



AGENDA

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

Tuesday, September 7, 2021
Council Chambers
2000 Main Street
Huntington Beach, CA 92648

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

STAFF

OLIVER CHI, City Manager
MICHAEL E. GATES, City Attorney
ROBIN ESTANISLAU, City Clerk
ALISA BACKSTROM, City Treasurer

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, or request assistance from the staff or Sergeant-at-Arms at the meeting.

PUBLIC COMMENTS: To address the legislative body on items of interest not scheduled for public hearing, *Request to Speak* forms will be made available at the meeting and are collected by the staff or Sergeant at Arms. Some legislative bodies may provide different *Request to Speak* forms for public hearing items.

AUDIO/VIDEO ACCESS TO BROADCASTED MEETINGS: City Council and Planning Commission meetings are televised live on HBTV-3 Channel 3, and can be viewed via live or archived website at <https://huntingtonbeach.legistar.com>.

4:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

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

City Clerk Robin Estanislau has requested permission to be absent pursuant to City Charter Section 310 (a)

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3-Minute Time Limit) - At approximately 4:00 PM, individuals wishing to provide a comment on item(s) scheduled for Study Session or 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.

STUDY SESSION

1. [21-637](#) 21 Main Street RFQ - Pier Concession Opportunity

RECESS TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT(S)

2. [21-650](#) Mayor Carr to Announce: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to publicly introduce and identify designated labor negotiators: Oliver Chi, City Manager and Travis Hopkins, Assistant City Manager , who will be participating in today's Closed Session discussions regarding labor negotiations with: Huntington Beach Firefighters' Association (HBFA), Fire Management Association (FMA), Police Management Association (PMA), Marine Safety Management Association (MSMA), Management Employees' Organization (MEO) and Huntington Beach Municipal Teamster (HBMT)

CLOSED SESSION

3. [21-599](#) **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.**

4. [21-601](#) **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.**

5. [21-646](#) **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Oliver Chi, City Manager and Travis Hopkins, Assistant City Manager. Employee Organizations: Huntington Beach Firefighters' Association (HBFA), Fire Management Association (FMA), Police Management Association (PMA), Marine Safety Management Association (MSMA), Management Employees' Organization (MEO) and Huntington Beach Municipal Teamsters (HBMT).**

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

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

City Clerk Robin Estanislau has requested permission to be absent pursuant to City Charter Section 310 (a)

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. [21-553](#) **Kelly Frankiewicz of Leisure World Community Church, Seal Beach**

and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

7. [21-602](#) Mayor Carr to call on Victoria Alberty for the Adoptable Pet of the Month
8. [21-417](#) Mayor Carr to call on members of the Assistance League of Huntington Beach to present a belated 70th anniversary commendation to the group as it now celebrates its 71st anniversary of providing service in Huntington Beach
9. [21-623](#) Mayor Carr to proclaim September 15 to October 15 as National Hispanic Heritage Month and present proclamation to Huntington Beach native, Gloria Alvarez
10. [21-491](#) Mayor Carr to proclaim September 20 as California Surfing Day and present proclamation to Don Ramsey

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

11. [21-514](#) Appoint Voting Delegate and Alternates for the League of California Cities Annual Conference and Expo - September 22-24, 2021

Recommended Action:

Appoint City Council Member Natalie Moser to serve as the voting delegate and City

Council Member Rhonda M. Bolton as alternate, to represent the City of Huntington Beach at the 2021 League of California Cities Annual Conference & Expo. The General Assembly will be held on Friday, September 24, 2021.

CITY MANAGER'S REPORT

12. [21-651](#) **City Mobility Projects Update**

CONSENT CALENDAR

13. [21-586](#) **Approve and Adopt Minutes**

Recommended Action:

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

14. [21-643](#) **Request to Receive and File an Update to the 2021 City Council Liaison List - Citizen Boards, Commissions, Committees, and Task Forces**

Recommended Action:

Receive and file an update to the 2021 Council Liaison List by approving new appointments for Councilmember Bolton, and reassignments for Councilmembers Kalmick and Moser.

15. [21-631](#) **Approve appointments and reappointments to the Huntington Beach Youth Board with terms set to expire on May 31, 2022**

Recommended Action:

A) As recommended by City Council Liaisons Kim Carr and Natalie Moser, approve the reappointment of the following students to a one-year term on the Huntington Beach Youth Board with terms set to expire on May 31, 2022: Luke Blankenbaker - Huntington Beach High School; Vivian Bui - Huntington Beach High School; Kenady Osborne - Marina High School; and Emma Weston - Edison High School; and,

B) As recommended by City Council Liaisons Kim Carr and Natalie Moser, approve the appointment of the following students to a one-year term on the Huntington Beach Youth Board with terms set to expire on May 31, 2022. Acacia Bartel - Marina High School; Faith Ngyuen - Edison High School; Colin Parrott - Huntington Beach High School; Sarah Rizvi - Ocean View High School; and Adam Vo - Edison High School.

16. [21-557](#) **Approve Huntington Beach Downtown Business Improvement**

District (HBDBID) Annual Report and Proposed Budget for Fiscal Year (FY) 2021-2022, and Adopt Resolution No. 2021-42 declaring the City's intention to levy an annual assessment for FY 2021-2022 at a public hearing scheduled for October 5, 2021

Recommended Action:

A) Approve Huntington Beach Downtown Business Improvement District Annual Report and Proposed Budget for FY 2021-2022; and,

B) Adopt Resolution No. 2021-42, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2021-2022 Within the Huntington Beach Downtown Business Improvement District," which sets a public hearing for October 5, 2021; and,

C) Authorize the City Manager to sign all necessary documents.

17. [21-572](#) **Adopt Resolution No. 2021-47 identifying the FY 2021-22 projects to be funded by SB 1: The Road Repair Accountability Act**

Recommended Action:

Adopt Resolution No. 2021-47, "A Resolution of the City Council of the City of Huntington Beach Adopting a List of Projects for Fiscal Year 2021-22 Funded By SB1: The Road Repair and Accountability Act."

19. [21-634](#) **Consider positions on legislation pending before the State and Federal Legislature, as recommended by the Intergovernmental Relations Committee (IRC); adopt Resolution No. 2021-49**

Recommended Action:

A) Approve a City position of Oppose Unless Amended on Senate Bill 1 (Atkins) - Environmental, Public Health, and Workers Defense Act of 2019; and,

B) Adopt Resolution No. 2021-49, "A Resolution of the City Council of the City of Huntington Beach (1) Announcing its Commitment to End Child Marriage by Calling for an "18 No Exceptions Law"; and (2) Authorizing the City Manager and Authorized City Personnel to Publish on the City's Website and Social Media Platforms Necessary Information Pertaining to Ending Child Marriage."

20. [21-619](#) **Consider an Extension of the Temporary Closure of the Second Block of Main Street to Vehicular Traffic Through the End of the Calendar Year (December 31, 2021)**

Recommended Action:

Authorize the City Manager to continue the temporary closure of the second block of Main Street to vehicular traffic to accommodate outdoor dining and retail in the public right-of-way through December 31, 2021.

21. [21-597](#) **Accept the lowest responsive and responsible bid, approve appropriations and authorize execution of a construction contract with H2M Construction Inc., in the amount of \$646,153.00 for the Lake Park Improvements Project CC-1629**

Recommended Action:

- A) Accept the most responsive and responsible bid submitted by H2M Construction Inc., in the amount of \$646,153.00; and,
- B) Authorize the appropriation of \$189,053 from the Park Development Impact Fund balance to account 22845013.82900; and,
- C) Authorize the appropriation of \$88,607 from the Infrastructure Fund to account 31485201.82900; and,
- D) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

22. [21-617](#) **Accept the lowest responsive and responsible bid and authorize execution of a construction contract with Parsam Construction, Inc. in the amount of \$515,000 for the Peck and Springdale Facility Improvements project, CC-1590**

Recommended Action:

- A) Accept the lowest responsive and responsible bid submitted by Parsam Construction Inc. in the amount of \$515,000; and,
- B) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

23. [21-584](#) **Approve and authorize execution of a Professional Services Contract with Sam Schwartz Engineering, DPC for the City's Mobility Plan; and, approve appropriation of funds**

Recommended Action:

- A) Approve and authorize the Mayor and City Clerk to execute, "Professional Services Contract Between the City of Huntington Beach and Sam Schwartz Engineering, DPC for the City's Mobility Plan," in an amount not to exceed \$323,000; and,

B) Appropriate funding in the amount of \$323,000 from the Infrastructure Fund undesignated fund balance to account 31485201.69365.

24. [21-587](#) **Approve and authorize the execution of Letter Amendment No. 1 to Memorandum of Understanding No. C-0-2441 with Orange County Transportation Authority (OCTA) for “Pilot Regional Signal Performance Measure Project” - Time Extension**

Recommended Action:

Approve and authorize the Transportation Manager to execute “Letter Amendment No. 1 to Memorandum of Understanding No. C-0-2441 for ‘Pilot Regional Signal Performance Measure Project’ - Time Extension.”

25. [21-598](#) **Approve and authorize execution of an Operational/Management Agreement between the City of Huntington Beach and HBSC Partners, LLC, for Facility Management and Operation Services at the Huntington Central Park Sports Complex**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute an Operational/Management Agreement between the City of Huntington Beach and HBSC Partners, LLC, for facility management and operation services of the Huntington Central Park Sports Complex.

26. [21-614](#) **Approve and authorize execution of a three-year Services Agreement with the City of Irvine for Public Safety Helicopter Services**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the “Services Agreement for Public Safety Helicopter Support Between the City of Huntington Beach and the City of Irvine.”

27. [21-655](#) **Direct staff to implement programming at Huntington Beach Pier Plaza and the surrounding area during the later months of the Year**

Recommended Action:

A) Approve and authorize the Mayor and City Clerk to execute an “Service Agreement Between the City of Huntington Beach and Seaside Inc, LLC DBA Ice-America for Huntington Beach Pier Plaza Outdoor Ice Skating Rink”; and,

B) Authorize the appropriation of \$150,000 from Specific Events Fund 101 for FY 2020/21 to account 10145101.695.05.

28. [21-639](#) **Approve the execution and recordation of a License Agreement with Huntington Gateway Industrial, LLC for the Huntington Gateway Phase I Industrial Project**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute and record the "License Agreement between the City of Huntington Beach and Huntington Gateway Industrial, LLC to Provide Installation and Maintenance of Landscaping and Landscaping Improvements in the Public Right-of-Way" for the Huntington Gateway Phase I industrial project (Attachment 1).

29. [21-645](#) **Approve and authorize execution of Amendment No. 1 to the Professional Services Contract with Go Live Technology, Inc., in the amount of \$85,000, for project management and technical staffing services for the City of Huntington Beach's Enterprise Land Management (ELM) Project**

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 Go Live Technology, Inc., for Technical Staffing Services for City of Huntington Beach's Enterprise Land Management (ELM) Project."

30. [21-653](#) **Authorize and direct the City Manager to execute an Exclusive Negotiating Agreement (ENA) with Ruby's Hospitality Group, LLC for 21 Main Street at the Huntington Beach Pier**

Recommended Action:

Authorize and direct the City Manager to execute an Exclusive Negotiating Agreement (ENA) with Ruby's Hospitality Group, LLC, in a form approved by the City Attorney, to negotiate the terms of a lease agreement for 21 Main Street.

PUBLIC HEARING

31. [21-633](#) **Memo cancelling advertised Public Hearing Item 21-633 authorizing City staff to apply for the Orange County Enhanced Mobility for Seniors and Disabled Grant Program (EMSD)**

ADMINISTRATIVE ITEMS

32. [21-588](#) **American Rescue Plan Act (ARPA) Spending Plan Review and**

Allocation

Recommended Action:

Approve the proposed ARPA funds spending plan for Huntington Beach, and direct staff to prepare the necessary budget appropriate documents to facilitate the adopted program.

33. [21-625](#) Consideration of Options Regarding the Pier Plaza Art A-Faire Events at Pier Plaza

Recommended Action:

A) Direct staff to continue working with Pier Plaza Art A-Faire and execute a new promotional agreement for City Council's consideration; or,

B) Direct staff to issue an RFQ to identify the most qualified arts and craft fair operators and return to City Council with a proposed operator and promotional agreement for consideration.

34. [21-656](#) Approve the formation of a 2021 Charter Revision Committee to conduct a review of the Huntington Beach City Charter

Recommended Action:

Approve the formation of a 2021 Charter Revision Committee comprised of seven residents, individually appointed by each City Council Member, and one Charter review consultant to provide subject matter expertise and guidance throughout the process; direct the City Manager to enter into an agreement with a qualified consultant.

ORDINANCES FOR INTRODUCTION

35. [21-112](#) Approve for introduction Ordinance No. 4222 amending Chapter 8.40 of the Huntington Beach Municipal Code (HBMC) titled Noise Control relating to the control of unnecessary, excessive, and annoying sounds and protecting noise-sensitive land uses, ensuring land use/noise compatibility, reducing noise from mobile sources, and mitigating noise from construction, maintenance, and other sources

Recommended Action:

Approve for introduction Ordinance No. 4222, "An Ordinance of the City of Huntington Beach Amending Chapter 8.40 of the Huntington Beach Municipal Code Relating to Noise Control." (Attachment 1)

COUNCILMEMBER ITEMS

36. [21-664](#) Submitted by Mayor Carr and Mayor Pro Tem Delgleize - Develop a

Proposal for a Public Memorial Honoring Rick “Rockin’ Fig” Fignetti

Recommended Action:

Direct the Community Services Commission to work with the surfing community and the leadership of the Greater Huntington Beach Interfaith Council to develop a proposal for a public memorial honoring Rick “Rockin’ Fig” Fignetti. Return to City Council within 120 days to present the proposal for consideration. Furthermore, staff will inform the Fignetti Family regarding the proposed memorial and seek their input throughout the process.

37. [21-659](#) **Submitted by Councilmember Kalmick - Conduct a Feasibility Analysis regarding the possible relinquishment of Pacific Coast Highway (PCH) to improve vehicle and pedestrian safety**

Recommended Action:

I recommend that the City Council direct the City Manager to conduct a feasibility analysis reviewing the benefits and costs associated with taking over from Caltrans the segment of PCH that runs from the City’s border with Newport Beach to Seapoint.

38. [21-660](#) **Submitted by Councilmember Kalmick - Establish Electric Vehicle Charging Station Buffer Zones**

Recommended Action:

I recommend that the City Council direct the City Manager to review our existing EV charging station regulations, and develop any necessary amendments to applicable land use codes to ensure that buffer zones are established to prevent nuisance noise disruptions for residential properties.

39. [21-661](#) **Submitted by Councilmember Posey - Adopt a Resolution in support of the Orange County Veterans Cemetery in the City of Anaheim**

Recommended Action:

I recommend the City Council adopt the attached resolution, which supports the development of a veterans cemetery on property owned by Orange County in located within the City of Anaheim.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, September 21, 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>