

Minutes

City Council/Public Financing Authority Special Meeting of the Housing Authority City of Huntington Beach

Tuesday, November 1, 2022
2:30 PM – Council Chambers
3:00 PM – Council Chambers
6:00 PM – Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648
Virtual via Zoom Webinar

**A video recording of the 3:00 PM and 6:00 PM portions of this meeting
is on file in the Office of the City Clerk, and archived at
www.surfcity-hb.org/government/agendas/**

2:30 PM - COUNCIL CHAMBERS

CALL TO ORDER — 2:32 PM

ROLL CALL

Present: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
Absent: None

City Clerk Robin Estanislau was granted permission to be absent pursuant to City Charter Section 310 (a).

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO CLOSED SESSION ITEMS (Received After Agenda Distribution) — None

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS (3 Minute Time Limit) — None

Motion by Posey, second by Carr, to recess to Closed Session.

CLOSED SESSION ANNOUNCEMENT(S)

- 1. 22-928 Mayor Delgleize Announced: Pursuant to Government Code § 54957.6., the City Council takes this opportunity to publicly introduce and identify labor negotiators: Al Zelinka, City Manager; also in attendance: Brittany Mello, Director of Administrative Services, and Bob Longmire, Public Sector Personnel Consultants, regarding the following: Huntington Beach Municipal Teamsters (HBMT), Management Employees' Organization (MEO), Police Officers' Association (POA), Police Management Association (PMA), Huntington Beach Firefighters' Association (HBFA), Fire Management Association (FMA), Marine Safety Management Association (MSMA), Surf City Lifeguard Employees' Association (SCLEA), and Non-Represented (Non-Associated) Employees (NA)**

RECESSED TO CLOSED SESSION — 2:37 PM

CLOSED SESSION

2. 22-927 **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.)** Agency designated representatives: Al Zelinka, City Manager; also in attendance: Brittany Mello, Director of Administrative Services, and Bob Longmire, Public Sector Personnel Consultants. Employee Organization: Huntington Beach Municipal Teamsters (HBMT), Management Employees' Organization (MEO), Police Officers' Association (POA), Police Management Association (PMA), Huntington Beach Firefighters' Association (HBFA), Fire Management Association (FMA), Marine Safety Management Association (MSMA), Surf City Lifeguard Employees' Association (SCLEA), and Non-Represented (Non-Associated) Employees (NA).
3. 22-946 **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (Gov. Code section 54956.9(d)(2).): One (1) – Air Show.**

3:00 PM STUDY SESSION — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 3:33 PM

ROLL CALL

Present: Peterson, Bolton, Posey, Delgleize, and Kalmick
Recused: Carr, and Moser

City Clerk Robin Estanislau was granted permission to be absent pursuant to City Charter Section 310 (a).

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO STUDY SESSION ITEM (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Patty Esparza announced supplemental communications that were received by her office following distribution of the Council Agenda packet:

Study Session

#4 (22-906) PowerPoint presentation entitled *2021-2029 Housing Element Update* submitted by Ursula Luna-Reynosa, Director of Community Development.

Eighty-Six (86) emails received regarding high density housing.

City Attorney Gates and Councilmembers Carr and Moser announced they are recusing themselves from attending the Study Session and from making any decisions on the Housing element at this time due to a possible conflict of interest.

4. 22-906 **Housing Element**
 1. Staff Report
 2. Councilmember Questions
 3. Public Comments regarding Study Session Item – 25 Speakers
 4. Councilmember Wrap-up Comments

Ursula Luna-Reynosa, Director of Community Development, introduced the item and Nicole Aube, Administrative Analyst Senior, presented a PowerPoint communication titled *2021-2029 Housing Element Update*, with slides entitled *Housing Element Update; Housing Element Update Process & Public Participation (2); HCD Review & Certification; Benefits of HCD Certification; Housing Elements Contents; Households - Overview; Households - Special Needs Groups; 2022 HCD Income Thresholds Orange County; Employment Base; Housing Costs; Who in Huntington Beach Needs Affordable Housing?; What is Affordable Housing in HB? (2); Affirmatively Furthering Fair Housing (AFFH) (2); Housing Goals & Programs; Regional Housing Needs (RHNA); 2021 - 2029 Huntington Beach RHNA; RHNA Strategy; Adequate Sites Program; Sites to Accommodate the RHNA; Adequate Sites Overview; BECSP Affordable Housing Overlay (ZTA No. 22-009) (2); Affordable Housing Overlay; Affordable Housing Overlay (ZMA No. 22-002) - Gothard Corridor; Affordable Housing Overlay (ZMA No. 22-002) - Golden West College (2); Affordable Housing Overlay Holly Seacliff Specific Plan (ZTA No. 22-007); RH 30 Overlay Ellis-Goldenwest Specific Plan (ZTA No. 22-006) (2); Housing Element Implementation Actions; RHNA Strategy; Affordability Assumptions & No Net Loss; Why do we plan for more units than the RHNA?; Public Comments Received FAQ (3); YouTube video slide (2); Public Comments Received FAQ (2); Options to Accommodate RHNA; Option 1: Reconfigure proposed SP 7 Overlay (2); Option 2: Increase density at Frontier Site (2); Option 3: Mixed density within SP9 plus Frontier site to AHO-70 Overlay (2); Option 4: Reduced density (3); Option 5: Increase area within SP9 and reduce density (2); Option 6: Civic Center Site Program; Planning Commission Public Hearing; Process to modify sites; Options Summary, and Conclusion*

Councilmember Kalmick thanked staff for all of the additional effort to provide this detailed presentation and responding to community concerns. He and staff discussed the process for adopting a housing resolution and ordinances which would be introduced at a Special Meeting on November 29, 2022, and finalized on December 6, 2022. Staff confirmed that a Civic Center program could be added to any option, and noted that in prior Housing Element cycles amendments have been approved by Housing and Community Development (HCD).

There was further discussion on processes and procedures for notification of proposed changes including the Planning Commission.

Mayor Pro Tem Posey and staff discussed how the City Hall design-build-finance-operate-maintain (DBFOM) plan would not necessarily be impacted in any way by proceeding with any of the Housing Element options. Mayor Pro Tem Posey discussed with staff the process, options and discussions with Housing and Community Development (HCD) to ensure no change to substantial compliance.

Councilmember Peterson and staff discussed "density bonus" considerations and waivers.

Director Luna-Reynosa noted the need to proceed as quickly as possible to get the Housing Element certified because currently Huntington Beach is out of compliance.

Councilmember Bolton confirmed with Director Luna-Reynosa that currently the City is subject to builder's remedy until the Housing Element is approved.

Councilmember Peterson and Director Luna-Reynosa discussed a couple of potential projects that were submitted under SB35 in the Beach-Edinger Corridor Specific Plan.

PUBLIC COMMENTS REGARDING STUDY SESSION ITEM — 17 Speakers

Gigi Jackson, a Huntington Beach homeowner, was called to speak and thanked Director Luna-Reynosa and her staff for an excellent presentation. Ms. Jackson stated her expectation that the elected Councilmembers will make decisions that are best for all Huntington Beach residents, and expressed her support for the Housing Element plan. (01:58:05)

Diane Bentley, a resident of Huntington Beach for over 20 years, was called to speak and expressed her appreciation to staff for a thorough Housing Element plan. Ms. Bentley stated her support for the plan. (02:01:11)

Shirley Dettloff, a resident of Huntington Beach for over 50 years, was called to speak and stated her support for the proposed Housing Element which she believes satisfies State requirements and addresses resident concerns. (02:02:43)

Carolyn Lewis, a 23-year resident of Huntington Beach, was called to speak and shared personal experiences related to increased housing density in Redondo Beach. Ms. Lewis encouraged Councilmembers to keep high density housing projects in the industrial areas of the City. (02:05:56)

Deborah Rowe was called to speak and stated her appreciation for the excellent report presented by staff, and noted her support for the comments for keeping high-density housing projects in the City's industrial areas, as shared by Ms. Lewis. (02:08:15)

Carl Temple, a 33-year resident of Huntington Beach Seagate neighborhood, was called to speak and stated his concerns regarding the density being proposed for the Ernest Street property. (02:08:59)

Arees Akoubian, a resident of Edwards Hill, and Manager of HB United for Responsible Zoning, was called to speak and stated appreciation for the Councilmembers taking time to meet over the last three weeks, and for calling this special Study Session to address resident concerns. Mr. Akoubian asked that the Brindle-Thomas Zoning Overlay be removed from the Housing Element plan, by approving Options 2 & 3 and moving forward in a manner that resolves area resident concerns. (02:10:54)

Yuri Suski, a resident of Edwards Hill and advocate of HB United for Responsible Zoning, was called to speak and thanked those who met with Edwards Hill constituents, and noted it is the hope and expectation that Councilmembers will approve Option 2 or 3. As an attorney, Mr. Suski shared his opinion that according to State law, any homeowner within 300 feet of a proposed planning project must be notified directly, in addition to the required newspaper notice, and stated he trusts the City will follow this law in the future. (02:13:21)

Unnamed Speaker was called to speak and expressed appreciation for the time staff has taken to meet with concerned homeowners, and encouraged Councilmembers to accept Options 2 and 3, and asked that Councilmembers do their best to "preserve the character, scope and quality of existing residential neighborhoods" as noted on page 4-2 of the Housing Element. (02:16:06)

Eleni Hapsis, a resident of Edwards Hill, was called to speak and stated her support for accepting Options 2 and 3 as presented in this Study Session. Ms. Hapsis shared her opinion that more study needs to be performed before any consideration is given to any new zoning on the Brindle-Thomas property, and stated the broad approval to develop this property is a potential environmental hazard which may not even be felt for a number of years. (02:19:12)

Cindy Barrios was called to speak and stated her appreciation for staff time to prepare a thorough report which addresses many resident concerns. Ms. Barrios shared her opinion that the Housing Element still

does not fully address the impacts on air quality, greenhouse gas, hydrology and water quality, noise, and utility service systems, or health, safety and daily quality of life for residents. (02:21:59)

Kathy Sharkoff, a homeowner whose property is less than 100 feet from the Brindle-Thomas property, was called to speak and stated she never received any notification but heard through word-of-mouth about proposed zoning changes, and asked that the Ellis-Goldenwest Specific Plan Zoning Overlay be removed. Ms. Sharkoff also stated her support for Options 2 and 3. (02:24:44)

Rick Bailly was called to speak and thanked staff for developing options that remove the Zoning Overlay for the Ellis-Goldenwest Specific Plan, and shared his opinion that Options 2 and 3 help to remedy resident concerns on the unit allocation approach. (02:26:46)

Larry Kutinsky, a resident of Edwards Hill for 30 years, was called to speak and stated he is vehemently opposed to the City's plan to build high-density housing on the Brindle-Thomas property, and urged Councilmembers to approve Options 2 or 3, and noted the Housing Element states "site strategy typically seeks to disburse the RHNA sites throughout the community." (02:29:30)

Greg Strayer was called to speak and stated he was addressing the impact of the Housing Element on the Tax Credit Allocation Committee rating where Huntington Beach is ranked very high. Mr. Strayer also stated his support for Huntington Beach standing up to Sacramento and the housing numbers they are demanding to ultimately reduce the negative impact on Huntington Beach schools. (02:32:42)

Erik Walton was called to speak and stated he was reading a statement on behalf of Beth McCloskey and Donna Horn, who as residents of the Seagate community are outraged at the proposed Housing Element and high-density housing along the Holly-Seacliff Specific Plan (HSSP) and closed by listing six conditions for any new development approved for the Holly-Seacliff Specific Plan. (02:35:21)

Aaron Pai, a 50-year resident currently living near the Brindle-Thomas property and former City employee, was called to speak and asked that Councilmembers stop any high-density development plans for the Brindle-Thomas property, and asked that Councilmembers vote "no" on November 15, 2022. (02:37:55)

Mayor Pro Tem Posey confirmed with staff that they are looking for Councilmember feedback which they can use to make any revisions to the Housing Element before returning it to the Planning Commission and Public Hearing.

Mayor Pro Tem Posey thanked the Planning Department for presenting comprehensive options for the Brindle-Thomas site, and stated his support for Options 2 and 3, and encouraged also moving ahead with Option 6 to determine how to begin the design-build-finance-operate-maintain (DBFOM) project.

Mayor Delgleize noted the number of speakers who stated they had received no notification of proposed neighborhood projects, and suggested this concern needs to be addressed moving forward. She further noted that the State is requiring this planning, and suggested further explanation on Options 2 and 3 which appear to have community support.

Councilmember Peterson stated his support for removing the Zoning Overlay for the SP7 area, and added he would like to see SP6 incorporated. He also stated he does not support changing the "technical" zoning overlay to "housing" in the industrial areas. Councilmember Peterson also noted that "bonus densities" cannot be stopped and he would just like to eliminate the possibility in the industrial areas.

Councilmember Kalmick referenced the last page of the Planning Commission report that states the Brindle-Thomas property owner "does not want this on my property", and believes it will be a very difficult site to develop. Councilmember Kalmick further stated his support for Option 3 which he believes ameliorates nearly everyone's concerns. He also supports exploring Option 6, including the Public Works yard. He suggested a review of why the specific corridors were selected, and confirmed with staff that the California Department of Housing and Community Development (HCD) does not support replacing single-family homes with high-density projects. Staff responded there is a list of site criteria that must be checked off which results in selection of parcels that are vacant, un-occupied, low-occupancy, or under-utilized, and noted there are laws related to replacement housing.

Councilmember Bolton and staff discussed the unsuccessful year-long challenge to the Regional Housing Needs Assessment (RHNA) methodology and number assessment by Huntington Beach with the support of Southern California Association of Government (SCAG).

Mayor Pro Tem Posey noted that the RHNA appeal is going through another exercise with the Orange County Council of Governments (OC-COG) having filed a suit against the California Department of Housing and Community Development (HCD) and stated that six cities from Los Angeles County have joined in that lawsuit. He added that since Huntington Beach was unsuccessful in its appeal, it is bound to comply with RHNA for a compliant Housing Element.

Director Luna-Reynosa reviewed the next step is to go before the Planning Commission with a noticed Public Hearing to ask them to recommend some actions related to the Housing Element, and asked Councilmembers to narrow the pool of options at this meeting. Mayor Pro Tem Posey and Mayor Delgleize stated Option 3, with Option 6, as long as including Option 6 will not slow down the process for Housing Element compliance.

City Manager Al Zelinka announced that anyone who turned in Study Session Public Speaker sheets, but not had the chance yet to speak, will be allowed to speak after 6 PM when the City Council/Public Financing Authority meeting is reconvened after the recess.

RECESSED — 5:41 PM

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALLED TO ORDER THE SPECIAL MEETING OF THE HOUSING AUTHORITY — 6:14 PM

ROLL CALL

Present: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
Absent: None

City Clerk Robin Estanislau was granted permission to be absent pursuant to City Charter Section 310 (a).

PLEDGE OF ALLEGIANCE — Led by Councilmember Moser.

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. 22-753 Kelly Frankiewicz of Leisure World Community Church in Seal Beach and member of the Greater Huntington Beach Interfaith Council

CONTINUATION OF PUBLIC COMMENTS REGARDING STUDY SESSION ITEM – 8 Speakers

Carrie Lines, a 6-year homeowner in the Seagate community, was called to speak and outlined the six important criteria homeowners would like to see incorporated into development plans, and relayed a message for Cassie Braun, who was unable to stay for the opportunity to speak, but who wanted Councilmembers to understand her opposition to Study Session Item 22-906 regarding the Housing Element's negative impact on Seacliff Elementary School. (02:57:44)

Yvi Gomez, a 13-year resident of the Seagate community, was called to speak and stated she trusts that Councilmembers will consider the six points presented in the comments made previously by Mr. Watson and Ms. Lines when they vote on this issue. (03:00:39)

Matt Braun, a resident of the Seagate community, was called to speak and stated his support for the six points as just shared by Ms. Lines, and urged the Planning Commission and Councilmembers to incorporate those points into the development standards. He noted especially the importance of the concerns related to lots 393 and 394. (03:01:32)

David Miles, a 20-year resident of Edwards Hill, was called to speak and thanked Council for the opportunity for homeowners to share their concerns, and expressed appreciation for Council's acknowledgement about the lack of proper resident notifications regarding the Brindle-Thomas property plans. (03:02:27)

Niki Wetzel, a 20-year resident of Huntington Beach whose home backs up to Ernest Drive, and a City Planner for 25 years in both Los Angeles and Orange Counties, was called to speak and stated her support for Huntington Beach moving ahead for a compliant Housing Element. Ms. Wetzel stated she previously spearheaded the petition to eliminate overnight parking on Ernest Drive and would hate to see any plans approved that don't address that issue. (03:05:15)

Karen Van Dyke, President, Seagate Homeowner Association, was called to speak and stated that Option 3 as presented during the Study Session addresses most of the Seagate community concerns if there is a little revision for only allowing 7 dwelling units per acre for lots 393 and 394. She further shared her opinion that most residents of Seagate welcome development of those lots with reasonable development standards. (03:08:22)

Mackey Davis, a 25-year Huntington Beach resident, was called to speak and shared his perspective as a business owner that adding housing for so many residents will have negative impacts. Mr. Davis suggested that some "outside" eyes be consulted to come up with even better options. (03:10:01)

Jen Calisher, a 39-year resident of Huntington Beach, was called to speak and urged Councilmembers to vote "no" on high density Zoning Overlays in the Seacliff area. Ms. Calisher listed the expected negative impacts and consequences especially for Seacliff Elementary School students, if high density housing is allowed. (03:11:14)

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

6. 22-883 Mayor Delgleize called on Victoria Alberty to present the Adoptable Pet of the Month

Lori, with Safe Rescue Team, presented 12-week-old Toby, a mix of German Shepherd, Beagle and Jack Russel Terrier. Toby is crate trained, and would make an excellent sibling for a home with an active dog, or active lifestyle. Applications and additional information is available at www.saverescueteam.org.

7. 22-785 Mayor Delgleize proclaimed November as National Gratitude Month

Mayor Delgleize noted that November is National Gratitude Month, and thanked Cindy Lee for bringing this fact to her attention. National Gratitude Month provides an opportunity to embrace the power of gratitude and shift from focus on the negative to appreciating what is positive in our lives. Give gratitude a try. You will be happy that you did.

8. 22-884 Mayor Delgleize proclaimed November as National Native American Heritage Month

Mayor Delgleize announced that November is National Native American Heritage Month, with programs, partnerships and parks preserve and share the stories of indigenous people. Mayor Delgleize noted that the Huntington Beach Human Relations Committee has provided some short, educational videos which are show-cased on HBTv, as well as HB YouTube and social media platforms during November.

9. 22-905 Mayor Delgleize presented a commendation to Jim Christiano for his 16 years of volunteer service in the Senior Center transportation program

Mayor Delgleize introduced Jim Christiano and Michelle Yerke, Social Services Supervisor, Library and Community Services, to congratulate Mr. Christiano for his 16 years of volunteer service to improve the quality of life for Huntington Beach senior citizens. In the 16 years he has driven over 60,738 miles and volunteered 4,631 hours of his time. Ms. Yerke noted that many of the programs and services offered through the Senior Center depend upon volunteers, and stated that Jim has consistently committed to two days each week over the last 16 years providing over 8,000 ride opportunities for Huntington Beach home-bound or mobility-challenged residents.

Mr. Christiano thanked the team of people at the Senior Center who made this a pleasurable experience, and stated he certainly got more out of it than he gave.

10. 22-796 Mayor Delgleize presented the October Mayor's HB Excellence Award to Christany Edwards with the Community and Library Services Department

Mayor Delgleize noted that fellow employees nominate the Mayor's HB Excellence Award based on their humility, social awareness, passion, exceptionality, integrity, and being team oriented. Melissa Ronning, Senior Librarian, described Christany Edwards as an outstanding Team Librarian and shared several examples of her creativity and ingenuity in creating programs and opportunities for enhancing Library Services.

Ms. Edwards expressed her surprise, and appreciation for the acknowledgement.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Patty Esparza announced supplemental communications that were received by her office following distribution of the Council Agenda packet:

Administrative Items

#24 (22-868) Additional On-Street Parking Stall Study submitted by Ursula Luna-Reynosa, Director of Community Development.

Concept Estimate – Rough Order of Magnitude (ROM) submitted by Ursula Luna-Reynosa, Director of Community Development.

Six (6) email communications received regarding Main Street Streetscape Schematic Design.

#25 (22-876) Letter received from the Ocean View School District regarding the drafting of a Zoning Text Amendment to allow cannabis activities.

Seventeen (17) email communications received regarding the drafting of a Zoning Text Amendment to allow cannabis activities.

Councilmember Items

#27 (22-910) Email received regarding the decertification of Poseidon.

#28 (22-937) Email received regarding the Community Engagement Policy and Toolkit.

PUBLIC COMMENTS (1 ½ Minute Time Limit) — 50 In-Person and 1 Call-In Speakers

The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas>.

Art Estrada, a member of the Huntington Beach Mobile Home Coalition, was called to speak and noted he has stood before this Council and the Mobile Home Advisory Board in the hope that local government would stand up to the abuses of predatory park owners. Residents without a Rent Stabilization Ordinance (RSO) protection are easy prey to unscrupulous and greedy park owners. (03:35:13)

Carol Rohr, President, Mobile Home Resident Coalition of Huntington Beach, was called to speak and shared her disappointment with the rampant conflicts of interest by the local government that have worked against the mobile home community in Huntington Beach. She noted the candidates who have ignored mobile home community efforts to communicate, and have received campaign donations from mobile home park owners. (03:37:00)

Karen Peterson, a mobile home owner in Huntington Beach since 2019, was called to speak and stated that rent stabilization is a must for homeowners in Huntington Beach mobile home parks, and noted that her own space rent has gone up by \$700 per month. She also stated that several spaces in her park have been abandoned because of this rent increase crisis, and the park owners have demolished the abandoned units and replaced with them with one of their own rentals, and asked for Council's support for a City Charter carve out. (03:38:34)

Ada Hand, a resident of Del Mar Mobile Home Park, was called to speak and stated Del Mar Mobile Home Park is one of 17 mobile home parks in Huntington Beach where predatory landlords are allowed

to raise the rent to whatever the traffic will bear. Ms. Hand asked that City Council place an exemption on the ballot to City Charter Section 803 for a Rent Stabilization Ordinance for mobile home residents to protect them from price gouging and predatory practices. (03:39:54)

Allie Plum, owner of an "immobile" home in Del Mar Estates for almost 10 years, was called to speak and stated her opinion there are certain protections in place, but no follow-up. She noted that mobile home owners are just as interested in maintaining the Huntington Beach quality of life and living in peace and happiness as are the single-family homeowners. Ms. Plum asked Huntington Beach voters to think long and hard about each candidate for Huntington Beach elected positions before placing their votes. (03:41:42)

David Rynerson, a 26-year resident of Huntington Beach, was called to speak and presented information on SolarAPP+, an application developed by the Department of Energy with stakeholders from all constituencies. SolarAPP+ is an automated process for permitting solar and storage, which increases a city's ability to push permits through at no application cost to the city. Mayor Delgleize asked Mr. Rynerson to complete a blue card for staff follow-up. (03:43:38)

Michele Turner, owner of the Sugar Shack Cafe for 55 years, was called to speak and stated the Sugar Shack currently is allowed 14 tables on Main Street, however she's just been informed a new plan is being implemented which will only allow 4 tables for her business. She expressed her dismay at having to let employees go if she is only allowed 4 tables. Ms. Turner agrees that Main Street needs to be cleaned up, and asked that the Sugar Shack be allowed space for 14 tables. (03:45:40)

Curt Chivers was called to speak and shared his comments on the high-density housing proposal that will affect Edwards Hill residents. As a realtor, he knows this change will negatively impact property values, and noted that Edwards Hill has never been zoned high density residential, but rather residential low density since June 1989. Mr. Chivers encouraged Councilmembers to read the Title 22 Zoning Overlay District. (03:47:14)

Cari Swan was called to speak and stated she was reading public comments on behalf of City Council Candidate Casey McKeon because he was out of town on business. Candidate McKeon believes the State mandated 13,386 housing units is the most urgent issue facing the City. The last opportunity to protect the entire City is to elect four Council Candidates on November 8 who will fight these high-density mandates: Gracey Van Der Mark, Tony Strickland, Pat Burns and Casey McKeon. (03:49:10)

Gracey Van Der Mark, a 23-year resident of Huntington Beach, speaking as a concerned citizen and Candidate for City Council in 2022, was called to speak and shared her opinion that plans are being made for increased density without a single conversation on how it will impact the understaffed police force, schools or infrastructure. Ms. Van Der Mark said that she is the Council Candidate that is staying put to create the family-safe environment that people want. (03:51:14)

Don Kennedy, whose family moved to Huntington Beach in 1962, was called to speak and noted he is grateful that his children were able to attend Seaclyff Elementary School before it is impacted by high-density projects. (03:52:56)

Bob Bolen, a resident for over 60 years, was called to speak and stated his support for re-electing City Attorney Candidate Michael Gates, and City Council Candidates Casey McKeon, Gracey Van Der Mark, Tony Strickland and Pat Burns. Mr. Bolen thanked both the Police and Fire Department staff for their wonderful service to the community. (03:55:36)

Tim Geddes, a 39-year resident of Huntington Beach and Chair of the Mobile Home Advisory Board, was called to speak and noted he is dedicated to promoting what is best for mobile home residents. He shared his opinion that the perpetrators of recent abuse against mobile home residents are now backing a slate of candidates who will do their bidding and make things worse, not better, for citizens. Mr. Geddes stated his support for voting for what is best for the community rather than partisan special interests. (03:56:56)

Mark Currie, representing the Edison Park Community Group, was called to speak and asked to meet with City staff to come up with a plan for Edison Park that is workable for the entire community. Mr. Currie noted the Edison Park Community Group spoke with the different Edison Park user groups to develop a plan which will accommodate all, and asked that Council vote "no" on the City's Conceptual Plan on November 15, 2022, to allow time for appropriate discussions and decisions. (03:58:20)

Steve Quinn, a 25-year resident, was called to speak and shared how upsetting it is to see Councilmembers colluding with outside powers for high density housing plans that will bring about the ruin of whole neighborhoods, but in his opinion the real abuse comes from Sacramento. Mr. Quinn stated that rather than fighting among themselves, the residents of Surf City should direct their fury at a state government that dares to insert itself in these local matters. (03:59:42)

Pam Free, the successful operator of Pier Plaza Art Affaire for 30 years, was called to speak and responded to the comments made by Councilmember Carr at the October 4, 2022, Council meeting about the current Art Affaire and the "former operator" after Councilmember Carr spearheaded the effort to remove her as the operator. Ms. Free shared details of her experience which were contrary to Councilmember Carr's comments and noted the most recent event had only 20 vendors, compared to the 57 artists she had when she was the operator, plus a wait list. (04:01:14)

Elizabeth Hansburg, Housing Advocacy Representative for People for Housing, was invited to speak and stated planning for high density projects boils down to asking who matters. Ms. Hansburg shared her opinion that density is the key to affordability, and if the people speaking up tonight are the only ones that matter, then there is a disservice to the future of Huntington Beach. (04:02:58)

Emma Walker, a 20-year resident of Huntington Beach and student studying Political Science at Chapman University, was called to speak and shared her support for using solar energy to protect and prolong the environment. Ms. Walker shared her opinion that a major obstacle to accessing solar energy in Huntington Beach is the time and cost of securing permits, and stated the solution is SolarAPP+. (04:04:12)

Tiffany Walker, a resident of Huntington Beach for 20 years, was called to speak and stated her family's opposition to high density development. Ms. Walker noted the results of high-density projects that were developed in the 1950s and 1960s such as increased crime, lowered property values, and substandard education systems, and asked that Council not support housing plans that would change the demographics of the Edwards Hill neighborhoods. (04:05:35)

Brett Barnes, President, Downtown Business Improvement District (BID), was called to speak and thanked Councilmembers for supporting Downtown investment so the area can stay competitive with other downtown destinations. He noted the BID Board looks forward to a re-imagined Downtown, including up-to-date technology, to provide a clean, safe and friendly area for residents and visitors. (04:07:19)

R. Allen Baylis, a 58-year resident of Huntington Beach and practicing attorney, was called to speak and stated his support for City Attorney Candidate Scott Field who, in his opinion, represents ethics and competency. Mr. Baylis shared his opinion that regardless of who is City Attorney, if legal efforts are pursued against the State housing mandates, the City will lose and the effort will end up costing millions of dollars. (04:08:23)

Mary Jo Baretich, a resident of Cabrillo Beachfront Mobile Home Park for 40 years, Vice President of Golden State Manufactured Homeowners League, and Mobile Home Advisory Board Member, was called to speak and stated her support for Public Hearing Item 23 regarding approval of the Mobile Home Tenant Based Rental Assistance Program Guidelines. Ms. Baretich shared her hope that next year will provide more State and Federal funding for this program to assist more mobile home owners. (04:09:50)

Sandra Schulz-Taylor, owner of two clothing boutiques on the Third Block of Main Street, was called to speak and shared her opinion that Main Street should be kept open, and expressed her appreciation for the planned investment in Downtown. She shared her support for a re-design which allows for flexibility for major community events, while providing cohesion and elevating the environment for the Downtown area. She also expressed her appreciation for the open communication during the process. (04:11:34)

Sara Jensen, a resident of Huntington Beach for the majority of her life, was called to speak and noted that she and her husband made the conscious choice to move back to Huntington Beach, an area that values children's education, health and safety. Ms. Jensen shared her disappointment to learn of the zoning changes planned for the areas off Goldenwest Street and noted the negative impacts that would result for traffic, parking, air quality, utilities, and water supply, and the required school redistricting which would impact the whole City. (04:12:17)

Anthony Bagdadigh was called to speak and shared his personal experience of being jumped in Huntington Beach four years ago, and noted that no Councilmember has responded to his emails since then. He shared his opinion that the police showed up when the incident happened, but failed to do a proper investigation and actually called the victims liars rather than checking area cameras or looking for witnesses. (04:14:02)

Laura Sire, a long-time resident and Homeless United HB Member, was called to speak and noted that Huntington Beach has changed a lot in the last 60 years due to the population explosion everywhere. Ms. Sire stated her support for the Housing Element, sharing her opinion that this plan is flexible and parcel owners can retain their base zoning. (04:15:54)

Gina Clayton-Tarvin, Oceanview School District Board of Trustees President, a 33-year resident of Huntington Beach, and City Council Candidate in 2022, was called to speak and provided a School District update. Ms. Clayton-Tarvin described the lawsuits the School District had to file in the past to stop re-zoning of the Wintersburg property, and urged Councilmembers to think very carefully about re-zoning attempts in the Edwards Hill area. (04:17:43)

Unnamed Guest, a resident of Huntington Beach for 53 years currently living in Seacliff, was called to speak and noted the responsible development he has observed over the years in Huntington Beach. He stated his opinion that there are more appropriate areas to build high density housing rather than in Edwards Hill neighborhoods. (04:20:10)

Pat Goodman, a resident of Holly-Seacliff, was called to speak and shared her interest in homelessness and studying the causes and solutions, and thanked the many organizations that strive to make a positive impact and educate on the topic. (04:21:43)

Rick Bailly was called to speak and thanked staff for presenting options and stated his support for options that remove Zoning Overlays for the Ellis-Goldenwest and Holly-Seacliff Specific Plans. He asked that Councilmembers ensure this direction is implemented. (04:23:18)

Michael Bustillo-Sakhami, a local homeowner, was called to speak and stated his support for Councilmember efforts to legalize and regulate cannabis businesses in Huntington Beach, and noted restrictions are bad for a competitive and creative business environment. Councilmember Kalmick asked that Mr. Bustillo-Sakhami complete a blue card for follow-up. (04:24:40)

Theresa Smith, a resident of Huntington Beach for over 35 years, was called to speak and stated that the lack of proper notification regarding the proposed Zoning Overlay for the Ellis-Goldenwest Specific Plan is unacceptable. Ms. Smith stated that public servants have a responsibility to the City first, not the State, and she and her husband have no faith in the current City Council and will use the voting booth to make the change they desire. (04:26:46)

Kay Chumaa, a resident of Edwards Hill, was called to speak and stated her opposition to the Zoning Overlay for the Brindle-Thomas property in the Ellis-Goldenwest Specific Plan. She stated her opinion that there are other areas of the City that are more suitable for high density projects. (04:27:49)

James Sharkoff was called to speak and shared his observations of what has happened in Stanton over the past 22 years as a result of their high-density zoning overlays where mobile home parks are now being torn down and replaced with expensive high-density "affordable" housing projects. Mr. Sharkoff noted that before the zoning overlays were implemented it was not possible to replace mobile home parks with high density projects in Stanton. (04:29:06)

Jill Smith, a six-year resident of the Seagate neighborhood, was called to speak and stated the proposed high-density overlays will negatively affect the schools, and will not fix the homeless problems. Ms. Smith shared her opinion that more high-density projects are not needed anywhere in Huntington Beach. (04:30:46)

Unnamed Guest, a 28-year resident of Seacliff, was called to speak and noted all of the area changes in just the last seven years. She shared her opinion that the City's infrastructure is not adequate to support more high-density projects, and trying to do so will negatively impact the community. (04:32:15)

Roxanne Ansel, a 25-year resident currently living in Seagate, was called to speak and stated her opposition for any high-density housing. Ms. Ansel suggested that past residents be honored by leveraging the Charter City status and supporting City Attorney Michael Gates in fighting Sacramento to stop the mandated changes. (04:33:38)

Mike Mastropaolo was called to speak and stated his support for a free market which in his opinion does not include the responsibility to over crowd the community. (04:36:17)

Jignesh Padhiar was called to speak and encouraged his fellow community members to remain engaged and involved, and shared his opinion that the current Councilmembers do not represent many residents. Mr. Padhiar stated his support for City Council Candidates Casey McKeon, Gracey Van Der Mark, Pat Burns and Stony Strickland, and re-electing City Attorney Michael Gates. (04:38:07)

Ann Palmer was called to speak and stated her opposition to high density development because it is not good for the environment, the psyche, or the soul, and it does not help housing prices, does not help the

indigent, and is the wrong decision. She shared that currently City Council is ignoring the fact that single family and townhomes are currently the most depleted housing category. (04:39:51)

Eleni Hapsis was called to speak and stated her opposition to marijuana dispensaries which are being proposed for Huntington Beach. With over 25 years of healthcare experience, she is dumbfounded by cities which enable addiction over profit, and noted that areas that have approved marijuana dispensaries have experienced increased crime rates, and attracts the mafia, crime rings, cartels, street gangs and sex trafficking. She further shared that per the CDC, marijuana use affects the brain's memory, learning, attention and decision-making abilities, as well as emotions and reactions, and long-term use is linked to psychosis. (04:42:12)

Chris Ann Edmonson, an area resident since 1966, was called to speak and stated her opposition to high-density housing and shared her opinion that Bella Terra area streets are dangerous because of the high-density development. (04:43:54)

John Pang, a 43-year resident of Huntington Beach, was called to speak and shared his opinion that the Ellis-Goldenwest Specific Plan is not the right location in Huntington Beach for a high-density housing project. He stated that if a high-density housing project is approved for that Specific Plan, the newcomers will be as upset as the current residents are with the end results and asked that Councilmembers vote against that plan on November 15, 2022. (04:45:41)

Tony Bisson, a resident of Huntington Beach, was called to speak and stated his support for Councilmember Item 27 regarding decertification of Poseidon EIR and rescinding project approvals. He also shared his opinion that pickleball courts should not be allowed in parks next to existing homes because of the volume of noise created. (04:47:30)

Reggie Jones, a resident of Huntington Beach for over 35 years, was called to speak and asked how many people are aware that Westminster Mall is about to be plowed under and 8,000 dwelling units built in that space. He noted that none of them have any jurisdiction over that plan, but they do have jurisdiction over what happens in Huntington Beach, and noted that the Westminster project will create an overcrowding situation that will impact Huntington Beach schools which are already at maximum capacity. (04:49:16)

Michael Wyze, a Huntington Beach resident since 2001 with children attending Seacliff Elementary School, was called to speak and thanked City Attorney Michael Gates for his efforts to oppose the State mandates. Mr. Wyze encouraged everyone to vote against the L, M and N ballot measures, and to realize the importance of the election. He also shared his opinion that any Council votes taken after November 8 should not include the voices of the "lame ducks" who are effectively no longer Councilmembers. (04:51:01)

Maizi Naguib, a resident of Huntington Beach for over 25 years whose children attended local schools, was called to speak and stated her opposition to the Zoning Overlay affecting Edwards Hill neighborhood in the Ellis-Goldenwest Specific Plan. She noted that the City's infrastructure is not designed to handle the increased traffic, congestion and over-crowding in the schools the project would bring. (04:52:48)

Marcella Mitri, who has lived in Huntington Beach for over 21 years, was called to speak and stated her family's opposition to high density development in Huntington Beach. Ms. Mitri noted that the neighborhood horse trails are used for mental health and physical therapy, and neighborhood children can safely walk and ride to school in their quiet neighborhood, and shared her opinion the safety of the neighborhood will be negatively impacted if high-density housing is allowed. (04:54:31)

Amory Hanson was called to speak and stated his opposition to Administrative Items No. 24, regarding Main Street Streetscape Schematic Design. Mr. Hanson noted there is a lot of renovation needed for the Downtown area, however closing the Second Block of Main Street will reduce public access to the beach for visitors and residents, and he urged Councilmembers to vote "no" on this item. (04:57:22)

Caller Mark Sheldon, a 30+-year resident of Huntington Beach, was invited to speak and stated his support for Councilmember Items No. 27 regarding decertification of Poseidon EIR and Rescinding local projects approvals. Mr. Sheldon also noted that any future use of that parcel needs to respect the environment of Huntington Beach. (04:59:12)

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

Councilmember Carr reported attending the following meetings: Project Zero to address homelessness; Mobile Home Advisory Board; Communications Committee; and Orange County Sanitation District.

Councilmember Kalmick reported attending the following meetings: West Orange County Water Board; Mobile Home Advisory Board; Cannabis Subcommittee; Communications Committee; Orange County Power Authority (OCPA); and Southern California Association of Government (SCAG) Emerging Technology Committee.

Mayor Pro Tem Posey reported attending the following meetings: Orange County Vector Control; Orange County Council of Governments (OCCOG); and Harbour Commission.

Councilmember Moser reported attending the following meetings: Homelessness and Behavioral Health; Homeless Taskforce; Project Zero; HB Cares Homeless Services Volunteer Program; OC Homelessness and Housing Advisory Group; West Orange County Water Board; Jr. Citizen's Academy; Communications Committee; Personnel Commission; and HB Community Cafe meeting.

Councilmember Bolton reported attending the following meetings: Historic Resources Board; and Cal Cities OC Legislative and Regulatory Committee.

Mayor Delgleize reported attending the following meetings: Orange County Transit Authority (OCTA) Board; and United to End Homelessness.

CITY MANAGER'S REPORT

11. 22-693 Welcome to New OneHB Team Members

City Manager Zelinka announced that the City Council Housing Element Study Session held earlier in the day is available for review on the City's YouTube channel, and provided an update on the new on-boarding process for newly-elected officials, including materials to help retiring Councilmembers transition back to private life after their public service.

City Manager Zelinka welcomed the 19 new OneHB Team Members through a PowerPoint communication with slides entitled *Welcome, New Employees!* (2).

CITY TREASURER'S REPORT

12. 22-391 Received and Filed the City Treasurer's September 2022 Quarterly Investment Summary Report

Alisa Backstrom, City Treasurer, presented a PowerPoint communication titled *City of Huntington Beach - Quarterly Investment Report - Quarter Ended September 30, 2022* with slides entitled *Interest Rates - US Treasury Yield Curve; US Treasury Yield Curve as of October 20, 2022; Investment Portfolio - Summary; Investment Portfolio - Investments By Type; Investment Portfolio - Activity; Investment Portfolio - Earnings; Selected Investment Policy Compliance Requirements; and Summary.*

A motion was made by Posey, second Carr to receive and file the City Treasurer's Quarterly Investment Report for September 2022, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

CONSENT CALENDAR

Office of City Clerk

13. 22-891 Approved and Adopted Minutes

A motion was made by Posey, second Moser to approve and adopt the City Council/Public Financing Authority regular meeting minutes of October 18, 2022.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

Office of City Manager

14. 22-885 Approved and accepted a notice of award/grant agreement with the U.S. Department of Health and Human Services (Substance Abuse and Mental Health Services Administration) to receive \$500,000 for the Be Well Huntington Beach Mobile Crisis Response program; approved the appropriation and expenditure of funds into the FY 2022-2023 Budget for program operations

A motion was made by Posey, second Moser to approve and accept the notice of award/grant agreement between SAMHSA and the City of Huntington Beach for \$500,000; and, authorize the City Manager or his designee to fulfill the requirements of the SAMHSA grant; and, approve appropriations and estimated revenue source in the amount of \$500,000 into the FY2022-23 Budget to support the implementation of the Be Well Huntington Beach program.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

Community Development Department

- 15. 22-587 Approved and authorized execution of a Density Bonus and Affordable Housing Agreement by and between the City of Huntington Beach and Holland Partner Group, LLC for a residential development consisting of 70 new affordable rental units located at 18750 Delaware Street**

A motion was made by Posey, second Moser to approve the "Density Bonus and Affordable Housing Agreement by and between the City of Huntington Beach and Holland Partner Group, LLC" for the development of 70 affordable rental units at 18750 Delaware Street; and, 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, authorize the Housing Authority Executive Director or designee to execute all necessary implementing agreements and related documents.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

Community and Library Services Department

- 16. 22-914 Approved the discontinuation of Library Services overdue fines as recommended by the Community & Library Services Commission, and waived all accumulated unpaid overdue fines**

A motion was made by Posey, second Moser to approve the discontinuation of the Children's, Regular, and Media overdue fines from the City's Master Fee and Charges Schedule (Items L-3 through L-5 on Attachment 1) as recommended by the Community & Library Services Commission; and direct staff to: waive all accumulated unpaid overdue fines; and, bring back at a later date, a revised fee resolution removing the Children's, Regular and Media overdue fines from the City's Master Fee Schedule (items L-3 through L-5 on Attachment 1).

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

- 17. 22-915 Approved the rendering of the plaque for Memorial Hall**

A motion was made by Posey, second Moser to approve the proposed design concept plaque rendering of a memorial plaque for Memorial Hall, honoring the original Memorial Hall and relationship with American Legion Post 133, to be placed near the flagpole at 17th Street Park.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

Police Department

- 18. 22-900 Approved and authorized execution of Amendment No. 2 to add additional compensation to the Agreement between Norman A. Traub & Associates, LLC and the City of Huntington Beach for background services for the Huntington Beach Police Department (HBPD)**

A motion was made by Posey, second Moser to approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Agreement Between the City of Huntington Beach and Norman A. Traub & Associates LLC for Background Services" to provide additional funding for the background services required to hire qualified candidates for the HBPD.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

Public Works Department

- 19. 22-823 Adopted Resolution No. 2022-65 authorizing the Director of Public Works to request an escalation to a prior grant allocation from the Orange County Transportation Authority (OCTA) for the Bolsa Chica Street / Valley View Street Corridor project**

A motion was made by Posey, second Moser to adopt Resolution No. 2022-65, "A Resolution of the City Council of the City of Huntington Beach Authorizing a Request for Escalation to Project P Prior Allocation from the Orange County Transportation Authority (OCTA) for the Bolsa Chica Street / Valley View Street Corridor Project - Project P Regional Traffic Signal Synchronization Program - Comprehensive Transportation Funding Program."

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

- 20. 22-918 Approved a one-time budget reallocation of \$350,000 from the HB Recovery fund for the unscheduled replacement of playground equipment and rubberized surfacing at Hope View Park**

A motion was made by Posey, second Moser to approve the reallocation of \$350,000 of HB Recovery funds towards the replacement of playground equipment and rubberized surfacing at Hope View Park.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

PUBLIC HEARINGS

- 21. 22-843** Adopted Resolution No. 2022-58 approving General Plan Amendment (GPA) No. 21-001, approved for introduction Ordinance No. 4267 approving Zoning Text Amendment (ZTA) No. 21-003, and adopted amended Resolution No. 2022-57 approving Addendum Environmental Impact Report (EIR) No. 21-002 (Addendum No. 2 to the Village at Bella Terra Specific Plan EIR No. 07-03 (Bella Terra Residential Project), as amended to have appeals go to the City Council

Hayden Beckman, Senior Planner, introduced the item and presented a PowerPoint communication titled *Bella Terra Residential Project* with slides entitled: *Surrounding Uses; Project Site; Conceptual Site Plan; General Plan Amendment No. 21-001 (3); Zoning Text Amendment No. 21-003; Draft Addendum EIR No. 21-002; Planning Commission Recommendation; Staff Recommendation; Questions*

Councilmember Carr, Director Ursula Luna-Reynosa and Senior Planner Beckman reviewed details on the Planning Commission Recommendation regarding changes to the appeal process for the Bella Terra Specific Plan.

Mayor Delgleize opened the Public Hearing.

Lindsay Parton, Bella Terra Owner, was called to speak and stated he believes the best use of the Burlington Coat Factory facility is to convert it to residential units.

Kris Golder, Bella Terra Associates and DJM Capital Partners, Project Applicant, Owner and Developer, was called to speak and presented a PowerPoint communication titled *Bella Terra Residential* with slides entitled: *DJM Capital Partners; Bella Terra Property Overview; Proposed New Development; Proposed Entitlement Requests; Bella Terra Parking Analysis; Bella Terra Vehicle Trip Reductions; CEQA Analysis: California Environmental Quality Act; and Proposed Project Schedule.*

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Patty Esparza announced supplemental communications that were received by her office following distribution of the Council Agenda packet:

Public Hearing

#21 22-843 A PowerPoint presentation entitled *Bella Terra Residential Project City Council Hearing Entitlement Request* received from DJM Capital Partners.

A letter received from Adam Frankel, Lozeau Drury, LLP, regarding the Bella Terra Residential Project.

A letter from Rutan & Tucker on behalf of Bella Terra and Associates.

Four (4) e-mail communications.

Public Speakers

Rich Gomez, Southwest Regional Carpenters Representative, with 600 members in Huntington Beach, was called to speak and stated he does not approve, nor oppose this item, but rather was asking the developer, DJM Capital Partners, to sit down with Southwest Regional Carpenters for a respectful

conversation about the project to determine if there will be a "local hire" component; if veterans will be hired; and, will qualified and responsible contractors be used who pay a livable wage and provide community wealth? Mr. Gomez described the Southwest Regional Carpenters qualifications and training program associated with Rancho Santiago College District which provides a career path for students who choose to not attend a college or university, and noted it is a program available to the residents of Huntington Beach and surrounding cities. Mr. Gomez stated that Southwest Regional Carpenters do not expect to build the entire project, but rather that their members and contractors be part of the project. Mr. Gomez noted that if DJM refuses to communicate, then Southwest Regional Carpenters will have to oppose this project.

Lindsay Parton, Bella Terra Owner, responded by stating they welcome the opportunity to talk with the Carpenters Union, and noted they have union and non-union contractors. Mr. Parton also stated they would probably oppose a forced labor agreement.

There being no more public speakers, Mayor Delgleize closed the Public Hearing.

Councilmember Carr shared her support for developers partnering with the local training programs to utilize students-in-training as well as including, where possible, local residents who are qualified to be involved in the project. Councilmember Carr expressed her faith in the verbal commitment of Mr. Parton to have the requested conversations, and stated her support for this project. Councilmember Carr stated she is looking forward to hearing from her colleagues about the proposed change for the appeal process as she has mixed feelings on that issue.

Mayor Pro Tem Posey thanked DJM and Mr. Parton for being good partners and having a long-range vision and commitment. Mayor Pro Tem Posey shared he sees this as a win-win project as it will enhance the area and provide increased property taxes, parking improvements, as well as additional retail and dining options for residents.

Councilmember Kalmick confirmed that staff is comfortable with the results of the Addendum Environmental Impact Report (AEIR).

Councilmember Kalmick confirmed with staff that to this point no one has used the Bella Terra Specific Plan appeal process, and noted he doesn't see many more projects coming through, and sees the proposed change as better for the applicant and the appellant.

Councilmember Peterson stated his support for an appeal going directly to City Council rather than the Planning Commission. Councilmember Peterson complimented Mr. Parton and DJM for presenting projects that when completed actually look like the design.

Mayor Delgleize stated her support for the comments made by Councilmember Peterson.

Councilmember Moser stated her support for the comments made by Mayor Pro Tem Posey, including appeals going directly to City Council. She also noted that Mr. Parton has used union and non-union personnel for past projects and she expects the same for this project.

A motion was made by Kalmick, second Posey to approve Addendum Environmental Impact Report (EIR) No. 21-002 (Addendum No. 2 to the Village at Bella Terra Specific Plan Environmental Impact Report No. 07-03; Attachment No. 8) as adequate and complete in accordance with California Environmental Quality Act (CEQA) requirements by approving City Council Resolution No. 2022-57, "A Resolution of the City Council of the City of Huntington Beach Adopting Addendum No. 2 to the Village at

Bella Terra Specific Plan Environmental Impact Report No. 07-03 for the Bella Terra Residential Project" (Attachment No. 2); and, approve General Plan Amendment No. 21-001 and City Council Resolution No. 2022-58, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 21-001" (Attachment No. 3); and, approve Zoning Text Amendment No. 21-003 with findings (Attachment No. 1) and, after City Clerk reads by title, approve for introduction City Council Ordinance No. 4267, "An Ordinance of the City of Huntington Beach Amending the Bella Terra Specific Plan to Revise the Zoning Boundaries and Development Standards of the Real Property Located at 7777 Edinger Avenue (Zoning Text Amendment No. 21-003)" (Attachment No. 4), **as amended to have appeals go to City Council.**

The motion carried by the following vote:

AYES: Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: Peterson

22. 22-880 Approved Recommended Action for Appeal by Adam Frankel of Lozeau Drury, LLP of the Planning Commission's approval of Site Plan Review No. 21-002 (Bella Terra Residential Project)

Hayden Beckman, Senior Planner, introduced the item and presented a PowerPoint communication titled *Appeal of the Planning Commission's Approval of Site Plan Review No. 21-002* with slides entitled: *Planning Commission Appeal (2); Project Site; Site Plan Review No. 21-002; Conceptual Site Plan; Conceptual Elevations; Analysis - Parking (2); Analysis - Pedestrian Circulation (2); and Staff Recommendation.*

Mayor Delgleize opened the Public Hearing.

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Patty Esparza announced supplemental communications that were received by her office following distribution of the Council Agenda packet:

Public Hearing

#22 22-880 A PowerPoint presentation titled *Bella Terra Residential City Council Hearing Site Plan Review* received from DJM Capital Partners.

A letter received from Adam Frankel from Lozeau Drury, LLP regarding the Appeal of the Planning Commission's approval of Site Plan Review No. 21-002 (Bella Terra Project).

A memo from Keith Lay in response to October 31, 2022, letter from Lozeau Drury, LLP to City Council.

Four (4) emails received regarding the Appeal of the Planning Commission's Approval of Site Plan Review No. 21-002 (Bella Terra Project).

Public Hearing Speakers – 2 Speakers

Caller Adam Frankel, Attorney, Lozeau Drury, LLP, representing Supporters Alliance for Environmental Responsibility (SAFER), was invited to speak and stated that SAFER respectfully requests that City Council grant this appeal of the Planning Commission's approval of the addendum which was prepared for the Bella Terra Residential Project. Following a detailed review which was informed by an

independent air quality and noise experts whose comments were included as exhibits to the letter submitted today, SAFER concludes that the addendum fails as an informational document and there is substantial evidence that the project will have adverse environmental impact. Attorney Frankel continued by reading segments from the documents submitted earlier this date. Their letter goes into further details on the legalities, and Attorney Frankel noted that the California Supreme Court has specifically instructed where there is a subsequent project, which was not considered under the original program EIR, in this case the 2000 EIR for the Bella Terra program, the use of an addendum is not proper. The Bella Terra Residential Project and its significant environmental impacts were never considered by the 2008 Program EIR, nor were they considered by the 2010 Addendum, meaning that approval of this addendum would directly violate CEQA. Regarding the review of the independent experts, several significant impacts regarding air quality concluded that future residents and employees living and working in the various residential portions of the proposed project will face elevated cancer risks from the indoor emissions of two (2) known human carcinogens: formaldehyde and benzene. Attorney Frankel proceeded to detail the expected impact of these carcinogens which would exceed CEQA limits. In addition, a consultant with Wilson Ihrig found significant noise impacts were not adequately addressed by the Addendum which used inappropriate thresholds of significance to obscure the likely future impact of construction and operational noise to existing residents and to school students. They also found that the Addendum failed to meet enforceable mitigation measures which is required under state law. Attorney Frankel respectfully requested that Council deny the Addendum and instead prepare an EIR.

Jeff Oderman, Attorney for Bella Terra Associates, was called to speak and noted they had rebutted the claims from Mr. Frankel in their letters of October 26, 2022, and November 1, 2022. Attorney Oderman noted that Attorney Frankel did not provide the "expert" reports until this morning, and stated support for staff's position regarding the Addendum and the CEQA review.

There being no more speakers, Mayor Delgleize closed the Public Hearing.

Chief Assistant City Attorney Mike Vigliotta stated that after reviewing the November 1, 2022, letter from Attorney Oderman he believes staff is correct in their recommendations, and noted that the City is indemnified by the developer in the event there is a lawsuit on a CEQA challenge and therefore there is minimal City exposure.

A motion was made by Posey, second Kalmick to find that Addendum Environmental Impact Report (EIR) No. 21-002 (Addendum No. 2 to the Village at Bella Terra EIR No. 07-03) adequately analyzes the project proposed under Site Plan Review No. 21-002 pursuant to the provisions of the California Environmental Quality Act (CEQA); and approve Site Plan Review No. 21-002 with findings and conditions of approval (Attachment No. 1).

The motion for Recommended Action A carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

The motion for Recommended Action B carried by the following vote:

AYES: Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: Peterson

23. 22-846 Approved Amended Mobile Home Tenant Based Rental Assistance Program Guidelines; Amendment No. 1 to the City's Homeowner Rehabilitation Loans and Grants Program Policies and Procedures; Amendment No. 1 (Substantial) to the 2022-2023 Annual Action Plan - Resolution No. 2022-56; Amendment No. 3 (Substantial) to the 2020-2024 Consolidated Plan for Federal Community Development Block Grant and Home Investment Partnerships (HOME) Entitlement Grant Programs - Resolution No. 2022-61; and authorization to temporarily reduce rents for eligible seniors at Ocean View Estates

Charles Kovac, Housing Manager, introduced the item and presented a PowerPoint communication titled *Mobile Home Tenant Based Rental Assistance Program & Substantial Amendments to the 2020-2024 Consolidated Plan and 2022-2023 Annual Action Plan* with slides entitled: *Background; Background - Program Eligibility and Preferences; Background - HOME MHTBRA; Background - Continuing Program Eligibility; MHTBRA Guidelines; Amendment to City's Homeowner Rehabilitation Loans and Grants Program; Amendment No. Three to 2020-2024 Consolidated Plan; Amendment No. One to 2022-2023 Annual Action Plan; Next Steps; and Recommendations.*

Councilmember Carr confirmed with Manager Kovac that recipient categories are veterans, those at fifty percent (50%) of area median income, followed by those with rent at fifty-percent (50%) of gross income. Staff further explained that if an applicant qualified in all three categories they would rise to the top tier, applicants meeting two categories would be in the next tier, and applicants with one qualification would be in the third tier. Manager Kovac explained that HUD defines the thresholds.

Mayor Delgleize opened the Public Hearing.

Assistant City Clerk Patty Esparza announced there was no supplemental communication for this item.

Public Speakers

Amory Hanson, a Candidate for City Council in 2022, was called to speak and stated his support for Item No. 23, and shared his opinion this item is setting a great example. He stated that if elected he would submit a referendum for a carve out to Charter Section 803 for a Rent Stabilization Ordinance for mobile home residents.

There being no more speakers, Mayor Delgleize closed this public hearing.

Councilmember Kalmick expressed appreciation for staff's effort on this item, and noted in the future he will be looking for more state and federal funding for local programs like this. He further asked for a delay in the rent reduction decision until there is more information from Ocean View Estates (OVE) to better understand how much of the park would be affected.

Councilmember Moser confirmed with Manager Kovac that in January, when the program would be implemented, if there were applications from Ocean View Estates (OVE) residents, they would be placed into the program. In response to the Mobile Home Coalition member questions about getting input from mobile home residents for this program, Councilmember Moser and staff discussed the fact that HUD Tenant Based Rental Assistance (TBRA) programs are highly regulated and only allows for Mobile Home Advisory Board, staff and Council input.

Councilmember Carr confirmed with staff that in previous discussions HUD has indicated mobile home owners are eligible for HUD funds for their space rent. Councilmember Carr stated her support for this item.

Mayor Pro Tem Posey stated his support for everything but part H) regarding temporary rent reductions for Ocean View Estates, as he believes there is the need for a comprehensive market analysis before that decision is made.

An amended motion was made by Moser, second Posey to approve staff recommendations that the City Council: conduct a public hearing for Amendment No. 1 (Substantial) to the 2022-2023 Annual Action Plan and Amendment No. 3 (Substantial) to the 2020-2024 Consolidated Plan; and, adopt Resolution No. 2022-61, "A Resolution of the City Council of the City of Huntington Beach Approving Amendment No. Three (Substantial) to the 2020-2024 Consolidated Plan;" and, adopt Resolution No. 2022-56, "A Resolution of the City Council of the City of Huntington Beach Approving Amendment No. One (Substantial) to the 2022-2023 Annual Action Plan"; and, approve the Mobile Home Tenant Based Rental Assistance Program Guidelines; and, approve the amendment to the City's Homeowner Rehabilitation Loans and Grants Program Policies and Procedures; and, appropriate \$391,654 in 2021-2022 carryover HOME Investment Partnerships Program funding and \$143,000 in 2022-2023 unencumbered Community Development Block Grant funding to be used for the implementation of the Mobile Home Tenant Based Rental Assistance Program; and, authorize the City Manager or his designee to sign all necessary related documents for the implementation of the Substantial Amendments and the Mobile Home Tenant Based Rental Assistance Program; and, H) ~~Authorize the City Manager or his designee to approve temporary rent reductions for eligible seniors at Ocean View Estates consistent with the Mobile Home Tenant Based Rental Assistance Program.~~

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

A motion by Kalmick, second by Posey, with no objections, to continue the meeting past 11 PM pursuant to Resolution No. 6588.

ADMINISTRATIVE ITEMS

24. 22-868 Received and Filed the Main Street Streetscape Schematic Design and Directed Staff to Proceed to Design Development Drawings

Ursula Luna-Reynosa, Director of Community Development, introduced the item and co-presented a PowerPoint communication with Kurt Keller, Studio One Eleven Design Team Principle, titled *Downtown Dreamin' with slides entitled: Main Street Activation: Scope of Work Area; Main Street Activation: Project Goals and Priorities; Main Street Activation: Downtown Dreamin' Outreach Overview; Main Street Activation: Why Storytelling?; Main Street Activation: Historical Influences; Main Street Activation: Key Themes We Heard; Main Street Activation: Events and Other Influences; Main Street Activation: Suggested Improvements; Main Street Activation: Translating Community Storytelling into Design Elements; Main Street Activation: Pop-Up Booth at Surf City Nights; Main Street Activation: Downtown Walkabouts; Main Street Activation: Community Feedback Summary (2); Main Street Activation: Walkabout Feedback Summary; Main Street Activation: Surfing Legends Art & Placemaking Opportunities; Main Street Activation: Existing Street Plan; Main Street Activation: Existing Condition (Pre-Pandemic); Main Street Activation: Outdoor Dining During the Pandemic; Main Street Activation:*

Overall Streetscape Diagram; Main Street Activation: Block 2 Plan; Main Street Activation: Block 2 Section - Plaza/Flex Street; Main Street Activation: Block 2/Flex Street Configurations (Plan); Main Street Activation: Block 2 - Aerial; Main Street Activation: Block 2 - View looking east; Main Street Activation: Ideas Explored for Gateway Element; Main Street Activation: Block 2 - Plaza/Flex Street; Main Street Activation: Block 2 - Open to traffic; Main Street Activation: Block 2 Potential Active and Passive Programming; Main Street Activation: Block 1 Plan; Main Street Activation: Block 1 Section - Enhanced Streetscape; Main Street Activation: Block 3 Plan; Main Street Activation: Block 3 Section - Enhanced Streetscape; Main Street Activation: Multimodal Transportation; Main Street Activation: Smart City Streetscape; and Next Steps.

Councilmember Moser expressed appreciation for authentic community engagement for this effort. She confirmed with Director Luna-Reynosa that at this stage of planning final number of outdoor eating tables for specific businesses have not been determined, but the intention is to be aligned with the Downtown Specific Plan which calls for outdoor dining to be adjacent to the building. She also confirmed the ideas presented so far are to address the public spaces and not specific building facades.

Councilmember Peterson and staff discussed there will be a loss of 12 parking stalls for Block 1, 8 parking stalls for Block 2, and 1 added parking stall for Block 3, and the plan proposes to provide an additional 37 parking stalls within a 400-foot radius, which would result in a net of 18 additional parking stalls vs what exists today. Director Luna-Reynosa also noted a parking consultant is working with Studio One Eleven to ensure Coastal Commission parking requirements are met.

There was further discussion regarding the effort to find storage within the project for the flex block, as well as determining responsibilities between Downtown Improvement District (BID) and the City. Councilmember Peterson indicated his need to have additional financial details beyond implementing a plan, but also including the City's annual commitment once installed. Director Luna-Reynosa stated that before those details can be ironed out some more specific details need to be decided as to how Council would like to move forward.

Mayor Pro Tem Posey shared he is excited about what Main Street will become, and expressed his appreciation for the opportunity to close down part of Main Street during the Covid-19 pandemic which allowed many businesses to survive. From his personal observations of the area, he noted that there are more families, fewer cars and fewer arrests in the area than before. Mayor Pro Tem Posey suggested that conversations also need to address how to monetize this investment.

Councilmember Carr noted that by closing part of the Downtown streets, residents have rediscovered the area and the vibe is certainly different than it was five years ago. She shared her excitement at seeing this world-class destination update. Councilmember Carr stated that the Downtown dining businesses that are benefitting with extra space from the street closure should also be making an investment in the cleanliness of the public real estate they have been using.

Councilmember Moser noted this project has a long time-line for completion and appreciates the design pallet which people can choose from for improvements in the meantime.

A motion was made by Kalmick, second Delgleize to receive and file the Main Street Streetscape Schematic Design and direct staff to proceed to Design Development Drawings.

The motion carried by the following vote:

AYES: Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: Peterson

25. 22-876 TABLED to November 15, 2022, Consider Directing staff to draft a Zoning Text Amendment (ZTA) to delete the cannabis prohibition and to allow cannabis activities consistent with the Council's Ad Hoc Committee's recommendations

Hayden Beckman, Senior Planner, introduced the item by describing the two maps he just handed out, explaining that one they have previously seen showing a 1,000-foot buffer from all schools and a 600-foot buffer from sensitive uses as described in current State law, as recommended by the Cannabis Ad Hoc Subcommittee. He noted that the second map is for comparative purposes showing a 1,000-foot buffer for all schools and sensitive use areas. Senior Planner Beckman presented a PowerPoint communication titled *Cannabis Activities* with slides entitled: *Background; Community Outreach; Land Use Policy Recommendations (2); Buffer Restrictions Map; Next Steps (2); and Staff Recommendation.*

Councilmember Carr thanked staff for the clarifying maps, and presentation, and stated her opinion this conversation and decision should happen in a couple of weeks after the results of Measure O votes are known.

A motion was made by Kalmick, second Bolton to direct the City Manager to draft a Zoning Text Amendment (ZTA) to the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to delete the existing cannabis prohibition and add necessary language to allow cannabis activities consistent with the Council's Ad Hoc Committee's recommendations.

The motion failed by the following vote:

AYES: Bolton, Moser, and Kalmick
NOES: Peterson, Posey, Delgleize, and Carr

Councilmember Kalmick shared his opinion the proposed action with a decision tonight will keep the ball moving and noted this item would then get to the "sunrise" position where nothing would go into effect until the ordinance and everything else is completed. He further stated that Measure O is only related to the tax rate.

A substitute motion was made by Carr, second Peterson to **TABLE to November 15, 2022**, to consider directing the City Manager to draft a Zoning Text Amendment (ZTA) to the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to delete the existing cannabis prohibition and add necessary language to allow cannabis activities consistent with the Council's Ad Hoc Committee's recommendations.

The motion carried by the following vote:

AYES: Peterson, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: Bolton

COUNCILMEMBER ITEMS

26. 22-911 Approved Item Submitted by Mayor Pro Tem Posey – Financial and Performance Audits

Mayor Pro Tem Posey introduced the item by stating his intention is to use audits to prevent something bad from happening, rather than reacting after something bad happens, and he believes this process will

promote greater transparency. It is a process that will expand over time, will eventually include all departments, and the nuts and bolts of execution will be determined by City Manager Zelinka.

Councilmember Carr stated her support for an idea that should already be in place.

Councilmember Bolton stated support for Councilmember Carr's comments and thanked Mayor Pro Tem Posey for introducing this item.

Councilmember Moser stated this is a great opportunity to codify best practices, and suggested it would be nice to also know how the various departments relate to each other in actual operations as well.

A motion was made by Posey, second Peterson to request the City Manager to begin developing a financial and performance auditing program for City Council approval in early 2023. This program should include scopes of work and professional services agreements for Year 1 auditing services.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

27. 22-910 Approved Item Submitted by Councilmember Kalmick – Decertification of Poseidon EIR and Rescind Local Projects Approvals

Councilmember Kalmick introduced this item by explaining that some past projects have been resuscitated off of old approvals and documents, and this is an effort to close a chapter in the history of Huntington Beach.

Councilmember Carr stated her support for the item.

Mayor Pro Tem Posey stated his opposition to this item, and noted that at some point there will be another desalination plant project come forward and to be able to utilize AES's in-flow and out-flow pipes is a long shot, as well as dealing with the Coastal Commission, and he is not ready to "throw dirt on the grave" yet.

Councilmember Moser noted from her perspective that if some project were to come back it should rely upon current, not old, data and information, and she is interested in closing the door on the possibility of old data being used.

Councilmember Carr stated she agrees with Mayor Pro Tem Posey that water desalination will have to be part of water management moving forward, but she believes there are more thoughtful ways to do that. She added she doesn't believe this action indicates that the City is anti-desal, and this item will ensure that any future plans will be evaluated on their own merits.

A motion was made by Kalmick, second Delgleize to direct the City Manager to have staff return at the next City Council meeting with an agenda item to decertify the EIR and withdraw all local approvals issued by the City for the Poseidon Project, if appropriate findings can be made. Furthermore, add to a future update the removal of Poseidon from any General Plan or other planning documents that presuppose future water supply that will not be supplied, so that the City has an accurate picture of its water supply going forward and terminate any water supply or related agreements.

The motion carried by the following vote:

AYES: Peterson, Bolton, Delgleize, Carr, Moser, and Kalmick
NOES: Posey

28. 22-937 Approved Item Submitted by Councilmembers Kalmick, Moser and Bolton – Community Engagement Policy and Toolkit

Councilmember Bolton introduced the item by stating the need for a robust and dependable community engagement strategy that reflects best practices and is predictable for residents. She added the effort is to demonstrate the City's ethos is for consistent actions and processes.

Councilmember Moser concurred with Councilmember Bolton's comments and stated this is an effort to do better, define success for all involved, provide for public engagement, and allow for continuity of information.

Mayor Delgleize stated her support for a defined process that involves more people to help Council in making decisions.

Mayor Pro Tem Posey shared his enthusiasm for this item and noted especially the goal of maintaining a balanced budget and enhance public safety. He noted there are apps which can help the public interact with and better understand a city budget and suggested this opportunity at least be reviewed as part of the toolkit.

Councilmember Carr stated her support for this item as it will allow for consistency using different tools or options depending upon whether the need is to collaborate with, or inform, or consult with the public. She sees this as a roadmap for any project being considered which provides the check boxes for completing community outreach.

There was discussion with City Manager Zelinka regarding the cost to hire a consultant and develop a Community Engagement Policy and Toolkit which he would guesstimate at around \$50,000 to maybe \$100,000 range through the RFP process which would clearly define Council's objectives.

Councilmember Moser noted that this item is about customer service for the residents, and provides an opportunity to define the best communication tools for the various population segments.

A motion was made by Moser, second Bolton to request the City Manager to direct staff to identify community engagement policies and toolkits that can serve as best practices. Staff should utilize those materials and engage a community engagement consultant to develop a toolkit that will establish a set of tools to improve information flow between the City and community members. A draft toolkit should be presented to the City Council by Spring 2023 for consideration.

The motion carried by the following vote:

AYES: Peterson, Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None

COUNCILMEMBER COMMENTS (Not Agendized) — None

ADJOURNMENT — 11:53 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, November 15, 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>

City Clerk and ex-officio Clerk of the City Council
of the City of Huntington Beach and Secretary of
the Public Financing Authority of the City of
Huntington Beach, California

ATTEST:

City Clerk-Secretary

Mayor-Chair