



## AGENDA

### City Council/Public Financing Authority

**Tuesday, August 3, 2021**

**Closed Session – 5:00 PM**  
**Regular Meeting – 6:00 PM**

#### **MAYOR AND CITY COUNCIL**

*KIM CARR, Mayor*  
*BARBARA DELGLEIZE, Mayor Pro Tem*  
*RHONDA BOLTON, 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: Members wishing to attend the meeting in person are encouraged to wear a face covering unless fully vaccinated.**

Alternate ways to view City Council meetings live or on-demand remain: livestreamed on HBTB Channel 3 (replayed on Wednesday's at 10:00 a.m., and Thursday'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, Fire TV 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 agendized or non-agendized items may do so in person by completing a **Request to Speak** form 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, August 3, 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, Bolton, Delgleize, Carr, Posey, Moser, Kalmick

**Councilmember Peterson has requested permission to be absent pursuant to Resolution No. 2001-54**

**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**

- 1. 21-532 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Gov. Code section 54956.9(d)(1).) Name of case: Lathus (Shayna) v. City of Huntington Beach; USDC Case No.: 8:21-cv-00808-SB (DFMx).**
- 2. 21-568 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Gov. Code section 54956.9(d)(1).) Name of case: Kennedy Commission, et al. v. City of Huntington Beach; OCSC Case No.: 30-2015-00801675.**
- 3. 21-569 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Gov. Code section 54956.9(d)(1).) Name of case: City of Huntington Beach v. State of California (SB35, et al); OCSC Case No. 30-2019-01044945.**

4.     **21-573           CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Gov. Code section 54956.9(d)(1).) Name of case: City of Huntington Beach v. State of California (AB68); OCSC Case No. 30-2020-01140874.**

**6:00 PM – COUNCIL CHAMBERS**

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

**ROLL CALL**

Peterson, Bolton, Delgleize, Carr, Posey, Moser, Kalmick

**Councilmember Peterson has requested permission to be absent pursuant to Resolution No. 2001-54**

**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.

5.     **21-551           Maha Ragab of the Muslim Community, HB and member of the Greater Huntington Beach Interfaith Council**

**CLOSED SESSION REPORT BY CITY ATTORNEY**

**AWARDS AND PRESENTATIONS**

6.     **21-558           Mayor Carr to call on Victoria Albery to present the “Adoptable Pet of the Month”**
7.     **21-559           Mayor Carr to present the “Making a Difference Award” to Mark Mays with Seaclyff Tee it Up for the Troops and Serve it Up for the Troops**

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

**CITY MANAGER'S REPORT**

8.     **21-579         SB 1383 Residential Organic Waste Recycling Update**

**CITY TREASURER'S REPORT**

9.     **21-545         Receive and File the City Treasurer's June 2021 Quarterly Investment Summary Report**

**Recommended Action:**

Receive and file the City Treasurer's Quarterly Investment Report for June 2021, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

**CONSENT CALENDAR**

10.    **21-560         Approve and Adopt Minutes**

**Recommended Action:**

A) Approve and adopt the City Council/Public Financing Authority special/adjourned special meeting minutes dated July 9-10, 2021 as written and on file in the office of the City Clerk; and,

B) Approve and adopt the City Council/Public Financing Authority special meeting minutes dated July 19, 2021 as written and on file in the office of the City Clerk; and,

C) Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated July 20, 2021 as written and on file in the office of the City Clerk; and

D) Approve and adopt the City Council/Public Financing Authority adjourned special meeting minutes dated July 26, 2021 as written and on file in the office of the City Clerk.

11.    **21-570         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 and Federal legislation:

- A) Support if Amended AB 1201 (Ting) - Labelling of Plastic Products for Compostability and Biodegradability.
- B) Watch SB 1 (Atkins) - Environmental, Public Health, and Workers Defense Act of 2019.
- C) Withdraw Opposition to AB 339 (Lee) - Public Meeting Participation Requirements.
- D) Submit two requests to the Orange County and State Redistricting Bodies.

**12. 21-556 Adopt Resolution No. 2021-45 Confirming Cost Report for Weed Abatement on Private Parcels within the City for the 2021 Season**

**Recommended Action:**

- A) Adopt Resolution No. 2021-45, "A Resolution of the City Council of the City of Huntington Beach Confirming the Report of the Public Works Director Regarding the Cost for Weed Abatement on Private Property Within the City for the 2021 Season," and,
- B) Direct that all charges listed thereon be certified to the Orange County 2021/22 Property Tax Roll.

**13. 21-562 Consider Adopting Resolution No. 2021-48, Terminating the City's Local Emergency Declaration in Response to COVID-19**

**Recommended Action:**

Adopt Resolution No. 2021-48, "A Resolution of the City Council of the City of Huntington Beach Proclaiming the Termination of the Local Emergency Declared on March 16, 2020."

**14. 21-571 Adopt Resolution No. 2021-46 approving the Certification of Special Assessments for Delinquent Civil Fines for Municipal Code Violations of the Municipal Code**

**Recommended Action:**

Adopt Resolution No. 2021-46, "A Resolution of the City Council of the City of Huntington Beach Certifying Special Assessments for Collecting Delinquent Civil Fines for Nuisance Violations of the Municipal Code."

**15. 21-490 Approve and authorize execution of a Memorandum of Understanding (MOU) between the City of Huntington Beach and Orange Coast Memorial Medical Center, including Acceptance and**

**Authorization of an Annual Donation of \$25,000 for Five Consecutive Years**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute the "Memorandum of Understanding between the City of Huntington Beach and Orange Coast Memorial Medical Center;" and,

B) Accept and authorize the appropriation of the annual donation of \$25,000 from Orange Coast Memorial Medical Center as stipulated in the Memorandum of Understanding for five consecutive years.

- 16. 21-499 Approve and authorize execution of a Memorandum of Understanding (MOU) and License to Utilize Certain Space between the City of Huntington Beach and Hoag Memorial Hospital Presbyterian, including Acceptance and Authorization of an Annual Donation of \$100,000 for Five Consecutive Years**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute the "Memorandum of Understanding and License to Use Certain Space Between the City of Huntington Beach and Hoag Memorial Hospital Presbyterian;" and,

B) Accept and authorize the appropriation of the annual donation of \$100,000 from HOAG as stipulated in the Memorandum of Understanding for five consecutive years.

- 17. 21-538 Authorize the appropriation of funds and execution of a construction contract with J. F. Shea Construction, Inc., in the amount of \$265,316.00 for various improvements to City operated utilities, including a 20% construction contingency**

**Recommended Action:**

A) Appropriate \$172,404.00 from the Sewer Service Fund (511) to Account 51185101.82600; and,

B) Appropriate \$145,975.20 from the Infrastructure Fund (314) to Account 31485201.82500; and,

C) Authorize a contract with J.F. Shea Construction, Inc., in the amount of \$265,316.00; and,

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

E) Authorize a twenty percent (20%) construction contingency.

- 18. 21-548 Approve and authorize execution of a three-year Services Agreement with the City of Costa Mesa for Public Safety Helicopter Services**

**Recommended Action:**

Approve and authorize the Mayor and City Clerk to execute, "Services Agreement for Public Safety Helicopter Support Between the City of Huntington Beach and the City of Costa Mesa."

- 19. 21-549 Approve and authorize a 5-year Sole Source Agreement with Heli-Mart to supply helicopter components to maintain the City's helicopter fleet**

**Recommended Action:**

Approve and authorize the Mayor and City Clerk to authorize a Sole Source agreement with Heli-Mart.

**COUNCILMEMBER ITEMS**

- 20. 21-578 Submitted by Mayor Carr - Establish an Annual "Rockin' Fig Day" to Memorialize the Life of Local Legend Rick "Rockin' Fig" Fignetti**

**Recommended Action:**

I recommend that the City Council establish "Rockin' Fig Day" to be commemorated annually on the Saturday of Surf City Days event which is typically celebrated in September after Labor Day.

Of note, this year's Surf City Days has been postponed to the weekend of October 9-10, due to COVID-19. Therefore, the first Rockin' Fig Day, if approved, would take place on Saturday, October 9, 2021.

- 21. 21-581 Submitted by Councilmember Posey - Directing an Agency Cost Reduction Review**

**Recommended Action:**

I recommend that the City Council vote to direct the City Manager to coordinate an agency cost reduction review.



**22. 21-582 Submitted by Councilmember Posey - Convening a Charter Review Committee of the City Council**

**Recommended Action:**

I recommend that the City Council vote to direct the formation of a City Council Ad-Hoc Charter Review Committee to develop and submit for consideration Charter update language.

**COUNCILMEMBER COMMENTS (Not Agendized)**

**ADJOURNMENT**

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, August 17, 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>**