



## AGENDA

### City Council/Public Financing Authority

Tuesday, February 4, 2025

Closed Session - 4:30 PM

**\*Study Session - Moved to Regular Meeting\***

Regular Meeting - 6:00 PM

#### MAYOR AND CITY COUNCIL

*PAT BURNS, Mayor*  
*CASEY MCKEON, Mayor Pro Tem*  
*DON KENNEDY, Councilmember*  
*TONY STRICKLAND, Councilmember*  
*BUTCH TWINING, Councilmember*  
*GRACEY VAN DER MARK,*  
*Councilmember*  
*CHAD WILLIAMS, Councilmember*

#### Council Chambers

**2000 Main Street  
Huntington Beach, CA 92648**

#### STAFF

*TRAVIS HOPKINS, Acting City Manager*  
*MICHAEL E. GATES, City Attorney*  
*LISA LANE BARNES, 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 HDTV 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.

**PRESENTATION MATERIAL:** Presentations/AV materials shall be submitted to staff no later than 9AM the day of the meeting to [PublicPresentations@huntingtonbeachca.gov](mailto:PublicPresentations@huntingtonbeachca.gov). Members of the audience and speakers shall not wear or display signs that obstruct the view of other audience members. Signs shall remain with the holder and shall not be placed in adjacent seats or in common areas.

**PUBLIC COMMENTS:** Individuals wishing to provide a comment on agendized or non-agendized 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. Sign-ups to Request to Speak will begin in person 30 minutes prior to the start of Study Session, Closed Session, or Regular City Council Meeting, whichever comes first. Sign-ups will be accepted until the commencement of the public comment period.

**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.

**4:30 PM - COUNCIL CHAMBERS**

**CALL TO ORDER**

**ROLL CALL**

Twining, Kennedy, McKeon, Burns, Van Der Mark, Strickland, Williams

**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 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.     [25-066](#)       **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Travis Hopkins, Acting City Manager; also in attendance: Marissa Sur, Director of Human Resources; Michael E. Gates, City Attorney and David Cain, Interim Chief Financial Officer. Employee Organization: Huntington Beach Municipal Teamsters (HBMT).**
  
2.     [25-067](#)       **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Travis Hopkins, Acting City Manager; also in attendance: Marissa Sur, Director of Human Resources; Michael E. Gates, City Attorney and David Cain, Interim Chief Financial Officer. Employee Organization: Management Employees' Organization (MEO).**
  
3.     [25-068](#)       **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Travis Hopkins, Acting City Manager; also in attendance: Marissa Sur, Director of**

Human Resources; Michael E. Gates, City Attorney and David Cain, Interim Chief Financial Officer. Employee Organization: Marine Safety Management Association (MSMA).

4. [25-069](#) PUBLIC EMPLOYEE APPOINTMENT (Gov. Code section 54957(b)(1).) Title: City Manager.
  
5. [25-070](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Frahm (Robert), et al. v. City of Huntington Beach; OCSC Case No.: 30-2023-01319592.
  
6. [25-071](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Clayton-Tarvin (Gina) v. City of Huntington Beach, et al.; OCSC Case No.: 30-2023-01329927.
  
7. [25-072](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). People of the State of California/Bonta v. City of Huntington Beach/Zelinka; Case No. 30-2023-01312235.
  
- NEW [25-075](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 21091 Pacific Coast Highway, Huntington Beach, CA, 92648 (APN 024-281-16). Agency Negotiators: Travis Hopkins, Acting City Manager; Ashley Wysocki, Director of Community and Library Services; Chris Cole, Community and Library Services Manager; William Krill, Real Estate Project Manager. Negotiating Parties: (Not Present) Dave Clapp DBA Jack's Beach Concessions. Under negotiation: Price and terms of lease.

**6:00 PM – COUNCIL CHAMBERS**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING**

**ROLL CALL**

Twining, Kennedy, McKeon, Burns, Van Der Mark, Strickland, Williams

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

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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.

9. [25-065](#) **Huntington Beach Police Chaplain James Pike**

**CLOSED SESSION REPORT BY CITY ATTORNEY**

**CITY COUNCIL MEMBER COMMENTS (2-Minute Time Limit)**

The Mayor will facilitate a voluntary opportunity for members of the Huntington Beach City Council to individually make brief comments to the public. Please note that the Brown Act does not allow for lengthy comments, discussion, or action on topics that are not on the agenda.

**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.

**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**

8. [25-053](#) **Presentation of New Long Range Financial Plan (Moved from Study Session)**

### **CONSENT CALENDAR (Items 10 - 14)**

#### **City Clerk**

10. [25-064](#) **Approve and Adopt Minutes**

**Recommended Action:**

Approve and adopt the City Council/Public Financing Authority regular meeting and the Successor Agency meeting minutes of January 21, 2025.

#### **Community Development**

11. [24-869](#) **Approve and authorize execution of a License Agreement with Visit Huntington Beach (VHB) for use of the Visitor Information Kiosk located at Pier Plaza**

**Recommended Action:**

Approve and authorize the Mayor and City Clerk to execute the "Non-Exclusive License Agreement Between the City of Huntington Beach and Visit Huntington Beach" for the use of the Visitor Information Kiosk located at Pier Plaza.

#### **Public Works**

12. [25-016](#) **Approve and Accept the Public Improvements, Release the Sureties for, and Accept a Guarantee and Warranty Bond for the LeBard Residential Project (Tract 17801)**

**Recommended Action:**

A) Accept the improvements constructed and dedicated for public use with Tract 17801, 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. 36K003143 (Attachment 3); the surety 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 Treasurer to release the Faithful Performance Bond No. 379919S, Labor and Material Bond No. 379919S, and Monument Bond No. 379922S, pursuant to California Government Code Section No. 6649.7(a); and,

D) Instruct the City Clerk to notify the developer, HB Homes Management, LLC, of this action, and the City Treasurer to notify the surety company, Indemnity Company of California, of this action.

13. [25-021](#) **Approve and authorize the execution of a Cost Sharing Agreement for the development of a template Cross-Connection Control Plan in collaboration with 23 Public Water Systems in Orange County, under the organized leadership of the Irvine Ranch Water District**

**Recommended Action:**

Approve and authorize the City Manager to execute the Cost Sharing Agreement with 23 Public Water Systems in Orange County to ensure compliance with state regulations.

14. [24-890](#) **Approve and authorize execution of Amendment No. 1 to the Professional Service Agreements with AESCO Inc. and Dudek for On-Call Construction Management and Engineering Services**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Agreement between the City of Huntington Beach and AESCO for On-Call Material Inspections and Engineering Services", to extend the term by one year and increase the contract amount by \$250,000; and,

B) Approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Agreement between the City of Huntington Beach and Dudek for On-Call Construction Management and Engineering Services", to extend the term by one year and increase the contract amount by \$300,000

**PUBLIC HEARING**

For the benefit of the public, prior to a public hearing item, each member of the City Council will disclose any ex parte communications they may have had pertaining to the item. In simple terms, public hearings are quasi-judicial proceedings and the information used by the City Council to make its decisions should be limited to that which is obtained during the public hearing. Ex parte communications, then, means any information obtained outside of a public hearing. In such public hearing proceedings, the City Council must uphold constitutional and statutory due process rights of present and non-present parties by disclosing ex parte communications. Ex parte communications include oral and written information, as well as visual or auditory information obtained during a site visit.

Individuals wishing to provide a comment on an item scheduled for Public Hearing may do so in

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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.

15. [24-862](#) **Conduct a Tax Equity and Financial Responsibility Act public hearing and adopt Resolution No. 2025-05 approving, authorizing, and directing execution of a Joint Exercise of Powers Agreement relating to the California Public Finance Authority and approving the Issuance by the California Public Finance Authority of Revenue Bonds in an amount not to exceed \$325,000,000 for Marisol HB, LLC, with no City obligations, as well as a Payment in Lieu of Taxes Agreement**

**Recommended Action:**

A) Conduct a public hearing under the requirements of TEFRA and the Internal Revenue Code in consideration of the issuance of tax-exempt bonds by the California Public Finance Authority (CalPFA) for the benefit of Marisol HB, LLC for the acquisition, construction, expansion, remodeling, renovation, improvement, furnishing, and/or equipping of a rental senior living community facility located generally at 2120 Main St., Huntington Beach, CA, 92648, to be known as The Marisol; and,

B) Adopt Resolution No. 2025-05, "A Resolution of the City Council of the City of Huntington Beach Approving, Authorizing and Directing Execution of a Joint Exercise of Powers Agreement Relating to the California Public Finance Authority and Approving the Issuance by the California Public Finance Authority of Revenue Bonds in an Aggregate Principal Amount Not to Exceed \$325,000,000 to Benefit Marisol HB, LLC and Certain Other Matters Relating Thereto."

**ADJOURNMENT**

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, February 18, 2025, 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>**