

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, November 15, 2022
4:00 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648
Or Virtual via Zoom Webinar

A video recording of the 5:00 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/

5:00 PM - COUNCIL CHAMBERS

CALLED TO ORDER — 5:00 PM

ROLL CALL

Present: Peterson, Bolton, Posey, Delgleize, Moser, and Kalmick
Absent: Carr

Councilmember Carr was granted permission to be absent pursuant to Resolution 2001-54, and City Clerk Robin Estanislau was granted permission to be absent pursuant to City Charter Section 310 (a). Mayor Delgleize announced City Manager Al Zelinka was granted permission to be absent per City Charter Section 402, and Assistant City Manager Travis Hopkins was the Acting City Manager for this meeting.

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

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS — None

CLOSED SESSION ANNOUNCEMENT(S)

- 1. 22-991 Mayor Delgleize Announced: Pursuant to Government Code § 54956.8, the City Council shall recess to Closed Session to give instructions to the City's Negotiators, Al Zelinka, Travis Hopkins, Acting City Manager; Ursula Luna-Reynosa, Director of Community Development; Sean Crumby, Director of Public Works, regarding negotiations with Timothy A. Fissinger, Vice President of Real Estate for 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**

A motion was made by Kalmick, second Bolton, to recess to Closed Session.

RECESSED TO CLOSED SESSION — 5:02 PM

CLOSED SESSION

- 2. 22-992 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8.) Property: APN numbers 111-372-06 and 111-372-07. Agency negotiator: Al Zelinka, Travis Hopkins, Acting City Manager; Ursula Luna-Reynosa, Director of Community Development; and Sean Crumby, Director of Public Works. Negotiating parties: Timothy A. Fissinger. Vice President of Real Estate for Republic Services. Under negotiation: Price and terms of payment.**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:03 PM

ROLL CALL

Present: Peterson, Bolton, Posey, Delgleize, Moser, and Kalmick
Absent: Carr

Councilmember Carr was granted permission to be absent pursuant to Resolution 2001-54, and City Clerk Robin Estanislau was granted permission to be absent pursuant to City Charter Section 310 (a). Mayor Delgleize announced City Manager Al Zelinka was granted permission to be absent per City Charter Section 402, and Assistant City Manager Travis Hopkins was the Acting City Manager for this City Council meeting.

PLEDGE OF ALLEGIANCE — Led by Mayor Pro Tem Posey.

INVOCATION

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

- 3. 22-931 Zarathushti Maneck Bhujwala of the Zoroastrian Community and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

- 4. 22-938 Mayor Delgleize called on Eagle Scout recipient Joe Broadway who recently rebuilt the staircase to the mudslide at the City's Adventure Playground**

Joe Broadway of Troop 274, a life-time resident of Huntington Beach, was acknowledged by Mayor Delgleize for his Adventure Playground Eagle Scout project. Joe was responsible for the new pathway that was built which required 33 volunteers and 509 service hours. The project took over a year and was completed in April 2022. Mayor Delgleize thanked Joe for being such a great role model and presented him with a Certificate of Commendation.

Joe expressed his gratitude for an opportunity to help kids in the City he grew up in, and thanked everyone who volunteered, his Scout Master Mr. LaParn, as well as Assistant City Manager Travis

Hopkins who was his first Scout Master, Kiwanis Club of Huntington Beach and Huntington Beach Digital Arts for their generous support for the project.

5. 22-939 Mayor Delgleize recognized Republic Services Drivers Ben Matua and Jose Cardosa for being Good Samaritans in assisting a customer in need of help

Mr. Dettloff described how he fell while working in his yard, and shared how helpful both Mr. Matua and Mr. Cardosa were to ensure he got safely into his home. Mayor Delgleize commended both Republic Services drivers for their compassion and kindness in this situation, and presented Certificates of Commendation.

6. 22-977 Mayor Delgleize called on members of the Huntington Beach Host Lions Club to present the Club's Melvin Jones Award to Community & Library Services Director Chris Slama

Lions Club 2nd Vice District Governor Scott Quinlan and Janet Price, HB Lion President, noted that the Lions (Loving Individuals Offering Needed Service) Club is the largest service organization in the world. Ms. Price presented a plaque and thanked Chris Slama for his 25 years of service through Lions Club. Mr. Slama thanked the Lions Club for this recognition, and acknowledged his City team members, community members, and his family for their tremendous support through the years.

7. 22-923 Mayor Delgleize presented the November Mayor's HB Excellence Award to Chaplain Roger Wing with HBFD and HBPD

Mayor Delgleize noted that the Mayor's HB Excellence Awardees are nominated by their co-workers for exemplifying the attributes of humility, social awareness, passion, exceptionality, integrity and are team oriented.

Chaplain Wing has served the HB Police and Fire Departments for the past 25 years with heart-felt passion for the employees as well as community members, and looks for ways to honor those he serves. Chaplain Wing has provided comfort to citizens and Public Safety personnel suffering from traumatic incidents. He is a trusted counselor, and Police Chief Parra described Chaplain Wing as a man with selfless dedication especially during the grieving process whether he is ministering to families after tragic accidents, or affected community members and fellow employees.

Chaplain Wing stated it has been an honor, a privilege and a blessing to serve and thanked Mayor Delgleize for the recognition.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Administrative Items

- #21 (22-956)** Amended side letter of agreement with Huntington Beach Municipal Teamsters submitted by Brittany Mello, Administrative Services Director.
- #23 (22-969)** Ten (10) email communications received regarding drafting a Zoning Text Amendment (ZTA) to delete the cannabis prohibition.

PUBLIC COMMENTS (3 Minute Time Limit) — 33 In-Person and 1 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>.

Carol Rohr, President, Huntington Beach Mobile Home Resident Coalition, was called to speak and shared her disappointment in the results of the November 2022 Councilmember elections, as the winners chose to not participate in the Coalition's outreach. Ms. Rohr stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:43:08)

Allie Plum, owner of an "immobile" home in Huntington Beach for nearly a decade, was invited to speak and encouraged the newly elected Councilmembers to focus on providing affordable housing, and care for the homeless, to keep Huntington Beach a great City. Ms. Plum stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:45:15)

Mary Jo Baretich, a 40-year resident of Cabrillo Mobile Home Park, and Mobile Home Advisory Board Member, was called to speak and stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:47:25)

Art Estrada, Huntington Beach Mobile Home Resident Coalition Member, was called to speak and shared his disappointment that none of the Council Candidates that sympathize with the Coalition members were elected. Mr. Estrada stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:48:53)

Marcos Rebollar was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:50:55)

Molly Rebollar, Ocean View Estates resident for 22 years and life-long resident of Huntington Beach, was called to speak and stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:51:11)

Sok Kim, a resident of Ocean View Estates, was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:51:40)

Unnamed Guest, a resident of Huntington Beach for 55 years and currently living in Ocean View Estates, was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:53:02)

Richard Chimotti, a resident of Ocean View Estates, was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:53:55)

Wededa Hepesh, an 8-year resident of Ocean View Estates, was called to speak and stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039, and asked if there is any way to provide more parking for Ocean View Estates residents. (00:54:13)

Unnamed Guest, a 15-year resident of Ocean View Estates, was called to speak and stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:55:37)

Darla Chemotti, a 10-year resident of Ocean View Estates, was called to speak and stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:56:30)

Tresa Holloway was called to speak and stated her support for Housing Element Options #2, #3 or #6 for the Seacliff area, and asked the newly elected Councilmembers to explore all areas of the City for any high density projects. (00:56:52)

Dennis Holloway was called to speak and stated his opinion that SP7 and SP9 are not necessarily needed to meet State mandates, and support for Housing Element Options #2, #3 or #6 for the Seacliff area, and for exploring all areas of the City for high density projects. (00:57:52)

Arturo Sanchez, a 25-year resident of Ocean View Estates, was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (00:59:43)

Lola Archibald, an 8-year resident of Ocean View Estates, was called to speak and stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (01:00:57)

Aiden, with Boy Scouts of America Troop 1931, was called to speak and shared that recently, while working on their Citizenship and Community Badge, the Troop met with Councilmember Moser. Aiden, with the support of three additional Troop members, thanked Councilmember Moser for her time to answer their questions. (01:01:21)

Mickey Golden, a resident of Peninsula Park, was called to speak and stated her opposition to the Housing Element Plan #4 for Holly-Seacliff at Goldenwest Street and Garfield Avenue. She also shared her opinion that more time should be spent on reviewing Options #4, #5, and #6 before making any decisions. (01:04:33)

Patricia Taylor, a resident of Rancho Huntington Mobile Home Park, was called to speak and stated her support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (01:06:30)

Amory Hanson was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039, as a great example for other mobile home park owners. (01:08:33)

Tim Geddes, a 39-year resident of southeast Huntington Beach, was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estate leases until September 30, 2039. Mr. Geddes stated his hope that the newly elected Councilmembers will govern less by ideology and more by what is best for the citizens they represent. (01:09:06)

John Hill, a 30-year resident currently living in Ocean View Estates, was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. (01:10:59)

Sal Solo, U. S. Army Veteran and Cannabis Banking Consultant, was called to speak and stated his support for Measure O regarding the cannabis licensing program and described some of the financial benefits for the City. (01:11:46)

Val Parker, a 26-year resident of Huntington Beach, was called to speak and shared details on this year's Hunger and Homelessness Awareness Week and stated her support for City Council formally declaring that housing is a basic human right. (01:13:54)

Pano Frousiakis was called to speak and shared his enthusiasm regarding the City Council election results, his expectation that the community will join forces, and noted work is really just beginning for a brighter future. (01:15:58)

Rick Minato, a Peninsula Park resident for 22 years, was called to speak and stated his opposition to the current high-density housing plans for the Seacliff area, and shared his opinion that the density should be no higher than 35 units per acre, or similar to the property adjacent to Seagate. (01:18:13)

Love Ghione, a member of the HB Lion's Club and Huntington Beach/Seal Beach Chapter of the Surfrider Foundation, was called to speak and thanked Councilmembers for serving the community. Ms. Ghione invited everyone to participate in Surf City Splash on January 1, 2023, sponsored by the local chapter of the Surfrider Foundation. (01:20:41)

Venilda Mayer was called to speak and shared her experience of immigrating to the U. S. 54 years ago, and asked the Sergeant of Arms to hand some paperwork for Mayor Delgleize. (01:22:42)

Jonny Zurba, a resident of Ocean View Estates, was called to speak and expressed appreciation for Community Development Administrative Aide Kim Radding and her abilities to get along with everyone while quickly responding to resident concerns. (01:25:15)

Jamie Zurba, a 14-year resident of Ocean View Estates, was called to speak and expressed her appreciation and gratitude for such a beautiful place to live. (01:26:50)

Toni Squires, a 54-year resident of Huntington Beach, was called to speak and stated her opposition to Consent Calendar Item #17 regarding the replacement of artificial turf at the Sports Complex outdoor soccer arena. Ms. Squires also stated her opposition to high-density housing for the open spaces at Garfield Avenue and Goldenwest Street. (01:27:10)

Mike Mastropaolo was called to speak and stated his support for Administrative Items #20, regarding extending Ocean View Estates leases until September 30, 2039. He also shared his dismay at the situation so many mobile home residents are facing with uncontrolled space lease increases. (01:29:25)

Russell Neal, a resident of Huntington Beach, was called to speak and stated his support for charter cities, localized government for the preservation of liberty, and preventing a dictatorship. Mr. Neal also stated his support for the newly elected Councilmembers who he believes will stand up for local residents and fight against Sacramento. (01:31:35)

Caller Joe was invited to speak and stated his support for allowing cannabis businesses in Huntington Beach, and his concerns regarding approved business locations and the requirement for four existing California licenses before applying for a business license from Huntington Beach. (01:33:55)

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

Mayor Pro Tem Posey reported attending a CalPERS Local Officials Forum.

Councilmember Moser reported attending the following meetings: CalPERS Local Officials Forum; July 4th Board; Veterans Day Ceremony; Veterans of the Year Event at Irvine Valley College to honor Huntington Beach Veteran Wayne (Russ) Dohmann; Human Relations Committee; Hosted Troop 1931 for Badge Requirement meeting; HB Business Improvement District (BID); Wetlands and Wildlife Care Center Gala to Celebrate 50 years of Wildlife Rehabilitation; Youth Board; and announced the next Community Cafe meeting on November 30, 5:30 – 8 PM, pre-registration required. Councilmember Moser also shared Homelessness and Housing updates and planned activities.

Councilmember Bolton reported attending the following meetings: CalPERS Local Officials Forum; Edison Park Community Group; Human Relations Committee; Orange County Council of Government Women's Leadership Luncheon; and Veterans Day Ceremony.

Mayor Delgleize reported attending the following meetings: Orange County Transit Authority (OCTA); Grand Re-Opening of Vista View Middle School; and Village View Elementary Veterans Day Assembly.

CITY MANAGER'S REPORT

Acting City Manager Travis Hopkins provided a brief update on the Housing Element and announced the Planning Commission Public Hearing, November 16, 2022, to consider Option #3 of the Housing Element as presented to the City Council on November 1, 2022, and invited public participation.

CONSENT CALENDAR

Councilmember Bolton pulled Item #10, and Mayor Pro Tem Posey pulled Item #11 for further discussions.

Office of City Clerk

8. 22-958 *Approved and Adopted Minutes*

A motion was made by Posey, second Moser to approve and adopt the City Council/Public Financing Authority regular meeting and Housing Authority special meeting minutes of November 1, 2022.

The motion carried by the following vote:

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

9. 22-240 *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 Posey, second Moser 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: Bolton, Posey, Delgleize, Moser, and Kalmick
NOES: Peterson
ABSENT: Carr

Office of City Manager

10. 22-889 *Reported on Hate Crimes and Hate Incidents and Recommendations by the Huntington Beach Human Relations Committee (HRC)*

Councilmember Bolton pulled this item to thank the members of the Human Relations Committee for their report on ways to support victims of hate incidents.

Councilmember Moser added her appreciation for the volunteer members of the Human Relations Committee for their work, as well as the Ad Hoc Committee, Police Department and staff.

A motion was made by Bolton, second Moser to receive and file the Report on Hate Crimes and Hate Incidents and Recommendations by the Huntington Beach Human Relations Committee

The motion carried by the following vote:

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

Community Development Department

11. 22-961 *Adopted Resolution No. 2022-77 approving the decertification of Subsequent Environmental Impact Report (SEIR) No. 10-001; rescission of Conditional Use Permit (CUP) No. 02-004, Entitlement Plan Amendment (EPA) No. 10-001, Coastal Development Permit (CDP) No. 10-014, and Tentative Parcel Map (TPM) No. 10-130; and termination of related agreements (Poseidon)*

Mayor Pro Tem Posey pulled this item to note his opposition.

A motion was made by Posey, second Moser to approve decertification of SEIR No. 10-001; rescission of CUP No. 02-004, EPA No. 10-001, CDP No. 10-014, and TPM No. 10-130; and termination of related agreements by adopting Resolution No. 2022-77 "A Resolution of the City Council of the City of Huntington Beach Decertifying Final Subsequent Environmental Impact Report No. 10-001 and Repealing Resolution No. 2010-63 and Rescinding all City Entitlement Approvals and Terminating All Agreements (Attachment No. 1)."

The motion carried by the following vote:

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

12. 22-964 Approved an Amended and Restated Lease Agreement between the City of Huntington Beach and Waterfront Hotel, LLC, for the beach concession at 21351 Pacific Coast Highway

A motion was made by Posey, second Moser to approve an Amended and Restated Lease Agreement between the City of Huntington Beach and Waterfront Hotel, LLC for the Concession Stand at 21351 Pacific Coast Highway; and, authorize the Mayor, City Manager, and City Clerk to execute the Agreement and other related documents.

The motion carried by the following vote:

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

**13. 22-957 Adopted Ordinance 4267 approving Zoning Text Amendment (ZTA) No. 21-003 amending the Bella Terra Specific Plan to revise the Zoning Boundaries and Development Standards of the Real Property located at 7777 Edinger Avenue (Bella Terra Residential Project)
Approved for introduction as amended November 1, 2022 - Vote: 6-1 (Peterson - No)**

A motion was made by Posey, second Moser to approve Zoning Text Amendment No. 21-003 with findings (Attachment No. 1) and adopt City Council Ordinance No. 4267, "An Ordinance of the City of Huntington Beach Amending the Bella Terra Specific Plan to Revise the Zoning Boundaries and Development Standards of the Real Property Located at 7777 Edinger Avenue (Zoning Text Amendment No. 21-003)" (Attachment No. 4).

The motion carried by the following vote:

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

Fire Department

14. 22-912 Approved four reappointments to the Harbour Commission, as recommended by City Council Liaisons, Mayor Pro Tem Posey and Councilmember Peterson

A motion was made by Posey, second Moser to approve the reappointment of William Larkin as a Member of the Harbour Commission through December 31, 2026; and, approve the reappointment of Kimberley Milligan as a Member of the Harbour Commission through December 31, 2026; and, approve the reappointment of Chris Nielsen as a Member of the Harbour Commission through December 31, 2026; and, approve the reappointment of Craig Schuppner as a Member of the Harbour Commission through December 31, 2026.

The motion carried by the following vote:

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

Public Works Department

15. 22-886 *Approved a sole source procurement request to purchase 3 Meeder Ransome vaporizer units to fuel backup generators for the water system’s booster stations*

A motion was made by Posey, second Moser to approve the sole source procurement request for the purchase of 3 Meeder Ransome vaporizer units to fuel backup generators for the water system's booster stations.

The motion carried by the following vote:

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

16. 22-936 *Adopted and authorized recordation of Resolution No. 2022-66 ordering the summary vacation of an easement over a portion of Huntington Street near the intersection with Atlanta Avenue in the City of Huntington Beach*

A motion was made by Posey, second Moser to adopt Resolution No. 2022-66, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Undeveloped Portion of an Existing Street and Public Utility Easement Along the Eastside of 102 and 104 Huntington Street, in the City of Huntington Beach, and Making a Finding of Exemption Under CEQA" (Attachment 2); and, instruct the City Clerk to record Resolution No. 2022-66 and the respective attached exhibits with the Orange County Recorder.

The motion carried by the following vote:

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

17. 22-945 *Approved a one-time reallocation of \$250,000 of HB Recovery funds for unscheduled turf replacement at the HB Sports Complex outdoor soccer arena*

A motion was made by Posey, second Moser to approve the reallocation of \$250,000 of HB Recovery Funds toward the replacement of artificial turf surfacing at the Sports Complex outdoor soccer arena. The motion carried by the following vote:

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

PUBLIC HEARING

18. 22-908 *Adopted Ordinance No. 4270 adopting the 2022 Model California Construction Codes. Approved for Introduction October 18, 2022 - Vote: 6-0-1 Peterson Absent*

Community Development Director Ursula Luna-Reynosa announced that Jasmine Daly, Building Official, had presented a detailed report for this item on October 18, 2022, and was present to answer any questions.

Mayor Delgleize opened the Public Hearing.

Assistant City Clerk Patty Esparza announced there were no Supplemental Communications nor any public speakers for this item.

Mayor Delgleize closed the Public Hearing.

A motion was made by Peterson, second Posey to adopt Ordinance No. 4270, "An Ordinance of the City of Huntington Beach Amending Title 17 - Buildings and Construction of the Huntington Beach Municipal Code Adopting the California Building Standards Code and Repealing Ordinance No. 4190."

The motion carried by the following vote:

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

**19. 22-948 *Adopted Ordinance No. 4268 amending Chapter 17.56 of the Huntington Beach Municipal Code, adopting California Fire Code
Approved for Introduction October 18, 2022 - Vote 6-0-1, Peterson absent***

Deputy Fire Marshal Steve Eros stated that a PowerPoint communication titled *Local Adoption of the 2022 California Fire Code* was presented on October 18, 2022, and Fire Marshal Janice Van Mullem was present to answer any questions.

Mayor Delgleize opened the Public Hearing.

Assistant City Clerk Patty Esparza announced there were no Supplemental Communications nor any public speakers for this item.

Mayor Delgleize closed the Public Hearing.

A motion was made by Peterson, second Posey to adopt Ordinance No. 4268, "An Ordinance of the City of Huntington Beach Amending Chapter 17.56 of the Huntington Beach Municipal Code Adopting the California Fire Code and Repealing Ordinance No. 4189."

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

20. 22-944 *AS AMENDED, approved proposed extension of the City-owned Ocean View Estates Mobile Home Park and authorization to temporarily reduce rents for eligible senior Mobile Home owners at Ocean View Estates*

Steve Holtz, Deputy Director of Community Development, and Charles Kovac, Housing Manager, presented a PowerPoint communication titled *Proposed Extension of Ocean View Estates Mobile Home Park*, with slides entitled: *Ocean View Estates Mobile Home Park; Financial Impact; Response to September 20, 2022 Study Session Questions; City-Wide Rent Survey; Rent Survey; Capital Improvement Costs; Capital Improvement Costs - Continued; Sale of OVE Mobile Home Park; Options to Extend Mobile Home Park Use and Establish a Special Reserve Fund; Scenario 1 Cost of Closure Only; Scenario 1 Revenues vs. Expenditures; Scenario 2: Cost of Closure and Creation of Passive Recreational Park; Scenario 2 Revenues vs. Expenditures; Scenario 3: Cost of Closure, Creation of Passive Recreational Park, and Contribution to Central Park Maintenance; Scenario 3 Revenues vs. Expenditures; OVE Space Rent Assistance; Recommendations; and Questions?*

Mayor Pro Tem Posey and Director Luna-Reynosa discussed the issue of property tax on land that is leased to private entities by the City, and Director Luna-Reynosa explained the County calculates a "possessory" interest based on the terms of the lease, including rental rate.

Councilmember Moser stated appreciation for staff's time to address this item, and her support for the 15-year extension to allow for proper planning. There was further discussion with Deputy Director Holtz regarding TBRA Program funding beyond two years.

Mayor Delgleize confirmed with Deputy Director Holtz that the proposed action does not include any extra funds for Central Park maintenance.

Councilmember Kalmick noted this item does not lock the City into a Special Reserve Fund, and stated his support for checking on how things are going in ten years. Councilmember Kalmick recommended that the Ocean View Estates (OVE) Rent Reduction for Eligible Seniors be tied to the City-wide mobile home TRBA program.

Councilmember Peterson stated his support for this item, and added his support for some of the funds going back to Central Park maintenance.

Director Luna-Reynosa stated that Council has the ability to place General Fund monies back to Central Park, and staff didn't want to present an option that might restrict any of the money. She further noted that because the land is zoned as park land, this is the only way to monetize the property.

Mayor Delgleize stated her support for keeping Ocean View Estates as a mobile home park as long as possible.

Councilmember Bolton confirmed with Housing Manager Kovac that three percent (3%) inflation number was used for the calculations.

Councilmember Moser and Deputy Director Holtz discussed options for the proposed 10-year check-in, as well as the process for owners who may be interested in having first right of refusal if property ownership would be an available option in the future.

Mayor Pro Tem Posey stated his support for this item, and agreed with Director Luna-Reynosa that this is a way to monetize the property, and protect a taxpayer asset. He further noted that spending nearly ten percent (10%) of the net revenue each year on capital improvements, or increased value, should be considered in the future when evaluating lease rates.

A motion was made by Kalmick, second Peterson to authorize an extension of the Rental Agreements and operations at Ocean View Estates Mobile Home Park for a period of 15 years through September 30, 2039, and direct 65 percent of net operating revenue to a Special Reserve Fund for Ocean View Estates Mobile Home Park closure. The Special Reserve Fund will provide for 1) replacement housing and relocation of park residents upon cessation of use as a mobile home park; and 2) remediation of the mobile home park. In the event of budgetary constraints due to escalating CalPERS costs, authorize the City Manager with consultation with the Chief Financial Officer to reallocate Special Reserve Fund as needed. Directed staff to return five years prior to the planned closure date with an assessment of the capacity of the Special Reserve Fund to cover costs associated with closing the mobile home park and Park Development Impact Fees to cover the costs of converting the property to a passive recreational park. Authorized the Office of the City Attorney to prepare revised Rental Agreements for Ocean View Estates Mobile Home Park residents and further authorize the City Manager or designee to execute such Rental Agreements. Authorized the City Manager or designee to approve temporary rent reduction for eligible seniors at Ocean View Estates consistent with the Mobile Home Tenant Based Rental Assistance Program, **as amended to have staff return in 10 years and tie the Ocean View Estates Program money with the TBRA Program money.**

The amended motion carried by the following vote:

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

21. 22-956 Approved the Classification and Compensation Study Implementation Plan by adopting Resolutions No. 2022-70, 2022-71, 2022-72, 2022-73, and 2022-74 related to Side Letters of Agreement with the Huntington Beach Municipal Teamsters (HBMT), Management Employees' Organization (MEO), Marine Safety Management Association (MSMA), Surf City Lifeguard Employees' Association (SCLEA), and Fire Management Association (FMA); and by adopting Resolution No. 2022-76 modifying salary and benefits for appointed Non-Associated (NA) employees; and approve Amendment No. 1 to the Employment Agreement between the City of Huntington Beach and Scott Haberle; and adopt Resolution 2022-75 related to a Side Letter of Agreement with Huntington Beach Firefighters' Association (HBFA) regarding the Retiree Medical Trust

Brittany Mello, Director of Administrative Services, along with Consultant Bob Longmire who was available via Zoom, presented a PowerPoint communication titled *Classification & Compensation Study Implementation Plan*, with slides entitled: *Background (3); Job Market Challenges; Results of Salary Survey; Implementation Strategy; Agreement Reached with Associations; Overview of Citywide Changes; Non-Associated; Fiscal Impact; Staff Recommendation; and Questions?*

Mayor Pro Tem Posey commended Ms. Mello and Consultant Longmire for completion of this project, and noted the importance of recruiting and retaining employees. He stated his pleasure for the opportunity to support this item which keeps Huntington Beach competitive, and to confirm sound staffing economics.

Director Mello, noted that the Society for Human Resources Management (SHRM) reports that on average it costs a company six to nine months of an employee's salary to replace them.

Councilmember Kalmick thanked Director Mello and Consultant Longmire for an excellent presentation that was easy to understand.

Councilmember Moser stated her support for this item, and noted how important it is to retain employees and their knowledge base.

A motion was made by Posey, second Kalmick to adopt Resolution No. 2022-70, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan and Memorandum of Understanding Between the City and the Huntington Beach Municipal Teamsters (HBMT) by Adopting the Side Letter of Agreement" (Attachment 1); and adopt Resolution No. 2022-71, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan and Memorandum of Understanding Between the City and the Huntington Beach Management Employees' Organization (MEO) by Adopting the Side Letter of Agreement" (Attachment 2); and adopt Resolution No. 2022-72, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan and Memorandum of Understanding Between the City and the Huntington Beach Marine Safety Management Association (MSMA) by Adopting the Side Letter of Agreement" (Attachment 3); and adopt Resolution No. 222-73, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan and Memorandum of Understanding Between the City and the Surf City Lifeguard Employees' Association (SCLEA) by Adopting the Side Letter of Agreement" (Attachment 4); and adopt Resolution No. 2022-74, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan and Memorandum of Understanding Between the City and the Huntington Beach Fire Management Association (FMA) by Adopting the Side Letter of Agreement" (Attachment 5); and adopt Resolution No. 2022-76, "A Resolution of the City Council of the City of Huntington Beach Modifying Salary and Benefits for Non-Represented Employees by Adding or Amending Classifications and Compensations for Various Positions" (Attachment 6); and approve and authorize the City Manager to execute, "Amendment No. 1 to the Employment Agreement between the City of Huntington Beach and Scott Haberle" (Attachment 7); and adopt Resolution No. 2022-75, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Huntington Beach Firefighters' Association (HBFA) by Adopting the Side Letter of Agreement" (Attachment 8); and authorize the City Manager to take all administrative and budgetary actions necessary to implement the Classification and Compensation Study.

The motion carried by the following vote:

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

22. 22-962 *Approved Fiscal Year 2021/22 Year-End and Budget Adjustments and Inter-Fund Transfers*

Chief Financial Officer Dahle Bulosan presented a PowerPoint communication titled *Financial Update & FY 2021/22 Year-End Budget Adjustments*, with slides entitled: *Presentation Overview; Financial Update; General Fund (Fund 100) Projections; CalPERS Update; CalPERS UAL Payment Projection; Section 115 Trust Projected Balance Scenarios; General Fund Long-Term Financial Plan (3); Year-End Budget Adjustment Requests; General Fund Adjustments; General Fund Surplus with Year End Adjustments; Other Fund Adjustments (2); Other Recommendations; What's on the Budget Horizon?; Summary of Recommended Actions; and Questions?*

Mayor Pro Tem Posey reminded Councilmembers that there has to be a conscious awareness of CalPERS and their decisions which impact investment returns.

A motion was made by Posey, second Kalmick to approve the year-end inter-fund transfers for the FY 2021/22 Revised Budget in the funds and by the amounts contained in Attachment 1 and carry the remaining appropriations into FY 2022/23; and, increase appropriations for the FY 2021/22 Revised Budget by \$12,423,138 in the funds and amounts contained in Attachment 1 and associated FY 2022/23 carryovers to reconcile the budget with actual expenses incurred; and, approve the FY 2022/23 appropriation of \$5 million of grant revenues and expenditures into Fund 1277 for the Oak View Neighborhood Cleanup and Beautification Project received through the Clean California Local Grant Program; and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 3 to Agreement between the City of Huntington Beach and Winbourne Consulting, LLC for Consulting Services for CAD Mobile Law RMS Replacement Services" (Attachment 2).

The motion carried by the following vote:

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

23. 22-969 Directed staff to draft a Zoning Text Amendment (ZTA) to delete the cannabis prohibition and to permit cannabis activities consistent with the Council's Ad Hoc Committee's recommendations

Senior Planner Hayden Beckman presented a PowerPoint communication titled *Cannabis Activities* with slides entitled: *Background; Community Outreach; Land Use Policy Recommendations (2); Buffer Restrictions Map; Next Steps; Staff Recommendation; and Questions?* Senior Planner Beckman also noted the current results for Measure O are at 54.1% for approval.

Councilmember Kalmick explained this is the land use portion of the process and noted that if Councilmembers do not move this forward the industry will step in with a ballot initiative with their own rules. He further shared his opinion that restricting the number of suitable sites by going to the 1,000-foot buffer may result in lack of enough locations. Councilmember Kalmick stated his support for staff recommendation.

Councilmember Peterson stated he will not support this item, for one because he supports the 1,000-foot buffer from property line to property line. He added he feels this issue is being unnecessarily rushed through and with more industry input a better plan could be put in place.

Mayor Delgleize, Councilmembers Peterson and Bolton discussed the pros and cons for 600-foot vs. 1,000-foot buffers and what other cities use.

Councilmember Bolton stated that from her perspective the issue is having local control which can only happen if Council moves forward.

Mayor Delgleize stated her support for being a step ahead and ensuring proper regulations are in place.

Councilmember Moser stated her support for retaining as much control as possible by writing the ordinance and managing the details. She also stated her expectation that the Planning Commission would acknowledge the letter received from the Ocean View School District regarding support for the

1,000-foot buffer and consider how that may or may not impact the Ocean View schools in adjacent cities.

Councilmember Kalmick stated that with all of the criteria that must be met for retail locations, many of the sites that appear on a map will in actuality not qualify, and it would be a very time consuming and difficult exercise to try to pre-determine which sites would qualify. He noted that the map showing the 600-foot buffer appears to fairly evenly distribute potential sites throughout Huntington Beach. He further discussed the big differences between clients for legal vs. illegal cannabis businesses, and noted the goal is to drive out the illicit market by providing easy legal access.

Mayor Pro Tem Posey stated that THC is still a Schedule 1 hallucinogenic, there is still a federal banking issue for the industry, and he is not convinced that the revenue generated will exceed the social cost as his reasons for not supporting this item. He also stated his opinion that adding taxes and fees to legitimate businesses might create prices that would not necessarily drive out the illicit business.

Councilmember Moser stated her support for moving ahead, knowing there will be opportunities to fine-tune decisions along the way. Councilmember Mosher stated her support for making medical product legally available for those who may benefit.

Mayor Delgleize stated her support for this item to maintain local control, and ensure safe medicinal products.

A motion was made by Kalmick, second Bolton to request the City Manager (or designee) to draft a Zoning Text Amendment (ZTA) to the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to delete the existing cannabis prohibition and add necessary language to allow cannabis activities consistent with the Council's Ad Hoc Committee's recommendations.

The motion carried by the following vote:

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

24. 22-971 *Approved recommendations regarding the City's procurement policies as they pertain to formal bid thresholds, approval levels, and reporting to City Manager and City Council; directed staff to prepare ordinances for City Council approval*

Chief Financial Officer Dahle Bulosan and Consultant Ryan McNeely with PFM presented a PowerPoint communication entitled *Procurement Policy Review*, with slides entitled: *Presentation Overview; Background; Procurement Project Timeline; City of Huntington Beach Procurement Policies (4); Staff Survey of Neighboring Cities (3); PFM Review (2); PFM Review: Procurement Goals and Principles (3); PFM Review: Transparency; PFM Review: Fairness (2); PFM Review: Efficiency (2); Public Works Drives Procurement Activity; Public Works Drives Procurement Spending; Most City Contracts are for \$30,000 or Less; Most Cost is Attributable to Contracts \$500,000+; PFM Review: Efficiency; PFM Review: Effectiveness; PFM Review: Areas for Additional Analysis; PFM Review: Preliminary Recommendations (15); PFM Review: Areas for Future Recommendations (2); Summary of Recommendations; Summary of Recommendations - Bid Limits; Summary of Recommendations - Approval Levels; and Questions?*

Mayor Pro Tem Posey noted that he and Councilmember Peterson first brought up the topic of procurement processes back in 2015 and he is delighted to see this detailed presentation, especially Page 29, reporting on contracts. He reiterated that big ticket items need to be addressed to ensure transparency and public awareness, monthly or even quarterly, as a Consent Calendar item to receive and file.

A motion was made by Posey, second Peterson to approve recommended bid thresholds, approval levels, and reporting to City Manager and City Council, and; direct staff to incorporate recommended changes and prepare ordinances as part of Phase 2 of the Procurement Project for City Council approval.

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

25. 22-934 *Approved Item submitted by Councilmember Kalmick — Sign Code Update (HBZSO Section 233)*

Councilmember Kalmick introduced this item as an effort to ensure that the Huntington Beach Sign Code is enforceable and current. The second portion of this item is to determine why non-commercial signs are allowed in public right of way and ask staff to review best practices from other cities.

A motion was made by Kalmick, second Posey to direct the City Manager and City Attorney's office to review our Sign Code (HBZSO Section 233) for compliance with these two Supreme Court rulings and any other rulings not listed here and bring back any necessary Zoning Text Amendments to the Planning Commission and City Council in Q1 2023. Additionally, direct staff to bring back by the end of the 2023 an analysis of our noncommercial sign policy and make any recommendations for modification.

The motion carried by the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Moser shared more details regarding Huntington Beach Veteran of the Year acknowledgement for Huntington Beach Veteran Wayne (Russ) Dohmann. She also shared more details regarding the first Community Cafe meeting, and encouraged residents to get involved and participate in future meetings. She closed her comments by thanking Boy Scout Troop 1931 for inspiring her.

ADJOURNMENT — 10:17 PM to a special meeting of the Huntington Beach City Council/Public Financing Authority scheduled for 4:00 PM, Tuesday, November 29, 2022 in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, December 6, 2022, at 4:00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

INTERNET ACCESS TO CITY COUNCIL/PUBLIC FINANCING AUTHORITY AGENDA AND
STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT
<http://www.huntingtonbeachca.gov>

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

ATTEST:

City Clerk-Secretary

Mayor-Chair