

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, October 18, 2022
4:00 PM – Council Chambers
5:00 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 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/

4:00 PM - COUNCIL CHAMBERS

CALL TO ORDER — 4:02 PM

ROLL CALL

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

Councilmember Peterson was granted permission to be absent pursuant to Resolution No. 2001-54; and City Clerk Estanislau was granted permission to be absent pursuant to City Charter Section 310 (a).

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO STUDY SESSION/CLOSED SESSION ITEMS: (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

#1 (22-844) Revised PowerPoint communication submitted by Public Works Director Sean Crumby titled *City of Huntington Beach Infrastructure Report Card*.

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS — None

STUDY SESSION

1. 22-844 City's Infrastructure Report Card

Sean Crumby, Director of Public Works, presented a PowerPoint communication titled: *City of Huntington Beach - Infrastructure Report Card*; with slides entitled *Why Do A Report Card; Why Now?; ASCE-Like Report Card; Process - Engineering consultant selected to manage process, organize structure, and write reports; Proposed Report Card Committee Structure; and Questions*.

Mayor Pro Tem Posey commended staff for having this vision, which he expects will provide a new level of professionalism. Mayor Pro Tem Posey and Director Crumby discussed if it would be wise to reconsider putting the City Hall design-build-finance-operate-maintain (DBFOM) effort on a parallel track, and include it in the strategic plan. There was further discussion on whether there could be any effect on the housing element and zoning.

Ursula Luna Reynosa, Director of Community Development, noted that the draft housing element being circulated has not considered the City Hall site, or any other city-owned site, for Regional Housing Needs Assessment (RHNA) purposes.

Mayor Pro Tem Posey shared his opinion that the biggest improvement made by Public Works was changing from the 12-year cycle to a 9-year cycle for pavement maintenance, and that is something for everyone to be proud of.

Mayor Delgleize noted the City has done a good job in the areas with funding, and she expects good things to result from this proposed planning, and noted the effort needs to secure continued funding and not rely upon only grants.

Councilmember Moser stated she looks forward to receiving more data to support the decisions that will be made, and she appreciates including Capital improvement Projects (CIP) as part of the process. Councilmember Moser and Director Crumby discussed more details regarding master plans, including considering replacement values.

Motion by Posey, second Carr, to recess to Closed Session.

RECESSED TO CLOSED SESSION — 4:26 PM

CLOSED SESSION ANNOUNCEMENT(S)

2. **22-873 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 Bob Longmire, Public Sector Personnel Consultants, 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. **22-882 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, and Peter Brown, Chief Negotiator; also in attendance: Brittany Mello, Director of Administrative Services; Travis Hopkins, Assistant City Manager; Eric Parra, Chief of Police; and Dahle Bulosan, Chief Financial Officer. Employee Organization: Police Officers' Association (POA)**

CLOSED SESSION

4. **22-871 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 Bob Longmire, Public Sector Personnel Consultants. Employee Organization: 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).
5. **22-872 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.)** Agency designated representatives: Al Zelinka, City Manager, and Peter Brown, Chief Negotiator; also in attendance: Brittany Mello, Administrative Services Director; Travis Hopkins, Assistant City Manager; Eric Parra, Chief of Police; and Dahle Bulosan, Chief Financial Officer. Employee Organization: Police Officers' Association (POA).
6. **22-875 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (Gov. Code section 54956.9(d)(2).):** One (1) - Air Show.

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING – 6:25 PM

ROLL CALL

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

Councilmember Peterson was granted permission to be absent pursuant to Resolution No. 2001-54; and City Clerk Estanislau was granted permission to be absent pursuant to City Charter Section 310 (a).

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.

7. **22-752 Deacon Matt Calabrese of St. Simon & Jude Catholic Church and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

8. **22-808 Mayor Delgleize proclaimed October 23 to 31 "Red Ribbon Week" and presented a proclamation to members and volunteers of the Southeast County Young Marines**

Mayor Delgleize noted that Red Ribbon Week is October 23 to 31 and introduced members and volunteers of the Southeast County Young Marines to acknowledge this organization that teaches character building, self-discipline, teamwork and leadership to youth from the age of 8 through completion of high school. The Young Marine program is focused on drug, tobacco, and alcohol abuse reduction. Red Ribbon Week is an opportunity to focus on a healthy, drug-free lifestyle, while honoring and remembering the service and death of Drug Enforcement Administration Special Agent Enrique "Kiki" Camarena, who in 1985 was brutally murdered by drug traffickers he was investigating in Mexico.

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

#12 (22-829) Memo received from the City Manager's Office submitting an amended Staff Report clarifying that only City Council is authorized to select commemorative flags flown on City-owned flagpoles.

Email correspondence received regarding the Citywide Flag Policy and Authorization of Commemorative Flags.

Administrative Items

#16 (22-851) Revised PowerPoint presentation entitled *City of Huntington Beach Legislative Update* received from Townsend Public Affairs.

#17 (22-852) Revised PowerPoint presentation entitled *Year-End Budget Adjustments for City's Unfunded Liabilities* submitted by Dahle Bulosan, Chief Financial Officer.

PUBLIC COMMENTS (2 Minute Time Limit) — 60 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>.

Allie Plum, a mobile home owner in Del Mar Estates and member of the Mobile Home Advisory Board, was called to speak and stated she resents the opinion of some people that manufactured housing homeowners should not enjoy the same property rights as those who live in single family homes. Ms. Plum asked that residents look carefully at what the City Council candidates represent before placing their votes. (01:18:00)

Carol Rohr was called to speak and noted that some of the City Council Candidates won't give the Mobile Home Resident Coalition any time, are not allowing Coalition members entrance to certain candidate meet and greet events, while others have stated they will meet one-on-one, but have not followed through. Ms. Rohr noted that only six candidates have not responded to the Coalition's survey which suggests they are not supportive of preventing mobile home rent gouging by park owners. Ms. Rohr asked that City Council actively deal with the rising residential catastrophe which is bearing down on so many residents. (01:20:33)

Jeanne Farrens, a resident of Skandia Mobile Home Park and member of the Mobile Home Resident Coalition, was called to speak and noted she has shared her fears and concerns regarding the devastating effects of abusive space rent hikes by greedy conglomerate park owners for nearly a year.

Ms. Farrens stated her support for a carve-out to City Charter Section 803 to allow a Rent Stabilization Ordinance (RSO). (01:22:33)

Aaron Pai, a resident of Huntington Beach for over 50 years, former City Employee, currently living near the Thomas-Brindle property, was called to speak and asked that City Council act to stop the proposed high-density housing for the Thomas-Brindle property. Mr. Pai noted that his neighborhood will be severely and negatively impacted if high density housing is allowed on the Thomas-Brindle property, because the project is not in harmony with surrounding neighborhoods. (01:24:48)

Councilmember Carr asked City Manager Al Zelinka if it would be possible to schedule continued discussion on the Thomas-Brindle project before November 15, and Manager Zelinka offered a Study Session could be scheduled for November 1, and noted that no action could be taken on this issue at a Study Session. Mayor Delgleize accepted that offer to allow for a full presentation and discussion on the project. (01:26:52)

Rich Sutton, a resident of Edwards Hill for over 20 years, was called to speak and shared the many benefits of that part of Huntington Beach. He asked how adding housing for so many additional people will impact the neighborhood schools, streets, and infrastructure, and suggested that Council instead focus on the increased crime and numbers of homeless setting up camp in that neighborhood. (01:28:44)

Richard Baily, a resident of Edwards Hill for about 20 years, was called to speak and asked that City Council remove the RH30 Overlay for the Ellis-Goldenwest Specific Plan for the housing element, or vote "no" on this item. He noted that area homeowners and home owner associations were not notified when the overlay was added in February 2022. Mr. Baily also stated that no environmental impact reports were completed before the overlay vote, and that Council is not protecting and preserving the character, scope and quality of a truly unique neighborhood within Huntington Beach. (01:31:09)

Ken Inouye, a 49-year resident of Huntington Beach and Candidate for City Council in 2022, was called to speak and shared that serving in any elected position is an honor, and complete honesty and truthfulness should be expected from each candidate. Mr. Inouye read for the public record the names of city campaigns which have received notice of possible code violations regarding when campaign posters are allowed. (01:34:00)

Mladen Buntich, a 33-year resident of Huntington Beach, currently living on Edwards Hill, was called to speak and asked that City Council remove the RH30 Overlay for the Ellis-Goldenwest Specific Plan, ZTA 22-006. Mr. Buntich noted the area homeowners and home owner associations were not notified when the Overlay was approved in February 2022. Mr. Buntich stated that the Council should support the desires of the residents to determine how quality of life will be affected for not only the neighborhood, but all of Huntington Beach. (01:35:56)

Martha Morrow, a 30-year resident of Edwards Hill, was called to speak and shared her opinion that City Councilmembers have violated their campaign promises to oppose high density. Further, Ms. Morrow asked why area residents were not notified of the Zoning Overlay for the Brindle-Thomas property that will completely change their lives by negatively impacting area schools and home values. (01:38:21)

Barbara Cracchiolo, a 35-year resident of Edwards Hill, was called to speak and stated her opposition to the Ellis-Goldenwest Overlay and noted disappointment at not even being notified of the plan. (01:40:38)

Peter Zofrea was called to speak and thanked Councilmember Carr for arranging a recent meeting with him to discuss issues related to resident concerns about the plans for the Thomas-Brindle property. He

further stated his support for removing the Zoning Overlay for the Ellis-Goldenwest Specific Plan. (01:41:05)

Linda Dilday, a resident of Huntington Beach since 1968, and a Huntington Beach business owner, was called to speak and stated her opposition to a Zoning Overlay for the Brindle-Thomas property. She stated adding high density housing will create a hazardous situation for residents and students who walk on Quarterhorse Lane, a street with no sidewalks. (01:42:38)

Becki Funke, a resident of Edwards Hill, was called to speak and stated her family's opposition to the Zoning Overlay for the Ellis-Goldenwest Specific Plan for the Brindle-Thomas property, which she believes is in violation of the Ellis-Goldenwest Specific Plan. (01:44:28)

Fred Tinker was called to speak and shared his opinion that the housing developments at Beach and Ellis and at Bella Terra would not be appropriate for the Brindle-Thomas property and asked that Council think very seriously about the impacts of their vote on November 15. (01:45:48)

Dara Draeger, a 47-year resident of Huntington Beach currently living on Edwards Hill, was called to speak and stated they had not been notified of the high-density housing plan for the Brindle-Thomas property and noted her opposition. She added that this lack of transparency is not congruent with the community she loves and asked that Council take note of all of the considerations. (01:46:45)

Lynette Mann was called to speak and stated her opposition to the Zoning Overlays for the Ellis-Goldenwest and Holly-Seacliff Specific Plans. She also stated the plan to limit parking permits and add a bus stop in the area are not proper solutions to the expected increased traffic with high density developments. She urged Council to vote "no" on November 15. (01:47:20)

Amory Hanson, a Candidate for Council in 2022 and Vice Chair of the Historic Resources Board, was called to speak and stated he was speaking as a concerned citizen on Consent Calendar Item 12 regarding Citywide Flag Policy and Authorization of Commemorative Flags. He noted he had submitted supplemental communication on this issue. Mr. Hanson also reported on a recent meeting sponsored by Mr. Currie regarding resident plans for Edison Park and provided detailed information on that plan for Councilmembers' review. (01:48:39)

Mackey Davis, a 25-year resident of Huntington Beach, was called to speak and noted that when he purchased his home he was provided a copy of the Ellis-Goldenwest Specific Plan. Mr. Davis stated his opinion that it is wrong, and possibly illegal, for the City to disregard and violate the Ellis-Goldenwest Specific Plan, and stated his opposition to the Zoning Overlay. (01:50:26)

Peter Ursano, a 44-year resident of Huntington Beach, living in the Seacliff area for 22 years, was called to speak and shared his opinion that bringing in housing for crowds of people will reduce existing home values, and crowd the schools. He stated his opposition to the Zoning Overlay for the Ellis-Goldenwest Specific Plan. (01:52:33)

Joanne Ursano, whose family has lived in Huntington Beach for over 40 years, was called to speak and stated neither neighborhood residents nor the home owner associations have been notified about the proposed Zoning Overlay for the Ellis-Goldenwest Specific Plan. As a former teacher she is appalled at the plan and how it will negatively affect education in all Huntington Beach schools and all services including police, fire, street traffic, pedestrian safety, water, electricity, and sanitation. She stated her complete opposition to the plan. (01:53:23)

Robert Moretta, a 40-year Huntington Beach business owner and resident of Edwards Hill since 1998, was called to speak and noted the strict rules homeowners live with regarding what they can do with their properties as defined in the Ellis-Goldenwest Specific Plan, and now there is a plan to throw out all those rules and make new rules that will drastically change the community environment without even notifying or giving the affected community a voice. Mr. Moretta stated his opposition to the proposed plan for the Brindle-Thomas property. (01:55:13)

Greg Strayer, a resident on Edwards Hill for some 30 years, was called to speak and described the lack of transparency and notification to the public regarding the proposed Zoning Overlay for the Ellis-Goldenwest Specific Plan, and lack of attempt to even educate people on the plans. He expressed appreciation for the one meeting on this issue that was just planned for November 1. (01:56:21)

Adam Contractor, a resident of Edwards Hill for 25 years, was called to speak and noted that the high-density plans will drastically affect the quality of life for him, his neighbors and the greater community. He noted the plans will reduce property values, increase crime, increase community congestion, and the City's overall esthetic will be ruined. He stated his opposition to this high-density plan. (01:58:15)

R. Allen Baylis, a resident of Huntington Beach for 58 years and practicing attorney, was called to speak and shared his opinions on information which he believes is misleading from a Michael Gates campaign flyer. (01:59:14)

Son Dinh, a resident of Edwards Hill for 20 years, was called to speak and stated his opposition to the Zoning Overlay for the Ellis-Goldenwest Specific Plan for all of the reasons his neighbors have already described. (02:01:22)

Steve Draeger, a resident of Huntington Beach since 1975 and resident of Edwards Hill for the last 25 years, was called to speak and stated his support for City Attorney Candidate Michael Gates. He also noted he has received no notification of the Zoning Overlay for the Ellis-Goldenwest Specific Plan, and stated his opposition to the Overlay. (02:02:25)

Christine Mahoney, a resident of Edwards Hill for 13 years, was called to speak and stated her opposition to the Zoning Overlay for the Ellis-Goldenwest Specific Plan. Ms. Mahoney stated this plan would ruin the neighborhood, reduce safety, increase traffic and increase noise. (02:04:54)

Jo Dee Preston, a resident of the Golden View neighborhood for 40 years, was called to speak and noted another property across from Golden View Elementary that is being converted to a multi-family dwelling that provides no resident garages. She noted the negative impact of high density on the roads, parking, and utility resources, as well as schools and parks. (02:05:49)

David Miles, a 21-year resident of Edwards Hill, was called to speak and stated his opposition to the Zoning Overlay for the Ellis-Goldenwest Specific Plan, and noted the lack of communication from the City to area residents. He asked that Councilmembers listen to the affected residents. (02:08:13)

Chris Mahoney, a 13-year resident of Edwards Hill, was called to speak and stated his opposition to the Zoning Overlay for the Ellis-Goldenwest Strategic Plan specifically for the Brindle-Thomas property. He expressed the desire of area residents to be included in the planning process and noted the lack of communication from the City on the issue. He also stated appreciation for the last-minute plan to schedule a November 1 meeting for further discussions. (02:09:33)

CJ Stites, a 29-year resident of Huntington Beach and 5-year resident of Edwards Hill, was called to speak and stated there was no notice from the City about the Zoning Amendment to the Ellis-Goldenwest Specific Plan. She stated opposition to the plans for the Brindle-Thomas property which she believes will negatively impact schools and traffic. (02:11:18)

Basil Millan was called to speak and read specific sections from the Ellis-Goldenwest Specific Plan to document how meticulous the writers were in describing lot sizes. He shared his opinion that it cannot be improved upon, and added that if it isn't broken it doesn't need fixing. (02:13:01)

David Renton, a resident of Edwards Hill for 5 years, was called to speak and stated this zoning plan will place further stress on schools that are already bursting at the seams, plus fundamentally change the unique character of the neighborhood. He asked that Council make the decision that will keep them and the residents proud of Huntington Beach. (02:14:53)

Hans Van Doornan, a resident of Huntington Beach for over 30 years including 22 years on Edwards Hill, was called to speak and stated his opposition to the Zoning Overlay for the Ellis-Goldenwest Specific Plan, and the Brindle-Thomas plan. (02:16:35)

Scott Field, Candidate for City Attorney in 2022, was called to speak and stated that all is not well in the City Attorney's office. Mr. Field shared examples which he believes document how poorly the office is being run, and noted his 40 years of experience as a municipal attorney, including over 20 years working for the City of Huntington Beach, make him the best candidate for the position. (02:17:17)

Frank Dispalatro, a long-time resident of Huntington, was called to speak and stated his opposition to the Zoning Overlay for the Ellis-Goldenwest Specific Plan. He stated his opinion that approving this plan will increase crime and congestion, and is not good for the schools. He expressed appreciation for the last-minute plan to schedule a November 1 meeting for further discussion and an opportunity to reach more appropriate solutions. (02:18:55)

Joanne Chivers, a resident of Huntington Beach since 1974, was called to speak and noted that she and her husband were required to build their Edwards Hill home according to the Ellis-Goldenwest Specific Plan. Speaking as a realtor, Ms. Chivers noted that the Zoning Amendment will negatively affect property values for Edwards Hill residents. She understands there are high density housing needs, but selecting this neighborhood is just wrong, and shared her opinion that other potential high-density sites are adequate for meeting the State's directive. (02:19:55)

Justine Makoff, a resident of Edwards Hill, was called to speak and asked that Council reconsider their plan for high density housing within the Ellis-Goldenwest Specific Plan. Ms. Makoff noted that Edwards Hill was designed to be an extension of the unique Equestrian Center, and added the neighborhood residents are available to help Council make the right decision and work for a solution together. (02:22:05)

Mark Currie, representing the Edison Park Community Group, was called to speak and thanked those Councilmembers who attended the recent community meeting to share ideas. Mr. Currie stated his interest in meeting with each Councilmember individually to review the Community Group Plan and receive their comments and questions. Mr. Currie noted that anyone with interest can email saveedisonpark@gmail.com to request the link for the presentation. (02:24:01)

Paula Cargasacchi, a 20-year resident of Huntington Beach, was called to speak and shared her concern that the Ellis-Goldenwest Specific Plan Zoning Overlay is tearing the City apart. She shared her hope

that the November 1 meeting will find residents and Councilmembers working together for the best solution, and will result in taking the Brindle-Thomas development project off the Specific Plan. (02:25:22)

Eleni Hapsis, a resident of Edward Hills for one year, was called to speak and shared the pride that so many Huntington Beach residents have may be lost if the proposed zoning change goes forward. She described all of Huntington Beach a gem in the rough and asked that Council keep it that way. (02:26:48)

Cindy Barrios was called to speak and noted impacts of high-density housing on the Ellis-Goldenwest and Holly-Seacliff Specific Plans. Ms. Barrios stated that the potential of adding 200 - 400 children to Seacliff Elementary School, or a 40% increase, if the Zoning Amendment for the Brindle-Thomas property is approved, cannot be successful without significant impacts, regardless of how outstanding the school is. All schools within the Huntington Beach School District will be impacted with the domino effect of re-districting. Ms. Barrios stated that Huntington Beach families deserve better than overflowing classrooms and over-extended teachers and staff. (02:28:41)

Veronica Martinez, a resident of Huntington Beach for 35 years, was called to speak and noted she worked hard so she could afford to live in a city with a beautiful beach and that offers quality education. Ms. Martinez stated her opposition to the proposed HR30 Overlay for the Ellis-Goldenwest Specific Plan, and asked Council why they think this is a fair and equitable solution for the citizens of Huntington Beach. (02:30:59)

Donna TenBrink, a 40-year resident of Huntington Beach, living the last 22 years on Edwards Hill, was called to speak and noted the lack of communication from the City to affected residents regarding the proposed Zoning Overlay for the Ellis-Goldenwest Specific Plan. Speaking on behalf of many of her neighbors, she stated opposition to this Zoning Overlay, and asked that any development on the Brindle-Thomas property at least be consistent with, if not compliment, the surrounding neighborhoods and businesses. (02:32:14)

Dwayne Fuhrman, a resident of the Edwards Hill area, was called to speak and stated his support for keeping the Ellis-Goldenwest Specific Plan as originally developed by the City with large lots and equestrian themed development standards. Mr. Fuhrman stated his opposition to abandoning a Specific Plan, which is a contract with the residents, and is responsible for creating their unique neighborhood. (02:33:00)

Theresa Scheffler, a 37-year resident of Huntington Beach including over 20 years in the Seacliff area, was called to speak and stated her opposition to the proposed Zoning Overlay for the Ellis-Goldenwest Specific Plan which would have impacts that extend well beyond Edwards Hill neighborhoods. She further stated she has trouble understanding why Council would even consider such a plan that would negatively impact traffic, services, and schools. (02:35:16)

Unnamed Guest, a resident of Huntington Beach for 20 years, was called to speak and stated his opposition to any high-density housing plans. He further noted he received no notice of the proposed Zoning Overlay for the Ellis-Goldenwest Specific Plan which he considers a dereliction of duty. (02:36:46)

James Sharkoff was called to speak and noted that the City is apparently planning to disregard the Ellis-Goldenwest Specific Plan, the contract the City has with the existing neighborhood homeowners regarding the type of homes they were allowed to build for over 30 years, and allow high density housing

for the Brindle-Thomas property. He asked that City Council admit this effort is a mistake and quietly remove the Zoning Overlay. (02:39:20)

Mike Mastropaolo, a 48-year resident of Huntington Beach, was called to speak and asked if there is any way to address the issue of the State apparently imposing upon contracts that Huntington Beach has with its residents through existing Specific Plans. He stated his opinion that City Council can do better, and Council should do better for the residents of Huntington Beach. (02:41:37)

Adam Chaman, a resident of Edwards Hill, was called to speak and shared his opinion that Council use a "best fit" approach when planning for high density housing which would consider environmental, traffic, and infrastructure impacts. He believes that the Ellis-Goldenwest area does not meet the best fit criteria for high density housing. Mr. Chaman suggested the southeast corner of Nichols and Warner, a long-neglected vacant lot, as a more appropriate location for high density housing development. (02:43:27)

Kay Chaman, a resident of Edwards Hill, was called to speak and stated her opposition to the proposed Zoning Overlay for the Brindle-Thomas property. She noted that it appears the City has not performed an adequate impact study for this project, and shared her opinion the proposed project will have a terrible impact on the community's schools, roads, parking and safety, would ruin the Urban Forest, stables, trails and endanger the safety of the horses and riders. Ms. Chaman shared her opinion that the City is capable of meeting Regional Housing Needs Assessment (RHNA) requirements without using the Brindle-Thomas property for high density housing and asked Council to vote "no" on this project. (02:45:11)

Mark Aguilar, a 35-year resident of Huntington Beach and Huntington Beach business owner, was called to speak and stated his opposition to the high-density zoning overlay for the Brindle-Thomas property. He believes there are plenty of other areas that would be much more appropriate and would not negatively impact neighborhood property values. (02:46:14)

Unnamed Guest, a Huntington Beach homeowner, was called to speak and stated her concerns regarding the environmental impacts this proposed high-density project will have on the surrounding neighborhoods. Speaking from personal experiences related to high density projects in other cities, she noted the consequences of increased neighborhood homelessness and crime. She stated many of the residents of Huntington Beach would work with Council to come up with workable solutions. Mayor Delgleize asked her to see the Sargent of Arms regarding her questions about a specific project so staff can follow-up. (02:48:34)

Dr. Reena Wolzinger, a resident of the Seacliff neighborhood and fourth generation Huntington Beach homeowner, was called to speak and shared being very disturbed to learn of the Zoning Overlay for the Seacliff area. Dr. Wolzinger noted there was no notification regarding this zoning change which she believes will greatly reduce the quality of life for surrounding neighborhoods, and stated those opposed to this high-density plan will not go away. (02:51:05)

Tresa Holloway was called to speak and stated it appears to her that the Planning Commission quickly and unethically rezoned her entire neighborhood at their meeting last week. She stated her opposition to the Zoning Overlay for the Ellis-Goldenwest Specific Plan for the Brindle-Thomas property which is adjacent to her property. Ms. Holloway asked that Council vote "no" on this issue in November. (02:52:10)

Dennis Holloway, a 45-year resident of Huntington Beach including Edwards Hill resident for 22 years, was called to speak and shared Planning Commissioner comments regarding the Brindle-Thomas

property. Comments regarding a shortage of water for this project, and hearing the developer can change many of the other Ellis-Goldenwest Specific Plan requirements that residents have been required to follow for over 33 years. (02:54:27)

Unnamed Guest was called to speak and stated that high density changes drove her family out of Redondo Beach 23 years ago. She suggested that Councilmembers take a drive through Redondo Beach and Hermosa Beach to see first-hand some real results of high-density housing, and asked them to protect quality of life for Huntington Beach residents by voting "no" in November. (02:56:25)

Unnamed Guest was called to speak and stated his vehement opposition to the Zoning Overlay for the Ellis-Goldenwest and Holly-Seacliff Specific Plans. He stated the lack of communication regarding these plans is disturbing, he believes the proposed numbers are arbitrary and inflated, with minimal environmental or traffic studies. He asked that Councilmembers oppose this high-density Zoning Overlay in November so Huntington Beach doesn't turn into Santa Monica. (02:58:44)

Daphnee Weaver was called to speak and stated she is opposed to the high-density Zoning Overlay for all of the reasons other residents have already expressed, including lowered property values, increased traffic congestion and parking issues, increased crime, plus additional stresses to infrastructure, schools, gas stations and retail stores. (03:00:00)

Rick Puffer, a 20-year resident of Huntington Beach currently living on Edwards Hill, and a property developer, was called to speak and noted the pressure coming from Sacramento regarding housing, and acknowledged something needs to be done. Mr. Puffer asked Councilmembers to have the backbone to pull the Zoning Overlay now, rather than supporting a plan which may produce the worst-case scenarios. He stated the residents are willing and able to work together with Council to come up with better solutions. (03:02:04)

Caller Ada Hand, a Del Mar Estates resident, was invited to speak and directed her comments to Councilmember Items #21 regarding Elected Official Conflict of Interest Reform. Ms. Hand noted that several former and current Councilmembers have accepted donations from 1) Mobile Home Education Trust (MHET); 2) Western Manufacturing Association (WMA); and 3) multiple manufactured housing park owners, according to public records. Ms. Hand further noted that some Councilmembers have voted to place representatives of MHET and WMA on the Huntington Beach Mobile Home Advisory Board, which in her opinion is a conflict of interest, especially when the website of one of these organizations clearly states a goal of converting mobile home parks to condos and other businesses. Ms. Hand expects that soon-to-be elected Councilmembers will look into the possibility of conflict of interest in this situation. (03:04:36)

Mayor Delgleize announced that many people spoke about not being notified about what is happening in their neighborhood, and she stated that this is not okay. She also said there appears to be a lot of misunderstanding about what the City is doing about the Housing Element and reminded everyone that a Study Session has been scheduled for Tuesday, November 1, to provide additional time for staff to describe the Housing Element.

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

Councilmember Kalmick reported attending meetings of: The Orange County Transit Authority (OCTA) Advisory Committee; Cannabis Townhall; Environmental Board; and Southern California Association of Government (SCAG) Energy and Environmental Committee.

Councilmember Moser reported attending meetings of: 4th of July Board; Sunset Beach Community Association; Human Relations Committee; Sustainability and Environmental Board; Downtown Business Improvement District (BID); Cannabis Townhall; and Youth Board.

Councilmember Carr reported attending meetings of: Youth Board; Downtown Business Improvement (BID); Orange County Coastkeeper Toast the Coast Dinner; Huntington Beach Firefighters' Association Great Balls of Fire Golf Tournament; and Huntington Beach Police Department Awards Ceremony.

Councilmember Bolton reported attending the Cannabis Townhall.

Mayor Pro Tem Posey reported attending meetings of: Southern California Association of Government (SCAG) Community, Economic and Human Development Committee, and Regional Council; and Association of California Cities – Orange County (ACC–OC) Housing Committee.

CITY MANAGER'S REPORT

9. 22-835 Edison Park Update

City Manager Al Zelinka reported a conversation with a resident concerned about a waterline improvement project, and complimented Water Distribution Maintenance Crew Leader Jesus Hurtado, who went above and beyond to discuss the issue and answer questions.

Director of Community and Library Services Chris Slama provided an update on Edison Park, and noted that all information is available at the project website: bit.ly/hbedisonpark. He announced that Wednesday, November 9, 2022, 6 PM, in Council Chambers, the Community and Library Services Commission will meet to review: Summary of Project Efforts to Date; Review of the Topographic and Arborist Surveys; Review of Community Feedback Received since March of 2022; and Potential Revisions to Conceptual Plan C Based on Information gathered as directed by City Council in March 2022.

CONSENT CALENDAR

10. 22-832 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 of October 4, 2022.

The motion carried by the following vote:

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

11. 22-239 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: Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None
ABSENT: Peterson

12. 22-829 Approved Amended Citywide Flag Policy and Authorization of Commemorative Flags

A motion was made by Carr, second Kalmick to approve Commemorative Flags section and adopt into Huntington Beach City Council manual; and, receive and file Administrative Regulation 705: Citywide Flag Policy, **as amended by Supplemental Communication**.

The motion carried by the following vote:

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

13. 22-847 Approved the purchase of two new ambulances from Braun Northwest Inc. in the amount of \$630,915.12; and approve a one-time appropriation of \$25,915.12 from the Equipment Replacement Fund balance to Fund 32440209 for this purchase

A motion was made by Carr, second Kalmick to approve and authorize the Mayor and City Clerk to execute "Service Agreement Between the City of Huntington Beach and Braun Northwest, Inc. for the Purchase of Two (2) New North Start 167-1 Module Ambulances" in the amount of \$630,915.12 based upon HGAC Contract AM10-20, in accordance to Municipal Code 3.02.080; and, approve a one-time appropriation of \$25,915.12 from the Equipment Replacement Fund balance to Fund 32440209 for the purchase of two new ambulances.

The motion carried by the following vote:

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

14. 22-834 Approved and authorized execution of Amendment No. 1 to the Professional Services Agreement with Carl Warren and Company for Subrogation/Property Recovery Services

A motion was made by Carr, second Kalmick to approve and authorize the Mayor and City Clerk to execute, "Amendment No. 1 to Agreement between the City of Huntington Beach and Carl Warren and Company for Liability Claim Investigation and Processing," as prepared by the City Attorney.

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

15. 22-737 Appropriated CalRecycle SB 1383 Local Assistance Grant Funds

Director of Public Works Sean Crumby, introduced the item and Debra Jubinsky, Senior Administrative Analyst, presented a PowerPoint communication titled *SB 1383 Implementation Update* with slides entitled: *Background; SB 1383 Status; Organics Collection Program Review; Commercial Program (2); Residential Program (2); Local Assistance Grant Funds; Local Assistance Grant (2); and Questions*

Councilmember Carr and Senior Administrative Analyst Jubinsky discussed how the food pails will be made available to residents, as well as right-sizing of commercial bins.

Mayor Pro Tem Posey and Senior Administrative Analyst Jubinsky discussed that residents are responsible to empty the food recycle pail into the green bin on trash collection day, and residents who do not currently have a green bin will be receiving one. It was noted that plastic is not allowed in the green bin as it is only for plant material in plain paper bags.

Councilmember Kalmick and Analyst Jubinsky discussed the Building Code update which was part of the ordinance update.

Councilmember Moser confirmed with Analyst Jubinsky that the City is not responsible for School District compliance.

A motion was made by Kalmick, second Carr to approve a budget appropriation of \$278,482 in CalRecycle SB 1383 Local Assistance Grant Funds into the FY 2022-23 Budget to support the implementation of the City's SB 1383 program.

The motion carried by the following vote:

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

16. 22-851 Received and Filed 2022 Legislative Update Provided by Townsend Public Affairs

Assistant City Manager, Travis Hopkins, introduced Shannon Levin, City Council Policy Analyst; Cory Takkinen, Vice President and Associate Carly Shelby with Townsend Public Affairs.

Cori Takkinen and Carly Shelby of Townsend Public Affairs presented a PowerPoint communication titled *City of Huntington Beach Legislative Update*, with slides entitled: *Sacramento General Overview 2022; Adopted Budget Provisions; City of Huntington Beach Successful Earmark Request; AB 2496 (Petrie-Norris) - Loud Vehicle Noise; AB 2011 (Wicks) vs SB 6 (Caballero); AB 2449 (Rubio) - Brown Act Modification; SB 1338 (Umberg) - CARE Courts; AB 2582 (Bennett) and AB 2584 (Berman); SB 1439*

(Glazer) - Candidate Contributions; Looking Ahead to 2023 - Sacramento; Washington D/C. General Overview 2022; Looking Ahead to 2023 - Washington D.C; 2022 Strategic Plan Goals; and Thank You

Councilmember Kalmick and Townsend staff discussed AB361 regarding the State of Emergency Order, which is currently in effect but will end on February 28, 2023, according to the just announced end of California's State of Emergency. AB2449 is a supplemental bill to allow local elected officials to continue to meet remotely within narrow circumstances. There was also discussion on the Recall bills and appointment process.

Mayor Pro Tem Posey extended compliments and thanks to Townsend Public Affairs staff for their proactive involvement in the Intergovernmental Relations Committee (IRC) and arranging pivotal meetings in Sacramento for Councilmembers.

Councilmember Moser expressed her appreciation for the excellent overview presentation.

Mayor Delgleize shared her appreciation for the dedication of Townsend Public Affairs staff to keeping Council informed and aware.

A motion was made by Moser, second Posey to receive and file the 2022 Legislative Update.

The motion carried by the following vote:

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

17. 22-852 Approved FY 2021/22 Year-End Budget Adjustment for the City's Various Unfunded Liabilities

Dale Bulosan, Chief Financial Officer, presented a PowerPoint communication titled *Year-End Budget Adjustments for City's Unfunded Liabilities*, with slides entitled: *Presentation Overview; Background & Economy; Workers' Compensation; General Liability; Retiree Medical; Retirement Supplemental; Section 115 Trust; CalPERS UAL Payment Projection; Section 115 Trust Projected Balance; Recommended Action; and Questions.*

Mayor Pro Tem Posey and CFO Bulosan discussed the General Liabilities amount of \$13.7M through 6/30/2022 which includes some carry over from the previous year as well as new obligations.

Councilmember Bolton and CFO Bulosan discussed Workers' Compensation details, including the fact that the numbers have gone up about 20% in one year generally due to escalating costs for medical care as well as new State laws defining more work-related situations.

Councilmember Carr and CFO Bulosan discussed the Section 115 Trust projection and confirmed the number includes the Unfunded Actuarial Liability (UAL) Policy set-aside of \$1M plus one-half of the first year's savings of approximately \$1.4M. In addition, during the years no UAL is owed, the assumption is there will still be a contribution to the 115 Trust in the amount that would have gone to California Public Employees' Retirement System (CalPERS). There was also discussion on how the Pension Obligation Bond reduced the payment. CFO Bulosan stated the Actuary is preparing a comparison summary which should be available in the next few weeks to share with Councilmembers.

Councilmember Kalmick confirmed with CFO Bulosan that the City had a \$17M surplus last year. There was also discussion on interest rates and investments.

Councilmember Moser expressed appreciation for the foresight to place surplus funds into the 115 Trust each year.

Mayor Pro Tem Posey noted that moving surplus funds into the 115 Trust account, plus some of the cash flow savings from the Pension Obligation Bonds, provides a unique opportunity to earn a higher interest rate that can be used to offset future Unfunded Actuarial Liability (UAL).

A motion was made by Kalmick, second Posey to approve the appropriation and transfer of \$13,102,696 into the Workers' Compensation, General Liability, Retiree Medical, Retirement Supplemental and Section 115 Trust Funds from the General Fund year-end balances. (See Attachment 1).

The motion carried by the following vote:

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

ORDINANCES FOR INTRODUCTION

18. 22-838 Approved for Introduction Ordinance No. 4268 amending Huntington Beach Municipal Code Chapter 17.56 adopting California Fire Code and schedule a Public Hearing for November 15, 2022

Steve Eros, Deputy Fire Marshall, introduced the item and presented a PowerPoint communication titled *Local Adoption of the 2022 California Fire Code* with slides entitled: *Table of Contents; Code Adoption Process; Huntington Beach Municipal Code; HB Amendments; Implementation Plan; Recommendation; and Questions.*

Mayor Delgleize and Deputy Fire Marshall Eros discussed ordinance changes related to developers and noted these changes will only impact new projects after January 1, 2023.

A motion was made by Posey, second Kalmick to, after Assistant City Clerk reads by title, approve for Introduction 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"; and, direct that a Public Hearing be set for the adoption of Ordinance No. 4268 at the City Council's November 15, 2022 meeting. This procedure is in accordance with California Government Code Title 5, Division 1, Part 1, as described in the Guide for Local Amendments of Building Standards 2022.

The motion carried by the following vote:

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

19. 22-839 Approved for Introduction Ordinance No. 4270 adopting the 2022 Model California Construction Codes and Schedule a Public Hearing for November 15, 2022

Jasmine Daley, Community Development Building Manager, presented a PowerPoint communication titled *Local Adoption of the 2022 California Building Standards Code*, with slides entitled: *Table of Contents; Code Adoption Process, Huntington Beach Municipal Code (Title 17); HB Amendments (2); Implementation Plan; Recommendation; and Questions?*

A motion was made by Posey, second Kalmick to, after Assistant City Clerk reads by title, approve for Introduction 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"; and, direct that a Public Hearing be set for the adoption of Ordinance No. 4270 at the City Council's November 15, 2022 meeting.

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

20. 22-877 Approved Item Submitted by Councilmember Kalmick – SB 6 and AB 2011 Local Control Implementation – Objective Standards

Councilmember Kalmick brought this item forward because of recent Intergovernmental Relations Committee (IRC) and Council discussions on SB6 and AB2011 which allow by right approval of housing for shopping centers. He added the intent is to implement local control and set objective standards.

Councilmember Carr thanked Councilmember Kalmick for bringing this item forward. She acknowledged staff needs time to research what other cities are doing, and minimize the possibility of being challenged. Councilmember Carr stated her support for this item.

Mayor Pro Tem Posey stated his support for this item, and noted it is important to create guardrails that will control how SB6 and AB2011 are implemented locally. He further noted that the Beach-Edinger Corridor Specific Plan implemented in 2006 and in 2010 clearly outline what strip malls could be with the decline of brick-and-mortar retail.

A motion was made by Kalmick, second Posey to direct the City Manager to task the Community Development Department to create objective standards for the local implementation of SB 6 and AB 2011 and, as an implementation target, have those standards brought through the Planning Commission and heard by the City Council by June 2023.

The motion carried by the following vote:

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

21. 22-881 Approved Item Submitted by Councilmember Kalmick – Elected Official Conflict of Interest Reform

Councilmember Kalmick noted this item stems from another bill, SB1439, which concerns campaign contribution amounts and policies for local elected officials. He stated this item is asking for staff assistance to strengthen transparency and reporting of campaign contributions, conflict of interest and ethics rules.

Councilmember Carr asked that the incoming Councilmembers have a training session on SB1439 because in her opinion this is a big change to local elections and how city councils do business going forward. Councilmember Carr confirmed with Councilmember Kalmick that staff is being asked to determine best practices that should be implemented to ensure compliance with SB1439.

Mayor Pro Tem Posey stated this item dovetails well with City Manager Zelinka's current procurement review process, and this item has his support.

A motion was made by Kalmick, second Posey to direct the City Manager to create a process to maintain a list of ineligible persons or entities under SB 1439 rules. Have this in place by January 1, 2023. Additionally direct the City Manager to come back to a Study Session in Q1 of 2023 with suggested reforms to strengthen transparency and reporting of campaign contributions, conflict of interest and ethics rules and other best practices used throughout the County (or State as deemed appropriate).

The motion carried by the following vote:

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

COUNCILMEMBER COMMENTS (Not Agendized)

Mayor Pro Tem Posey reported attending a recent Celebration of Life for Carmen Ramirez, a former Oxnard Councilmember and Ventura County Supervisor killed in a tragic accident.

Councilmember Moser congratulated everyone who put together the Surf City Art Fest in support of a great community event. She also announced a new program offered by the City through Library Services: HB Community Café, offering a 7-part monthly conversation series to strengthen the community, to be held from 5:30 PM – 8:30 PM on the last Wednesday of each month, beginning on October 26, 2022, at Central Library, Rooms C & D near the Theater entrance. Food will be provided, and pre-registration is required for each event through the Library's Event page.

Mayor Delgleize congratulated Doris O'Reilly who recently celebrated her 101st birthday, and Jean Rodgers who recently celebrated her 100th birthday. Mayor Delgleize reported attending the 23rd Annual Hall of Induction Ceremony for the Surfboard Builders Hall of Fame at Pier Plaza on October 15, 2022. Mayor Delgleize excitedly reported that the first Junior Civics Class was recently held for 34 Jr. High School students

City Attorney Michael Gates reported Retired Senior Deputy City Attorney Neal Moore, who served Huntington Beach for over 15 years and was known as an excellent litigator and trial attorney for the police, passed away yesterday.

ADJOURNMENT — 10:31 PM in memory of Retired Senior Deputy City Attorney Neal Moore to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on

Tuesday, November 1, 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