residents on Freeborn Drive in Huntington Beach. (02:35:22)

Ann Palmer was called to speak and directed her comments to Councilmember Items #34 regarding establishing Rules of Order and Procedure for City Council Business, and noted that according to the Global Development Research Center (GDRC) engaging citizens in local government improves accountability, and helps local authorities to solve problems. She noted that Huntington Beach voters that speak up appear to be perceived as an annoyance by this Council. (02:37:07)

Byron Costa was called to speak and shared his perspective on the helicopter accident that took Officer Vella's life, and questioned if smoking on the beach is an offense that results in arrest. (02:40:23)

Roger Noor was called to speak and shared his opinions on use of drones within the City, Council's plan for taxing marijuana sales, and the consequences for minors after an arrest. (02:42:26)

Gina Clayton-Tarvin, President of the Ocean View School Board of Trustees, was called to speak and shared some School District details related to the new school year, and described joining Mayor Pro Tem Posey for a US Army tour of the National Training Center at Fort Irwin. Ms. Clayton-Tarvin stated her support for Administrative Items #29 regarding the formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners, and her support for Councilmember Items #34 regarding establishing Rules of Order and Procedure for City Council Business. (02:45:49)

John Briscoe, Candidate for Trustee of the Ocean View School District in 2022, was called to speak and described his lawsuits against Huntington Beach. He also reported on several Ocean View School District education plans, policies, and programs. (02:48:59)

Caller Ada Hand, a resident of Del Mar Mobile Home Park, was invited to speak and shared her support for affordable housing for all mobile home residents. She referenced a recent article in the *Los Angeles Times* related to the issue of affordable housing, and shared her opinion on the City Council's response to the affordable housing issue in Huntington Beach. (02:52:15)

Caller Ben Pickens, a resident of Huntington Beach, was invited to speak and stated his support for selling the ecological reserve to the State Park Service. He further shared his perspective on historical presidents and their efforts which resulted in national parks, Hoover Dam and the Golden Gate Bridge, noted various military weapons, and stated his support for solar power. (02:55:13)

Caller Mary Jo Baretich, a 40-year resident of Cabrillo Beachfront Mobile Home Park, was called to speak and stated her support for Administrative Items #29 regarding formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners. She shared her opinion that this program could prevent some people from becoming homeless, and stated that current mobile home owners would like to be involved in the planning for the TBRA Program. (02:58:27)

Caller Cooper Zurasko, a member of the Mobile Home Resident Coalition, was invited to speak and stated his support for Administrative Items #29 regarding formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners. (02:59:58)

Caller Mark Sheldon, a resident of Huntington Beach for over 30 years, was invited to speak and stated his support for Consent Calendar Item #26 regarding the appointment of Eric Bornstein to the Environmental and Sustainability Board to fill a vacancy after the death of Tony Soriano. (03:01:25)

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

Councilmember Kalmick noted the recent birth of his son, and reported attending meetings of the following committees and organizations: Southern California Association of Government (SCAG) Environmental, Energy and Emerging Technology; Ebike Scoping; Downtown Urban Design; Inter-governmental Relations Committee; Orange County Power Authority (OCPA); and responded to the Grand Jury Report and County of Orange Request for Audit on OCPA.

Mayor Pro Tem Posey, via Zoom, reported on a Southern California Association of Government (SCAG) event on September 14, "Forecasting the New Normal Demographic Workshop" which will describe how Regional Housing Needs Assessment (RHNA) is determined. He announced that on September 30 he will be participating in the Association of California Cities – Orange County (ACC-OC) panel discussion on some of the housing bills and Senate Constitutional Amendments that are being tracked.

Councilmember Moser reported meeting with the Huntington Beach Police Officers' Association (POA) and attending the Edison Park Conceptual Plan Community Workshop; Environmental and Sustainability Board; Huntington Beach Downtown Business Improvement District Board; Homeless Task Force; Veteran Resource Center visit; Downtown Urban Design Ad Hoc Committee; Downtown Story Telling Workshop; Communications Committee; Human Relations Committee Liaison; Driving Out Darkness Anti-Semitism Conference; Huntington Beach Central Park Collaborative; Youth Board interviews; and Sunset Beach Community Association meetings.

Councilmember Carr reported attending meetings of the Downtown Urban Design Committee; Downtown Business Improvement District Board; Huntington Beach Council on Aging; Communications Board; Youth Board interviews; Cal Cities Executive Board; Cal Cities Convention (the remaining part of this week); and Driving Out Darkness Anti-Semitism Conference.

Councilmember Bolton reported attending many of the same meetings as other Councilmembers, including the Driving Out Darkness Anti-Semitism Conference; and the Cal Cities OC Legislative and Regulatory Committee.

Mayor Delgleize reported also attending many of the meetings already mentioned by her fellow Councilmembers. In addition, she attended the 50th Anniversary Celebration for Jan's Health Bar; Bluff Top Park Fencing and Path Improvements Celebration; a visit to LifeArk in El Monte which creates safe, sustainable and affordable homes; Summer 2022 HB Junior Guard Commencement Ceremony; Shipley Nature Center All Day Event; Soroptimist International of Huntington Beach, Celebrate 2021-22 Federation Live Your Dream Honoree Laneisha Brown; Congresswoman Michelle Steel, U. S. Army Corps, and Local Officials hosted Sand Replenishment Project Update at Balboa Pier; Association of California Cities – Orange County (ACC-OC) Summer Soiree at Lyon Air Museum; and AES Coastal Enhancement Program Kick-Off.

12. 22-524 Appointed Voting Delegate and Alternates for the League of California Cities Annual Conference and Expo — September 7-9, 2022

A motion was made by Kalmick, second Moser to appoint City Council Member Carr to serve as the voting delegate and City Council Members Bolton and Moser as alternates, 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.

The motion carried by the following vote:

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

CITY MANAGER'S REPORT

13. 22-691 Welcome to New OneHB Team Members

City Manager Zelinka welcomed 33 new employees and recognized Public Information Officer Jennifer Carey for receiving an award from the California Association of Public Information Officers.

City Manager Zelinka introduced Police Chief Parra who announced next Monday, September 12, is National Police Women Day, and that Officer Kendra Wood has just been promoted to Sergeant.

CONSENT CALENDAR

Mayor Pro Tem Posey pulled Item #19 for further discussion.

14. 22-711 Approved and Adopted Minutes

A motion was made by Carr, second Kalmick to approve and adopt the City Council/Public Financing Authority regular meeting minutes dated July 19, 2022; and, approve and adopt the City Council/Public Financing Authority regular meeting minutes dated August 2, 2022.

The motion carried by the following vote:

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

15. 22-627 Received and filed 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

A motion was made by Carr, second Kalmick to 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, 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."

The motion carried by the following vote:

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

16. 22-237 Reaffirmed 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

A motion was made by Carr, second Kalmick to 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."

The motion carried by the following vote:

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

17. 22-586 Approved and authorized 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

A motion was made by Carr, second Kalmick to 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, 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 authorize the Housing Authority Executive Director or 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

18. 22-606 Approved Sole Source Procurement request with Jones Chemical (JCI) for Chlorine Gas

A motion was made by Carr, second Kalmick to approve the sole source procurement request for the purchase of chlorine gas from JCI.

The motion carried by the following vote:

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

19. 22-665 Approved the Finance Department's plan to conduct a comprehensive review of the City's procurement policies

Mayor Pro Tem Posey pulled this item to thank City Manager Zelinka and his Council colleagues for agreeing to support this study by the Finance Department. Mayor Pro Tem Posey emphasized the importance of best practices to ensure transparency and fairness in the competitive process for all Departments. Councilmember Carr suggested a review of the Agenda Packet PowerPoint communication.

Chief Financial Officer Dahle Bulosan presented a PowerPoint communication titled *Procurement Policy Review Plan* with slides entitled: *Procurement Policy Review Plan; Presentation Overview; Background; Procurement Review Plan; City of Huntington Beach Procurement Policies (4); Preliminary Survey and Best Practices; Preliminary Survey of Neighboring Cities (3); Recommended Action; and Questions?*

A motion was made by Posey, second Kalmick to approve the plan to review the City's procurement policies as outlined in this report.

The motion carried by the following vote:

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

20. 22-675 Approved the Huntington Beach Downtown Business Improvement District's (HBDBID) Annual Report and Proposed Budget for Fiscal Year (FY) 2022-2023; Adopted 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, approved and authorized execution of an Agreement between the City and the Huntington Beach Downtown Business Improvement District to Act as the District Advisory Board

A motion was made by Carr, second Kalmick to approve the Huntington Beach Downtown Business Improvement District Annual Report and Proposed Budget for FY 2022-2023; and, 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, 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, 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.

The motion carried by the following vote:

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

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

A motion was made by Carr, second Kalmick to 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 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 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.

The motion carried by the following vote:

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

22. 22-727 Approved the naming of the area known as the "Secret Garden" located in Huntington Central Park East, as recommended by the Community & Library Services Commission

A motion was made by Carr, second Kalmick to 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."

The motion carried by the following vote:

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

23. 22-715 Approved the City's responses to Grand Jury Report "Where's the Fire? Stop Sending Fire Trucks to Medical Calls"

A motion was made by Carr, second Kalmick to 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.

The motion carried by the following vote:

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

24. 22-722 Approved the City's Responses to the Orange County Grand Jury Report: "Orange County Power Authority: Come Clean"

A motion was made by Carr, second Kalmick to receive and file the City's initial response concurring with OCGJ's Recommendation No. 4 in "Orange County Power Authority: Come Clean," 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.

The motion carried by the following vote:

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

**25. 22-679 Adopted 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)**

A motion was made by Carr, second Kalmick to 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)

The motion carried by the following vote:

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

26. 22-732 Approved the appointment of Eric Bornstein to the Environmental and Sustainability Board as recommended by City Council Liaisons Kalmick and Moser

A motion was made by Carr, second Kalmick to 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.

The motion carried by the following vote:

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

27. 22-705 Adopted Resolution No. 2022-54 amending Residential Permit Parking District "L" affecting residents on Freeborn Drive in Huntington Beach

A motion was made by Carr, second Kalmick to 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."

The motion carried by the following vote:

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

PUBLIC HEARING

28. 22-648 Adopted Resolution No. 2022-55 approving the street name change from Jason Circle to Revival Circle in Huntington Beach

Fire Chief Haberle introduced Deputy Fire Marshall Eros who presented a PowerPoint communication titled *Street Name Change*, with a slide entitled *Revival Circle*.

Mayor Delgleize opened the Public Hearing.

Assistant City Clerk Patty Esparza announced there were no Public Speakers.

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

Public Hearing

#28 (22-648) PowerPoint presentation entitled *Street Name Change, Jason Circle to Revival Circle* submitted by Fire Chief Haberle.

Mayor Delgleize closed the Public Hearing.

A motion was made by Kalmick, second Bolton to 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."

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

29. 22-712 Approved and authorized the formation of a Tenant Based Rental Assistance (TBRA) Program for eligible senior mobile home owners

Director of Community Development and Housing Manager Charles Kovac presented a PowerPoint communication titled *Mobile Home Tenant Based Rental Assistance Program* with slides entitled: *Mobile Home Tenant Based Rental Assistance Program; Background; HOME TBRA; Available HOME Funding; Proposed Program Eligibility and Preferences; 2022 HUD Income Limits; Continuing Program Eligibility; Next Steps (2); and Questions?*

Councilmember Kalmick and Director Luna-Reynosa discussed the possibility of priority options to speed the approval process knowing there is a lack of contractors for the homes that need rehab.

Councilmember Kalmick and Manager Kovac discussed the lottery process.

Councilmember Moser confirmed with Director Luna-Reynosa that no other programs will be affected by the funds used for this TBRA program because unspent funds from past years are being used. There was further discussion regarding how long the program could be funded. Councilmember Moser and Manager Kovac discussed options with the lack of qualified licensed contractors and site inspectors which individual homeowners select. Councilmember Moser confirmed that the Mobile Home Advisory Board was included in staff planning discussions.

Councilmember Carr thanked Manager Kovac for his presentation to the Mobile Home Advisory Board several months ago, and agreed that there is still a need for more. She shared her concern for using incredibly low Housing and Urban Development (HUD) income limits, and noted that HUD does not allow for any flexibility, and suggested that Orange County may have funds available to assist with this type of program.

Councilmember Bolton and Manager Kovac discussed HUD requirements which include assets as well as income.

Director Luna-Reynosa noted that another part of the formula for determining need is Fair Market Rent, which means there will not be as deep a subsidy.

A motion was made by Kalmick, second Moser to 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, 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

The motion carried by the following vote:

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

30. 22-733 Denied 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

Director of Community and Library Services Chris Slama presented a PowerPoint communication titled *Pacific Airshow* with slides entitled: *History (5); Statement of Issue (3); Fiscal Impact (6); Recommended Action (3); Final Considerations (2); and Questions?*

Mayor Delgleize confirmed payment amounts and dates with Director Slama.

Councilmember Peterson and Director Slama reviewed cost estimation details and share caps.

Councilmember Moser stated from her perspective, rather than including revenues, the focus could just consider the amount of space the vendor needs and the City could subsidize that amount. She also confirmed that Code Four re-sells the RV spaces.

Mayor Pro Tem Posey noted that he reviewed Council's discussion on September 16, 2019, when the parking income was projected at approximately \$100,000, and asked how this year's projection of \$150,000 was calculated. Mayor Pro Tem Posey also noted that in 2019 the Council's understanding was that moving forward the Air Show would stand on its own and shouldn't expect continued subsidy, due to pursuit of large sponsors; and noted that no other event sponsors receive a discounted cost for Public Safety or permit fees, nor does the City increase parking fees.

Councilmember Kalmick stated his disappointment in receiving a voluminous email about an hour before the meeting started with details that need to be researched and substantiated. He did pull the Minutes and Resolutions 2018-48 and 2017-44 and noted nothing states "in support of" the event. Councilmember Kalmick said he is in support of getting cash up front, and stretching out payments after the event, but is in opposition to any subsidies.

Director Slama clarified for the record that "in support of" the event was not used in the actual Resolution for 2019, but was used in the Recommended Council Action (RCA).

Councilmember Carr stated her support for the fact that Council's intention in 2019 was to not provide any special support for the Air Show going forward. She added that the City certainly wants Code Four to be successful, but the City has done its part for a successful event and should not be providing any more subsidies. Councilmember Carr expressed her concern over the fact that Code Four still owes some payment for last year's event. She stated her opposition to providing any parking subsidy, nor does she support offering the lay-a-way plan.

Director Slama noted that staff has been working for months with Code Four with a lot of different scenarios over time, and added there was no formal request before the Agenda was posted.

Councilmember Carr stated that fees have been set for events, and she appreciates the time that staff has put into the effort, she cannot support an attempt to re-negotiate the fees.

Councilmember Moser stated that Councilmember Carr has persuaded her on parking subsidy, and asked how often are contract details being discussed this close to an event. Director Slama responded that unfortunately this is not uncommon, and added that staff has already started reviewing event planning processes, and noted that a Letter of Condition, attached to a permit, is typically ready about 30 days ahead of an event.

Councilmember Peterson noted COVID-19 and last year's early cancellation, a couple of unexpected situations which may have impacted Code Four's ability to actually acquire big sponsors.

Councilmember Peterson stated his support for the staff recommendation. Further, he noted this is an

international air show that is attracting attention around the world, the only air show that is televised on Hulu, it is the biggest event in the country for Armed Forces recruiting, and added the City does make money on the event.

Councilmember Bolton and Director Slama discussed the overall economic impact of the event has not been studied by the City, but Code Four and Visit HB worked with an independent organization several years ago for an economic impact study.

Mayor Pro Tem Posey noted the 2019 event negotiation came to the Economic Development Committee (EDC) and asked Director Slama why the EDC was bypassed this year. Director Slama responded that staff felt coming directly to Council was the most efficient way to proceed this year based on the previous conversations with Councilmembers.

Mayor Pro Tem Posey agreed there have been a couple of extenuating circumstances that might have precluded sponsorship opportunity, but Council made it clear in 2019 that there should be no more subsidies, even though subsidies were approved for 2021. Mayor Pro Tem Posey stated he could support a delay in fees and full reconciliation so it is accurate. He recommended a fifty percent (50%) deposit and the \$64,000 in RV parking and the nominal \$17,000 permit fee.

~~A motion was made by Kalmick, second Carr to consider Code Four's request for a subsidy, and based on previous approvals, grant up to \$140,000 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, 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; 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.~~

The motion carried by the following vote:

AYES: Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: Peterson

ORDINANCES FOR INTRODUCTION

31. 22-398 Approved for Introduction Ordinance No. 4261 authorizing the assignment of a Franchise Agreement with Focus Media Group for Transit Shelter Services

Director of Public Works Sean Crumby and Deputy Director Chau Vu presented a PowerPoint communication titled *Transit Shelter Franchise Agreement* with slides entitled: *Scope of Work; Schedule of Franchise; Why Focus Media is #1; Focus Media Currently in Sunset Beach; Value to HB; and Questions?*

Michael Culver, Owner and President, Focus Media Group, was present to answer any questions.

Mayor Delgleize stated her support for this item.

Councilmember Kalmick stated his support for this item. He asked that Sunset Beach branding be unique and different from Huntington Beach. Director Crumby confirmed that Focus Media Group would partner to ensure that is done.

Councilmember Kalmick also suggested that Beach Boulevard should be modeled after Harbor Boulevard, and that the existing bus shelters be brought up-to-date with more than just a coat of paint. Director Crumby noted that the financial costs presented are intended for shelter improvements.

Mr. Culver, President, Focus Media Group, shared that the over 45-year-old shelters in Sunset Beach will be the first to be replaced. He explained that there will be sample ideas presented for consideration, and noted that the City's logo will be on each shelter. All 38 existing bus benches will be addressed, with the intent to advertise local businesses. Mr. Culver also noted the importance of the City's maintenance team and ability to respond quickly. Focus Media Group is excited about the option to coordinate with Mercy House to create at least an employment stepping stone for individuals.

Councilmember Kalmick asked if Orange County Transit Authority (OCTA) has any input on whether a shelter is needed at every bench on Beach Boulevard. Director Crumby clarified that OCTA determines where bus stops are placed, and it is expected that part of the process will be to include OCTA in location plans for Beach Boulevard. Huntington Beach determines the amenities available at each bus stop.

Councilmember Peterson thanked staff for bringing forth an item which has been years in the process.

Councilmember Moser stated her support for a partnership that supports local businesses, commits to service, and offers the bonus of an employment stepping stone.

A motion was made by Peterson, second Delgleize to, after City Clerk reads by title, 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, 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."

The motion carried by the following vote:

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

32. 22-713 Approved for introduction Ordinance No. 4266 amending Chapter 15.32 of the Huntington Beach Municipal Code relating to nonproducing and idle oil wells

Deputy Fire Marshall Steve Eros presented a PowerPoint communication titled *Oil Code Amendment*, with a slide entitled *Re-Abandonment Requirements*.

A motion was made by Peterson, second Kalmick to, after the City Clerk reads by title, 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."

The motion carried by the following vote:

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

33. 22-714 Approved for introduction Ordinance No. 4260 amending Chapter 17.56 of the Huntington Beach Municipal Code relating to the Fire Code

Deputy Fire Marshall Eros presented a PowerPoint communication titled *Fire Code Amendment* with a slide entitled *New Fire Access Requirement*.

A motion was made by Kalmick, second Carr to, after the City Clerk reads by title, 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."

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

34. 22-726 Approved Item submitted by Councilmember Moser — Establishing Rules of Order and Procedure for City Council Business

Councilmember Moser introduced this item as an opportunity to make transparency and consistency a priority for staff, Councilmembers and the community. She said her item includes review and updates, a process completed in public, probably through a Study Session. She reviewed the history of the Council Rules of Order which were established in 1961, and noted that in 1976 the Rules of Order were repealed and replaced with the Council Manual, and the Order and Procedures became less robust.

This effort is to promote trust and confidence in government. She stated she envisions staff going to each sitting Councilmember, as well as former Mayors, to document the challenges they experience(d) during meetings, and look at best practices of other cities. She described some specific situations that could use more specific or clarified rules to be enforced by the parliamentarian. She noted there is no intent to take away anyone's First Amendment rights, and stated the result should include the opinion of the City Attorney.

Mayor Delgleize noted that some of the public speaker comments earlier in the evening were not accurately describing the intent of this item.

Mayor Pro Tem Posey stated his support with Councilmember Moser's comments that the Council Manual has evolved into a compilation of reference documents with a lot of gaps and holes. He stated the need to codify rules of engagement regarding H Items, and noted that Council can legislate from the dais with a minute action. Mayor Pro Tem Posey stated timing is important, and noted his support for review of the Council Manual for the four new Councilmembers coming in.

Councilmember Kalmick stated he is a supporter of rules and sees a lot of ambiguity in the current rules. He noted his concerns relate to being in compliance with SB1100, should someone who does not sit on Council be the parliamentarian, does the public comments process need to be divided into agenda vs non-agenda items, agenda policy, determining who speaks for the City, understanding Robert vs

Rosenberg Rules of Order, Boards and Commissions and how they feed up to City Council, Councilmember training, and finally, changing "H Item" to "Councilmember Item" and clarifying the limits of staff support time for such items.

Councilmember Carr stated her surprise that members of the public thought this item would affect their right to free speech, and noted that elected officials are restricted as to whom they can talk to, how many people they can talk to, and what they can say. Councilmember Carr stated her support for reviewing best practices and determine if there are ways to make meetings more efficient, more accessible, and allowing for more people to participate.

Councilmember Bolton stated her concerns relate to Board, Commission and Committee procedures, expectations and appointments, as well as best practices for liaisons making recommendations.

Mayor Pro Tem Posey noted that the public can speak to Councilmembers by calling or emailing and asking for an appointment, they do not have to wait for a Council meeting to speak from the podium.

Councilmember Moser added that per the City Charter, the City Clerk is to attend all meetings, and is responsible for recording and maintaining a full and true record of all Council meetings. She noted that Closed Sessions should be included, but that is not currently being done, and added this to the issues for review.

City Manager Al Zelinka, at the invitation of Councilmember Moser, stated that it appears that too much effort is being spent on understanding routine things, and this item will help manifest the rules and provide checks and balances for everyone.

A motion was made by Moser, second Carr that City Council 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.

The motion carried by the following vote:

AYES: Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: Peterson

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carr announced that on Saturday, September 17, there will be an Active Living Expo at the Senior Center from 10 AM to 1 PM. Rockin' Fig Day will also be held on Saturday, September 17, at the Pier.

Councilmember Moser announced that on Sunday, September 11, the Annual Blessing of the Waves will take place in the morning at Pier Plaza, and in the afternoon at 4 PM will be the Patriot Day Ceremony at the Pier. She also noted that the Memorial Service for Ralph Bauer will be Friday, September 9, at 5 PM at the Senior Center.

ADJOURNMENT — 10:54 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on 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>

Robin Estanislau

City Clerk and ex-officio Clerk of the City Council
of the City of Huntington Beach and Secretary of
the Public Financing Authority of the City of
Huntington Beach, California

ATTEST:

Robin Estanislau
City Clerk-Secretary

Barbara Delgliz
Mayor-Chair