



## AGENDA - Revised

### City Council/Public Financing Authority Regular Meeting

Monday, April 19, 2021 at 6:00 PM

#### MAYOR AND CITY COUNCIL

*KIM CARR, Mayor*

*TITO ORTIZ, Mayor Pro Tem*

*BARBARA DELGLEIZE, Councilmember*

*DAN KALMICK, Councilmember*

*NATALIE MOSER, Councilmember*

*ERIK PETERSON, Councilmember*

*MIKE POSEY, Councilmember*

#### Virtual Location

Huntington Beach, CA

#### STAFF

*OLIVER CHI, City Manager*

*MICHAEL E. GATES, City Attorney*

*ROBIN ESTANISLAU, City Clerk*

*ALISA BACKSTROM, City Treasurer*

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allows a local legislative body to hold public meetings via teleconferencing, and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body.

**PUBLIC PARTICIPATION/ZOOM ACCESS:** In keeping with the Governor's mandate to limit in-person gatherings that can spread COVID-19, the Monday, April 19, 2021 meeting of the Huntington Beach City Council will be held virtually.

The City offers several ways to view City Council meetings live or on-demand. Council meetings are livestreamed on HBT Channel 3 (replayed on Tuesday's at 10:00 a.m., and Wednesday's at 6:00 p.m.). In addition, live and archived meetings for on-demand viewing can be accessed from <https://huntingtonbeach.legistar.com/calendar>, or from any Roku or Apple device by downloading the Cablecast Screenweave App and searching for the City of Huntington Beach channel.

**PUBLIC COMMENTS:** At 6:00 PM, individuals wishing to attend the meeting to provide a comment on agenda items may enter **Zoom Webinar ID 971 5413 0528** via computer device, or by phone at **(669) 900-6833**. The Webinar can be accessed here: <https://huntingtonbeach.zoom.us/j/97154130528>. Attendees utilizing computer devices to request to speak may select the "Raise Hand" feature in the Webinar Controls section. Attendees entering the Webinar and requesting to speak by phone can enter \*9 to enable the "Raise Hand" feature, followed by the \*6 prompt that unmutes their handheld device microphone. Once the Mayor opens Public Comments, speakers will be provided a 15-minute window to raise their hands, and will be prompted to speak when the City Clerk announces their name or the last three digits of their phone number. Speakers are encouraged, but not required to identify themselves by name. Each person may have up to 3 minutes to speak, but the Mayor, at her discretion, may reduce the time allowance if warranted by the volume of calls. The Public Comment process will only be active during designated portions of the agenda (Public Comments and/or Public Hearing). After a speaker concludes their comment, their microphone will be muted, but they may remain in Webinar attendance for the duration of the meeting.

Members of the public unable to attend the Zoom Webinar but interested in communicating with the City Council on agenda-related items, are encouraged to submit a written (supplemental) communication via email at [SupplementalComm@Surfcity-hb.org](mailto:SupplementalComm@Surfcity-hb.org), or [City.Council@surfcity-hb.org](mailto:City.Council@surfcity-hb.org). Supplemental Communications are public record, and if received by 2:00 PM on Monday, April 19, 2021, will be distributed to the City Council prior to consideration of agenda-related items, posted to the City website, and announced, but not read, at the meeting. Supplemental Communications received following the 2:00 PM deadline will be incorporated into the administrative record the following day.

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

**4:00 PM - VIRTUAL LOCATION**

**CALL TO ORDER**

**ROLL CALL**

Peterson, Kalmick, Ortiz, Carr, Posey, Moser, Delgleize

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)**

**PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit) - Anyone wishing to provide a comment on a Closed Session item may join Zoom Webinar ID 971 5413 0528 via computer device, or by calling (669) 900-6833 (see agenda cover sheet for request to speak instructions). Individuals will be prompted to speak when the Clerk announces their name or the last three digits of their phone number. Speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes to speak; however, the time allowance may be reduced if warranted by the volume of speakers.**

**RECESS TO CLOSED SESSION**

**CLOSED SESSION**

1.     [21-311](#)       **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Gov. Code section 54956.9(d)(1).) Name of case: Brewster (Terri Lynn) v. City of Huntington Beach; OCSC Case No. 30-2020-01160094.**
  
2.     [21-332](#)       **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Chris Hartman v. City of Huntington Beach, Worker's Comp. Case No. COHB-14-0306.**
  
3.     [21-348](#)       **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Gov. Code section 54956.9(d)(1).) Name of case: Moore (Neal) v. City of Huntington Beach, et al.; OCSC Case No. 30-2019-01071686.**

**6:00 PM – COUNCIL CHAMBERS**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING**

**ROLL CALL**

Peterson, Kalmick, Ortiz, Carr, Posey, Moser, Delgleize

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

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

4. [21-121](#) **Marcy Tieger of University Synagogue in Irvine and member of the Greater Huntington Beach Interfaith Council**

**CLOSED SESSION REPORT BY CITY ATTORNEY**

**AWARDS AND PRESENTATIONS**

5. [21-316](#) **Mayor Carr to call on City Clerk Robin Estanislau to assist with conducting the 4th of July fireworks booth lottery drawing**
6. [21-338](#) **Mayor Carr to present a proclamation recognizing April as Autism Acceptance Month to Brittany Bas of Amuse4Autism**
7. [21-340](#) **Mayor Carr to present a proclamation recognizing April 22 as Earth Day to Kim Kolpin of the Bolsa Chica Land Trust**
8. [21-337](#) **Mayor Carr to present the Mayor's HB Excellence Award to John Turner, Beach Maintenance Crewleader, Department of Public Works**

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)**

**PUBLIC COMMENTS (3-Minute Time Limit) - At approximately 6:00 PM, individuals wishing to provide a comment on agendized or non-agendized items may join Zoom Webinar ID 971 5413 0528 via computer device, or by calling (669) 900-6833 (see agenda cover sheet for request to speak instructions). Speakers will be provided a 15-minute window to raise their hands, and prompted to speak when the Clerk announces their name or the last three digits of their phone number. The Public Comment process will only be active during designated portions of the agenda (Public Comments and/or Public Hearing). Speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes to speak; however, the time allowance may be reduced if warranted by the volume of speakers.**

**COUNCIL COMMITTEE - APPOINTMENTS - LIAISON REPORTS, AB 1234 REPORTING, AND**

OPENNESS IN NEGOTIATIONS DISCLOSURES

CITY MANAGER'S REPORT

\*New [21-352](#) Recap of Hate Free HB and commUNITY Pop-Up Picnic Programs

\*New [21-353](#) Police Department Update on Recent City Protests

\*New [21-354](#) Ascon Project Update

CONSENT CALENDAR

9. [21-309](#) Approve and Adopt Minutes

**Recommended Action:**

Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated April 5, 2021, as written and on file in the office of the City Clerk.

10. [21-256](#) Receive and file the City Clerk's quarterly listing of professional services contracts filed in the City Clerk's Office between July 1, 2020 and December 31, 2020

**Recommended Action:**

A) Receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the period of July 1, 2020 and September 30, 2020;" and,

B) Receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the period of October 1, 2020 and December 31, 2020."

11. [21-313](#) Approve appointments to the Mobile Home Advisory Board (MHAB) as recommended by City Council Liaisons Kim Carr and Mike Posey

**Recommended Action:**

A) Approve the appointment of Eric Silkenson as an At-Large Member of the MHAB through August 5, 2025; and,

B) Approve the re-appointment of Allison Plum as a Resident Member of the MHAB through August 5, 2025; and,

C) Approve to extend the term of MHAB At-Large Member Tim Geddes through December 31, 2021.

12. [21-268](#) **Accept the lowest responsive and responsible bid, approve appropriation and authorize execution of a construction contract with GEM Construction, Inc., in the amount of \$542,424 for the Central Park Restrooms Phase 3, CC-1608**

**Recommended Action:**

A) Accept the most responsive and responsible bid submitted by GEM Construction, Inc., in the amount of \$542,424; and,

B) Appropriate \$162,919 in additional funding from the Fund 226 balance; and,

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

13. [21-283](#) **Accept the lowest responsive and responsible bid and authorize execution of a maintenance contract with Commercial Waterproofing Systems, Inc. (ERC Roofing and Waterproofing), in the amount of \$225,450 for the Slater Pump Station Roof Replacement Project, MSC-534**

**Recommended Action:**

A) Accept the lowest responsive and responsible bid submitted by Commercial Waterproofing Systems, Inc., doing business as ERC Roofing and Waterproofing, in the amount of \$225,450; and,

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

14. [21-298](#) **Accept the lowest responsive and responsible bid and authorize execution of a construction contract with Sancon Technologies, Inc., in the amount of \$701,988.40 for the Fiscal Year 20/21 Sewer Lining project, CC-1619**

**Recommended Action:**

A) Accept the lowest responsive and responsible bid submitted by Sancon Technologies, Inc., in the amount of \$701,988.40; and,

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

15. [21-299](#) **Accept the lowest responsive and responsible bid, approve**

**appropriation of funds and authorize execution of a construction contract with Palp, Inc. dba Excel Paving, in the amount of \$1,577,750 for the Edwards - Varsity Tract Water Main Replacement project, CC-1558**

**Recommended Action:**

A) Accept the lowest responsive and responsible bid submitted by Excel Paving in the amount of \$1,577,750.00; and,

B) Appropriate \$171,000 from the Prop 42 Fund, Account No. 21985201.82300; and,

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

16. [21-273](#) **Adopt Resolution No. 2021-10 requesting that the United States Army Corps of Engineers (USACE) fund and immediately proceed with Surfside-Sunset Beach Nourishment Project Stage 13 from Anaheim Bay Harbor to Newport Bay in Orange County, California**

**Recommended Action:**

Adopt Resolution 2021-10, "A Resolution of the City Council of the City of Huntington Beach Requesting that the United States Army Corps of Engineers Fund and Immediately Proceed with Surfside-Sunset Beach Nourishment Project Stage 13 from Anaheim Bay Harbor to Newport Bay in Orange County, California."

**PUBLIC HEARING**

When the Mayor opens the Public Hearing, individuals wishing to provide a comment may join Zoom Webinar ID 971 5413 0528 via computer device, or by calling (669) 900-6833 (see agenda cover sheet for request to speak instructions). Speakers will be provided a 15-minute window to raise their hands, and will be prompted to speak when the Clerk announces their name or the last three digits of their phone number. Speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes to speak; however, the time allowance may be reduced if warranted by the volume of speakers.

17. [21-312](#) **Adopt Resolution No. 2021-28 approving the 2021-2022 Annual Action Plan for Federal Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Entitlement Grant Programs**

**Recommended Action:**

Staff recommends that the City Council approve and authorize the following in compliance with the Consolidated Plan Procedures of 24 CFR Part 91:

- A) Conduct a public hearing; and,
- B) Adopt Resolution No. 2021-28, "A Resolution of the City Council of the City of Huntington Beach Approving the 2021-2022 Action Plan for Federal Community Development Block Grant, and Home Investment Partnerships Programs;" and,
- C) Authorize the City Manager to sign all necessary documents.

**ADMINISTRATIVE ITEMS**

18. [21-333](#) **Approve selection of Be Well OC (Mind OC) as service provider for the City's Mobile Crisis Response Program for select mental health calls for service**

**Recommended Action:**

- A) Approve the selection of Be Well OC (Mind OC) as the service provider for the City's Mobile Crisis Response program, to shift the burden of response from the police department to Be Well OC for designated, triaged mental health calls for service not involving violence, weapons, or criminal behavior.
- B) Authorize the City Manager, with approval as to form by the City Attorney, to execute an agreement with Be Well OC (Mind OC) in substantial form to the attached (Attachment 1).
- C) Approve appropriation from the following funding sources: 1) Police Department Development Impact Fee Fund (Fund 227) \$368,000; 2) Restricted Restitution Fund (Fund 100) \$282,000; and 3) American Rescue Plan Act HOME Funding \$850,000.

**COUNCILMEMBER ITEMS**

19. [21-345](#) **Submitted by Councilmember Erik Peterson - Consideration of Appealing SCAG Determination**

**Recommended Action:**

That the City Council direct the City Attorney to appeal SCAG's February 2021 RHNA determination of 13,386, including with authorization from City Council to initiate a lawsuit on behalf of the City in State Court.

- \*New **21-355** **Councilmember Item submitted by Mayor Carr - Consider providing all operators with an extension until October 2, 2021, to comply with the City's updated Short-Term Rental (STR) Regulations**

**Recommended Action:**

I recommend that the City Council vote to provide all operators in the City until October 1, 2021, to obtain their necessary STR permit.

**COUNCILMEMBER COMMENTS (Not Agendized)**

**ADJOURNMENT**

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Monday, May 3, 2021, 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>**