



AGENDA

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

Tuesday, November 2, 2021

Council Chambers

2000 Main Street

Huntington Beach, CA 92648

No Study Session / Closed Session 4:00 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

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 HBTB-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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit) - At approximately 4:00 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 should "raise their hands," and will be 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. [21-815](#) **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)**

2. [21-825](#) **Mayor Pro Tem Barbara Delgleize to Announce: Pursuant to Government Code § 54957.6, the City Council takes this opportunity to designate Mayor Kim Carr, as labor negotiator regarding Unrepresented Employee, Oliver Chi, City Manager**

CLOSED SESSION

3. [21-811](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.**
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
Californians for Homeownership, Inc. v. City of Huntington Beach;
OCSC Case No. 30-2019-01107760.

4. [21-812](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.**
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
California Renters Legal Advocacy and Education Fund/THDT
Investment, Inc. v. City of Huntington Beach; OCSC Case No.:
30-2020-01140855.

5. [21-813](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.**
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
City of Huntington Beach v. State of California (SB35, et al.); OCSC
Case No. 30-2019-01044945.

6. [21-814](#) **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).**

7. [21-818](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.**
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
Sheibe (Donna Mae) v. City of Huntington Beach, et al.; OCSC Case
No.: 30-2020-01143653.

8. [21-819](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.**
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
Jauregui (Roberto) v. City of Huntington Beach; OCSC Case No.
30-2020-01130558.

9. [21-820](#) **PUBLIC EMPLOYMENT OF CITY MANAGER/EMPLOYEE PERFORMANCE EVALUATION. (Paragraph (1) of subdivision (b) of Section 54957.) Name/Title: Oliver Chi, City Manager.**
10. [21-821](#) **CONFERENCE WITH LABOR NEGOTIATORS (Unrepresented Employee) Government Code section 54957.6. Name/Title: Oliver Chi, City Manager, City Designated Representative: Kim Carr, Mayor**
- *New [21-830](#) **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, Bolton, Delgleize, Carr, Posey, Moser, Kalmick

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.

11. [21-789](#) **Mr. Charles Niederman of Temple Beth David, Westminster and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

12. [21-605](#) **Mayor Carr to present certificates to the City of Huntington Beach Citizens Academy participants who completed the City's 4th Annual Academy**
13. [21-808](#) **Mayor Carr to proclaim November as National American Indian Heritage Month**

14. [21-809](#) Mayor Carr to proclaim November 7 to 13 as National Nurse Practitioner Week and present proclamation to representatives from Huntington Beach Hospital
15. [21-828](#) Mayor Carr to accept a donation, on behalf of the City, from Warriors with Hope to install a second Mobi Mat that improves beach access for individuals with disabilities

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

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While the City Council welcomes public involvement and free speech, it rejects comments from anyone that are discriminatory, defamatory or otherwise not protected speech. Those comments will not inform nor be considered by the City Council and may be cause for the Mayor to interrupt the public speaker. Such public comments will not be consented to or otherwise adopted by the City Council in its discussions and findings for any matter tonight.

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

CITY MANAGER'S REPORT

- *New [21-829](#) Huntington Beach Corner Market Code Enforcement Update

CITY TREASURER'S REPORT

16. [21-781](#) Receive and File the City Treasurer's September 2021 Quarterly Investment Summary Report

Recommended Action:

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

CONSENT CALENDAR

17. [21-759](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority special meeting minutes dated October 4, 2021, the regular meeting minutes dated October 5, 2021 and October 19, 2021, and the special meeting minutes of October 25, 2021, as written and on file in the office of the City Clerk.

18. [21-743](#) **Receive and file the City Clerk's quarterly listing of professional services contracts filed in the City Clerk's Office between January 1, 2021 and June 30, 2021**

Recommended Action:

A) Receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the period of January 1, 2021 and March 31, 2021;" and,

B) Receive and file the "List of Professional Services Contracts Approved by Department Heads and Submitted to the Office of the City Clerk during the period of April 1, 2021 and June 30, 2021."

19. [21-801](#) **Comply with new Brown Act provisions identified in Assembly Bill 361 and adopt Resolution No. 2021-62 finding that the proclaimed state of emergency continues to impact the ability to meet safely in person**

Recommended Action:

Adopt Resolution 2021-62, "A Resolution of the City Council of the City of Huntington Beach Finding That the Proclaimed State of Emergency Continues to Impact the Ability to Meet Safely in Person."

20. [21-738](#) **Approve and authorize the Police Department Technology Modernization Project to include the execution of a five-year contract with Intergraph Corporation (dba Hexagon) to upgrade the City's Computer Aided Dispatch / Records Management System (CAD/RMS); and appropriate funds for the purchase of laptops, closed-circuit television cameras, mobile printers, public engagement software applications, and conference room upgrades**

Recommended Action:

Approve and authorize the Mayor and City Clerk to take the following actions:

- A) Execute an agreement between the City of Huntington Beach and Intergraph Corporation for the Integrated Policing System for Police Computer Aided Dispatch / Records Management System; and,
- B) Appropriate American Rescue Plan Act funding for related Police Department Technology Modernization Project components described herein; and,
- C) Authorize the City Manager to appropriate any project expenses determined to be ineligible under the American Rescue Plan Act guidelines to the Technology Fund in an amount not to exceed \$2 million.

21. [21-797](#) **Approve the Sole Source Justification with Dooley Enterprises for the ongoing purchase of ammunition for the Huntington Beach Police Department (HBPD)**

Recommended Action:

Approve the Sole Source Justification with Dooley Enterprises for the ongoing purchase of training and duty ammunition for HBPD personnel.

22. [21-773](#) **Approve and authorize execution of a Reinstatement and Second Amendment to Site Access Agreement between the City and Chevron Environmental Management Company (EMC) to conduct environmental work for City-owned property located at 18477 Beach Boulevard**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the "Reinstatement and Second Amendment to Site Access Agreement" between the City of Huntington Beach and Chevron Environmental Management Company (EMC).

23. [21-786](#) **Approve and authorize execution of Professional Services Contracts for On-Call Construction Management and Engineering Services with Arcadis, U.S., Inc., Ardurra, Inc., Berg & Associates, Inc., Dudek, Psomas, RMA Group, Inc., Totum Corp, and Wallace & Associates, Inc.**

Recommended Action:

- A) Approve and authorize the Mayor and City Clerk to execute a \$2,000,000 "Professional Services Contract Between the City of Huntington Beach and Arcadis, U.S., Inc., for On-Call Construction Management and Engineering Services;" and,

- B) Approve and authorize the Mayor and City Clerk to execute a \$2,000,000 "Professional Services Contract Between the City of Huntington Beach and Ardurra, Group, Inc., for On-Call Construction Management and Engineering Services;" and,
- C) Approve and authorize the Mayor and City Clerk to execute a \$2,000,000 "Professional Services Contract Between the City of Huntington Beach and Berg & Associates, Inc., for On-Call Construction Management and Engineering Services;" and,
- D) Approve and authorize the Mayor and City Clerk to execute a \$2,000,000 "Professional Services Contract Between the City of Huntington Beach and Dudek, for On-Call Construction Management and Engineering Services;" and,
- E) Approve and authorize the Mayor and City Clerk to execute a \$2,000,000 "Professional Services Contract Between the City of Huntington Beach and Psomas, for On-Call Construction Management and Engineering Services;" and,
- F) Approve and authorize the Mayor and City Clerk to execute a \$2,000,000 "Professional Services Contract Between the City of Huntington Beach and RMA Group, Inc., for On-Call Construction Management and Engineering Services;" and,
- G) Approve and authorize the Mayor and City Clerk to execute a \$2,000,000 "Professional Services Contract Between the City of Huntington Beach and Totum Corporation, for On-Call Construction Management and Engineering Services;" and,
- H) Approve and authorize the Mayor and City Clerk to execute a \$2,000,000 "Professional Services Contract Between the City of Huntington Beach and Wallace & Associates Consulting, Inc., for On-Call Construction Management and Engineering Services."

24. [21-787](#) **Approve and authorize execution of an Exclusive Negotiating Agreement (ENA) with Surf City Partners, LLC for 21 Main Street at the Huntington Beach Pier**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the "Exclusive Negotiating Agreement Between City of Huntington Beach and Surf City Partners, LLC" to negotiate the terms of a lease agreement for 21 Main Street.

25. [21-793](#) **Authorize execution of documents for permanent highway and temporary construction easements to Caltrans for Transportation Improvement Project State Route 1 - PCH and Main Street**

Recommended Action:

Authorize the Mayor to execute "Easement Deed Highway" "Certificate of Occupancy and Receipt of Relocation Information" "Right of Way Contract" and "Right of Entry Form" for the transfer of property rights for the subject project easements.

26. [21-804](#) **Adopt Ordinance No. 4236 approving Zoning Map Amendment No. 20-002 (Gisler Residential - 21141 Strathmoor Lane) - Approved for introduction 10/19/2021, Vote: 6-0-1 (Peterson-Absent)**

Recommended Action:

Adopt Ordinance No. 4236, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Property Located at 21141 Strathmoor Lane from Public-Semipublic (PS) to Residential Low Density (RL) (Zoning Map Amendment No. 20-002.)" (Attachment No. 3)

27. [21-805](#) **Adopt Ordinance No. 4237 amending Huntington Beach Municipal Code Chapter 10.12 relating to speed limits on Atlanta Avenue between Huntington Street and Beach Boulevard - Approved for introduction 10/19/2021, Vote: 6-0-1 (Peterson-Absent)**

Recommended Action:

Adopt Ordinance No. 4237, "An Ordinance of the City of Huntington Beach Amending Chapter 10.12.080 of the Huntington Beach Municipal Code Relating to Speed Limits."

28. [21-806](#) **Adopt Ordinance No. 4238 amending Chapter 5.120 of the Huntington Beach Municipal Code regulating Short-Term Rentals (STR) - Approved for introduction 10/19/2021, Vote: 6-0-1 (Peterson-Absent)**

Recommended Action:

Adopt Ordinance No. 4238, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 5.120 of the Huntington Beach Municipal Code Regulating Short-Term Rentals." (Attachment No. 1)

ADMINISTRATIVE ITEMS

29. [21-803](#) **Fiscal Year 2020/21 Year End Budget Adjustments, Inter-Fund Transfers, and Assignment**

Recommended Action:

A) Approve the year-end inter-fund transfers for the Fiscal Year 2020/21 Revised Budget in the Funds and by the amounts contained in Attachment 1; and,

B) Increase appropriations for the FY 2020/21 Revised Budget by \$13,225,591 in the Funds and amounts contained in Attachment 1 and associated carryovers to reconcile the budget with actual expenses incurred.

C) Approve the assignment of \$3,650,000 in the General Fund for Litigation Reserves.

COUNCILMEMBER ITEMS

30. [21-826](#) **Submitted by Councilmember Kalmick - Develop A Plan and Cost Analysis to Move the City of Huntington Beach Municipal Corporation's Power Consumption to 100% Renewable Energy**

Recommended Action:

It is recommended that the City Manager direct the Public Works Department to prepare the analysis for City Council consideration.

31. [21-827](#) **Submitted by Councilmember Kalmick and Councilmember Moser - Divest Corporate Bond Holdings of Fossil Fuel Corporations**

Recommended Action:

Direct the City Manager and City Treasurer to develop a plan to divest our holdings in Chevron Corporate Bonds and reinvest the funds in an alternate fund in a manner that will not negatively affect the City's return on investment.

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, November 16, 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>