



AGENDA

City Council/Public Financing Authority

Tuesday, November 21, 2023

Council Chambers

2000 Main Street

Huntington Beach, CA 92648

MAYOR AND CITY COUNCIL

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

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.

4:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

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

CITY COUNCIL MEMBER COMMENTS (3-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 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.

RECESS TO CLOSED SESSION

CLOSED SESSION

1. [23-1012](#) **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: Fire Management Association (FMA).**
2. [23-1013](#) **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).

3. [23-1016](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). City of Huntington Beach v. Newsom, et al.; USDC Case No. 8:23-CV-00421-FWS (ADSx).**

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

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

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. [23-984](#) **Huntington Beach Police Chaplain James Pike**

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.

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

5. [23-935](#) E-Bike Update

CITY TREASURER'S REPORT

6. [23-980](#) Receive and File the City Treasurer's September 2023 Quarterly Investment Summary Report

Recommended Action:

Receive and File the City Treasurer's Quarterly Investment Report for September 2023, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

CONSENT CALENDAR (Items 7-16)

CITY CLERK

7. [23-996](#) Approve and Adopt Minutes
-

Recommended Action:

A) Approve and adopt the City Council/Public Financing Authority regular meeting minutes of November 7, 2023.

CITY MANAGER

8. [23-928](#) **Approve the extension of and fee modifications to the Hometown Heroes Banner Program**

Recommended Action:

A) Continue to assume the City's management and installation costs to administer the Hometown Heroes Banner Program; continue to charge the wholesale banner fee of \$160 to qualified applicants for the fabrication of new and replacement banners; and

B) Give the City Manager authority to make any adjustments to the Program's wholesale banner fee to offset any future increase in fabrication costs in the future; the rate may be adjusted by the Consumer Price Index (CPI) rate or up to the full, retail fabrication cost at that time.

COMMUNITY AND LIBRARY SERVICES

9. [23-1014](#) **Reaffirmation of Huntington Beach's Sister City Covenant with Anjo, Japan**

Recommended Action:

Approve and authorize the Mayor and Mayor Pro Tempore to execute a Reaffirmation of the Sister City Covenant with Anjo, Japan.

POLICE

10. [23-1015](#) **Request for use of additional SLESF funds to fund and finalize purchase of a Police helicopter**

Recommended Action:

A) Authorize the use of an additional \$500K in SLESF funds to finalize the purchase of a police helicopter 530F; and

B) Appropriate \$500K from the SLESF fund balance to account 98470101.

PUBLIC WORKS

11. [23-961](#) **Adopt Resolution No. 2023-56 ordering the Summary Vacation of an easement over a portion of Third Street in the City of Huntington Beach**

Recommended Action:

- A) Adopt Resolution No. 2023-56, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an easement over a portion of Third Street in the City of Huntington Beach," (Attachment 1); and
- B) Instruct the City Clerk to record Resolution No. 2023-56 and the respective, attached exhibits with the Orange County Recorder.

12. [23-976](#) **Approve and authorize execution of three (3) Professional Services Contracts for On-Call Environmental Engineering Consulting Services with CWE, Inc., Environmental Engineering & Contracting, Inc., and GHD, Inc.**

Recommended Action:

- A) Approve and authorize the Mayor and City Clerk to execute a \$600,000 "Professional Services Contract Between the City of Huntington Beach and CWE, Inc. for On-Call Environmental Engineering Consulting;" and,
- B) Approve and authorize the Mayor and City Clerk to execute a \$600,000 "Professional Services Contract Between the City of Huntington Beach and Environmental Engineering & Consulting, Inc. for On-Call Environmental Engineering Consulting;" and,
- C) Approve and authorize the Mayor and City Clerk to execute a \$600,000 "Professional Services Contract Between the City of Huntington Beach and GHD, Inc. for On-Call Environmental Engineering Consulting."

13. [23-978](#) **Adopt Resolution No. 2023-49 concerning the Measure M2 Expenditure Report for the City of Huntington Beach**

Recommended Action:

Adopt Resolution No. 2023-49, "A Resolution of the City Council of the City of Huntington Beach Concerning the Measure M2 Expenditure Report for the City of Huntington Beach."

14. [23-982](#) **Appropriate \$50,000 from the Storm Water Quality fund balance for the deployment of water quality monitoring buoys (2) to support initial water quality monitoring and scoping for water quality improvement projects in the Huntington Harbour**

Recommended Action:

Appropriate \$50,000 from the Storm Water Quality Fund (892) fund balance to account 89285201.82500. Sufficient fund balance is available to support this request.

15. [23-968](#) **Approve and authorize execution of a License Agreement by and between the City of Huntington Beach and Abound Food Care for**

use of real property for the placement of a solar powered cold food storage unit at the Public Works Corporation Yard, 17371 Gothard Street

Recommended Action:

Approve and authorize the Mayor to execute the License Agreement By and Between The City of Huntington Beach and Abound Food Care For Use of Real Property.

16. [23-1018](#) **Accept bid and authorize execution of a construction contract with Beador Construction Company, Inc. in the amount of \$4,565,300 for the Admiralty Drive Bridge Rehabilitation Project, CC-1450; approve the appropriation of \$2,100,000 from the Measure M undesignated fund balance; and authorize 15% in contingency funds**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by Beador Construction Company, Inc. in the amount of \$4,565,300; and

B) Approve the budget appropriation of \$2,100,000 from the Measure M (213) undesignated fund balance to a new account to be created under Finance Department guidelines; and

C) Authorize the Director of Public Works to approve up to a 15% contingency in potential construction change orders; and

D) Authorize the Mayor and City Clerk to execute a construction contract with Beador Construction Company, Inc. in a form approved by the City Attorney.

ADMINISTRATIVE PUBLIC HEARING

17. [23-995](#) **Appeal of the Planning Commission's denial of Administrative Permit No. 22-015 (Legacy Living LLC Sober Living Reasonable Accommodation) - Continued from November 7, 2023**

Recommended Action:

Deny the appeal and uphold the Planning Commission's denial of Administrative Permit No. 22-015 with findings of denial (Attachment No. 1).

ADMINISTRATIVE ITEMS

18. [23-1017](#) **Approve Resolution No. 2023-60 and Amendment No. 1 to Employment Agreement with Eric G. Parra - Interim City Manager/Police Chief**

Recommended Action:

- A) Approve Amendment No. 1 to the Employment Agreement between the City of Huntington Beach and Eric G. Parra; and
- B) Approve Resolution No. 2023-60, "A Resolution of the City Council of the City of Huntington Beach Amending the Non-Associated Employees Pay and Benefits Resolution (Exhibit 1A) Non-Associated Appointed Executive Management Salary Schedule" to create the Interim City Manager/Police Chief classification and salary range.

COUNCIL MEMBER ITEMS

19. [23-1020](#) **Item Submitted by Council Member Moser - Addressing Veteran Homelessness In Our Community**

Recommended Action:

Request the City Manager and staff to present the following information at a study session in the first quarter of 2024:

- Schedule and conduct a collaborative study session focused on Veteran homelessness.
- Develop a targeted action plan based on the findings of the study session to address gaps and opportunities related to Veteran homelessness.
- Engage with local, state, and federal agencies to maximize resources and support for this initiative.
- Regularly review and adjust the strategy to ensure continued progress and effectiveness.

20. [23-1021](#) **Item Submitted by Council Member Moser - Exploring the Feasibility of Becoming a Certified Autism Destination in Huntington Beach**

Recommended Action:

Request the City Manager and staff to present the following information at a City Council meeting by the second quarter of 2024:

- Conduct a thorough review of the feasibility and requirements for Huntington Beach to become a Certified Autism Destination.
- Engage with experts and stakeholders, including representatives from the disabled community, to gather insights and recommendations for this initiative.
- Develop a plan outlining the steps, resources, costs, and timeline required to achieve the certification, ensuring alignment with the guidelines provided in the APA's Autism Planning and Design Guidelines 1.0.

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, December 5, 2023, 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>