



## AGENDA

### City Council/Public Financing Authority

Tuesday, December 19, 2023

### Special Meetings of the Housing Authority, Parking Authority and Successor Agency

#### Council Chambers

2000 Main Street  
Huntington Beach, CA 92648

#### MAYOR AND CITY COUNCIL

GRACEY VAN DER MARK, Mayor  
PAT BURNS, Mayor Pro Tem  
RHONDA BOLTON, Councilmember  
DAN KALMICK, Councilmember  
CASEY McKEON, Councilmember  
NATALIE MOSER, Councilmember  
TONY STRICKLAND, Councilmember

#### STAFF

ERIC G. PARRA, Interim City Manager  
MICHAEL E. GATES, City Attorney  
ROBIN ESTANISLAU, City Clerk  
ALISA BACKSTROM, City Treasurer

**IN-PERSON PUBLIC PARTICIPATION:** Members of the public are welcome to attend City Council meetings in person. Alternate ways to view meetings live or on-demand include: livestreamed on HBTB Channel 3 (replayed on Wednesday at 10:00 a.m. and Thursday at 6:00 p.m.); live and archived meetings for on-demand viewing accessed from <https://huntingtonbeach.legistar.com/calendar>, <https://bit.ly/SurfCityTV>, or the City's YouTube Channel at <https://www.youtube.com/cityofhb>, or from any Roku, Fire TV or Apple device by downloading the Cablecast Screenweave App and searching for the City of Huntington Beach channel.

**PUBLIC COMMENTS:** Individuals wishing to provide a comment on agenda-related items including Study Session, Closed Session, and Public Hearing, may do so in person in the City Council Chambers by completing a **Request to Speak** form delivered to the City Clerk.

**SUPPLEMENTAL COMMUNICATION:** Members of the public unable to personally participate in the meeting but interested in communicating with the City Council on agenda-related items are encouraged to submit a written (supplemental) communication to the Council via email at [SupplementalComm@Surfcity-hb.org](mailto:SupplementalComm@Surfcity-hb.org). Supplemental Communications are public record, and if received by 9:00 AM on the day of the meeting, will be distributed to the City Council prior to consideration of agenda-related items, posted to the City website, and announced, but not read, at the meeting. Communications received after the 9:00 AM deadline will be incorporated into the administrative record. Members of the public are also welcome to communicate with the City Council (and staff supporting Council) at [City.Council@surfcity-hb.org](mailto:City.Council@surfcity-hb.org).

**MEETING ASSISTANCE NOTICE:** In accordance with the Americans with Disabilities Act, services are available to members of our community who require special assistance to participate in public meetings. If you require special assistance, 48-hour prior notification will enable the City to make reasonable arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas. Please contact the City Clerk's Office at (714) 536-5227 for more information.

**5:00 PM - COUNCIL CHAMBERS**

**CALL TO ORDER**

**ROLL CALL**

Moser, Bolton, Burns, Van Der Mark, Strickland, McKeon, Kalmick

**CITY COUNCIL MEMBER COMMENTS (3-Minute Time Limit)**

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)**

**PUBLIC COMMENTS (3-Minute Time Limit)**

At this time, the City Council will receive comments from members of the public regarding any topic, including items on the Study Session and/or Closed Session agendas. Individuals wishing to provide a comment on item(s) may do so in person by filling out a Request to Speak form delivered to the City Clerk. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

Please note that the Brown Act does not allow discussion or action on topics that are not on the agenda. Members of the public who would like to speak directly with a Councilmember on an item not on the agenda may consider scheduling an appointment by contacting the City Council's Administrative Assistant at (714) 536-5553 or emailing the entire City Council at [city.council@surfcity-hb.org](mailto:city.council@surfcity-hb.org).

**RECESS TO CLOSED SESSION**

**CLOSED SESSION**

1.     [23-1032](#)     **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager and Melanie Chaney, Chief Negotiator; also in attendance: Jose Rodriguez, Human Resources Manager; Theresa St Peter, Interim Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney; Scott Haberle, Fire Chief and Sunny Han, Chief Financial Officer. Employee Organization: The Huntington Beach Firefighters' Association (HBFA).**
  
2.     [23-1033](#)     **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION (Gov. Code section 54956.9(d)(2).): Number of matters: One (1).**

3. [23-1062](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.**  
(Paragraph (1) of subdivision (d) of Section 54956.9). Page (John & Shaya) v. City of Huntington Beach and Eric Scott Cunningham;  
OCSC Case No.: 30-2022-01280954.

**6:00 PM – COUNCIL CHAMBERS**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALL TO ORDER SPECIAL MEETINGS OF THE HOUSING AUTHORITY, PARKING AUTHORITY, AND SUCCESSOR AGENCY**

**ROLL CALL**

Moser, Bolton, Burns, Van Der Mark, Strickland, McKeon, Kalmick

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

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

4. [23-985](#) **Huntington Beach Police and Fire Chaplain Roger Wing**

**CLOSED SESSION REPORT BY CITY ATTORNEY**

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)**

**PUBLIC COMMENTS (3-Minute Time Limit)**

At this time, the City Council will receive comments from members of the public regarding any topic, including items on the open session agenda. Individuals wishing to provide a comment may do so in person by filling out a Request to Speak form delivered to the City Clerk. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

Please note that the Brown Act does not allow discussion or action on topics that are not on the agenda. Members of the public who would like to speak directly with a Councilmember on an item not on the agenda may consider scheduling an appointment by contacting the City Council's Administrative Assistant at (714) 536-5553 or emailing the entire City Council at [city.council@surfcity-hb.org](mailto:city.council@surfcity-hb.org).

While the City Council welcomes public involvement and supports and defends free speech, the City Council rejects comments from anyone that are discriminatory, defamatory or otherwise not protected free speech. Those comments will not inform nor be considered by the City Council and may be cause for the Mayor to interrupt the public speaker. Such public comments will not be

consented to or otherwise adopted by the City Council in its discussions and findings for any matter tonight.

### **COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS**

Councilmembers may make brief announcements on any appointments made to a board, committee, or commission. Councilmembers may not discuss or take any action on these announcements. Announcements are limited to 1 minute.

#### **5. [23-1038](#) Approve Mayor Van Der Mark's 2024 Council Liaison List**

##### **Recommended Action:**

As recommended by the City Council, Public Financing Authority, Housing Authority, Parking Authority, and Successor Agency: approve the 2024 Council Liaison List that includes appointments to citizen boards, commissions, committees, and task forces as presented by Mayor Van Der Mark.

The City Clerk certifies that FPPC Form 806 "Agency Report of Public Official Appointments" which is used to report additional compensation that officials receive when appointing themselves to positions on committees, boards or commissions of a public agency, special district and joint powers agency or authority was posted to the City's website according to law prior to this vote.

### **AB 1234 REPORTING**

Per AB 1234 (Government Code Section 53232.3(d)) Councilmembers who attend a meeting, conference, or similar event at the expense of the City must provide a brief report of the meeting, conference, or similar event during the next regular City Council meeting. Reports are limited to 1 minute.

### **OPENNESS IN NEGOTIATION DISCLOSURES**

Councilmembers must publicly disclose any meetings or communications with City employee associations, related to the negotiations of labor agreements. Disclosures are limited to 1 minute and must be made by the next regular City Council Meeting.

### **CITY MANAGER'S REPORT**

### **CONSENT CALENDAR**

#### **City Clerk**

#### **6. [23-1037](#) Approve and Adopt Minutes**

##### **Recommended Action:**

A) Approve and adopt the City Council/Public Financing Authority regular meeting minutes of November 21, 2023; and,

B) Approve and adopt the City Council/Public Financing Authority regular meeting

minutes of December 5, 2023.

7. [23-1036](#) **November Update of Activities for Citizen Boards, Commissions, Committees (BCCs) and Regional Agencies**

**Recommended Action:**

Receive and File.

8. [23-1035](#) **Receive and file the Maddy Act Local Appointments List - 2024 (terms on City boards, commissions, and committees that expire in 2024) informing the public of openings and vacancies based on 2024 expiration of current members' terms**

**Recommended Action:**

Receive and file the Maddy Act Local Appointments List - 2024 showing vacancies that will occur on City boards, commissions, and committees in the year 2024, and direct the City Clerk to post the list at official posting locations (Civic Center, Huntington Central Library, and Main Street Library). Copies of the Maddy Act Local Appointments List - 2024 will also be posted at all branch libraries and on the City's website.

**City Manager**

9. [23-717](#) **Approve and accept the Fiscal Year (FY) 2023-24 State Earmark Funding of \$1,100,000 via the California Department of Housing and Community Development; authorize the City Manager and Chief Financial Officer to execute documents; and appropriate the funds into the FY 2023/24 Operating Budget**

**Recommended Action:**

A) Approve and accept the FY 2023-24 State Funding of \$1,100,000 via the California Department of Housing and Community Development awarded to the City of Huntington Beach; and

B) Authorize the City Manager and Chief Financial Officer as the officials to execute any award-related documents to receive the funding; and

C) Appropriate the funds totaling \$1,100,000 in the FY 2023/24 City Manager's Office, Homeless and Behavioral Health Division operating budget (Business Unit 128130103.69365).

**City Treasurer**

10. [23-1023](#) **Adopt Resolution No. 2023-59 approving the 2024 Investment Policy**

**Recommended Action:**

Adopt Resolution 2023-59, "A Resolution of the City Council of the City of Huntington

Beach Approving the Statement of Investment Policy 2024.”

**Community and Library Services**

11. [23-1051](#) **Authorize the appropriation of \$160,500 from the AES Fund 1284 fund balance for the design and installation of a new backstop and fencing for the City’s north softball field at Edison Park**

**Recommended Action:**

Authorize the appropriation of \$160,500 from the AES contingency fund balance 1284 to Account 128485005.82800 to complete the necessary softball field backstop and fencing improvements at Edison Park.

**Community Development**

12. [23-1031](#) **Approve Local Coastal Program Amendment (LCPA) No. 23-002 by adopting City Council Resolution No. 2023-61 and request its certification by the California Coastal Commission**

**Recommended Action:**

Approve Local Coastal Program Amendment No. 23-002 by adopting Resolution No. 2023-61, “A Resolution of the City Council of the City of Huntington Beach Adopting Local Coastal Program Amendment No. 23-002 and Requesting Its Certification by the California Coastal Commission,” (Attachment No. 1).

**Finance**

13. [23-1044](#) **Adopt Successor Agency Resolution Nos. 2023-04 and 2023-05 approving the Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for the Huntington Beach Successor Agency for the period of July 1, 2024, through June 30, 2025, in accordance with Health and Safety Code Section 34177 and related actions**

**Recommended Action:**

A) Adopt Resolution No. 2023-04, “A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Approving the Successor Agency Administrative Budget for the Period July 1, 2024, through June 30, 2025;” and,

B) Adopt Resolution No. 2023-05, “A Resolution of the Successor Agency to the Redevelopment Agency of the City of Huntington Beach Approving the Recognized Obligation Payment Schedule for the Period July 1, 2024 - June 30, 2025 (‘ROPS 24-25’).”

14. [23-1058](#) **Accept and approve the Development Impact Fee (DIF) Report for Fiscal Year 2022-23 and to make findings as required by Government Code Sections 66006 and 66001**

**Recommended Action:**

Adopt Resolution No. 2023-62, "A Resolution of the City Council of the City of Huntington Beach to Accept and Approve the Development Impact Fee Report for Fiscal Year Ending June 30, 2023 and to make the Findings as required by Government Code Sections 66006(b) and 66001(d)."

**Fire**

15.     [23-1049](#)     **Adopt Resolution No. 2023-63 approving the application for Whale Tail Grant Funds from the California Coastal Commission**

**Recommended Action:**

Adopt Resolution No. 2023-63, "A Resolution of the City Council of the City of Huntington Beach Approving the Application(s) for Whale Tail Grant Funds from California Coastal Commission."

**Human Resources**

16.     [23-1045](#)     **Adopt Resolution No. 2023-65 Amending the Memorandum of Understanding Between the City of Huntington Beach and the Huntington Beach Police Management Association by Adopting a Side Letter of Agreement**

**Recommended Action:**

Adopt Resolution No. 2023-65, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding between the City of Huntington Beach and the Huntington Beach Police Management Association by Adopting a Side Letter of Agreement."

17.     [23-1041](#)     **Adopt Resolution No. 2023-64 modifying the pay schedule for part-time, non-permanent and non-classified employees to comport with the State minimum wage increase effective January 1, 2024**

**Recommended Action:**

Adopt Resolution No. 2023-64, "A Resolution of the City Council of the City of Huntington Beach Approving the Pay Schedule for Part-Time Non-Permanent and Non-Classified Employees Effective January 1, 2024," and authorize the City Manager or designee to take all administrative and budgetary actions necessary to implement the revised pay schedule.

**Public Works**

18.     [23-1054](#)     **Accept bid and authorize execution of a construction contract with PALP Inc. DBA Excel Paving Company in the amount of \$4,398,952.10 for the Oak View Streetscape Improvement Project,**

**CC-1689; and authorize 15% in contingency funds**

**Recommended Action:**

- A) Accept the lowest responsive and responsible bid submitted by PALP Inc. DBA Excel Paving Company in the amount of \$4,398,952.10 (Base Bid + Alternate Bid Items (Schedule B)); and
- B) Authorize the Director of Public Works to approve up to a 15% contingency in potential construction change orders; and
- C) Authorize the Mayor and City Clerk to execute a construction contract with PALP Inc. DBA Excel Paving Company in a form approved by the City Attorney.

**19. [23-1060](#) Approve and accept the public improvements, release the securities for, and accept a Guarantee and Warranty Bond for the Huntington Gateway Phase II Industrial Project**

**Recommended Action:**

- A) Accept the improvements constructed and dedicated for public use with the Huntington Gateway Phase II Industrial Project, and instruct the City Clerk to record the Notice of Acceptance of Public Improvements (Attachment 2) with the Orange County Recorder; and,
- B) Accept Guarantee and Warranty Bond No. 800043002 (Attachment 3); the security furnished for guarantee and warranty of public improvements; and instruct the City Clerk to file the bond with the City Treasurer; and,
- C) Instruct the City Clerk to notify the developer, Huntington Gateway Industrial II, LLC, of this action, and the City Treasurer to notify the Surety, Atlantic Specialty Insurance Company, of this action.

**20. [23-1059](#) Approve two-year service agreement for downtown shuttle service provider Circuit Transit, Inc. for a not to exceed amount of \$1,535,426**

**Recommended Action:**

- A) Approve the two-year service contract with Circuit Transit, Inc. with a not-to-exceed amount of \$1,535,426; and
- B) Approve a budget appropriation in the amount of \$806,240 for the OCTA Project V grant funds into account 126390001.69505; and
- C) Grant the City Manager the authority to execute the cooperative agreement between the City of Huntington Beach and Orange County Transit Authority; and
- D) Approve a budget appropriation in the amount of \$100,000 from the In-Lieu Parking



fund to 30885101.69505

**PUBLIC HEARING**

21. [23-994](#) **Consider the Bolsa Chica Senior Living Community Project - Adoption of Resolution No. 2023-51 approving General Plan Amendment No. 21-004; introduction of Ordinance No. 4305 approving Zoning Map Amendment No. 21-003; adoption of Resolution No. 2023-53 approving Zoning Text Amendment No. 22-005; adoption of Resolution No. 2023-52 certifying Environmental Impact Report (EIR) No. 21-004; and, consider appeals by Council Member Burns and Brian Thienes of the Planning Commission's approval of Conditional Use Permit No. 21-024**

**Recommended Action:**

The City Council may take the following actions or alternative actions:

Applicant's Request (Proposed Project)

A) Certify Final Environmental Impact Report No. 21-004 (Attachment No. 16) as adequate and complete in accordance with California Environmental Quality Act (CEQA) requirements by approving City Council Resolution No. 2023-52, "A Resolution of the City Council the City of Huntington Beach Adopting Environmental Impact Report No. 21-004 for the Bolsa Chica Senior Living Community Project" (Attachment No. 2); and

B) Approve General Plan Amendment No. 21-004 and City Council Resolution No. 2023-51, "A Resolution of the City Council of the City of Huntington Beach Approving General Plan Amendment No. 21-004" (Attachment No. 3); and

C) Approve Zoning Map Amendment No. 21-003 and approve for introduction City Council Ordinance No. 4305, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Zoning and Subdivision Ordinance to Rezone the Real Property Generally Located on the Southwest Corner of Warner Avenue at Bolsa Chica Street from CG (Commercial General) to SP-19 (Bolsa Chica Senior Living Community Specific Plan)" (Attachment No. 4); and

D) Approve Zoning Text Amendment No. 22-005 and City Council Resolution No. 2023-53, "A Resolution of the City Council of the City of Huntington Beach Adopting Zoning Text Amendment No. 22-005 by Creating the Bolsa Chica Senior Living Community Specific Plan (SP-19) to Apply to Real Property at the Southwest Corner of Warner Avenue at Bolsa Chica Street" (Attachment No. 5); and

E) Deny two appeals and uphold the Planning Commission's approval of Conditional Use Permit No. 21-024 with findings and conditions of approval (Attachment No. 1).

**ADMINISTRATIVE ITEMS**

22. [23-1047](#) **Introduction of the Proposed Memorandum of Understanding Between the Huntington Beach Firefighter's Association (HBFA) and the City of Huntington Beach for January 1, 2024 through December 31, 2026**

**Recommended Action:**

Approve introduction of the proposed Memorandum of Understanding Between the Huntington Beach Firefighter's Association and the City of Huntington Beach for the period January 1, 2024, and December 31, 2026.

23. [23-1048](#) **Introduction of the Proposed Memorandum of Understanding Between the Huntington Beach Fire Management Association (FMA) and the City of Huntington Beach for January 1, 2024 through December 31, 2026**

**Recommended Action:**

Approve introduction of the proposed Memorandum of Understanding Between the Huntington Beach Fire Management Association and the City of Huntington Beach for the period January 1, 2024, and December 31, 2026.

**ORDINANCES FOR INTRODUCTION**

24. [23-999](#) **Approve for introduction Ordinance No. 4303 and authorize requested changes to Huntington Beach Municipal Code Chapter 10.44.062 Relating to Parking - Time Limits**

**Recommended Action:**

Approve the introduction of Ordinance No. 4303, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 10.44 of the Huntington Beach Municipal Code Relating to Parking - Time Limits" to address special permits regarding parking time limits for recreational vehicles.

**COUNCIL MEMBER ITEMS**

25. [23-1063](#) **Item Submitted by Mayor Van Der Mark, Mayor Pro Tem Burns, and Council Member McKeon - Consider Establishing a Monthly Program to Honor the Historic Heritage of the United States, State of California, and City of Huntington Beach**

**Recommended Action:**

Request the City Manager to direct staff to implement the 2024 monthly program listed above. In addition, form a Brown Act committee of 7-9 residents appointed by two Council liaisons to continue developing twelve-month programs (starting with 2025) designed to celebrate and honor the rich historic heritage of the United States, California, and Huntington Beach. Each month will be dedicated to a specific theme, highlighting significant events,

landmarks, and influential figures that have shaped the history of our Nation, State, and City. Through a series of engaging activities utilizing our libraries and media resources, residents and visitors alike will have the opportunity to explore, appreciate, and preserve the legacy of the history that led Huntington Beach to be a great American city. (This series would be intended to be free of any identity politics and political agendas.)

The Committee would meet on a limited basis (1-3 times per year) to develop the twelve-month calendar with their Council Liaisons and Staff Liaison to ensure that the City has the ability to present the content. The Committee will then present the calendar to City Council for approval before the start of the year; amendments may also be presented as needed. The Committee should be able to enlist the assistance of the Historic Resource Board and City staff within reason via Council liaison requests. All monthly themes hosted by the City must be included in this approved twelve-month program and will therefore repeal and supersede all such monthly themes/celebrations previously approved by Council. This effort excludes proclamations requested by outside groups and presented by the Mayor per Administrative Regulation 512.

### **ADJOURNMENT**

**The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, January 16, 2024, 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>**