

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, August 3, 2021
5:00 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648
or Virtual via Zoom Webinar

A video recording of the 5:00 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/

5:00 PM — COUNCIL CHAMBERS

CALLED TO ORDER — 5:00 PM

ROLL CALL

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

Councilmember Peterson requested and was granted permission to be absent pursuant to Resolution No. 2001-54

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)
— None

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

RECESSED TO CLOSED SESSION — 5:03 PM

A motion was made by Posey, second Delgleize to recess to Closed Session for Items 1 – 4. With no objections the motion passed.

CLOSED SESSION

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

3. 21-569 **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Gov. Code section 54956.9(d)(1).) Name of case: City of Huntington Beach v. State of California (SB35, et al); OCSC Case No. 30-2019-01044945.**
4. 21-573 **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Gov. Code section 54956.9(d)(1).) Name of case: City of Huntington Beach v. State of California (AB68); OCSC Case No. 30-2020-01140874.**

6:00 PM - COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:00 PM

ROLL CALL

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

Councilmember Peterson requested and was granted permission to be absent pursuant to Resolution No. 2001-54

PLEDGE OF ALLEGIANCE — Led by Councilmember Bolton

INVOCATION

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

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

CLOSED SESSION REPORT BY CITY ATTORNEY — *City Attorney Gates reported that by a vote of 6-0-1 (Peterson absent), he received City Council direction to dismiss the case of the City of Huntington Beach v. State of California (AB68); OCSC Case No. 30-2020-01140874.*

AWARDS AND PRESENTATIONS

6. 21-558 **Mayor Carr called on Victoria Alberty to present the "Adoptable Pet of the Month"**

Mayor Carr introduced Ms. Alberty, who introduced Miss Lacey, a very mellow 1 or 2 year-old Terrier that plays well with other dogs and even likes cats, and S.A.F.E. Rescue Team founder, Markelle Pineda. Ms. Pineda stated it is "raining dogs" and both "foster" and "adoption" homes are desperately needed. More information can be found at <https://saferescueteam.org>.

7. 21-559 **Mayor Carr presented the "Making a Difference Award" to Mark Mayes with Seacliff Tee it Up for the Troops and Serve it Up for the Troops**

Mayor Carr introduced Mr. Mayes and stated this award is to acknowledge exceptional individuals who go above and beyond within the community. Mayor Carr described Mr. Mayes' successful career and

his efforts to "give back" since his 2008 retirement. In 2011, Mr. Mayes started Serve it Up for the Troops that has raised almost \$2M for organizations that support veterans.

Mr. Mayes announced this year's Serve it Up for the Troops golf and tennis event on August 20 – 23. He thanked the City for ensuring a permanent location for Patriot Point, on Pacific Coast Highway, just north of Goldenwest Street. He introduced his wife, Leslie, Chair for this year's Serve It Up event, which is projected to raise at least \$300,000, and expressed his appreciation for the community's support throughout the years.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications received by her office following distribution of the Council Agenda packet:

City Manager's Report

#8 (21-579) PowerPoint Presentation titled *Solid Waste: Recycling Legislation Update* submitted by Public Works Director, Sean Crumby.

Councilmember Items

#22 (21-582) Three (3) emails received regarding the proposed formation of a Charter Review Committee.

PUBLIC COMMENTS (3 Minute Time Limit) — Public Speakers: 34 In-Person, and 1 Call-In
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>.

Shirley Dettloff, 55-year resident and former Huntington Beach Mayor, was called to speak and congratulated Councilmember Bolton for receiving Council's appointment, and thanked Mayor Pro Tem Delgleize for making the right decision to ensure the City Charter process was followed. (00:19:27)

Avery Counts, Constituent Services Manager for Orange County 2nd District Supervisor Katrina Foley, and resident of Huntington Beach, was called to speak and congratulated Huntington Beach for once again having a full City Council and presented a Certificate of Recognition to newly appointed Councilmember Bolton; invited the business community to participate in the Veterans Workforce Development Program which provides grants to hire veterans; and announced a Town Hall on the Redistricting of the County Supervisorial Districts on August 12th at 6 PM at Orange Coast College (OCC). OC Supervisor Foley may be reached through avery.counts@ocgov.com or by calling 714-559-8364. (00:22:53)

Ralph Bauer, 10-year former City Councilmember and longtime resident of Huntington Beach, was called to speak and shared his opinions on the current climate of diversity and apparent unwillingness by some to work towards consensus, and encouraged people to revisit the Bill of Rights and U. S. Constitution. He further stated his support for all of the current Councilmembers and offered his time to fight against any Council recall efforts. (00:25:02)

Jean Nagy, a 29-year resident of Huntington Beach, was called to speak and thanked Councilmembers for exhibiting calm and patient service. (00:27:12)

Betty Kamme, longtime resident and homeowner, was called to speak and stated her support for Council making the right decision to ensure the City Charter process was followed in the appointment of Councilmember Bolton. (00:28:07)

Sylvia Calhoun, a 39-year resident of Huntington Beach, was called to speak and shared her opinions of opposition to the recent actions of the Councilmembers which she described as cronyism, corruption, special interest, backroom deals and betrayal of the productive, hard-working citizens of Huntington Beach. (00:29:00)

Russell Neal, a resident of Huntington Beach, was called to speak and shared his support for freedom with limited government, the rule of law and a vibrant middle class that must work and fight to persevere and grow through the voting process. Mr. Neal personally delivered (served) a Notice of Intent to Circulate a Recall Petition to Councilmembers Bolton, Carr, Delgleize, Kalmick, Moser and Posey, and announced delivering Proof of Service to the City Clerk and the launch of www.savesurfcity.org. (00:31:37)

Eric Silkenon, a 48-year resident of Huntington Beach and Mobile Home Advisory Board Member, was called to speak and congratulated Councilmember Bolton on her appointment, and thanked Councilmembers for ensuring the City Charter process was followed. (00:34:10)

Galen Pickett, a longtime resident of Huntington Beach, thanked Councilmembers for their efforts to understand and address issues like homelessness, housing needs, and the mental health crisis within the City, and congratulated Councilmember Bolton on her appointment. (00:36:20)

Ken Inouye, a 45-year resident of Huntington Beach, first Chair of the Huntington Beach Human Relations Task Force, and Orange County Human Relations Commissioner for 23 years, was called to speak and encouraged Councilmembers to work towards building bridges among the divided groups to bring healing and union. (00:38:42)

Tim Geddes, a longtime resident of southeast Huntington Beach, was called to speak and congratulated Councilmember Bolton for receiving Council's appointment, and thanked Mayor Pro Tem Delgleize for supporting this appointment. He also stated his support for Councilmember Item No. 20 regarding an annual "Rockin' Fig Day." (00:40:23)

An unnamed guest and 35-year resident, was called to speak and described the recent fatal accident on Pacific Coast Highway (PCH) and Newland Street, asked that there be increased visible police presence along PCH and consideration for updating the PCH crosswalks to include flashing lights and better signage. (00:43:08)

Pano Frousiakis identified himself as a Candidate for City Council in 2022 and shared his opinions and opposition to the appointment of Ms. Bolton, and stated his support for the Council recall effort. (00:46:25)

Kimo Gandall, describing himself as a Professional Registered Parliamentarian, Real Estate Agent and Former Chairman of the California College Republicans and College Republicans at UCI, stated his support for Consent Calendar Item No. 13 to rescind the City's Local Emergency Declaration in Response to COVID-19. He further stated support for Councilmember Item No. 22 regarding a Charter Review Committee, but only if it is a committee of citizens rather than a Council Ad-Hoc Committee, in order to assure transparency throughout the process. (00:49:16)

Julie, 43-year resident, long-time Parent Teacher Association (PTA) volunteer and former Friends of the Library Board member, was called to speak and thanked the Councilmembers for doing the right thing and ensuring the City Charter process was followed in appointing Ms. Bolton to the vacant City Council position. She also voiced her desire to see people move beyond diversity and focus on the business of running Huntington Beach. (00:52:28)

Natalie Rokos, a 25-year resident and homeowner, was called to speak, welcomed Councilmember Bolton, and thanked the Councilmembers for ensuring the City Charter process was followed. (00:54:50)

Cathey Ryder, Huntington Beach homeowner since 1985, was called to speak and thanked the Councilmembers for ensuring the City Charter process was followed, and welcomed Councilmember Bolton. She also stated her expectation that Council will now be able to focus on the five strategic goals identified in their January strategic planning meeting. (00:55:48)

Pat Goodman, a longtime resident of Huntington Beach, was called to speak and thanked the Councilmembers for ensuring the City Charter process was followed in filling the vacant Council position, thanked Mayor Pro Tem Delgleize for supporting this appointment, and stated her well wishes for Councilmember Bolton. (00:56:51)

Laura Sire was called to speak and thanked the Councilmembers for ensuring the City Charter process was followed in appointing Ms. Bolton to the vacant City Council position, thanked Mayor Pro Tem Delgleize for supporting this appointment, and welcomed Councilmember Bolton. (00:58:21)

Laura Dubow, a Huntington Beach homeowner, was called to speak, and described the pedestrian and vehicle dangers at the intersection of McFadden Avenue and Andaman Lane, and her personal experiences as a licensed childcare provider escorting preschoolers across that intersection. For two years, she has shared her concerns and reported that nothing has changed. Ms. Dubow asked that something be done before someone is killed, submitted a petition with over 100 signatures of concerned area residents, and asked for more visible signage at the crosswalk. (01:00:27)

Luke, a 40-year resident of Huntington Beach, was called to speak and shared his democratic versus conservative political opinions after asking Mayor Pro Tem Delgleize and Councilmember Posey to wear their masks like the other Councilmembers. (01:04:50)

Casey McKeon was called to speak and shared his opinions on what appears to be a back-door deal in the City Council appointment of Ms. Bolton to the vacant seat. He also called out situations regarding local housing project purchases and Council's lack of support for a lawsuit against the California Department of Housing and Community Development (HCD) high-density housing mandate to illustrate his opinion the majority of the City Councilmembers have abdicated their responsibility to protect our suburban beach community and the Charter which should ensure local control and local zoning statutes. (01:07:45)

Brian Vea, a 20-year resident of Huntington Beach and Trump supporter, was called to speak and shared his opinion that the Councilmembers have demonstrated they do not represent the majority of the citizens of Huntington Beach, and stated his support for the Council recall effort. (01:10:49)

Cari Swan was called to speak and shared her opinions on the back door deals Council appears to make, and the apparent Council attempts to make Huntington Beach an urban, high-density nightmare. Ms. Swan also stated her support for the Council recall effort. (01:12:25)

Maria Piccolo, a resident of Huntington Beach for over 20 years, was called to speak and shared her opinions regarding identity politics and the underhanded way in which Councilmembers ignored the City's Latino voters when they appointed Ms. Bolton to the Council. Ms. Piccolo also stated her support for the Council recall effort. (01:15:28)

Oscar Rodriguez, a resident of Huntington Beach for most of his life and a Huntington Beach Planning Commissioner, was called to speak and congratulated Ms. Bolton for her appointment to the City Council. (01:18:46)

Alexis Barber, a resident of Huntington Beach living near the intersection of McFadden Avenue and Andaman Lane, stated her support for the comments made by Laura Dubow about the pedestrian and vehicle dangers and also asked for a flashing STOP sign and well-marked crosswalks for that intersection as promised by Councilmember Peterson two years ago. (01:20:13)

Christine Dittmer, a homeowner since 1989 and first-generation American, was called to speak and shared her appreciation for the Councilmembers and their service to the community. Ms. Dittmer stated her support for the appointment of Ms. Bolton to fill the vacant City Council seat, and shared her expectation of more inclusiveness for a more loving and safer place to live. (01:21:26)

Ceason Baker, a 15-year resident of Huntington Beach, was called to speak and described her introduction to local government when remediation efforts began on the Ascon site. She stated that while she shares no allegiance to political parties, as a proud recall proponent she plans to gather signatures to rid the City of special interest Council members. (01:24:01)

An unnamed guest, a long-time resident of Huntington Beach, was called to speak and shared his opinion that the current City Council is politically unbalanced, and stated his support for the Council recall effort. (01:26:12)

Nicole Dutton was called to speak and shared her opinions regarding the lack of resident response to the shameful politics exhibited by both the Huntington Beach City Council and Governor Newsom, implored citizens to stand up and engage for American values, and stated her support for Larry Elder as the next California Governor. (01:28:39)

Dave Sullivan, a 53-year resident of Huntington Beach, former Mayor and 22-year City Councilmember, was called to speak and shared his opinion this is the worst City Council Huntington Beach has ever had, and stated his support for the Council recall effort. Mr. Sullivan also praised Huntington Beach Police and Fire Department staff for their exceptional service. (01:31:56)

Kathryn Levassiur, a Huntington Beach resident supporting the Huntington Beach Short-Term Rental Alliance (STRA), was called to speak and described STRA's recommended policies for newly appointed Councilmember Bolton. (01:35:12)

Gracey Van Der Mark, a 21-year resident of Huntington Beach, was called to speak and described her experience growing up in Maywood, a city located within Los Angeles County. She shared her dismay at what she sees as Huntington Beach becoming like the environment she purposely left behind, and

stated her intent to be heard even if is from the Public Speaker podium, versus the dais as a member of the City Council. (01:36:42)

Call-in speaker Sarah Kreur, Executive Director of the Downtown Business Improvement District (DTBID) was invited to speak, welcomed Councilmember Bolton, and thanked the Councilmembers for attending the recent Surf City Night Memorial for Rockin' Fig. Ms. Kruer also provided the BID's support for Councilmember Item No. 20 regarding establishing an annual "Rockin' Fig Day." (01:40:35)

Councilmember Posey announced his withdrawal of Councilmember Item No. 21 regarding an Agency Cost Reduction Review because further discussions with City Manager Chi confirm that he is already engaged in a third-party review of expenditures.

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

Councilmember Kalmick reported attending a meeting of the ad hoc committee tasked with optimizing and updating the City's Committee structure, and he expects recommendations will be forthcoming in the next several months for Council to consider.

Councilmember Posey reported that his Orange County Power Authority (OCPA) Community Advisory Committee appointee Jeff Morin is unable to serve and he has therefore appointed Kathleen McGowan who is also a member of the Huntington Beach Environmental Board.

Mayor Carr reported attending an OC Sanitation meeting that reviewed the Groundwater Replenishment System. For anyone desiring more information, details can be found at www.ocsan.gov/gwrs.

Councilmember Moser reported meeting with City Manager Chi, Interim Police Chief Harvey and Fire Chief Haberle to learn more about LGBTQ+ Competency Training; a meeting of the Homeless Task Force and announced that the data from the Navigation Center can be found at www.hbhomelessolutions.com/latest-news which will be updated every Friday. Councilmember Moser also reported attending a Be Well Huntington Beach Project Hope introduction to the team and van tour; meeting with Mayor Pro Tem Delgleize and Mayor Carr to review the Total Homeless Solutions process at Be Well OC campus; and announced a new Mobi Mat has been ordered for placement near the disabled parking area across Pacific Coast Highway from the resort hotels.

Mayor Pro Tem Delgleize reported attending an Orange County Transportation Authority (OCTA) meeting where it was announced that the Bolsa Chica and Brookhurst 405 Freeway bridges would be completed near the end of 2021. Mayor Pro Tem Delgleize encouraged qualified residents in need of transportation to use OCTA's Access service for local transportation, and reported attending the Ribbon Cutting for the new Mother's Market and Kitchen in Peter's Landing.

CITY MANAGER'S REPORT

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

City Manager Chi introduced Director of Public Works Sean Crumby and announced Mr. Crumby joined the Huntington Beach team exactly one year ago. Director Crumby presented a PowerPoint

communication titled *Review of State Recycling Mandates* with slides entitled: *Jurisdiction Key Dates, What to Expect (2), Next Steps, and Questions?*

Councilmember Posey and Director Crumby discussed details related to continued use of the same residential green waste containers, and confirmed that changes are on the processing end. Mayor Pro Tem Delgleize asked Director Crumby to provide an overview of Proposition 218 that addresses how rates are adjusted to cover increased costs and the required notices and public meetings.

Councilmember Kalmick confirmed with Director Crumby that an education plan would be presented in the future to describe the operational details.

Councilmember Moser and Director Crumby discussed options for educating people on not only green waste but also recyclables.

Mayor Carr and Director Crumby discussed getting more details on whether or not there is any rebate program for homeowners who may choose to compost.

CITY TREASURER'S REPORT

9. 21-545 Received and Filed the City Treasurer's June 2021 Quarterly Investment Summary Report

City Treasurer Alisa Backstrom presented a PowerPoint communication titled *City of Huntington Beach Quarterly Investment Report — Quarter Ending: June 2021* with slides entitled: *Economic and Market Overview, Interest Rates — U.S. Treasury Rates (12 mo. Moving Average), Portfolio Summary as of 6/30/21, Investments by Type as of June 30, 2021, Monthly Activity: June 2021, Quarterly Activity: April 1 to June 30, 2021, Portfolio Earnings as of June 30, 2021, Selected Investment Policy Compliance Requirements, and Summary.*

Councilmember Posey asked if an update was available on the Trust 115 account, and City Treasurer Backstrom stated for accuracy she would check and report back later in the meeting, as this update is usually provided in the Comprehensive Annual Financial Report (CAFR).

A motion was made by Posey, second Delgleize to receive and file the City Treasurer's Quarterly Investment Report for June 2021, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

In response to Councilmember Posey's inquiry, City Treasurer Backstrom reported that as of June 30, 2021, the Trust 115 account balance was \$11,377,579 and the three-month return for April 1 to June 30, 2021, was 4.96% with a one-year return of 24.07%; and, the three-year annualized return is 11.3%. City Treasurer Backstrom reminded everyone this account is managed by Public Agency Retirement Services (PARS).

Councilmember Posey thanked City Treasurer Backstrom for the excellent report and explained for benefit of the public that the Trust 115 account is for future pension obligations and is managed with a more liberal investment policy.

CONSENT CALENDAR

Councilmember Posey pulled Consent Calendar Item 11. B) and Mayor Carr pulled Item 13 for further discussion.

10. 21-560 Approved and Adopted Minutes

A motion was made by Posey, second Delgleize to approve and adopt the City Council/Public Financing Authority special/adjourned special meeting minutes dated July 9-10, 2021, special meeting minutes dated July 19, 2021, regular meeting minutes dated July 20, 2021, and adjourned special meeting minutes dated July 26, 2021, as written and on file in the office of the City Clerk.

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

11. 21-570 Took positions, as amended, on legislation pending before the State and Federal Legislature, as recommended by the Intergovernmental Relations Committee (IRC)

Councilmember Posey pulled B) regarding SB 1 to change the recommended action to "opposition unless amended" because it makes no allowance for municipalities like Huntington Beach that have a flood control plan in place.

Mayor Carr described a meeting earlier in the day with the co-sponsor, Assemblywoman Cottie Petrie-Norris, where additional information was provided which clarified that regardless of whether SB 1 passes, or not, the City Council and California Coastal Commission concerns will remain.

City Manager Chi recapped the City's concerns and stated staff would be meeting with Assemblywoman Cottie Petrie-Norris on August 4, 2021, and will report back in the coming weeks.

Mayor Carr stated her opinion that at the moment there is not enough information to support a position of opposition.

Councilmember Posey stated he doesn't have any information at the moment to change his position of opposed unless amended, and added he will support the "watch" position as long as staff brings back their report on the situation at the next City Council meeting on August 17, 2021.

A motion was made by Posey, second Carr to approve City positions on the following State and Federal legislation: A) Support if Amended AB 1201 (Ting) - Labelling of Plastic Products for Compostability and Biodegradability; B) Watch SB 1 (Atkins) - Environmental, Public Health, and Workers Defense Act of 2019; C) Withdraw Opposition to AB 339 (Lee) - Public Meeting Participation Requirements; and D) Submit two requests to the Orange County and State Redistricting Bodies, **as amended to request a staff report for B) SB 1 on August 17, 2021.**

The motion as amended carried by the following vote:

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

NOES: None

ABSENT: Peterson

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

A motion was made by Posey, second Delgleize to adopt Resolution No. 2021-45, "A Resolution of the City Council of the City of Huntington Beach Confirming the Report of the Public Works Director Regarding the Cost for Weed Abatement on Private Property Within the City for the 2021 Season;" and, direct that all charges listed thereon be certified to the Orange County 2021/22 Property Tax Roll.

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

13. 21-562 Postponed Adoption of Resolution No. 2021-48, Terminating the City's Local Emergency Declaration in Response to COVID-19 to September 7, 2021

Mayor Carr stated she pulled this item to share her hesitation with moving forward considering the recent increase in COVID-19 cases, and to recommend it be brought back in 30 days for reconsideration at the September 7, 2021 City Council meeting.

Mayor Pro Tem Delgleize and City Manager Chi discussed the increased number of COVID-19 positive cases and hospitalizations in Orange County, and the CDC latest recommendation that everyone wear masks indoors and in certain confined settings. City Manager Chi stated there is cause for concern and heightened awareness is recommended.

Councilmember Posey stated his support for reconsidering this item in 30 days, while also letting people know that Huntington Beach is planning for upcoming outdoor events such as the Airshow, a live concert after the Airshow, the US Open, and envisioning plans for the "shoulder" season.

A motion was made by Carr, second Moser to ~~Adopt Resolution No. 2021-48, "A Resolution of the City Council of the City of Huntington Beach Proclaiming the Termination of the Local Emergency Declared on March 16, 2020,~~ **as amended, to return for reconsideration on September 7, 2021."**

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

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

A motion was made by Posey, second Delgleize to adopt Resolution No. 2021-46, "A Resolution of the City Council of the City of Huntington Beach Certifying Special Assessments for Collecting Delinquent Civil Fines for Nuisance Violations of the Municipal Code."

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

15. 21-490 Approved and authorized execution of a Memorandum of Understanding (MOU) between the City of Huntington Beach and Orange Coast Memorial Medical Center, including Acceptance and Authorization of an Annual Donation of \$25,000 for Five Consecutive Years

A motion was made by Posey, second Delgleize to approve and authorize the Mayor and City Clerk to execute the "Memorandum of Understanding between the City of Huntington Beach and Orange Coast Memorial Medical Center;" and, accept and authorize the appropriation of the annual donation of \$25,000 from Orange Coast Memorial Medical Center as stipulated in the Memorandum of Understanding for five consecutive years.

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

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

A motion was made by Posey, second Delgleize to approve and authorize the Mayor and City Clerk to execute the "Memorandum of Understanding and License to Use Certain Space Between the City of Huntington Beach and Hoag Memorial Hospital Presbyterian;" and, accept and authorize the appropriation of the annual donation of \$100,000 from HOAG as stipulated in the Memorandum of Understanding for five consecutive years.

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

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

A motion was made by Posey, second Delgleize to appropriate \$172,404.00 from the Sewer Service Fund (511) to Account 51185101.82600; and, appropriate \$145,975.20 from the Infrastructure Fund (314) to Account 31485201.82500; and, authorize a contract with J.F. Shea Construction, Inc., in the amount of \$265,316.00; and, authorize the Mayor and the City Clerk to execute a construction contract

in a form approved by the City Attorney; and, authorize a twenty percent (20%) construction contingency.

The motion carried by the following vote:

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

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

A motion was made by Posey, second Delgleize to approve and authorize the Mayor and City Clerk to execute, "Services Agreement for Public Safety Helicopter Support Between the City of Huntington Beach and the City of Costa Mesa."

The motion carried by the following vote:

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

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

A motion was made by Posey, second Delgleize to approve and authorize the Mayor and City Clerk to authorize a Sole Source agreement with Heli-Mart.

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

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

Mayor Carr introduced her item and reiterated how much Rockin' Fig embraced the Surf City spirit for decades. She further stated that the Downtown Business Improvement District (DTBID) members plan to continue his Rockin' Fig Annual Vintage Surf Festival as part of Surf City Days, and suggested establishing an Annual "Rockin' Fig Day" as part of those festivities is the best way to memorialize his life.

Councilmember Posey shared personal interactions through the years to demonstrate Rockin' Fig's humility and generosity, and stated he is missed by not only the surfing community, but also by the greater Huntington Beach community.

Mayor Pro Tem Delgleize described Rockin' Fig's part in making the annual January 1st Polar Bear Swim so special as he interviewed people while wearing his spotted leopard coat.

A motion was made by Carr, second Delgleize to recommend that the City Council establish "Rockin' Fig Day" to be commemorated annually on the Saturday of Surf City Days event which is typically celebrated in September after Labor Day. Of note, this year's Surf City Days has been postponed to the weekend of October 9-10, due to COVID-19. Therefore, the first Rockin' Fig Day, if approved, would take place on Saturday, October 9, 2021.

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

21. 21-581 Item Submitted by Councilmember Posey Withdrawn — ~~Directing an Agency Cost Reduction Review~~

22. 21-582 Item Submitted by Councilmember Posey Approved as Amended — Convening a Citizen's Charter Review Commission

Councilmember Posey stated his objective is to honor the vote that was made 12 years ago when voters approved the amended Charter, and directed Council to review the Charter every ten years. Councilmember Posey added that Mr. Gandall's Public Speaker comments and Steve Hagerman's email did not go unnoticed, as he amended this item by changing it from the formation of an Ad Hoc Committee to a Citizen's Charter Review Commission to ensure transparency. He further stated his desire to see a more definitive process to address how an unexpected Council vacancy is filled and to clarify when a Special Election is appropriate, a review of term limits, and how to address State housing bills, which usually violate the City's Charter.

City Manager Chi confirmed staff would report back in two weeks on what the process should look like.

Mayor Pro Tem Delgleize confirmed with Councilmember Posey that the first step is to convene the Charter Review Commission, Council review of any Commission recommendations, and then getting any recommendations on the ballot for the voters' decision.

Councilmember Kalmick stated his support for the amended item and expectation that Charter inconsistencies as well as antiquated language will also be addressed.

Councilmember Bolton stated her support for this amended item, as did Councilmember Moser.

A motion was made by Posey, second Delgleize to recommend that the City Council direct the formation of a ~~City Council Ad Hoc~~ **Citizen's Charter Review Commission** **Commission** to develop and submit for consideration Charter update language, **as amended to request a staff report on August 17, 2021, to define the process.**

The motion carried by the following vote:

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

NOES: None

ABSENT: Peterson

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Posey reported attending the Huntington Beach Concours d'Elegance Premier Car Show that has raised over \$1M since its inception in 1985 for the Library's Children's Resource Center at Central Park, and the Surfing Walk of Fame Ceremony and the new Wall of Fame at Pacific City.

Councilmember Kalmick reported attending the opening of The Huntington Beach House — Newest Beachfront Dining on the State Beach; Ribbon Cutting for the opening of the Edison Park Skate Spot; Don Ramsey's Band to Honor Rick "Rockin' Fig" Fignetti, downtown in front of Surf City Ale; and OC Fair – Times for Fun, OC Government Officials Dinner.

Councilmember Moser reported attending Don Ramsey's Band to Honor Rick "Rockin' Fig" Fignetti, downtown in front of Surf City Ale; Surfing Walk of Fame Ceremony and the new Wall of Fame at Pacific City; Ribbon Cutting for the opening of the Edison Park Skate Spot; wished Sean Crumby Happy First Anniversary as Director of Public Works; and welcomed Councilmember Bolton.

Mayor Pro Tem Delgleize welcomed Councilmember Bolton as a great addition to the Council.

Mayor Carr also welcomed Councilmember Bolton and thanked her for stepping up in service to Huntington Beach's benefit, and announced details for the Paddle Out for Rockin' Fig on Saturday, August 28, starting with a ceremony at 9 AM, on the north side of the Pier. Mayor Carr reported attending the Surfing Walk of Fame Ceremony and the new Wall of Fame at Pacific City; Ribbon Cutting for the opening of the Edison Park Skate Spot; Ribbon Cutting for Mother's Market & Kitchen at Peter's Landing; and meeting with Orange County Supervisor Katrina Foley to engage with local business owners.

ADJOURNMENT — at 9:03 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, August 17, 2021, at 4:00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

INTERNET ACCESS TO CITY COUNCIL/PUBLIC FINANCING AUTHORITY AGENDA AND
STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT
<http://www.huntingtonbeachca.gov>

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