



AGENDA

City Council/Public Financing Authority

Tuesday, May 3, 2022

Special Meeting of the Housing Authority

Council Chambers

2000 Main Street

Huntington Beach, CA 92648

--or--

Virtual via Zoom Webinar

MAYOR AND CITY COUNCIL

BARBARA DELGLEIZE, Mayor

MIKE POSEY, Mayor Pro Tem

RHONDA BOLTON, Councilmember

KIM CARR, Councilmember

DAN KALMICK, Councilmember

NATALIE MOSER, Councilmember

ERIK PETERSON, Councilmember

STAFF

SEAN JOYCE, Interim City Manager

MICHAEL E. GATES, City Attorney

ROBIN ESTANISLAU, City Clerk

ALISA BACKSTROM, City Treasurer

IN-PERSON PUBLIC PARTICIPATION/ZOOM ACCESS: Members wishing to attend the meeting in person are encouraged to wear a face covering.

Assembly Bill 361 (AB 361) authorizes public meetings to take place via teleconference (i.e., virtual using Zoom), or in person if in part. State and Local officials continue to recommend measures to promote social distancing. In addition to this hybrid format, 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: Individuals wishing to provide a comment on agenda-related or non-agenda-related items, including Study Session, Closed Session, and Public Hearing, 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>. Instructions for those utilizing computer devices to request to speak are provided in each section of the agenda where public comments are accepted.

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, or City.Council@surfcity-hb.org. Supplemental Communications are public record, and if received by 2:00 PM on the day of the meeting, 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. Communications received following the 2:00 PM deadline will be incorporated into the administrative record.

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.

5:30 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

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

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO CLOSED SESSION ITEMS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit) - At approximately 5:30 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 delivered to the City Clerk, via computer through Zoom Webinar ID 971 5413 0528, or Zoom Webinar by phone by calling (669) 900-6833. Once the Mayor opens Public Comments, in-person participants will be called to speak first. Zoom Webinar participants wishing to speak will be provided a 15-minute window to 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. Individuals will be prompted to speak when the Clerk announces their name or the last three digits of their phone number. After a virtual speaker concludes their comment, their microphone will be muted. All speakers are encouraged, but not required to identify themselves by name. 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. [22-388](#) **Mayor Delgleize to Announce: Pursuant to Government Code § 54957.6., the City Council takes this opportunity to publicly introduce and identify labor negotiators: Sean Joyce, Interim City Manager; also in attendance: Brittany Mello, Director of Administrative Services, regarding the following: Surf City Lifeguard Employees' Association (SCLEA).**

CLOSED SESSION

2. [22-385](#) **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.**

3. [22-386](#) **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. [22-384](#) **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Sean Joyce, Interim City Manager; also in attendance: Brittany Mello, Director of Administrative Services, regarding the following: Surf City Lifeguard Employees' Association (SCLEA).**

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALL TO ORDER A SPECIAL MEETING OF THE HOUSING AUTHORITY

ROLL CALL

Peterson, Bolton, Posey, Delgleize, Carr, 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.

5. [22-312](#) **Lachelle Corozza of Branches Church, Huntington Beach and member of the Greater Huntington Beach Interfaith Council**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

6. [22-372](#) **Mayor Delgleize to call on Victoria Alberty to present the Adoptable Pet of the Month**

7. [22-325](#) **Mayor Delgleize to call on local resident and student athlete, Oscar Aranda III, a senior at St. John Bosco High School, to acknowledge him for his scholastic achievements and acceptance to West Point Academy in New York where he will wrestle Division 1**

8. [22-383](#) Mayor Delgleize to proclaim May as Older Americans Month and present proclamation to Randy Pesqueira, Senior Supervisor at the Senior Center in Central Park and Ellen HopeKearns, President of the Huntington Beach Council on Aging
9. [22-389](#) Mayor Delgleize to proclaim May as National Bike Safety Month and present proclamation to Public Works Director Sean Crumby

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 delivered to the City Clerk, via computer through Zoom Webinar ID 971 5413 0528, or Zoom Webinar by phone by calling (669) 900-6833. Once the Mayor opens Public Comments, in-person participants will be called to speak first. Zoom Webinar participants wishing to speak will be provided a 15-minute window to 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. Individuals will be prompted to speak when the Clerk announces their name or the last three digits of their phone number. 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. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

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

CITY TREASURER'S REPORT

10. [22-160](#) Receive and File the City Treasurer's March 2022 Quarterly Investment Summary Report

Recommended Action:

Receive and file the City Treasurer's Quarterly Investment Report for March 2022, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

CONSENT CALENDAR

11. **22-374** **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes dated April 19, 2022.

12. **22-378** **Approve appointments and reappointments to the Fourth of July Executive Board with terms set to expire in 2023 and 2025**

Recommended Action:

A) As recommended by City Council Member Liaisons Erik Peterson and Natalie Moser, approve the reappointment of Andi Kowal, Pat Love, Karen Pederson, Linda Vircks, and Chris Young and the appointment of Lisa Marie Moreo and Don Ramsey to the Fourth of July Executive Board with terms to expire September 30, 2023; and,

B) As recommended by City Council Member Liaisons Erik Peterson and Natalie Moser, approve the appointment of Paul Simonds, Shannon Smith, Allison Stevens, Floreal Taboada, and Ryan Van Tuyl to the Fourth of July Executive Board with terms to expire September 30, 2025.

13. **22-353** **Adopt Resolution 2022-21 adopting a list of projects for Fiscal Year 2022/23 fund by SB 1: The Road Repair and Accountability Act of 2017**

Recommended Action:

Adopt Resolution 2022-21, "A Resolution of the City Council of the City of Huntington Beach Adopting a List of Projects for Fiscal Year 2022/23 Funded by SB 1: The Road Repair and Accountability Act of 2017."

14. **22-323** **Approve and accept Public Improvements for the Slater Storm Water Pump Station and release the Securities posted with Tract 15377**

Recommended Action:

A) Accept the improvements constructed to the Slater Storm Water Pump Station with Tract 15377 (Attachment 1) and instruct the City Clerk to record the "Notice of Acceptance of Public Improvements" (Attachment 2) with the Orange County Recorder; and,

B) Release the Faithful Performance Bond No. 0195161, Labor and Materials Bond No. 0195161, pursuant to the California Government Code Section No. 66499.7(a); and,

C) Accept Guarantee and Warranty Bond No. 0195161M (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,

D) Instruct the City Clerk to notify Shea Homes Limited Partnership, the subdivider of Tract No. 15377, and the City Treasurer to notify Berkley Insurance Company of these actions.

15. [22-359](#) **Approve sole source purchases of an L3 Wescam IR camera, Aerocomputers moving map system, and Technisonic aviation radio for the Huntington Beach Police Department (HBPD) Aero Unit**

Recommended Action:

A) Approve Sole Source purchase of L3 Wescam IR camera, Aerocomputers moving map system, and Technisonic aviation radio; and,

B) Appropriate \$1.4 million in the Equipment Replacement Fund (Fund 324) to replace the damaged helicopter and equipment.

16. [22-332](#) **Accept bid and authorize the Mayor and City Clerk's execution of a construction contract with Ferreira Construction Co., Inc., dba Ferreira Coastal Construction Co., in the amount of \$109,021 for the construction of Fiber Optic Communications from City Hall to the Utility Yard, CC-1646, and authorize change orders not to exceed 15 percent.**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Ferreira Construction Co. Inc., dba Ferreira Coastal Construction Co., in the amount of \$109,021; 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 \$16,353.

17. [22-352](#) **Accept bid and authorize execution of a construction contract with Asplundh Construction, LLC, in the amount of \$696,776 for the construction of the Street Lighting Modification Project on Orange Avenue (CC-1612) and Crest Avenue (CC-1644), and authorize change orders not to exceed 15 percent**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Asplundh Construction, LLC, in the amount of \$696,776; 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 \$104,516.

18. [22-365](#) **Accept the lowest responsive and responsible bid, approve appropriations and authorize execution of a construction contract with Orion Construction Corporation in the amount of \$747,000 and appropriate funds for the McCallen Storm Drain Trash Removal Project CC-1588.**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Orion Construction Corporation in the amount of \$747,000; and

B) Appropriate \$161,100 in additional funding from the Drainage Fund to account 21185201.82500; and

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

19. [22-363](#) **Authorize additional contingency and appropriate funds for the Zone 5 Residential Overlay Project, CC-1638**

Recommended Action:

A) Authorize a 20% contingency for the Zone 5 Residential Overlay Project, CC-1638; and,

B) Appropriate \$266,000 from the undesignated Measure M fund balance to account 21390002.82300.

20. [22-360](#) **Approve and authorize a First Amendment to the License Agreement with Bella Terra Associates, LLC for a Police Substation at 7777 Edinger Avenue, Suite D-135**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the "Amendment to License Agreement - Bella Terra" for use of real property located at 7777 Edinger Avenue, Suite D-135 by the Police Department for the Bella Terra Substation.

21. [22-364](#) **Approve and authorize execution of a three-year Professional Service Contract with Davis Farr LLP in the amount of \$156,076 to perform financial audit services**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the “Professional Services Contract Between the City of Huntington Beach and Davis Farr LLP for Financial Audit Services.”

22. [22-369](#) **Approve and authorize execution of a Density Bonus and Affordable Housing Agreement with S.G.V. Property Fund LLC for the 18-unit townhome project located at 17532 Cameron Lane**

Recommended Action:

A) Approve the “Density Bonus and Affordable Housing Agreement for 17532 Cameron Lane, Huntington Beach, by and between the City of Huntington Beach, a California Municipal Corporation and S.G.V. Property Fund LLC, a Limited Liability Corporation,” for the development an 18-unit townhome project; and,

B) Authorize the City Manager or their designee to implement and execute the Density Bonus and Affordable Housing Agreement for the Project, including all necessary related documents; and

C) Authorize the Executive Director or their designee to execute all necessary implementing agreements and related documents.

23. [22-376](#) **Approve and authorize the execution of the Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800-Megahertz Countywide Coordinated Communications System**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the “Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800-Megahertz Countywide Coordinated Communications System.”

PUBLIC HEARING

24. [22-373](#) **Public Hearing to consider acceptance of the Five-Year Economic Development Subsidy Report for Surf City Auto Group II, Inc. Sales Tax Sharing Agreement**

Recommended Action:

A) Open the public hearing and receive written and oral testimony; and,

B) Receive and file the “Five-Year Economic Development Subsidy Report Pursuant to California Government Code Section 53083 for a Sales Tax Sharing Agreement by and Between the City of Huntington Beach and Surf City Auto Group II, Inc.,” in compliance with Government Code Section 53083.

ADMINISTRATIVE PUBLIC HEARING

25. [22-368](#) **Conduct Public Hearing for the 2022 Annual Weed Abatement Program and authorize the Director of Public Works to proceed with abatement**

Recommended Action:

- A) Open a public hearing for any objections to the proposed removal of weeds and rubbish; and,
- B) Authorize the Director of Public Works to proceed with the abatement of the nuisance.

ADMINISTRATIVE ITEMS

26. [22-380](#) **Adopt Resolution No. 2022-25 to appoint Alfred Zelinka as City Manager and approve the Employment Agreement; adopt Resolution No. 2022-24 amending the Non-Associated Appointed Executive Management pay schedule to update the compensation range for the City Manager**

Recommended Action:

- A) Review and consider the proposed City Manager employment agreement, and if appropriate, adopt Resolution No. 2022-25, "A Resolution of the City Council of the City of Huntington Beach Appointing Alfred Zelinka as City Manager;" and
- B) Adopt Resolution No. 2022-24, "A Resolution of the City Council of the City of Huntington Beach Modifying the Non-Elected Non-Represented Employees Pay Schedule to Amend the Compensation for the City Manager."

ORDINANCES FOR INTRODUCTION

27. [22-337](#) **Adoption of Uncodified Police Equipment Use Policy Emergency Ordinance No. 4254 and Uncodified Police Equipment Use Policy Ordinance No. 4255 consistent with Assembly Bill No. 481 and making a Finding of Exemption under CEQA**

5 Affirmative Votes are required to adopt Emergency Ordinance No. 4254 per City Charter Section 501

Recommended Action:

- A) Adopt Uncodified Police Equipment Use Policy Emergency Ordinance 4254, "An Emergency Ordinance of the City Council of the City of Huntington Beach Adopting a Military Equipment Use Policy Consistent With Assembly Bill No. 481, and Making a Finding of Exemption Under CEQA"; and,

B) Approve for Introduction Uncodified Police Equipment Use Policy Ordinance 4255, "An Ordinance of the City Council of the City of Huntington Beach Adopting a Military Equipment Use Policy Consistent With Assembly Bill No. 481, and Making a Finding of Exemption Under CEQA."

COUNCILMEMBER COMMENTS (Not Agendized)

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, May 17, 2022, 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>