



AGENDA (**Revised)

City Council/Public Financing Authority Regular Meeting

Monday, May 17, 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, May 17, 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, or City.Council@surfcity-hb.org. Supplemental Communications are public record, and if received by 2:00 PM on Monday, May 17, 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 - 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 STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit) - Anyone wishing to provide a comment on a Study Session or 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.

STUDY SESSION

1. [21-400](#) Fiscal Year 2021/22 Proposed Budget Review

RECESS TO CLOSED SESSION

CLOSED SESSION

2. [21-404](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Chris Hartman vs City of Huntington Beach, Worker's Comp. Case No. COHB-14-0306.
3. [21-405](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: John Domingo vs City of Huntington Beach, Worker's Comp. Case No. COHB-19-0097.
4. [21-406](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Rodney Besuzzi vs City of Huntington Beach, Worker's Comp. Case No. COHB-19-0280.

- ** 5. [21-407](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9 (Deciding Whether to Initiate Litigation): Number of cases, one (1): 17511 Griffin Lane #7, Huntington Beach, California. (Note: Corrected street number from 17211 to 17511 Griffin Lane #7)**

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.

- 6. [21-265](#) Rabbi Stephen Einstein (Emeritus) of Congregation B'nai Tzedek in Fountain Valley and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

- 7. [21-402](#) Mayor Carr to proclaim May 22 to 29 as National Beach Safety Week and present proclamation to Fire Chief Scott Haberle**
- 8. [21-403](#) Mayor Carr to proclaim May 16-22 as National Public Works Week and present proclamation to Public Works Director Sean Crumby**
- 9. [21-408](#) Mayor Carr to present the Mayor's HB Excellence Award to Library Specialist Claudia Locke in Community & Library Services**

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

10. [21-414](#) **Update on Guidelines to Facilitate a Planned Returned to In-Person City Council and Commission/Board Meetings**

CONSENT CALENDAR

11. [21-369](#) **Approve the Infrastructure Fund Annual Report for Fiscal Year 2019/20**

Recommended Action:

Approve the Infrastructure Fund Annual Report for FY 2019/20.

12. [21-377](#) **Adopt Resolution No. 2021-31 authorizing certain City Officials to execute Grant Applications and Documents related to the City's Emergency Management and Homeland Security Program**

Recommended Action:

Adopt Resolution No. 2021-31, "A Resolution of the City Council of the City of Huntington Beach Authorizing Certain City Officials to Execute Grant Applications and Documents."

13. [21-384](#) **Approve and accept the Public Improvements, release the Securities for Tract 17661 and accept Guarantee & Warranty Bond**

Recommended Action:

A) Accept the improvements constructed and dedicated for public use with Tract 17661, and instruct the City Clerk to record the "Notice of Acceptance of Public Improvements" (Attachment 2) with the Orange County Recorder; and,

B) Accept Guarantee and Warranty Bond No. 4422016W (Attachment 3), the security

furnished for guarantee and warranty of public improvements, and instruct the City Clerk to file the bond with the City Treasurer; and,

C) Release the Faithful Performance Bond No. 4422016, Labor and Material Bond No. 4422016 and Monument Bond No. 4422017; and,

D) Instruct the City Clerk to notify Bonanni Development and JB Construction, the developer of Tract 17661, and the City Treasurer to notify SureTec Insurance Company, of these actions.

14. [21-370](#) **Accept bid and authorize execution of a construction contract with Elecnor Belco Electric, Inc., in the amount of \$357,636 for the construction of Traffic Signal Modifications at the intersections of Warner Avenue at Graham Street (CC-1548), Warner Avenue at Nichols Lane (CC-1550), and Brookhurst Street and Indianapolis Avenue (CC-1625), and authorize change orders not to exceed 15 percent**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Elecnor Belco Electric, Inc., in the amount of \$357,636; and,

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

C) Authorize the Director of Public Works to execute change orders not to exceed a total of 15 percent of the contract construction costs or \$53,645, as required.

15. [21-372](#) **Accept bid and authorize execution of a construction contract with Elecnor Belco Electric, Inc., in the amount of \$626,451 for the construction of Fiber Optic Communications from City Hall to Pier Plaza, CC-1621**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Elecnor Belco Electric, Inc., in the amount of \$626,451; and,

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

16. [21-376](#) **Award and authorize execution of a construction contract in the**

amount of \$197,808.48 to Prestige Striping Services, Inc., for the Alley Rehabilitation Project, CC-1617, and authorize change orders not to exceed 20 percent

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Prestige Striping Services, Inc., in the amount of \$197,808.48; and,

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

C) Authorize the Director of Public Works to approve up to twenty percent (20%) in construction change orders, as required.

17. [21-411](#) **Approve and Authorize execution of Amendment No. 1 to the Professional Services Agreement with IK Consulting for as-needed Project Management and Implementation Services**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Professional Services Contract between the City of Huntington Beach and IK Consulting, LLC for Project Management and Implementation Services" extending the contract term by one year and increasing the on-call contract amount not to exceed \$480,000.

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.

18. [21-379](#) **Consider the Appeal of Planning Commission Denial of Zoning Text Amendment (ZTA) No. 21-002 (Environmental Assessment Committee and Subdivision Committee) and approve for introduction Ordinance No. 4230 amending the Municipal Code and Zoning and Subdivision Code to eliminate the Environmental Assessment Committee and Subdivision Committee**

Recommended Action:

It is recommended that the City Council take the following action:

A) Find that the municipal code amendments and Zoning Text Amendment No. 21-002 are categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines, because there is no potential for the project to have a significant effect on the environment; and,

B) Approve the municipal code amendments and Zoning Text Amendment No. 21-002 with findings (Attachment No. 1); and,

C) Approve for introduction 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)." (Attachment No. 2)

19. [21-394](#) **Adopt Resolution No. 2021-24 authorizing the City of Huntington Beach to join the Statewide Community Infrastructure Program (SCIP); Authorizing the California Statewide Communities Development Authority (CSCDA) to Accept Applications from Property Owners, Conduct Special Assessment Proceedings and Levy Assessments and Special Taxes and to Form Assessment Districts and Community Facilities Districts Within the Territory of the City of Huntington Beach; Embodying a Joint Community Facilities Agreement Setting Forth the Terms and Conditions of Community Facilities Districts Financings; Approving Form of Acquisition Agreement for Use when Applicable; and Authorizing Related Actions**

Recommended Action:

A) Conduct a public hearing to invite any interested members of the public to provide testimony regarding the SCIP and proposed action; and,

B) Adopt Resolution No. 2021-24, "Resolution of the City Council of the City of Huntington Beach Authorizing the City to Join the Statewide Community Infrastructure Program; Authorizing the California Statewide Communities Development Authority to Accept Applications From Property Owners, Conduct Special Assessment Proceedings and Levy Assessments and Special Taxes and to Form Assessment Districts and Community Facilities Districts Within the Territory of the City of Huntington Beach; Embodying a Joint Community Facilities Agreement Setting Forth the Terms

and Conditions of Community Facilities District Financings; Approving Form of Acquisition Agreement for Use When Applicable; and Authorizing Related Actions.”

ORDINANCES FOR INTRODUCTION

20. [21-383](#) **Approve for Introduction 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**

Recommended Action:

Approve for introduction 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.”

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, June 1, 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**](http://www.huntingtonbeachca.gov)