

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, June 21, 2022
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 — 5:02 PM

ROLL CALL

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

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

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

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEM — None

A motion was made by Posey, second Kalmick to recess to Closed Session for Item #1. With no objections, the motion passed.

RECESSED TO CLOSED SESSION — 5:02 PM

CLOSED SESSION

- 1. 22-550 CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION. Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9: Litigation threatened in December 21, 2021 letter from Cole/Huber, LLP.**

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:07 PM

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE — Led by Councilmember Carr

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.

2. 22-315 Pat Goodman of the Self-Help Interfaith Program and member of the Greater Huntington Beach Interfaith Council

CLOSED SESSION REPORT BY CITY ATTORNEY — None

AWARDS AND PRESENTATIONS

3. 22-467 Mayor Delgleize called on participants from the City's 2022 Citizens Academy and presented them with completion certificates

Mayor Delgleize introduced the participants who completed the City's 5th Annual Citizen's Academy, and presented them with a Certificate of Completion.

Mayor Delgleize described her support for developing this program, and encouraged residents to participate.

Ms. Lisa Barnes, Citizen's Academy graduate, thanked City staff for their efforts to offer this excellent program, and stated how important the Academy is for a full understanding of how the City operates and how citizens can play an essential role in City governance.

4. 22-521 Mayor Delgleize called on Mr. Robert Mayer to acknowledge his \$50k donation for the 4th of July fireworks over the Pier

Mayor Delgleize introduced Mr. Mayer and thanked him for his wonderful contributions throughout the years to making Huntington Beach a better place. Mayor Delgleize noted he was instrumental in the Waterfront Development Masterplan, Huntington Beach Pier Rebuild, developing the Robert Mayer Leadership Academy, Robert Mayer Child Development Preschool, Boys and Girls Club supporter for over 30 years, funded OneHB to support Downtown Huntington Beach businesses during the pandemic of 2020, Waymakers Youth Shelter supporter, and funding Fourth of July fireworks in 2021 and 2022.

Mr. Mayer expressed appreciation for the opportunities through the years to work in and be a part of Huntington Beach.

Linda Vircks, Fourth of July Executive Board Vice Chair, thanked Mr. Mayer for his support to ensure fireworks over the water again this year.

5. 22-468 Mayor Delgleize presented commendation to Collin Crilly for his quick actions in saving a life at a water polo tournament at Ocean View High School

Mayor Delgleize introduced 17-year-old Collin Crilly, a City of Temecula lifeguard for two years and an Eagle Scout. He is also on Varsity Water Polo and Swim teams. The night before the incident where he saved a life, he had taken Water Rescue, CPR and AED training as part of his lifeguard rehire program.

Collin described his recent Water Rescue training and how fortunate he was to be at a pool early for his water polo competition when a swimmer needed assistance. His first-responder efforts resulted in a life saved. Several minutes later, he realized he was not at the correct pool for his competition, but was where he was needed for that moment.

Fire Chief Scott Haberle thanked Collin for his quick thinking and ability to act upon his training.

6. 22-520 Mayor Delgleize proclaimed support of the HEARTSafe HB Initiative and encouraged staff to proceed with their efforts in pursuit of the HEARTSafe Community designation from the Citizen CPR Foundation

Mayor Delgleize announced that the Huntington Beach Fire Department initiated HEARTSafe HB to educate the public on sudden cardiac arrest and effective hands-only Cardio Pulmonary Resuscitation (CPR), use of an Automated External Defibrillator (AED), and understanding of Good Samaritan laws.

Fire Captain Dane Morrissey and Battalion Chief Jeff Lopez explained that saving someone's life, as Collin did, doesn't happen by accident, but involves community preparation to ensure the AED is in place, and training of responders, Fire Department, and hospital staff. HEARTSafe HB is focused on public education so anyone faced with a sudden cardiac arrest situation can immediately provide an appropriate response.

Mr. Jeff Eagen, Director of Electoral District 4, North County Fire Protection District, reiterated how wonderful it was that Collin had received the proper training to recently save a life, and stated his support for this excellent program.

7. 22-505 Mayor Delgleize called on Boy Scout Troop #1226 and recognized young men for achieving their Eagle Scout Award

Mayor Delgleize acknowledged Scout Leader John Burgard and Eagle Scout Award recipients Lucca Deocariza, Nathan Peterson, Matthew Gerken, Christian Teske and Thomas Corey, and noted that Eagle Scout, the highest rank attainable, is only attained by four percent of Boy Scouts. Matthew Gerken and Thomas Corey briefly described their Eagle Scout projects, and Leader Burgard described the projects of the recipients not present at the meeting.

8. 22-546 Mayor Delgleize called on Councilmember Moser and third grade students and teachers from Kinetic Academy to recognize their creativity in a mock project to redesign the City Seal

Mayor Delgleize and Councilmember Moser introduced Kinetic Academy Third Grade teacher Kelly Cambry, Assistants Sarah and Rebeca and six students. Councilmember Moser described the day she was invited to participate in their mock City Council meeting several months ago to update the

Huntington Beach City seal. The winner, Zenia H., read her statement to describe her design that included the former Huntington Beach racetrack, koi fish, oil pumps, and the pier.

9. 22-511 Mayor Delgleize thanked Sean Joyce for his leadership and management while serving as the City's Interim City Manager

Mayor Delgleize described how incredible Interim City Manager Sean Joyce was to work with during the search for a new City Manager, and presented him with a small surfboard plaque.

Mr. Joyce stated it was a great opportunity to return to the city he lived in during his youth, and enjoyed his time working hard with a dedicated team and staff focused on getting things done for the residents.

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

#10 (22-531) PowerPoint presentation entitled "2022 Fourth of July Celebration" submitted by Community & Library Services.

Administrative Items

#23 (22-530) Fifty-five (55) email communications received regarding proposed amendments to the City Charter.

#23 (22-530) PowerPoint presentation titled "Recommended Charter Amendments for Voter Approval at November Elections" submitted by the City Manager's office.

#24 (22-444) PowerPoint Presentation titled "Cannabis Regulatory Framework and Ordinances" submitted by Senior Administrative Analyst Grace Yoon-Taylor.

#24 (22-444) Letter received from Jonatan Cvetko, Executive Director of United Cannabis Business Association, regarding regulatory framework and ordinances on commercial cannabis activities.

#24 (22-444) Email communication received regarding regulatory framework and ordinances on commercial cannabis activities.

Councilmember Items

#25 (22-548) Three (3) email communications regarding the creation of a senior mobile home rental assistance program.

PUBLIC COMMENTS (3 Minute Time Limit) — 36 In-Person, and 4 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>.

Mayor Delgleize announced that Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for voter approval during the November 2022 General Municipal Election, and noted the City Council is not approving Charter amendments, but rather deciding whether some, or all, of the Charter Revision Committee's recommendations should be placed on the November

ballot. She reminded everyone that only the voters can amend the City Charter and shape how the City operates in an effort to improve local governance. (00:53:23)

Bob Herold, a 90-year-old resident of Skandia Mobile Home Park, was called to speak and stated his support for the Mobile Home Advisory Board (MHAB) recommendation for a carve out to City Charter Section 803 for a Rent Stabilization Ordinance (SRO) to be on the November 2022 ballot. (00:56:47)

Janet Nguyen, 72nd District Assemblywoman, was called to speak and congratulated the Eagle Scouts for their awards. She also thanked Interim City Manager Sean Joyce for his service. Assemblywoman Nguyen presented a State Assembly Resolution to City Attorney Michael Gates to recognize his service to the City of Huntington Beach, as well as certificates for the City Attorney Office staff members. (00:58:37)

Art Estrada, representing all Huntington Beach mobile home park residents, was called to speak and asked that City Councilmembers respond to the many residents requesting support for a carve out, as recommended by their own Mobile Home Advisory Board (MHAB), rather than continuing to ignore them as evidenced by their inaction. (01:01:48)

Pano Frousiakis, a Candidate for City Council in 2022, was called to speak and shared his opinion that the City Council should focus their attention on issues that matter such as supporting the senior citizens to ensure they do not become homeless or hungry, versus whether or not positions should remain elected or not. (01:04:08)

Allie Plum, a Del Mar Estates mobile home owner and Resident Member of the Mobile Home Advisory Board (MHAB), was called to speak and thanked Interim City Manager Sean Joyce for his outstanding support during his time of service. She also thanked Councilmembers Kalmick and Moser for bringing forth Councilmember Items #25 regarding a Senior Mobile Home Rental Assistance Program. (01:07:27)

Deborah Janus, a 43-year resident of Huntington Beach, was called to speak and stated her opposition to Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for the November 2022 General Municipal Election, including trying to change currently elected positions. (01:09:43)

Martha Morrow, a 30-year resident, was called to speak and stated her opposition to any attempts to change the elected positions of City Attorney, City Clerk and City Treasurer to appointed positions. She asked what egregious acts were committed to necessitate a change to the City Charter, and stated her opinion that the Councilmembers are creating suspicion and distrust by not being transparent. (01:11:17)

Patricia Pappas was called to speak and stated she has reviewed all of the documents regarding Administrative Items #23 related to the placement of certain Charter amendments as ballot measures for voter approval during the November 2022 General Municipal Election. Ms. Pappas stated her support for keeping the City Attorney as an elected position, as well as retaining and preserving the historic nature of the City Charter. She also noted that most Charter Review Committee recommendations from 1965 to 2019 have been rejected, and asked how the proposed changes will benefit the citizens. (01:14:04)

Casey McKeon, a life-long resident of Huntington Beach and Councilmember Peterson's Charter Review Committee appointee, was called to speak and reiterated his opinion that City Council would not support changing the elected positions of City Attorney, City Clerk and City Treasurer. Mr. McKeon stated his opinion that City Council is using legalese to add language to the City Charter to allow them to hire

attorneys outside of the purview of the City Attorney's office, which the City Charter prohibits. He further noted that proposed Section 310 is drastically different from the Charter Review Committee's recommendation in their final report. (01:17:16)

Madelynn Hirneise, representing Families Forward, was called to speak and shared that since their formation in 2018, Families Forward has housed 48 families with minor-age children. Ms. Hirneise stated that Families Forward is interested in being involved and a part of considerations for Councilmember Items #25 regarding the Senior Mobile Home Rental Assistance Program, and thanked Council for their continued support. (01:19:32)

Nancy Buchoz, a 46-year resident of southeast Huntington Beach, was called to speak and stated her opposition to Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for the November 2022 General Municipal Election, including trying to change currently elected positions of City Attorney, City Clerk and City Treasurer to appointed positions. (01:21:30)

Cari Swan was called to speak and stated her opposition to Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for the November 2022 General Municipal Election, including trying to change currently elected positions of City Attorney, City Clerk and City Treasurer to appointed positions. (01:24:22)

Jeanne Paris was called to speak and shared her support for City Attorney Michael Gates and stated her opinion there is no need for any City Charter amendments. (01:26:38)

Luanne Nichols, a fourth generation Huntington Beach property owner, was called to speak and shared her support for City Attorney Michael Gates and stated her opinion there is no need for any City Charter amendments. (01:27:55)

Russell Neal was called to speak and stated his opposition to Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for voter approval during the November 2022 General Municipal Elections; and Administrative Items #24 regarding City Council direction on regulatory framework and ordinances on commercial cannabis activities. (01:29:05)

Steve Quinn, a local school bus driver, was called to speak and stated his opposition to any City Charter amendments. (01:31:09)

Pat Burns, Candidate for City Council in 2022, was called to speak and shared his opinion that the City Council is making bad decisions, and stated his opposition to making any City Charter amendments. (01:32:13)

Gracey Van Der Mark, a 22-year resident of Huntington Beach, was called to speak and announced she is a Candidate for City Council in 2022, and noted that the City Council Recall effort raised the awareness of thousands of Huntington Beach voters. Ms. Van Der Mark also stated her opposition to any City Charter amendments. (01:34:55)

Ceason Baker, a resident of Huntington Beach, was called to speak and stated her opposition to Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for voter approval during the November 2022 General Municipal Election, including trying to change the currently elected City Attorney to an appointed position. (01:37:54)

Mark Tonkovich, a resident of Huntington Beach, was called to speak and shared his opinion the City Council should save the money that will be required to place any City Charter amendments on the ballot in November. He shared his support for City Attorney Michael Gates and stated his opposition to changing this elected position to appointed. Mr. Tonkovich stated his support for the recent pleas of the senior citizens and asked City Council to listen and make transparent decisions to support the residents. (01:39:37)

Eva Weisz, a resident of Huntington Beach, was called to speak and stated her opposition to Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for voter approval during the November 2022 General Municipal Election, including trying to change currently elected positions of City Attorney, City Clerk and City Treasurer to appointed positions. (01:42:15)

Bob Franck was called to speak and commended Sean Crumby, Director of Public Works, for his actions in response to the complaints Mr. Franck and his wife discussed at the last June 7 Council meeting concerning the negative impacts on their property caused by the East Garden Grove Wintersburg Channel Improvement Project at Springdale and Warner. (01:45:36)

Jeff Silver, a 57-year resident of Huntington Beach, was called to speak and shared his opinion that City Council proposed City Charter Section 310 is drastically different from the Charter Review Committee's recommendation in their final report. He further stated his opinion that in the last couple of years City Council seems focused on taking citizen rights away and stated his opposition to making any City Charter amendments. (01:47:07)

Kathy Carrick was called to speak and stated her opposition to any City Charter amendments and City Council attempts to change the City Attorney, City Clerk and City Treasurer positions from elected to appointed. (01:49:08)

Tim Geddes, a long-time resident of southeast Huntington Beach, was called to speak and thanked Interim City Manager Sean Joyce for his outstanding service. Mr. Geddes thanked Councilmembers Kalmick and Moser for bringing forward Councilmember Items #25 regarding evaluation of the Senior Mobile Home Rental Assistance Program, and asked that appropriate experts be included in the process, including the Mobile Home Advisory Board (MHAB). (01:51:39)

Clyde Helms, a 36-year resident of Huntington Beach, was called to speak and stated his opposition to Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for voter approval during the November 2022 General Municipal Election, including trying to change the currently elected City Attorney, City Clerk and City Treasurer positions to appointed positions. (01:53:47)

Jeannine Mitchell Curtis was called to speak and stated her opposition to Administrative Items #23 regarding placement of certain Charter amendments as ballot measures for voter approval during the November 2022 General Municipal Election. (01:56:06)

Julie Paule, representing Western Manufactured Housing Communities Association (WMA), was called to speak and commended Councilmembers Kalmick and Moser for bringing forth Councilmember Items #25 regarding Senior Mobile Home Rental Assistance. Ms. Paule stated her opinion that this is a solution that all stakeholders can support. (01:56:43)

Mike Costello was called to speak and stated his opposition to any City Charter amendments, and his support for City Attorney Michael Gates. (01:58:41)

Angela Salinardi, a 41-year resident of Huntington Beach, was called to speak and stated her opposition to any City Charter amendments, and her support for City Attorney Michael Gates. (02:00:19)

Guest, a resident of Huntington Beach for over 30 years, was called to speak and stated her opposition to any City Charter amendments. (02:02:04)

Karen Allen, a life-long resident of Huntington Beach, was called to speak and stated her opposition to any City Charter amendments, including efforts to change the currently elected City Attorney, City Clerk and City Treasurer positions to appointed positions. (02:05:33)

Kandice Hawes-Lopez, Founder and Chair, Orange County Chapter, National Organization for the Reform of Marijuana Laws (NORML), was called to speak and stated her support for Administrative Items #24 regarding City Council direction on regulatory framework and ordinances for commercial cannabis activities. Ms. Hawes-Lopez suggested allowing more time for expert and community input and dialogue on this issue. (02:06:51)

Brian, a 45-year resident of Huntington Beach, was called to speak and stated his opposition to any City Charter amendments, including efforts to change currently elected positions to appointed positions. (02:09:15)

Seena Max Samimi was called to speak, and clarified he would wait and speak on Public Hearing Item #20 later during the Public Hearing portion of the meeting. (02:11:13)

Jignesh Padhiar was called to speak and stated he was going to use his "immigrant" English to try and help City Council understand that no one wants to see any City Charter amendment, or changes made to make any positions appointed by Council rather than voted on by the residents. Mr. Padhiar added that voting is a privilege that draws many people to this country from those countries who do not value the opportunity to let the people vote. (02:11:35)

Valentina Bankhead, a resident of Huntington Beach since 2018, was called to speak and stated her opposition to any proposed Charter amendments that in her opinion appear to transfer power away from the voters to the City Council. She also stated her support for City Attorney Michael Gates. (02:13:19)

Caller Carol Rohr, Home Owner Association President, Skandia Mobile Home Park, was invited to speak and stated that Councilmember Items #25 is a small step towards addressing mobile homeowner concerns that Councilmembers should support. Further, this action will provide the mobile homeowners with two years to build support for a citizen-driven initiative for the November 2024 election. Ms. Rohr thanked Interim City Manager Sean Joyce for his transparency and even-handedness in dealing with the mobile home community and the Mobile Home Advisory Board (MHAB). (02:15:05)

Caller Jeanne Farrens, a resident of Skandia Mobile Home Park, was invited to speak and thanked Councilmembers Kalmick and Moser for bringing forward Councilmember Items #25 and taking some action. Regarding the proposed income qualifications, Ms. Farrens noted that federal agencies have determined that housing costs in excess of 30% of income can put an individual at risk for non-payment, eviction and possibly homelessness. Ms. Farrens suggested that, barring federal regulations that may not allow this, using an income-to-cost ratio would be a more equitable needs test. (02:17:22)

Caller Ruben, a resident of Skandia Mobile Home Park, was invited to speak and requested City Council support for a carve out to City Charter Section 803 for a Rent Stabilization Ordinance (RSO) to be voted on in November 2022. (02:20:29)

Caller Ada Hand, a resident of Del Mar Estates Mobile Home Park, was invited to speak and disagreed with Ms. Paule when she stated mobile home owners support rent control. Ms. Hand stated mobile home owners support Rent Stabilization Ordinances (RSOs), not rent control. Ms. Hand stated support for the comments of caller Jeanne Farrens on Councilmember Items #25, regarding a Senior Mobile Home Rental Assistance Program. Ms. Hand also stated her support for a carve out to City Charter Section 803 for a Rent Stabilization Ordinance (RSO) to be voted on in November 2022. (02:21:32)

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

Councilmember Kalmick reported attending the following meetings: Cannabis Community Forum for community input; and Smart Cities Committee for a presentation from Qualtrics on back-end data analytics and an update on the City's fiber rollout.

Councilmember Moser reported attending the following meetings: Smart Cities Committee, Downtown Business Improvement District (BID), and Homeless Task Force.

Mayor Delgleize reported attending the Smart Cities Committee meeting.

Councilmember Bolton reported attending meetings of the Cannabis Community Forum and the Historic Resources Board.

Councilmember Moser noted the need for volunteers for 4th of July activities.

CITY MANAGER'S REPORT

Interim City Manager Sean Joyce announced that Councilmembers Bolton and Moser support a decision to postpone the update from Police Chief Parra regarding coyote mitigation efforts until a later date due to the already lengthy Agenda.

10. 22-531 2022 Fourth of July Festivities Update

Interim City Manager Joyce introduced Chris Cole, Community and Library Services Manager, who provided a PowerPoint communication with slides titled *Comeback in 2022, Main Street Block Party, Pier Plaza Festival, Surf City 5K Run, Main Street Parade, Fireworks Over the Ocean, Ancillary Activations, Special Thanks, and Questions*.

Councilmember Moser thanked Manager Cole, Molly Uemura, the July Fourth Board, and the contractors for their outstanding efforts, and announced that ride tickets can be pre-ordered at a discount through the Pier Plaza link.

Manager Cole noted that official 4th of July merchandise is currently available at Huntington Surf and Sport, Albertsons at Seacliff and the Newland shopping centers, and the T-shirt booth at the Pier.

Mayor Delgleize thanked Manager Cole and the team for all their efforts.

CONSENT CALENDAR

Mayor Pro Tem Posey pulled Item #12 for further discussion.

11. 22-509 Approved and Adopted Minutes

A motion was made by Posey, second Kalmick to approve and adopt the City Council/Public Financing Authority regular, and Housing Authority special meeting minutes dated June 7, 2022.

The motion carried by the following vote:

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

12. 22-541 **Reaffirmed the appointment/re-appointment of Councilmember Kalmick as Huntington Beach primary representative to the Orange County Power Authority (OCPA) and resignation as alternate, and accepted/re-accepted Mayor Pro Tem Posey's resignation as OCPA Board representative and re-appointment as the alternate member, and update the 2022 Council Liaison List, and notify the OCPA in writing of these appointments per OCPA JPA section 3.2.**

Mayor Pro Tem Posey pulled this item to ask City Attorney Michael Gates to explain why this was put back on the agenda. City Attorney Gates explained that while the item approved by the City Council at their regular meeting of May 17, 2022, some members of the Orange County Power Authority (OCPA) questioned if Brown Act requirements were properly followed. City Attorney Gates confirmed that the Brown Act was followed on May 17, but to remove any doubt, the item is before them for reconsideration.

Mayor Pro Tem Posey confirmed that he has resigned as the Huntington Beach voting delegate for the OCPA, and that alternate Councilmember Kalmick has agreed to take his place per the previous voting action on May 17, 2022. He agreed to step into the alternate position until the end of the year as asked by his fellow Councilmembers. Mayor Pro Tem Posey explained that since his Councilmember term expires at the end of this year, it is not appropriate in his mind to continue serving on the OCPA if he is no longer a Councilmember.

Councilmember Kalmick announced that he is publicly resigning as an OCPA alternate, and accepts the position of OCPA voting delegate, if this item is again approved by the City Council.

A motion was made by Posey, second Kalmick to reaffirm the appointment/re-appointment of Councilmember Kalmick as Huntington Beach primary representative to the Orange County Power Authority (OCPA) and removal as alternate, and re-accept/accept Mayor Pro Tem Posey resignation as OCPA Board representative and re-appointment as the alternate member as follows: (a) the Council re-accepts/accepts Mayor Pro Tem Posey's and Council Member Kalmick's proposed resignations as OCPA directors and alternates (respectively); (b) the City Council re-appoints/appoints Mr. Kalmick and Mr. Posey to their respective new OCPA roles; and (c) the City Council directs City staff to notify the OCPA immediately in writing of these appointments per OCPA JPA section 3.2.

The motion carried by the following vote:

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

NOES: None
ABSENT: Peterson

- 13. 22-005 Reaffirmed adoption of Resolution No. 2021-62 finding a proclaimed state of emergency continues to impact the ability to meet safely in person, and allows meetings of the City Council and all City boards, commissions and committees to be conducted remotely as needed in compliance with new Brown Act provisions identified in Assembly Bill 361**

A motion was made by Posey, second Kalmick to reaffirm Resolution No. 2021-62, "A Resolution of the City Council of the City of Huntington Beach, California, finding that the proclaimed state of emergency continues to impact the ability to meet safely in person."

The motion carried by the following vote:

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

- 14. 22-420 Adopted Resolution No. 2022-33 Amending the Settlement and Award Authority of the Risk Manager Related to Workers' Compensation Agreements**

A motion was made by Posey, second Kalmick to adopt Resolution No. 2022-33, "A Resolution of the City Council of the City of Huntington Beach Establishing Settlement and Award Authority of the Risk Manager and City Attorney."

The motion carried by the following vote:

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

- 15. 22-519 Adopted Resolution No. 2022-36 acknowledging receipt of a Fire Department report regarding the annual inspection of certain occupancies**

A motion was made by Posey, second Kalmick to adopt Resolution No. 2022-36: "A Resolution of the City Council of the City of Huntington Beach Acknowledging Receipt of a Report Made by the Fire Chief of the Huntington Beach Fire Department Regarding the Inspection of Certain Occupancies Required to Perform Annual Inspections in Such Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code."

The motion carried by the following vote:

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

- 16. 22-494 Accepted the lowest responsive and responsible bid, approved appropriations, and authorized execution of a construction contract with All American Asphalt in the amount of \$5,945,346.20 for the FY 21/22 Arterial Rehabilitation Project, CC-1639**

A motion was made by Posey, second Kalmick to accept the lowest responsive and responsible bid submitted by All American Asphalt in the amount of \$5,945,346.20; and, appropriate \$1,400,000 from the Measure M Fund to account 21390032.82300; and, appropriate \$194,880 from the Prop 42 Fund to account 21990008.82300; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following vote:

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

- 17. 22-503 Awarded and authorized the execution of a construction contract with Orion Construction Corporation in the amount of \$2,594,343 for the Florida-Georgia Water Main Replacement Project, CC-1663 and Kiner-Gleada Water Main Improvement Project, CC-1664; and, declared CEM Construction Corporation and AID Builders Inc. as non-responsive and authorize appropriation of funds**

A motion was made by Posey, second Kalmick to appropriate \$208,193 from the Water Master Plan Fund (507) to Account 50791006.82100, Water Improvement Fund; and, declare the first apparent lowest bid from CEM Construction, Inc. and second lowest bid from AID Builders, Inc., as non-responsive; and, accept the third lowest responsive and responsible bid submitted by Orion Construction Corporation, in the amount of \$2,594,343; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following vote:

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

- 18. 22-508 Accepted the lowest responsive and responsible bid and authorized execution of a construction contract with Sancon Technologies, Inc. in the amount of \$969,711.80 for the Fiscal Year 21/22 Sewer Lining project, CC-1694**

A motion was made by Posey, second Kalmick to accept the lowest responsive and responsible bid submitted by Sancon Technologies, Inc. in the amount of \$969,711.80; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following vote:

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

- 19. 22-510 Adopted Ordinance No. 4257 approving Zoning Map Amendment No. 21-001 (Olson Townhomes located at Talbert Avenue and Newland Street)
Approved for introduction June 7, 2022 - Vote: 7 – 0**

A motion was made by Posey, second Kalmick to adopt Ordinance No. 4257, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Property Located at 8371 to 8461 Talbert Avenue from Residential Low Density (RL) to Residential Medium Density (RM) (Zoning Map Amendment No. 21-001)."

The motion carried by the following vote:

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

At 8:45 PM, a brief recess was called.

At 9:00 PM, the Mayor reconvened the meeting.

PUBLIC HEARING

20. 22-424 Adopted Resolution No. 2022-19 approving General Plan Amendment (GPA) No. 20-003, approved for introduction Ordinance No. 4256 approving Zoning Text Amendment (ZTA) No. 20-003, and adopted Resolution 2022-26 approving Environmental Assessment No. 20-003 (Addendum No. 1 to the Holly-Seacliff Specific Plan Environmental Impact Report No. 89-1) (Holly Triangle Townhomes - 19070 Holly Lane)

Community Development Director Ursula Luna-Reynosa introduced Alyssa Helper, Associate Planner, who presented a PowerPoint communication with slides entitled: *Holly Triangle Townhomes, Project Location, General Plan Amendment No. 20-003, Zone Text Amendment No. 20-003, Environmental Assessment No. 20-003, Planning Commission Summary, Land Use Compatibility, Recommendation, and Conclusion.*

Associate Planner Helper noted that Applicant's representative Ed Mountford, and Environmental Consultant Konnie Dobrev, EPD Solutions, were present to answer questions.

Mayor Delgleize opened the Public Hearing for this item.

Public Speakers — 2

Seena Max Samimi, lawyer with Jeffer Mangels Butler & Mitchell LLP, representing the property owners across Holly Lane to the west, was called to speak and raised two of his client's concerns: 1) drainage, and 2) parking.

Mr. Samimi described the stagnant water areas on Holly Lane due to rain and irrigation run-off, and noted that his client has been working with the City since 2011 trying to get this situation resolved. The City has claimed there is not enough money in the budget to put in a storm drain. His client is requesting that Holly Lane be re-graded in conjunction with this development project to eliminate the areas where water collects because of poor drainage. Mr. Samimi also noted that his client received the Public Hearing Notice for this project in the mail after the Planning Commission hearing date, and therefore was unable to address his concerns then.

Mr. Samimi described the current perpendicular parking adjacent to the project on Holly Lane, and noted if that space is removed for a sidewalk and landscaping, it will only negatively impact an area that currently doesn't have enough parking for existing residents.

Mr. Samimi stated that he and his client are available to discuss these concerns in further detail with the Planning Department.

Ed Mountford, representing Bonanni Development, property owner, was called to speak and described the parcel as inefficient due to its small size and triangular shape, and discussed some of the challenges, particularly for commercial development.

Mr. Mountford also noted that the parcel does not currently esthetically meet Huntington Beach standards, especially for being on Main Street. Mr. Mountford noted the complimentary remarks from the Design Review Board for this project, as well as the fact the project will provide 5 units that meet moderate income housing criteria.

Mr. Mountford stated that Bonanni Development was not aware of the Holly Lane drainage issue, but they will work with staff to see if they can help with a solution.

Mayor Delgleize confirmed with Mr. Mountford that the units in this project would all be for sale.

With no one else present to speak, Mayor Delgleize closed the public hearing.

Mayor Pro Tem Posey noted that zoning is fluid, and explained how it must change to get the best and highest use of the property zoned as commercial for 30 years hoping that sales tax generating retail or manufacturing would be developed. He stated his support for this project.

Mayor Delgleize stated her support for this project.

Councilmember Carr noted that Bonanni Development has completed other well-designed community projects that have enhanced their neighborhoods, and knowing this project will provide middle-income housing, it has her support.

Councilmember Kalmick stated his support for a project that will only enhance a piece of fenced open space, and provide for more sales-tax generating shoppers and children to attend area schools.

Councilmember Moser stated her appreciation for a creative use of the space, while also providing affordable housing, and this project has her support.

Councilmember Bolton stated her support for a project that will provide middle-income housing, anticipating this will eliminate a long commute for some area businesses employees.

A motion was made by Bolton, second Posey to approve Environmental Assessment No. 20-003 (Addendum No. 1 to the Holly-Seacliff Specific Plan Environmental Impact Report [EIR] No. 89-1; Attachment No. 9) as adequate and complete in accordance with California Environmental Quality Act (CEQA) requirements by approving City Council Resolution No. 2022-26, "A Resolution of the City Council of the City of Huntington Beach Adopting Addendum No. 1 to the Holly-Seacliff Specific Plan Environmental Impact Report No. 89-1 for the Holly Triangle Townhomes Project" (Attachment No. 2); and, approve General Plan Amendment No. 20-003 and City Council Resolution No. 2022-19, "A Resolution of the City Council of City of Huntington Beach Approving General Plan Amendment No. 20-003" (Attachment No. 3); and, approve Zone Text Amendment No. 20-003 by after the City Clerk reads

by title, approving for introduction Ordinance No. 4256, "An Ordinance of the City of Huntington Beach Amending the Holly-Seacliff Specific Plan to Rezone the Real Property Located at 19070 Holly Lane from Commercial (C) to Residential Medium Density (RM) (Zoning Text Amendment No. 20-003)" (Attachment No. 4).

The motion carried by the following vote:

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

21. 22-493 Approved for introduction Ordinance No. 4259 approving Zoning Text Amendment (ZTA) No. 22-002 establishing regulations for SB 9 development projects

Community Development Director, Ursula Luna-Reynosa presented a PowerPoint communication titled *ZTA No. 22-002*, with slides entitled *Request; SB 9 Qualifying Criteria; Urban Lot Split Criteria; SB 9 Regulations; Interim Urgency Ordinance; Objective Standards; Review Procedures; Local Ordinance Objective Standards (2); and Recommendation*.

Councilmember Kalmick confirmed with Director Luna-Reynosa, regarding Section 237.12, Standards, sub-section (g) regarding affordability, would require a covenant recorded during the permit process, and it can voluntarily encumber the property.

Mayor Pro Tem Posey complimented staff for a well thought out response to SB 9, and noted that adopting ordinances to limit how SB 9 will affect lot splits is re-taking local control while complying with State law. He stated his support for staff recommendations.

Mayor Delgleize opened the Public Hearing for this item.

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:

Public Hearing

#21 (22-493) PowerPoint presentation entitled *ZTA No. 22-002 SB 9 Development Projects* submitted by Ursula Luna-Reynosa, Director of Community Development.

Public Speakers — None

Mayor Delgleize closed this Public Hearing.

Mayor Delgleize confirmed with Director Luna-Reynosa that larger lots could allow units of up to 1,600 square feet.

A motion was made by Delgleize, second Kalmick to find that Zoning Text Amendment No. 22-002 is exempt from the California Environmental Quality Act (CEQA) pursuant to Government Code Sections 65852.21(j) and 66411.7(n), which state the adoption of an ordinance by a city or county implementing the provisions of Government Code Sections 65852.21 and 66411.7 regulating urban lot splits and two unit residential projects is not a project under CEQA; and, approve Zoning Text Amendment No. 22-002 with findings and, after City Clerk reads by title, approve for introduction Ordinance No. 4259, "An Ordinance of the City Council of the City of Huntington Beach Establishing Objective Standards for

Urban Lot Splits and Housing Units Built in Accordance with Senate Bill 9, and Making a Finding of Exemption Under CEQA." (Attachment No.2)

The motion carried by the following vote:

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

ADMINISTRATIVE ITEMS

- 22. 22-470 Approved and authorized execution of an Agreement for Sale of Surplus Real Property by and between the City of Huntington Beach and Bonanni Development Company for the sale of City-owned property located near Holly Lane and Main Street (APN 159-281-04)**

Community Development Director Ursula Luna-Reynosa provided a brief overview of this item including the timeline.

A motion was made by Posey, second Delgleize to authorize the Mayor and City Clerk to execute an "Agreement for Sale of Surplus Real Property by and Between the City of Huntington Beach and Bonanni Development Company IV" (the "Agreement") and all other related documents to convey ownership of the Property to the Buyer.

The motion carried by the following vote:

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

- 23. 22-530 Confirmed placement of certain Charter amendments as ballot measures for voter approval during the November 2022 General Municipal Election; recognized the completion of the Charter Revision Committee's scope of work, and dissolved the Committee accordingly**

Catherine Jun, Assistant to the City Manager noted that Project Consultant Dr. Sonenshein was available via Zoom, and presented a PowerPoint communication titled *Recommend Charter Amendments for Voter Approval at November Elections*, with slides entitled: *Background; Today; Outcome; Proposed Ballot Measure 1; Proposed Ballot Measure 1 (continued); Proposed Ballot Measure 2; Remaining Amendments Proposed by the Committee; Suggested Amendments from City Representatives; Suggested Amendments from City Representatives (continued); and Recommended Actions.*

Councilmember Carr clarified the procedure for discussions and determining ballot language, and confirmed with City Attorney Gates that as long as the language was decided and approved by Council, it would not have to come back.

Councilmember Kalmick stated Ballot Measure 1 reasonably represents Charter Revision Committee and staff recommendations, especially related to a filling a Council vacancy.

Councilmember Carr stated her support for Councilmember Kalmick's comments, and suggested both 311(d) and changing Mayor Pro Tem title to Vice Mayor be placed in Ballot Measure 1.

Councilmember Moser concurred with the discussion thus far.

Mayor Pro Tem Posey stated his support for the Council vacancy appointment process, as well as requiring that the Charter be reviewed every ten years.

Councilmember Carr stated her support for addressing Measure C, pertaining to parks, playgrounds and open space, in Ballot Measure 1.

Mayor Pro Tem Posey acknowledged the public speakers who stated their opposition to any Charter amendments, and reminded everyone that over ten years ago the residents voted and tasked City Council to review the Charter every ten years.

Councilmember Moser shared her support for regular review of the City Charter, which she described as a "living" document that should be regularly reviewed for changes.

Councilmember Bolton shared that the City Charter is a foundation document or a living document similar to the U. S. Constitution that she noted has been amended thirty-three times through the years. Councilmember Bolton stated she is not opposed to anything on Ballot Measure 1.

Mayor Pro Tem Posey clarified that the 10-year review cycle is the maximum amount of time between Council reviews, and actually, any Council can bring proposed changes to the voters at any election.

Councilmember Kalmick stated he supports changing Mayor Pro Tem to Vice Mayor as it modernizes the title and makes it easily understood.

Mayor Delgleize and Mayor Pro Tem Posey both stated support for this change.

Proposed Ballot **Measure 1** – Charter Amendments identified in the PowerPoint to "Improve wording, make minor clarifications, and modify administrative processes":

Straw Vote

Motion by Kalmick, second Delgleize to approve placement of ...

| Item# | Section | Description |
|-------|------------------------|--|
| #1 | 300 | Reset initial election years |
| #2 | 300 | Replace outdated phrases |
| #3 | 303(d) | Replace unused phrases |
| #4 | 303(a) | Syntax adjustments |
| #5 | 303(b), 304(a) | Use of "current technology" |
| #6 | 303(c), 400(d), 801(e) | Gender neutral terms |
| #7 | 311(d), 601, 604 | Update CFO |
| #8 | 312(c) | Clarify pronoun "it" |
| #9 | 312(a), 312(c) | Require 4 affirmative votes to fill CC vacancy; establish term |
| #10 | 612(c) | Update of Measure C language |
| #11 | 804 | 10 year Charter Review |

Add #1 and #4 from slide titled, "Suggested amendments from City representatives":

| Item# | Section | Description |
|-------|---------|-----------------------|
| #1 | 306 | Vice Mayor |
| #4 | 311(d) | City Treasurer duties |

In addition, leave open the option to add additional items as the discussion continues.

Vote: 6-0-1 (Peterson Absent)

Councilmember Kalmick stated he would amend #309 — City Attorney Powers and Duties to remove the ABA requirement, as recommended by Professor Treiman. In his opinion, this would enlarge the candidate pool, and he suggested keeping the term "practicing" vs. "licensed".

Councilmember Carr stated support for using the current Charter provision for requiring the City Attorney to have 5 years of practice, and only removing the ABA requirement.

Councilmember Bolton concurred with Councilmember Carr's comments.

Proposed Ballot **Measure 2** – Charter Amendments identified in the PowerPoint to "Clarify the roles and responsibilities of the City Attorney, Clerk and Treasurer":

Straw Vote

Motion by Kalmick, second Posey to approve placement of ...

| Item# | Section | Description |
|-------|----------|---|
| #1 | 309 | Keep Section 309 as currently written, with the exception to remove language "accredited by the American Bar Association (ABA)" |
| #2 | 310, 311 | Minimum qualifications for City Clerk and Treasurer at the time of filing for candidacy |

Vote: 6-0-1 (Peterson-Absent)

Councilmember Kalmick provided context and explained the current City Clerk and City Treasurer were initially appointed upon a vacancy and then were subsequently elected. He stated his opinion that the City Attorney, City Clerk and City Treasurer positions are not a "check" on City Council, but in fact follow policies set by the City Council, therefore they are working for the City Council, and he identified the positions as "Department Heads".

Councilmember Carr stated support for Councilmember Kalmick's comments, and added it is important to recognize the amazing efforts of City Clerk Robin Estanislau and commended her for her hard work and dedication. She commended the City Treasurer Alyssa Backstrom as well and expressed concern about the future talent pool for these positions. She stated support for listening to the voters and allowing them to decide whether these positions remain elected, or become appointed.

Councilmember Bolton stated support for Councilmember Carr's comments, and noted that these positions are highly specialized and should use the same nation-wide recruiting process as used for the Chief Financial Officer, Police and Fire Chief positions.

Mayor Delgleize agreed with her fellow Councilmember comments, and stated her support for allowing the voters to decide how these positions are filled.

Councilmember Moser agreed that these technical positions should be recruited to increase the pool of applicants, and ensure that someone with the best skill set is selected to serve the residents.

Proposed Ballot **Measure 3** – “Remaining amendments proposed by the Committee”:

Straw Vote:

Motion by Kalmick, second Delgleize to approve placement of ...

| Item# | Section | Description |
|-------|---------|---|
| #1 | 300 | Convert City Clerk and City Treasurer from elected to appointed |

Vote: 6-0-1 (Peterson-Absent)

Discussion on Item #2 (Convert City Attorney from an elected to appointed role):

Mayor Pro Tem Posey stated his opinion that it does not matter if the City Attorney is elected or appointed, because the authority to file a lawsuit, or not, is determined by a majority of the City Council. The City Attorney advises, and Council is free to accept or reject that advice. The checks and balances for the City Council is at the ballot box.

Mayor Delgleize shared her opinion that Charter language is not clear, nor grammatically correct, and is ambiguous. She further stated that City Council asking for a second opinion doesn't remove the authority of the City Attorney.

Councilmember Carr shared that her concern for this position is the same as what she expressed for the City Clerk and City Treasurer, which is the City's ability to attract the top talent for the position, and stated her opinion that elections politicize a position. She stated her support for clarifying the language that describes the position of City Attorney, and keeping the position as elected.

Councilmember Bolton stated her opinion that the current situation between the City Council and City Attorney, or who decides when outside counsel is hired, exists because of the lack of clarity in the City Charter wording, and efficient governance happens when the City Council directs the City Attorney on behalf of the residents. She stated that the language proposed for Section 310 comes from other city charters that elect their city attorney, and noted that the City's voters should have the opportunity to ensure the Charter promotes sound governance.

Councilmember Moser stated her support for Councilmember Bolton's comments, and reiterated that the City Attorney's position is to enforce municipal code and advise the City Council.

Councilmember Kalmick stated he believes Huntington Beach voters will have no problem understanding the proposed changes, which will help clear up the conflict that currently exists between the City Charter and State Bar rules as so well stated by Councilmember Bolton. He believes Section 310 will ensure a clear chain of command, that City Council is not micromanaging the City Attorney's office, and everyone needs independent representation they can trust.

Mayor Delgleize stated her support for clarifying City Charter language that will alleviate conflict between the City Council and the City Attorney's office.

Councilmember Bolton clarified her opinion that if the City Attorney's office has a conflict with the City Council, each side should have representation they can trust. It is not proper for an attorney to represent a client, then turn around and sue that client.

Councilmember Bolton clarified with City Manager Assistant Jun that the proposed text specifies who decides the existence of a conflict if there is disagreement between the City Council and the City Attorney.

Project Consultant Dr. Sonenshein confirmed that 310 (a) does address Councilmember Bolton's concern, and noted that 310 (b) may have some ambiguity as currently worded, and stated that the City Manager may not be the best position to determine whether or not a City Attorney, whether appointed or elected, has the relevant specialized legal expertise. Dr. Sonenshein stated he could do more research on this if Council so desires. Mayor Delgleize and Councilmembers Bolton and Carr stated their support for further research because what was showing for PowerPoint communication item #5 does not match what is in the Charter.

Proposed Ballot **Measure 4** – "Suggested amendments from City representatives" ... additional amendments suggested by City representatives for consideration:

Straw Vote

Motion by Carr, second Bolton to approve placement of...

| Item# | Section | Description |
|-------|-----------------------|---|
| #5 | 304(b), 309, 310(new) | Establishes Attorney-client relationship, managing legal matters and litigation, etc.; in addition, staff to review section 310(a)(2)(B) and return with suggested language clarification |

Vote: 6-0-1 (Peterson – Absent)

Councilmember Kalmick stated his support for the previous comments of Councilmember Carr regarding seeing the issue of cancellation of City Council meetings becoming more transparent and suggested it be added to proposed Ballot **Measure 1**.

Straw Vote:

Motion by Kalmick, second Delgleize to approve placement of ...

| Item# | Section | Description |
|-------|---------|-----------------------------|
| #2 | 303(a) | Cancellation of CC meetings |

Vote: 6-0-1 (Peterson – Absent)

Mayor Pro Tem Posey suggested increasing the City Council term limits to three 4-year terms, or a total of 12 years serving as a City Councilmember, and follow the model used by the State Assembly and Senate. He believes this would provide for continuity of service on regional boards which could result in the City of Huntington Beach representatives moving into positions of leadership if they so choose.

Councilmember Kalmick asked questions related the timing of the limits, when would term limits start, and would they be retroactive.

City Attorney Gates advised City Council could write term limits however they desire, and clarified that changes would not be retroactive.

Councilmember Carr stated she is not in favor of extending term limits and noted that some of the regional boards are set up to benefit the cities that do not have term limits. She stated her opinion the fix would be to change those regional boards, rather than changing City Council terms.

City Clerk Robin Estanislau and Assistant to the City Manager Catherine Jun recapped the Straw votes:

Proposed Ballot Measure 1: Items 1 thru 11 – *“Improve wording, make minor clarifications, and modify administrative processes”* (Sections 300, 303(d), 303(a), 303(b), 304(a), 303(c), 400(d), 801(e), 311(d), 601, 604, 312(c), 312(a), 612(c), 804; and, Items 1, 2, and 4 – *“Suggested amendments from City Representatives”* (Sections 303(a), 306, 311(d).

Proposed Ballot Measure 2: Items 1 and 2 – *“Clarify the roles and responsibilities of the City Attorney, Clerk and Treasurer”* (Sections 309, 310 and 311).

Proposed Ballot Measure 3: Item 1 – *“Remaining amendments proposed by the Committee”* (Section 300).

Proposed Ballot Measure 4: Item 5 – *“Suggested amendments from City Representatives”* (Sections 304(b), 309, 310 (new) with 310(a)(2)(B) being reviewed for ambiguity.

Councilmember Kalmick confirmed with City Manager Assistant Jun the process moving forward will consist of staff's presentation of proposed resolutions on July 5, 2022, including actual ballot measure language and redline version of the Charter, followed by a City Council resolution to identify someone to write arguments in favor and against, and Council may want to direct staff to prepare an impartial analysis.

A motion was made by Kalmick, second Posey, to approve proposed Charter amendment ballot measures taken by straw vote for placement on the November 8, 2022 General Election ballot for voter approval; direct staff to prepare and return for Council consideration ballot measure language and all other materials required for submittal to the Orange County Registrar of Voters; and, recognize the Committee's work and dissolve the Committee per HBMC 2.100.010.

The motion carried by the following vote:

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

At approximately 11:07 PM, a motion by Kalmick, second Delgleize, was approved 6-0-1 (Peterson-Absent) to continue the meeting past the hour of 11:00 PM.

24. 22-444 TABLED TO JULY 5 — Request for City Council direction on regulatory framework and ordinances on commercial cannabis activities

Councilmember Carr suggested this item be tabled until the July 5, 2022, meeting because of the lengthy discussion it will require.

Councilmember Kalmick noted there will probably be lots of public comments so proper time needs to be allotted, and confirmed with staff that tabling this item to the next City Council meeting will not jeopardize ability to meet election deadlines.

A motion was made by Carr, second Posey, to table request for City Council direction on regulatory framework and ordinances on commercial cannabis activities.

The motion carried by the following vote:

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

COUNCILMEMBER ITEMS

25. 22-548 Item submitted by Councilmembers Kalmick and Moser approved as amended — Senior Mobile Home Rental Assistance Program

Councilmember Kalmick provided a brief overview of the item, explaining this Program would spend federal dollars, and funding will not come out of the City's General Fund. He also clarified that the two-year limitation applies to participants, who would only be allowed to be on the program for two years. As presented, there is no two-year limit for the proposed program. Councilmember Kalmick noted it is also important to keep helping people currently getting assistance.

Councilmember Moser stated there are legitimate public concerns pertaining to rent increases, and staff will have to evaluate options. She noted that Fullerton has a great model that can be studied, and suggested staff work with Families Forward on the solution. Councilmember Moser stated that City Council is trying to provide some immediate breathing room for the City's seniors.

Councilmember Carr shared her appreciation for the item being brought forward as this has been under discussion since January. She stated City Councilmembers have discussed their concerns with Assembly and Senate members, County staff, and even other city councilmembers who have rent stabilization ordinances (RSOs) in looking for a potential long-term solution that meets the needs of the residents of Huntington Beach. She added there are many roadblocks to maneuver around and noted that rent increases do not just impact mobile home owners.

Mayor Delgleize thanked Councilmembers Kalmick and Moser for bringing this item forward, and concurred with Councilmember Carr that apartment renters are impacted by rent increases also.

Councilmember Bolton expressed her appreciation for the item being brought forward and support for looking at the model used in Fullerton. She also wants to ensure that families currently receiving TBRA assistance will continue to do so and that support for veterans is included.

Councilmember Kalmick agreed with Councilmember Bolton pertaining to prioritizing the veterans, and shared his concerns regarding a potential subsidy and the need for much more discussion including the Manufactured Housing Educational Trust (MHET).

Councilmember Moser noted that there are multiple issues, including affordable housing for mobile home parks and seniors. She added this is a huge problem that is spurring additional conversations regarding the housing needs of seniors everywhere, whether permanent supportive housing, affordable housing, or shared housing. Councilmember Moser suggested that everyone keep talking about the issue until solutions are provided, whether from the federal, state, county or local level. She noted the motion needs to be amended to direct staff to explore, rather than phase out, the current TBRA program.

Mayor Pro Tem Posey noted there is definitely a demand for housing that greatly outstrips the supply, and as demand goes up the price goes up. He stated this looks like a viable solution to help those who qualify with federal tax dollars and not utilizing Huntington Beach General Fund monies. He also noted that the incoming City Council will be tasked with the Regional Housing Needs Assessment (RHNA) of providing a minimum of 13,368 affordable housing units, and City Council can help increase the supply of affordable housing through smart zoning and approval of good projects.

A motion was made by Moser, second Kalmick to ~~Direct staff to phase out the current TBRA program with existing nonprofit service providers and come back to Council within 60 days with (a) policies and procedures for a Senior Mobile Home Rental Assistance Program, (b) any amendments required by HUD to redirect the existing TBRA program to senior mobile home residents, and (c) a staffing plan or a potential nonprofit partner to administer the new program.~~ **As amended, direct staff to bring forward recommended TBRA Program Guidelines that expands the preference to include mobile home park owners. Recommendations should be based on researching other programs and identifying best practices, leveraging existing relationships with current service providers while recognizing current obligations, and adhering to all federal regulations.**

The motion as amended carried by the following vote:

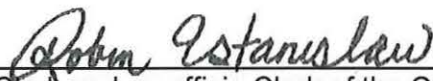
AYES: Bolton, Posey, Delgleize, Carr, Moser, and Kalmick
NOES: None
ABSENT: Peterson

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Moser shared belated birthday wishes for Amory Hanson.

ADJOURNMENT — 11:40 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, July 5, 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