



AGENDA

City Council/Public Financing Authority

Tuesday, September 17, 2024

4:30 PM - Closed Session

6:00 PM - Regular Meeting

Council Chambers

2000 Main Street
Huntington Beach, CA 92648

STAFF

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

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*

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. 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. 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.

4:30 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)

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 PERTAINING TO STUDY AND/OR CLOSED SESSION ITEMS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO STUDY AND/OR CLOSED SESSION ITEMS (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. [24-652](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Property: 21 & 22 Main Street, Huntington Beach, CA 92648
City Negotiators: Eric Parra, Interim City Manager; Travis Hopkins, Assistant City Manager; Kriss Casanova, Economic Development Manager; Steve Holtz, Deputy Director of Community Development.
Negotiating parties: Persons to be negotiated with: (Not Present)
Surf City Partners, LLC
Under negotiation: Price and terms of lease/payment.

2. [24-653](#) **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

(Gov. Code section 54956.9(d)(4).): Number of matters - One (1).

3. [24-657](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney and David Cain, Interim Chief Financial Officer. Employee Organization: Management Employees' Organization (MEO).
4. [24-658](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney and David Cain, Interim Chief Financial Officer. Marine Safety Management Association (MSMA).
5. [24-659](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney and David Cain, Interim Chief Financial Officer. Employee Organization: Huntington Beach Municipal Teamsters (HBMT).
6. [24-666](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney; Scott Haberle, Fire Chief and David Cain, Interim Chief Financial Officer. Huntington Beach Firefighters' Association (HBFA).
7. [24-667](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney and David Cain, Interim Chief Financial Officer. Huntington Beach Fire Management Association (HBFMA).

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

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.

8. [24-604](#) **Huntington Beach Police and Fire Chaplain Roger Wing**

CLOSED SESSION REPORT BY CITY ATTORNEY

AWARDS AND PRESENTATIONS

9. [24-614](#) **Legislative Update provided by California State Senator Janet Nguyen**

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3-Minute Time Limit)

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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

10. [24-619](#) **Huntington Beach Update on the Orange County Power Authority**

CONSENT CALENDAR (Items 11 - 23)

City Clerk

11. [24-605](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes of September 3, 2024.

City Manager

12. [24-634](#) **Adopt Ordinance No. 4326 Adding Chapter 1.23 of the Huntington Beach Municipal Code Relating to Parents' Right to Know City - Approved for Introduction September 3, 2024 - Vote 4-3 (Moser, Bolton, Kalmick - No)**

Recommended Action:

Adopt Ordinance No. 4326, "An Ordinance of the City Council of the City of Huntington Beach Adding Chapter 1.23 of the Huntington Beach Municipal Code Relating to Parents' Right to Know City."

Community Development

13. [24-578](#) **Annual Community Development Block Grant and HOME Investment Partnerships Grant End-of-Year Progress Report to the U.S. Department of Housing and Urban Development**

Recommended Action:

A) Adopt the FY 2023-24 Consolidated Annual Performance and Evaluation Report for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) federal entitlement grant funds; and,

B) Authorize the Interim City Manager to transmit the CAPER to HUD by September 30, 2024.

Community Services

14. [24-642](#) **Approve and authorize execution of Amendment No. 1 to the Memorandum of Understanding between the City of Huntington Beach and the American Legion Huntington Beach Post 133 for the use of City facilities and provision of Veterans Services**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute Amendment No. 1 to the Memorandum of Understanding between the City of Huntington Beach and the American Legion Huntington Beach Post 133 for use of City facilities and provision of Veterans Services.

Fire

15. [24-601](#) **Approve and authorize execution of a contract between Tank Farm, LC and the City of Huntington Beach for the Miley-Keck Tank Farm lease**

Recommended Action:

Approve and authorize Mayor and City Clerk to execute a contract between Tank Farm, LC and the City of Huntington Beach for the Miley-Keck Tank Farm lease.

Police

16. [24-639](#) **Approve and authorize execution of a Lease Agreement with Ares Investment Group, LCC for a new police substation lease at 7711 Center Avenue, Huntington Beach**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute lease agreement with Ares Investment Group, LCC for the lease of a new police substation lease at 7711 Center Avenue, Huntington Beach.

Public Works

17. [24-336](#) **Accept the lowest responsive and responsible bid and authorize execution of a construction contract with US Builders and Consultants Inc. in the amount of \$579,600 for the Storm Water Pump Station Roof and Facilities Improvements Project, CC-1739 and appropriation of funds**

Recommended Action:

- A) Accept the lowest responsive and responsible bid submitted by US Builders and Consultants Inc. in the amount of \$579,600; and,
- B) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and,
- C) Appropriate \$356,864 from Planned Local Drainage Fund undesignated fund balance to Drainage Fund account 21188009.82500.

18. [24-556](#) **Approve and authorize execution of Amendment No. 2 to the Professional Services Contract between City of Huntington Beach and HF&H Consultants, LLC to extend the contract term for 3 years and to increase the amount by \$413,000 for a total amended contract amount not to exceed \$528,000**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Professional Service Contract Between City of Huntington Beach and HF&H Consultants, LLC for Negotiation Services For SB 1383 Compliance"

19. [24-579](#) **Approve and authorize execution of Wireline Crossing Agreement with the Union Pacific Railroad Company for the installation of traffic signal communication conduit on Edinger Avenue (CC-1613) and appropriation of funds**

Recommended Action:

- A) Approve and authorize the Mayor and City Clerk to execute a "Wireline Crossing Agreement, Mile Post: 519.28, Stanton Industrial Lead Subdivision, Location: Huntington Beach, Orange County, California" between the Union Pacific Railroad Company and the City of Huntington Beach; and,
- B) Appropriate \$95,000 to AQMD fund account 20190008.82700.

20. [24-616](#) **Approve and accept the Public Improvements, release the**

**Securities for, and Accept a Guarantee and Warranty Bond for the
Cameron Townhomes Project (Tract 19154)**

Recommended Action:

- A) Accept the improvements constructed and dedicated for public use with Tract 19154, 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. CMS0349976M (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 Treasurer to release the Faithful Performance Bond No. CMS0349976, Labor and Materials Bond No. CMS0349976 and Monument Bond No. CMA0349977, pursuant to the California Government Code Section No. 6649.7(a); and,
- D) Instruct the City Clerk to notify the developer, Shea Homes Limited Partnership, of this action, and the City Treasurer to notify the Surety, RIL Insurance Company, of this action.

21. [24-618](#) **Approve and authorize execution of Agreement #OTF-24-005 for HB Ride Circuit Shuttle Program with California Energy Commission (CEC) to provide funding for the City’s downtown shuttle service with Circuit Transit, Inc. (“Circuit”) and appropriation of funds**

Recommended Action:

- A) Approve Agreement #OTF-24-005 HB Ride Circuit Shuttle Program Grant with the California Energy Commission (CEC) to provide funding for the City’s downtown shuttle service with Circuit Transit, Inc. (“Circuit”); and,
- B) Authorize the Public Works Director to execute the OTF-24-005 HB Ride Circuit Shuttle Program Grant Agreement with California Energy Commission (CEC) electronically; and,
- C) Approve a budget appropriation of \$350,000 for the California Energy Commission (CEC) grant funds into business unit 129885001.69505.

22. [24-625](#) **Approve Sole Source Procurement Request with Jones Chemical (JCI) for Chlorine Gas**

Recommended Action:

Approve the sole source procurement request for the annual purchase of chlorine gas from JCI.

23. [24-633](#) **Approve the June 2024 HB in Motion: Huntington Beach Mobility Implementation Plan**

Recommended Action:

Approve the 2024 HB in Motion: Huntington Beach Mobility Implementation Plan.

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 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.

24. [24-571](#) **Adopt Resolution Nos. 2024-46 and 2024-47 regarding modifications to Local Coastal Program Amendment No. 17-001 approved by the California Coastal Commission and amend the Local Coastal Program and General Plan Land Use Element accordingly**

Recommended Action:

A) Adopt Resolution No. 2024-47, "A Resolution of the City Council of the City of Huntington Beach, which Acknowledges Receipt of the Coastal Commission Action and Adopts and Agrees to Local Coastal Program Amendment (LCPA) No. LCP-5-HNB-24-0003-1 (Magnolia Tank Farm - Huntington Beach LCPA No. 17-001) As Modified;" (Attachment #1); and,

B) Adopt Resolution No. 2024-46, "A Resolution of the City Council of the City of Huntington Beach Amending the Coastal and Land Use Elements of the General Plan and the Magnolia Tank Farm Specific Plan to Adopt Local Coastal Program Amendment (LCPA) No. LCP-5-HNB-24-0003-1 (Huntington Beach LCPA No. 17-001) Modifications Made by the California Coastal Commission" (Attachment #2).

COUNCIL MEMBER ITEMS

25. [24-651](#) **Item submitted by Mayor Van Der Mark and Council Member Strickland - Sister City Agreement with Ramat Gan, Israel and the City of Huntington Beach**

Recommended Action:

Direct City Manager's Office to implement steps for the City of Huntington Beach to participate in a cultural, economic, and collaborative program with Ramat Gan, Israel, with

the goal of establishing a Memorandum of Understanding as Sister Cities.

26. [24-672](#) **Item Submitted by Council Members Bolton, Kalmick and Moser -
Physical Security of City Hall**

Recommended Action:

Direct the City Manager to work with the Police Department to evaluate technological tools that can enhance our City Hall's physical security, particularly tools that can detect individuals attempting to enter the building with weapons; and return to City Council to present a report with recommendations within 90 days. The report should provide details on potential costs and operational considerations associated with recommended new physical security measures.

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, October 1, 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>