



## **AGENDA *\*Revised***

### **City Council/Public Financing Authority Special Meeting**

**Tuesday, June 1, 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*

#### **Council Chambers**

**2000 Main Street**

**Huntington Beach, CA 92648**

**--or--**

**Virtual via Zoom Webinar**

#### **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.

**IN-PERSON PUBLIC PARTICIPATION/ZOOM ACCESS:** Safety guidelines and protocols have been established that allow for a limited number of the public to attend the June 1, 2021 meeting of the Huntington Beach City Council in person. The City will continue to offer the virtual option to attend the meeting via ZOOM.

Based on current guidance from the Centers of Disease Control (CDC) and the California Department of Health (CDPH), any person greater than 2 years of age (including but not limited to all elected and appointment officials, City staff, and members of the public) wishing to enter the Council Chambers to attend the June 1, 2021 City Council meeting in person must:

- Wear a face covering; or
- Provide evidence of COVID-19 vaccination by producing an official vaccination card or electronic evidence via a mobile phone app, email, or text message which holds the vaccination record in the name of the attendee; or,
- Provide a negative COVID-19 PCR test from within the past 48-hours, or a same-day negative rapid antigen COVID-19 test, evidenced by a test provider or laboratory form, or in an email or text message sent by the test provider or laboratory to the name of the attendee.

In-person public attendance will be limited per the State's movie theater guidance embedded in the "Blueprint for a Safer Economy," as follows:

- *Yellow Tier (50% capacity):* 50 members of the public

If limited in-person capacity within the Chambers is reached, alternate ways to view City Council meetings live or on-demand remain: livestreamed on HBTB Channel 3 (replayed on Tuesday's at 10:00 a.m., and Wednesday's at 6:00 p.m.); live and archived meetings for on-demand viewing accessed from <https://huntingtonbeach.legistar.com/calendar>; or, from any Roku 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 provide a comment on agenda items may do so in person by completing a **Request to Speak** delivered to the City Clerk, or from a virtual location by entering **Zoom Webinar ID 971 5413 0528** via computer device, or by phone at **(669) 900-6833**. The **Zoom Webinar** can be accessed here: <https://huntingtonbeach.zoom.us/j/97154130528>. Those 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, in-person attendees will be called to speak first. Speakers attending via Zoom 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. All speakers are encouraged, but not required to identify themselves by name. Each individual 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 speakers. The Public Comment process will only be active during designated portions of the agenda (Public Comments and/or Public Hearing). After a virtual speaker concludes their comment, their microphone will be muted but they may remain in Webinar attendance for the duration of the meeting.

Members of the public unable to personally participate in the meeting but interested in communicating with the City Council on agenda-related items are encouraged to submit a written (supplemental) communication via email at [SupplementalComm@Surfcity-hb.org](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 Tuesday, June 1, 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.

**5:00 PM - COUNCIL CHAMBERS**

**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) – At approximately 5:00 PM, individuals wishing to provide a comment on item(s) scheduled for Closed Session may do so either in person by filling out a Request to Speak form, via computer through Zoom Webinar ID 971 5413 0528, or Zoom Webinar by phone by calling (669) 900-6833 (see agenda cover sheet for request to speak instructions). Zoom Webinar participants wishing to speak 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. All speakers are encouraged, but not required to identify themselves by name. Speakers providing comments in person will be called to speak first, and each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.**

**RECESS TO CLOSED SESSION**

**CLOSED SESSION ANNOUNCEMENT(S)**

1. [21-431](#) **Mayor Carr to Announce: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiator, City Manager Oliver Chi; also in attendance: Assistant City Manager, Travis Hopkins , who will be participating in today's Closed Session discussion of the public employment of the Police Chief**

**CLOSED SESSION**

2. [21-423](#) **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.**
3. [21-430](#) **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) The City Council shall recess into Closed Session to meet with its designated labor negotiator, Oliver Chi, City Manager; also in**

attendance: Travis Hopkins, Assistant City Manager to discuss the public employment of the Police Chief.

**\*New [21-443](#)** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9: Number of cases, one (1).

**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.

**CLOSED SESSION REPORT BY CITY ATTORNEY**

**AWARDS AND PRESENTATIONS**

4. **[21-434](#)** Mayor Carr to call on Victoria Albery to present the “Adoptable Pet of the Month”
5. **[21-421](#)** Mayor Carr to present commendation to the Kiwanis of Huntington Beach President Shawn Wood for celebrating the organization’s 60th anniversary of service in Surf City
6. **[21-422](#)** Mayor Carr to present the “Making a Difference Award” to David Gins for his diligence in having the new, Mobi-Mat installed off the 6th Street parking lot to allow those with disabilities easy access to enjoy the ocean

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

**PUBLIC COMMENTS (3-Minute Time Limit) – At approximately 6:00 PM, individuals wishing to provide a comment on agendized or non-agendized items may do so either in person by filling out**

a Request to Speak form, via computer through Zoom Webinar ID 971 5413 0528, or Zoom Webinar by phone by calling (669) 900-6833 (see agenda cover sheet for request to speak instructions). Zoom Webinar participants wishing to speak 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. All speakers are encouraged, but not required to identify themselves by name. Speakers providing comments in person will be called to speak first, and each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

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

**CITY MANAGER'S REPORT**

7. [21-427](#) **Public Safety Update on Unlawful Assembly**
8. [21-429](#) **Smartmeter Technology Update**

**CONSENT CALENDAR**

9. [21-373](#) **Approve and Adopt Minutes**

**Recommended Action:**

A) Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated May 3, 2021, as written and on file in the office of the City Clerk; and,

B) Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated May 17, 2021, as written and on file in the office of the City Clerk.

10. [21-424](#) **Approve appointments to the Mobile Home Advisory Board (MHAB) as recommended by City Council Liaisons Kim Carr and Mike Posey**

**Recommended Action:**

Approve the following appointments to the MHAB effective immediately through August 5, 2025:

A) Terrance Pham as an At-Large Member

B) Vickie Talley as an Owner Member

C) Chris Houser as an Owner Member

11. [21-425](#) **Adopt Resolution No. 2021-39 Amending Section 3 of the City Council Manual Regarding the Day of Regular Council Meetings**

**Recommended Action:**

Adopt Resolution No. 2021-39, "A Resolution of the City Council of the City of Huntington Beach Amending Section 3 of the City Council Manual Regarding the Day of Regular Council Meetings."

12. [21-308](#) **Approve and authorize execution of Professional Services Contracts for On-Call Development Review Engineering and Professional Consulting Services with Ardurra Group, Cannon Corporation, Derek J. McGregor, and HR Green Pacific**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute \$500,000 Professional Services Contract between the City of Huntington Beach and Ardurra Group, Inc., for On-Call Development Review Engineering and Professional Consulting Services; and,

B) Approve and authorize the Mayor and City Clerk to execute \$500,000 Professional Services Contract between the City of Huntington Beach and Cannon Corporation for On-Call Development Review Engineering and Professional Consulting Services; and,

C) Approve and authorize the Mayor and City Clerk to execute \$500,000 Professional Services Contract between the City of Huntington Beach and Derek J. McGregor, Inc., for On-Call Development Review Engineering and Professional Consulting Services.

13. [21-392](#) **Approve and authorize execution of Professional Services Contracts for On-Call Civil Engineering, Surveying, and Consulting Services with Ardurra Group, BKF Engineers, RAK Development dba Kreuzer Consulting Group, Psomas, and Stantec Consulting Services, Inc.**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute \$1,000,000 "Professional Services Contract Between the City of Huntington Beach and Ardurra Group for On-Call Civil Engineering, Surveying, and Professional Consulting Services;" and,

B) Approve and authorize the Mayor and City Clerk to execute \$1,000,000 "Professional Services Contract Between the City of Huntington Beach and BKF Engineers for On-Call Civil Engineering, Surveying, and Professional Consulting Services;" and,

C) Approve and authorize the Mayor and City Clerk to execute \$1,000,000 "Professional Services Contract Between the City of Huntington Beach and Kreuzer Consulting Group for On-Call Civil Engineering, Surveying, and Professional Consulting Services;" and,

D) Approve and authorize the Mayor and City Clerk to execute \$1,000,000 "Professional Services Contract Between the City of Huntington Beach and Psomas for On-Call Civil

Engineering, Surveying, and Professional Consulting Services;" and,

E) Approve and authorize the Mayor and City Clerk to execute \$1,000,000 "Professional Services Contract Between the City of Huntington Beach and Stantec Consulting Services, Inc. for On-Call Civil Engineering, Surveying, and Professional Consulting Services."

14. [21-395](#) **Approve and authorize execution of Professional Services Contracts for On-Call Civil Engineering, Surveying and Professional Consulting Services with Moffatt & Nichol, Anchor QEA, LLC and COWI North America**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute \$650,000 "Professional Services Contract Between the City of Huntington Beach and Moffatt and Nichol for On-Call Civil Engineering, Surveying and Professional Consulting Services;" and,

B) Approve and authorize the Mayor and City Clerk to execute \$250,000 "Professional Services Contract Between the City of Huntington Beach and Anchor QEA, LLC for On-Call Civil Engineering, Surveying and Professional Consulting Services;" and,

C) Approve and authorize the Mayor and City Clerk to execute \$250,000 "Professional Services Contract Between the City of Huntington Beach and COWI for On-Call Civil Engineering, Surveying and Professional Consulting Services."

15. [21-428](#) **Consider positions on legislation pending before the State and Federal Legislature, as recommended by the Intergovernmental Relations Committee (IRC)**

**Recommended Action:**

Approve one or more City positions on the following State legislation:

A) Watch Assembly Bill 1177 (Santiago) - California Public Banking Option Act

B) Support Assembly Bill 1158 (Petrie-Norris) - Alcoholism or drug abuse recovery or treatment facilities

16. [21-418](#) **Adopt Ordinance No. 4230 amending the Municipal Code and Zoning and Subdivision Code to eliminate the Environmental Assessment Committee and Subdivision Committee (Appeal of Planning Commission Denial of Zoning Text Amendment (ZTA) No. 21-002) Approved for introduction May 17, 2021 - Vote: 6-1 (Peterson - No)**

**Recommended Action:**

Adopt Ordinance No. 4230, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapters 2.33, and 2.56 of the Huntington Beach Municipal Code; Chapters 240, 248, 250 and 251 of the Huntington Beach Zoning and Subdivision Code Removing All References to the Subdivision and Environmental Assessment Subcommittees (Zoning Text Amendment No. 21-002)."

17. [21-419](#) **Adopt Ordinance No. 4231 adding Section 17.48.050 to the Huntington Beach Municipal Code Chapter to amend Subsection A of Section 690.13 of the California Electrical Code  
Approved for introduction May 17, 2021 - Vote: 7-0**

**Recommended Action:**

Adopt Ordinance No. 4231, "An Ordinance of the City Council of the City of Huntington Beach Adding Section 17.48.050 to the Huntington Beach Municipal Code Chapter to Amend Subsection A of Section 690.13 of the California Electrical Code."

**PUBLIC HEARING**

When the Mayor opens an item scheduled for Public Hearing, individuals wishing to provide a comment may do so either in person by filling out a Request to Speak form, via computer through Zoom Webinar ID 971 5413 0528, or Zoom Webinar by phone by calling (669) 900-6833 (see agenda cover sheet for request to speak instructions). Zoom Webinar participants wishing to speak 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. All speakers are encouraged, but not required to identify themselves by name. Speakers providing comments in person will be called to speak first, and each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

18. [21-396](#) **Adopt Resolution No. 2021-34 adopting the 2020 Urban Water Management Plan (UWMP); Adopt Resolution No. 2021-35 adopting the 2020 Water Shortage Contingency Plan (WSCP); Approve for introduction Ordinance No. 4233 amending Chapter 14.18 of the Huntington Beach Municipal Code Water Management Program; and, Adopt Resolution No. 2021-33 adopting the Amendment to the Adopted 2015 UWMP**

**Recommended Action:**

A) Adopt Resolution No. 2021-34, "A Resolution of the City Council of the City of Huntington Beach Adopting the 2020 Urban Water Management Plan Pursuant to AB797 and SB1011"; and,

B) Adopt Resolution No. 2021-35, "A Resolution of the City Council of the City of Huntington Beach Adopting the 2020 Water Shortage Contingency Plan Pursuant to

AB797 and SB1011”; and,

C) Approve for introduction Ordinance No. 4233, “An Ordinance of the City of Huntington Beach Amending Chapter 14.18 of the Huntington Beach Municipal Code Water Management Program”; and,

D) Adopt Resolution No. 2021-33, “A Resolution of the City Council of the City of Huntington Beach Adopting the Amendment to the Adopted 2015 Urban Water Management Plan Pursuant to AB797 and SB1011.”

19. [21-426](#) **Consider Adopting Resolution No. 2021-38 to Adopt a Budget for the City for Fiscal Year 2021/2022; Resolution No. 2021-41 establishing the Gann Appropriation Limit for Fiscal Year 2021/2022; Resolution No. 2021-40 Levying a Retirement Property Tax for Fiscal Year 2021/2022 to Pay for Pre-1978 Employee Retirement Benefits; Resolution No. 2021-37 Setting Advanced Life Support, Basic Life Support, and Emergency Ambulance Transportation Fees to be Charged by the Fire Department; Resolution No. 2021-36 Amending the Community & Library Services Department Charges for Entrance To or Use of City Property (Supplemental Fee Resolution 14);**

**Approve for introduction Ordinance No. 4232 Amending Huntington Beach Municipal Code Chapters 10.04 and 10.60 Relating to On-Street Parking Meter Zones;**

**Approve the purchase of certain capital equipment and authorize the City Manager to enter into all documents necessary to acquire and lease finance the purchase of the capital equipment at an interest rate not to exceed 2.25%; approve the refinancing of the City’s four outstanding capital leases at an interest rate not to exceed 1.50%, and authorize the City Manager or designee to take all administrative and budgetary actions necessary to complete the refinancing; and,**

**Authorize the Mayor to establish a three-person City Council Ad-Hoc Subcommittee to review expenditure opportunities and make recommendations to the City Council on how to best utilize funds received through the American Rescue Plan Act (ARPA)**

**Recommended Action:**

- A) Adopt Resolution No. 2021-38, “A Resolution of the City Council of the City of

Huntington Beach Adopting a Budget for the City for Fiscal Year 2021/22;" and,

B) Authorize the Professional Services included in the FY 2021/2022 budget to be representative of the services projected to be utilized by departments in FY 2021/2022; and,

C) Approve budget adjustments to the FY 2021/2022 Proposed Budget in the Funds and by the amounts contained in Attachment 2, Exhibit A-1; and,

D) Adopt Resolution No. 2021-41, "A Resolution of the City Council of the City of Huntington Beach Establishing the Gann Appropriation Limit for Fiscal Year 2021/2022" of \$1,049,513,696;" and,

E) Adopt Resolution No. 2021-40, "A Resolution of the City Council of the City of Huntington Beach Levying a Retirement Property Tax for Fiscal Year 2021/2022 to Pay for Pre-1978 Employee Retirement Benefits;" and,

F) Approve the purchase and 10-year lease financing for the replacement of the City's three helicopters, fire engine, and rescue boat at an amount not to exceed \$8.75 million, with an annual interest rate not to exceed 2.25%, and authorize the City Manager or designee to enter into any and all documents to finance the purchase of the capital equipment and take all administrative and budgetary actions necessary to complete the purchase and financing; and,

G) Approve the refinancing of the City's four outstanding capital leases (Schedules 1000141779, 1000142350, 1000143109, and 1000146094) at an annual interest rate not to exceed 1.50%, and authorize the City Manager or designee to enter into any and all documents and take all administrative and budgetary actions necessary to complete the refinancing; and,

H) Adopt Resolution No. 2021-37, "A Resolution of the City Council of the City of Huntington Beach Setting Advanced Life Support, Basic Life Support, and Emergency Ambulance Transportation Fees to be Charged by the Fire Department of the City of Huntington Beach;" and,

I) Approve for Introduction Ordinance No. 4232, "An Ordinance of the City of Huntington Beach Amending Chapters 10.04 and 10.60 of the Huntington Beach Municipal Code On-Street Parking Meter Zones;" and,

J) Adopt Resolution No. 2021-36, "A Resolution of the City Council of the City of Huntington Beach Amending the Community Services & Library Department Charges for Entrance To or Use of City Property by Amending Resolution 2016-59, as Amended by Resolution Nos. 2017-28, 2017-44, 2017-46, 2018-01, 2018-29, 2018-48, 2018-55,

2019-07, 2019-19, 2019-87, 2020-37, 2021-17, and 2021-18, which Established a Consolidated Comprehensive Citywide Master Fee and Charges Schedule (Supplemental Fee Resolution 14); and,

K) Authorize the Mayor to establish a three-person City Council Ad-Hoc Subcommittee to review expenditure opportunities and make recommendations to the City Council on how to best utilize funds received through the American Rescue Plan Act.

#### COUNCILMEMBER ITEMS

20. [21-439](#) **Submitted by Mayor Carr - Establish a Recovery Fund to Support Businesses Impacted by the May 21-23 Incidents**

**Recommended Action:**

I recommend that the City Council direct the City Manager to develop a \$20,000 Recovery Fund Program to support local downtown businesses that were impacted by the events from the May 21-23 weekend.

\*Item 21.  
Withdrawn

~~[21-441](#) **Submitted by Councilmembers Dan Kalmick and Mike Posey - Consider agendizing a review of the Settlement Agreement reached in the Moore / Field v. Huntington Beach & Michael Gates**~~

~~**Recommended Action:**~~

~~We recommend that the City Council vote to direct the City Manager to agendize at our next City Council meeting an analysis of the Settlement Agreement reached in the case Moore / Field v. City of Huntington Beach & Michael Gates, to include a full accounting of all costs incurred in the case.~~

#### COUNCILMEMBER COMMENTS (Not Agendized)

#### ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, June 15, 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>