



CITY OF HUNTINGTON BEACH
CITY COUNCIL MEETING – COUNCIL MEMBER ITEMS REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

FROM: DAN KALMICK, CITY COUNCILMEMBER
RHONDA BOLTON, CITY COUNCILMEMBER
NATALIE MOSER, CITY COUNCILMEMBER

DATE: JANUARY 16, 2024

SUBJECT: **RHONE LANE – OC SAN EASEMENT ISSUE**

For roughly the last 60 years, the Orange County Sanitation District (“OC San”) has held an easement on properties on the west side of Rhone Lane in Northeast Huntington Beach. Over the years, there has been encroachment into that easement by residents. We understand both the residents and the City have been aware of the encroachment.

The City Council was fully briefed in September 2023 about OC San’s intent to reclaim its easement. At that time, OC San advised that it would notify owners of encroaching properties that OC San had a plan to move their walls back to the edge of the easement and require those owners to remove any hardscaping, pools or portions of their homes that now encroach into OC San’s easements.

Councilmembers Kalmick, Bolton and Moser asked to be notified before OC San took action on its plan, to allow us to prepare the residents for what options OC San might present to them. Unbeknownst to us, OC San sent letters to residents on December 1, 2023, informing them of OC San’s intent to revive their easement and pay for removal of encroachments; giving residents only 60 days to respond during the stressful holiday season. Had we known these letters were going out, we would’ve knocked doors and held a town hall with residents prior to OC San’s notices.

We believe it is the City Council’s obligation to represent our residents’ interests and advocate for them to other local and regional government organizations. In contrast, our representative to OC San, Mayor Pro Tem Burns, apparently communicated to our residents that the City is not interested in getting involved in this matter. However, per our City Charter, the Mayor Pro Tem does not speak for the entire City Council; this is a matter for the City Council to decide.

(During the creation of this item, staff made us aware of another Councilmember contemplating bringing a similar item forward. Because of the Brown Act, we would be unable to discuss and/or coordinate similar items. We ask if a similar item is placed on the agenda that they be heard together.)

RECOMMENDED ACTION

We recommend that the City Council request OC San pause its action for 60 days on this issue at its meeting on January 17, 2024 (We asked the OC San Board Chair to agendaize this issue as a placeholder in preparation for our vote tonight or failing that a Special Meeting). We should further engage the City Manager and City Staff to

work with OC San staff on additional options available to residents affected by this encroachment. And, if appropriate, have staff convene a town hall with residents and appropriate parties to discuss the issue.

