

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, August 1, 2023
5:00 PM — Council Chambers
6:00 PM — Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

A video recording of the 5:00 PM and 6:00 PM portions of this meeting is on file in the Office of the City Clerk, and archived at www.surfcity-hb.org/government/agendas/

5:00 PM — COUNCIL CHAMBERS

CALLED TO ORDER — 5:00 PM

ROLL CALL

Present: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
Absent: None

CITY COUNCILMEMBER COMMENTS — None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO CLOSED SESSION ITEMS (Received After Agenda Distribution) — None

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEMS — None

RECESSED TO CLOSED SESSION — 5:03 PM

A motion was made by McKeon, second by Van Der Mark, to recess to Closed Session.

Councilmember Kalmick stated his recusal from Closed Session Item 1 regarding Conference with Real Property Negotiators due to a financial conflict of interest with Huntington Central Park Equestrian Center, a professional client of his.

Mayor Strickland announced: Pursuant to Government Code Section 54956.8, the City Council takes this opportunity to publicly introduce and identify property negotiators: Chris Cole, Acting Deputy Director, Community & Library Services; Kriss Casanova, Economic Development Manager, Community Development; William Krill, Real Estate & Project Manager, Public Works. Also in attendance: Michael Gates, City Attorney; and Robin Estanislau, City Clerk. Negotiating parties: Mary Behrens, President, National Equestrian Centers, Inc. Under negotiation: Amendment to the current lease.

CLOSED SESSION

- 1. 23-661 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8.)**
Property: Huntington Central Park Equestrian Center located at 18381 Goldenwest Street, Huntington Beach, CA 92648 (APN: 894-901-96). Agency negotiator: Chris Cole, Acting Deputy Director, Community & Library Services; Kriss Casanova, Economic Development Manager, Community Development; William Krill, Real Estate & Project Manager, Public Works. Negotiating parties: Mary Behrens, President, National Equestrian Centers, Inc. Under negotiation: Amendment to the current lease.

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:00 PM

ROLL CALL

Present: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
Absent: None

PLEDGE OF ALLEGIANCE — Led by Mayor Pro Tem Van Der Mark

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.

- 2. 23-662 Huntington Beach Police Chaplain James Pike**

CLOSED SESSION REPORT BY CITY ATTORNEY — None

City Attorney Michael Gates provided an explanation for withdrawing from Council consideration Consent Calendar Item #18 (23-656) regarding employment agreement with Randy Risner as Chief Assistant City Attorney.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were received by her office following distribution of the Council Agenda packet, which were all uploaded to the City's website and Councilmember iPads:

Council Committee Appointments #3 (1 email); City Attorney's Report #6 (1 PowerPoint communication and 1 letter); Consent Calendar Item #8 (2 communications), #10 (1 email), #20 (1 email), #23 (1 email); Administrative Items #27 (38 emails), #28 (1 Interdepartmental memo, 1 letter, and 30 emails); Councilmember Items #29 (1 letter, and 21 emails).

PUBLIC COMMENTS — 65 Speakers

The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas>.

Shirley Dettloff, a Huntington Beach resident since 1964, Former Councilmember, Mayor and co-author of the Huntington Beach Declaration of Policy on Human Dignity, was called to speak and stated her opposition to Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. She also stated her support for continuing the work of the Huntington Beach Human Relations Committee (HBHRC), and the Greater Huntington Beach Interfaith Council (GHBIC) which ensures Huntington Beach is living up to the Human Dignity policy. (00:10:14)

Elaine Bauer Keeley, daughter of deceased Ralph Bauer, a former Councilmember, Mayor, and co-author of the Huntington Beach Declaration of Policy on Human Dignity, was called to speak and stated her opposition to Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (00:13:37)

Unnamed Guest was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (00:17:02)

Wendy Rincon, a 49-year resident of Huntington Beach, was called to speak and stated her opposition to Administrative Items #28 regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024, Statewide Primary Election. (00:20:00)

Arthur Estrada, a resident at Skandia Mobile Home Park, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (00:21:58)

Roy C. McCord was called to speak and shared his opinions and concerns related to materials and resources for Huntington Beach public libraries, specifically titles of books which City Council does not feel are appropriate for the Children's Section. (00:25:15)

Paul Horgan, a Huntington Beach resident, was called to speak and shared his opinions, concerns and experience related to materials and resources for Huntington Beach public libraries, specifically titles of books which City Council does not feel are appropriate for the Children's Section. (00:28:39)

Shammy Dingus was called to speak and shared her concerns, questions and opposition to Administrative Items #28 regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024, Statewide Primary Election, and concerns and questions regarding the settlement of the Pacific Air Show lawsuit. (00:31:46)

Avery Counts, a Huntington Beach resident, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically regarding Recommendations #2, dissolution of the Huntington Beach Human Relations Committee (HBHRC) and #4, dissolution of the Mobile Home Advisory Board (MHAD). (00:35:10)

Andrew Einhorn, a Huntington Beach resident, was called to speak and stated his opposition to Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. Mr. Einhorn also stated his opposition to Administrative Items #28 regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024, Statewide Primary Election, specifically Section 310 (Clerk Qualifications), and Section 702 (Local Control Over Elections). (00:38:17)

Victor Leipzig, a 41-year resident of Huntington Beach, Former City Councilmember, Mayor, Planning Commissioner, and Liaison to many Committees and Boards, was called to speak and shared his opinion that proposed Charter amendments should be presented through open disclosure and opportunity for public response before being placed on any ballot. Mr. Leipzig stated his support for the comments made by Elaine Bauer Keeley in opposition to Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (00:41:20)

Randell Costello was called to speak and shared his opinions on Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (00:44:00)

Robin Estanislau, Huntington Beach City Clerk, was called to speak and shared her concerns and opposition to Administrative Items #28 regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024, Statewide Primary Election, specifically Section 300 (Clerk and Treasurer Election Cycle), Section 310 (Clerk Qualifications), and Section 702 (Local Control Over Elections), and asked that Council take no action on these sections. (00:47:22)

Joan Flynn, a 58-year Huntington Beach resident and former Huntington Beach City Clerk, was called to speak and stated her opposition to Administrative Items #28 regarding recommended Charter Amendments for placement as ballot measures at the March 5, 2024, Statewide Primary Election, specifically Section 310 (Clerk Qualifications). (00:50:49)

Ada Hand was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (00:54:59)

Allie Plum was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (00:57:37)

Donna Andrade, a 3-year Huntington Beach mobile home resident, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (01:01:01)

Jeanne Farrens, a resident of Skandia Mobile Home Park, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (01:03:02)

Unnamed Guest was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (01:06:44)

Mary Jo Baretich, a resident of Huntington Beach for over 40 years, and Mobile Home Advisory Board Member, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (01:07:47)

Jignesh Padhiar was called to speak and stated appreciation for City Attorney's Report #7, an update on Pacific Airshow v. City of Huntington Beach lawsuit. Mr. Padhiar also stated support for Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024, Statewide Primary Election, specifically Section 702 (Local Control Over Elections). (01:10:54)

Stephen Quinn was called to speak and stated support for Councilmember Items #29 amending the Declaration of Policy on Human Dignity. (01:12:58)

Jeanne Paris was called to speak and stated her support for Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees. Ms. Paris also stated support for Councilmember Items #29 amending the Declaration of Policy on Human Dignity. (01:15:04)

Ann Palmer, 30-year Huntington Beach resident, was called to speak and stated her support for Administrative Items #28 regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election, specifically Section 300 (Term Commencement); Section 303 (Regular Meetings); her opposition to Section 612 (Measure C) b. Parks; support for Sections 601/602 (Annual Budget); and Section 702 (Local Control Over Elections). Ms. Palmer also shared her opinions regarding Administrative Items #27 regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, and stated her support for Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (01:17:23)

At 7:19 PM, Mayor Strickland called for a 5-minute recess to restore order in the Chambers.

Connie Boardman, former Huntington Beach Councilmember and Mayor, was called to speak and shared her opinions and experience related to the Pacific Air Show v. City of Huntington Beach lawsuit. Ms. Boardman stated her opposition to Administrative Items #28, regarding proposed Charter Amendments, specifically Section 300 (Clerk and Treasurer Election Cycle), Section 310 (Clerk Qualifications), and Section 702 (Local Control Over Elections). (01:22:59)

Gigi Jackson, a Huntington Beach resident, Homeless United Advocate, and NAACP Orange County Branch Secretary, was called to speak and stated opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC); and Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (01:25:14)

KC Fockler, a resident of Huntington Beach for over 40 years, and Environmental and Sustainability Board Member, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #5 dissolving the Environmental and Sustainability Board. (01:28:40)

Nora Pedersen, a 36-year resident of Huntington Beach, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and Councilmember Items #29 amending the Declaration of Policy on Human Dignity. (01:31:23)

Bud Benneman, Huntington Beach resident, Goldenwest College Professor of Geology, Surfrider Foundation Member, and Environmental and Sustainability Board Member, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #5 dissolving the Environmental and Sustainability Board. (01:32:49)

Debbi Parrott, Huntington Beach Human Relations Committee Member and former Vice Chair, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC). (01:34:53)

Jeff Rokos, a 25-year Huntington Beach resident, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees; and Administrative Items #28 regarding proposed Charter Amendments, specifically Section 300 (Clerk and Treasurer Election Cycle), Section 310 (Clerk Qualifications), and Section 702 (Local Control Over Elections). (01:37:41)

Colin Parrott, Huntington Beach Youth Board Former Member, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and Recommendation #7 regarding restructuring of the Huntington Beach Youth Board. (01:40:57)

Gary Miller, a resident of Huntington Beach since 1985, was called to speak and shared concerns about recent safety issues he experienced and observed near and on the Pier that did not result in issuance of a citation. Mr. Miller asked that in addition to educating the public on breaking the law, Huntington Beach Police Officers take more action to issue citations. (01:44:15)

Vanessa Chow, Huntington Beach Human Relations Committee Vice Chair, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC). (01:46:56)

Eric Silkenson, 51-year Huntington Beach resident, Huntington Beach City Council Candidate in 2020, and Mobile Home Advisory Board Chair, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB); and his opposition to Administrative Items #28, regarding Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election, specifically Section 310 (Clerk Qualifications). (01:50:08)

Kim Carr, former Huntington Beach Councilmember and Mayor, was called to speak and shared what she described as factual errors in the PowerPoint presentation for City Attorney's Report, Agenda Item

#6 regarding the history of authorized actions in the Moore v. City, Gates lawsuit. Ms. Carr also stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 dissolving the Huntington Beach Human Relations Committee (HBHRC), and Recommendation #4 dissolving the Mobile Home Advisory Board (MHAB); Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election, specifically Section 310 (Clerk Qualifications); and Councilmember Items #29 amending the Declaration of Policy on Human Dignity. (01:53:24)

Tim Geddes, 40-year Huntington Beach resident, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 regarding dissolving the Mobile Home Advisory Board (MHAB). (01:56:50)

Michael Gates, Huntington Beach City Attorney, Candidate for Re-Election in 2026, was called to speak and explained his perspective regarding comments made earlier in this meeting by City Clerk Robin Estanislau relating to proposed Charter Amendments, specifically Section 310 (Clerk Qualifications),. (01:59:50)

Linda Moon, a 49-year Huntington Beach resident, was called to speak and stated opposition to Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024, Statewide Primary Election, specifically Sections 303 (Regular Meetings), 601/602 (Annual Budget), 300 (Clerk and Treasurer Election Cycle), 310 (Clerk Qualifications), and 702 (Local Control Over Elections). (02:03:46)

Donna Taylor, a Huntington Beach mobile home resident for 39 years, was called to speak and proudly announced that she will be 92 years old this month. Ms. Taylor also requested that the Council consider the concerns shared by the City's mobile home residents and provide assistance. (02:07:12)

Peggy Willett was called to speak and asked that Councilmembers help address the concerns of the City's mobile home residents, many of whom are active and contributing in many different ways to enhance the quality of life for others. (02:08:35)

Sharon Petersen, a 30-year Huntington Beach mobile home resident, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), Recommendation #4 dissolving the Huntington Beach Mobile Home Advisory Board (HBHAB); and Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election, specifically Section 702 (Local Control Over Elections). (02:09:45)

Todd Harkness, a Building Contractor, was called to speak and shared concerns about the Building Department's inspection processes for re-roof projects and related issues. Mr. Harkness asked for Council support to consider changes, and Mayor Strickland asked Mr. Harkness to complete a blue card for staff follow-up. (02:12:58)

Kathryn Goddard, a Huntington Beach resident since the 1980s, was called to speak and asked that Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, and Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide

Primary Election, specifically Section 702 (Local Control Over Elections) be withdrawn to allow time for proper transparency and public input. (02:14:26)

Amory Hanson was called to speak and stated his support for Consent Calendar Item #12 regarding a memorial plaque honoring Past Mayor Donald MacAllister as recommended by the Community & Library Services Commission. (02:16:35)

Unnamed Guest was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 dissolving the Huntington Beach Mobile Home Advisory Board (HBMAB). (02:17:54)

Ken Inouye, a 52-year resident of Huntington Beach, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendations #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and #4 dissolving the Huntington Beach Mobile Home Advisory Board (HBMAB). (02:21:11)

Kathy McGuire, a 32-year Huntington Beach resident, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendations #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and #4 dissolving the Huntington Beach Mobile Home Advisory Board (HBMAB). (02:24:07)

Russell Neal, a Huntington Beach resident, was called to speak and stated his support for Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC); Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election, specifically Section 702 (Local Control Over Elections); and suggested that Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity, should be eliminated rather than amended. (02:26:16)

Kane Durham was called to speak and stated opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendations #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and #4 dissolving the Huntington Beach Mobile Home Advisory Board (HBMAB); and Councilmember Items #29 amending the Declaration of Policy on Human Dignity. (02:29:12)

Joanna Sousa was called to speak and stated her support for Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC). (02:31:18)

Unnamed Guest, a resident of Fountain Valley, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendations #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and #5 regarding dissolving the Environmental and Sustainability Board; Administrative Items #28, regarding proposed Charter

Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election, specifically Section 702 (Local Control Over Elections); and Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity until such time as Councilmember Burns defines his goal for making changes. (02:33:00)

B. Channel was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendations #2 regarding dissolving the Huntington Beach Human Relations Committee (HBHRC), and #4 regarding dissolving the Mobile Home Advisory Board; Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election, specifically Section 702 (Local Control Over Elections); and Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (02:36:07)

Nick McLachlan, resident of Huntington Beach Los Amigos Mobile Home Park, was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #4 regarding dissolving the Mobile Home Advisory Board; and Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election, specifically Section 702 (Local Control Over Elections). (02:39:24)

Marilyn Boehm, a 30-year Huntington Beach resident and Huntington Beach Human Relations Committee Former Member, was called to speak and stated her opposition to Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (02:42:37)

Kathleen McGowan, Environmental and Sustainability Board Member, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #5 regarding dissolving the Environmental and Sustainability Board. (02:46:02)

Kim King, a 45-year resident of Huntington Beach, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendations #2 regarding dissolving the Huntington Beach Human Relations Committee, and #4 dissolving the Huntington Beach Mobile Home Advisory Board (HBMAB); Administrative Items #28, regarding proposed Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election; and Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (02:48:57)

Chris Waring, resident of Surf City Cottages Home Park, was called to speak and shared his concerns related to major lease increases in recent years. He asked for Councilmember assistance in addressing the issues mobile home park residents are facing. (02:52:06)

Clare Bostick, a 46-year resident of Huntington Beach and retired public-school teacher, was called to speak and stated her opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee, and Councilmember Items #29 regarding amending the Declaration of Policy on Human Dignity. (02:55:19)

John Bostick was called to speak and stated his opposition to Administrative Items #27, regarding streamlining and restructuring select citizen-led Boards, Commissions, and Committees and Council

Committees, specifically Recommendation #2 regarding dissolving the Huntington Beach Human Relations Committee. (02:58:35)

Carol Kanode, Huntington Beach Youth Shelter Founder, was called to speak and asked why there is not a museum to celebrate and remember Huntington Beach's legacy and offered to help and assist with such a project. (03:01:53)

Justine Makoff, Free Rein Foundation Chief Financial Officer, was called to speak and invited everyone to attend the Foundation's fundraiser, Cattle Baron's Ball, on Saturday, August 12, 5:30 PM – 9:30 PM, Huntington Central Park Equestrian Center, Red Horse Barn. All details are available at www.freereignfoundation.org. (03:03:34)

Chris Byrnes, a 55-year Huntington Beach resident, was called to speak and shared his support for the four newly elected Councilmembers, City Attorney Michael Gates, and his perspective and opinions on a wide range of local politicians and issues. (03:05:22)

Dom Jones, a 9-year Huntington Beach resident, Ordained Minister and 47th District Congressional Candidate in 2024, was called to speak and shared her opinions and perspectives directed to Councilmembers encouraging them to use their power to do great things, with love, as they address the pains and fears of their constituents. (03:08:39)

Roger Noor was called to speak and thanked Mayor Strickland for following through to address his situation related to his car being towed and praised City Clerk Robin Estanislau and her staff for the cordial services he experienced. (03:11:16)

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS

3. 23-664 Appointed Voting Delegate and Alternates for the League of California Cities Annual Conference and Expo - September 20-22, 2023

A motion was made by Strickland, second McKeon to appoint City Council Member Mayor Pro Tem Van Der Mark to serve as the voting delegate and City Council Member Burns as an alternate, to represent the City of Huntington Beach at the 2023 League of California Cities Annual Conference & Expo. The General Assembly will be held on Friday, September 22, 2023.

The motion carried by the following vote:

AYES: Kalmick, Van Der Mark, Strickland, McKeon, and Burns

NOES: None

ABSTAIN: Moser, and Bolton

AB 1234 REPORTING — None

OPENNESS IN NEGOTIATION DISCLOSURES — Councilmember McKeon reported meeting with representatives from the Firefighters' Association.

CITY MANAGER'S REPORT

4. 23-610 OneHB Public Service Excellence Vision

Al Zelinka, City Manager, Chris Tanio, Public Works Principal Civil Engineer, and Fire Department Division Chief Martin Ortiz, presented a PowerPoint communication titled *OneHB Service Vision Statement* with slides entitled: *HB Service Excellence Initiative (2)*; *3 Pillars of Service Excellence*; *Service Excellence Vision Development Process (2)*; *Service Vision Statement*; *Standard of Care*; *Service Vision (2)*; *Next Steps*; and *Service Vision*.

Councilmember Moser thanked staff for the presentation and discussed with City Manager Zelinka how performance will be measured and managed, the frequency of reporting, as well as integrating existing tools into the processes.

CITY TREASURER'S REPORT

5. 23-578 Received and Filed the City Treasurer's June 2023 Quarterly Report

Alisa Backstrom, City Treasurer, presented a PowerPoint communication titled *Quarterly Treasurer's Report Quarter Ended: June 30, 2023*, with slides entitled: *Economic Update*; *Interest Rates - US Treasury Yield Curve July 1, 2022 - June 30, 2023*; *Investment Portfolio - Summary, Quarter End 06/30/23*; *Investment Portfolio - Investments by Type Quarter End 06/30/23*; *Investment Portfolio - Selected Activity Quarter End 06/30/23*; *Investment Portfolio - Earnings*; *Selected Investment Policy Compliance Requirements Quarter End 6/30/23*; and *Summary*.

A motion was made by Strickland, second Kalmick to receive and file the City Treasurer's Quarterly Report for June 2023, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach.

The motion carried by the following vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

CITY ATTORNEY'S REPORT

NOTE: *The Minutes maintain original Agenda order, rather than actual discussion order.*

6. 23-612 In response to Dec 20, 2022, City Council direction, received report on history of authorized actions in the Moore v. City, Gates lawsuit and report on review of RWG involvement

Michael Gates, City Attorney, presented a PowerPoint communication titled *Response to H Item Part 1* with slides entitled: *Richards Watson Gershon Report (44, including subtitles: December 20, 2022 H Item by Council Member McKeon, City of Huntington Beach Organization Chart, Moore, Field v. City, Gates Lawsuit, Independent Investigation, Review of Records revealed the following Preliminary Findings, which will be reviewed further)* and, *Thank You*.

City Attorney Gates verbally described a timeline of activities associated with the Moore, Field v. City, Gates Lawsuit, and RWG's involvement. Councilmember McKeon and Mayor Strickland both shared deep concerns about the information presented in the report regarding the actions of certain City employees and Councilmembers total disregard for attorney-client privilege.

City Attorney Gates confirmed there will be another report at a future date on additional details related to this lawsuit.

7. 23-671 Received Update on Pacific Airshow v. City of Huntington Beach lawsuit

City Attorney Gates reported that pursuant to the May 9, 2023, settlement, the City of Huntington Beach has been dismissed; however, former Mayor Carr remains a Defendant. He stated the first amendment complaint highlights the allegations that Defendants were sued because of how the Airshow was cancelled. He explained how the newly elected Council in December 2022 authorized him to take any and all legal action necessary to pursue those oil companies who caused/were involved in, the oil spill, and how he immediately retained a Plaintiff firm, The Robinson Law Firm, experienced in large, complex cases. He also explained that a delay in the legal process was created because the previous City Council declined to take legal action against the oil companies that caused the oil spill.

City Attorney Gates reported on the recent defeat of Connie Boardman and Mark Bixby's legal attempt to put a complete stop to the Airshow settlement, clearing the way for the 2023 Pacific Airshow to take place. He also described Council's decision to settle the lawsuit prior to the calendar hearing (a demur, or a challenge by a Defendant to a complaint), involving pleading to a judge that the facts alleged are insufficient to support the causes of action.

City Attorney Gates reported that the Gina Clayton-Tarvin lawsuit to compel the disclosure of the entire Settlement Agreement is still pending, explaining the decision to not disclose the entire Settlement Agreement document was pursuant to State law regarding pending litigation. In addition, The Robinson Law Firm attorneys, representing the oil company's lawsuit, have also opposed the release or disclosure of the entire Settlement Agreement document because of the potential impact on the success of the pending oil company's lawsuit. City Attorney Gates stated he has asked the attorneys to ask the court for an expedited in-camera review of the Settlement Agreement to make a swift and early determination one way or the other on that decision.

Councilmember McKeon directed residents to the OneHB website, under the Media/Press Releases tab, where the 2022 Airshow Economic Impact Report is available for review, highlighting some of the statistics shown in this report.

Mayor Strickland noted that the Economic Impact Report shows that 91% of the out-of-Orange County-guests to the Airshow, return to Huntington Beach for another event.

City Attorney Gates also announced that he and Mayor Strickland will provide more updates on the Airshow at the upcoming August 30 Town Hall meeting at the Senior Center in Central Park at 5:30 PM.

CONSENT CALENDAR

Councilmember Kalmick recused himself from voting on Item #15 because of financial conflict of interest in that Dianne Thompson is his Insurance Agent, and Councilmember McKeon pulled Item #21 for further discussion.

CITY CLERK**8. 23-652 Approved and Adopted Minutes as Amended by Supplemental Communication**

A motion was made by Strickland, second Kalmick to approve and adopt the City Council/Public Financing Authority special meeting minutes of June 8, 2023; and, approve and adopt the City

Council/Public Financing Authority regular, and Housing Authority special meeting minutes of July 18, 2023, **as amended by supplemental communication.**

The motion as amended carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

9. 23-663 Received July Update of Activities for Citizen Boards, Commissions, Committees (BCCs) and Regional Agencies

A motion was made by Strickland, second Kalmick to receive and file.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

COMMUNITY DEVELOPMENT

10. 23-630 Adopted Resolution 2023-35 Confirming Cost Report for Weed Abatement on Private Parcels within the City for the 2023 Season

A motion was made by Strickland, second Kalmick to adopt Resolution 2023-35 "A Resolution of the City Council of the City of Huntington Beach Confirming the Report of the Public Works Director Regarding the Cost for Weed Abatement on Private Property Within the City for the 2023 Season;" and, direct that all charges listed thereon be certified to the Orange County 2023/24 Property Tax Roll.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

COMMUNITY AND LIBRARY SERVICES

11. 23-631 Approved the Non-Exclusive License Agreement between the City of Huntington Beach and Children's Bureau of Southern California for the Operation of the Oak View Center

A motion was made by Strickland, second Kalmick to approve and authorize the Mayor and the City Clerk to execute the non-exclusive license agreement between the City of Huntington Beach and Children's Bureau of Southern California for the continued operation of the Oak View Center.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

12. 23-642 Approved the design concept and placement of a memorial plaque honoring Donald MacAllister, Past Mayor, on Tower Zero of the Huntington Beach Municipal Pier as recommended by the Community & Library Services Commission

A motion was made by Strickland, second Kalmick to approve the design concept and placement of a memorial plaque honoring Donald "Don" Andrews MacAllister at Tower Zero on the Huntington Beach Municipal Pier as recommended by the Community & Library Services Commission.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns

NOES: None

FIRE DEPARTMENT

13. 23-599 Approved and authorized execution of Amendment No. 2 to agreement between the City of Huntington Beach and Wittman Enterprises, LLC for additional compensation not to exceed \$320,000 to provide billing services for emergency paramedic and ambulance services

A motion was made by Strickland, second Kalmick to approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Agreement between the City of Huntington Beach and Wittman Enterprises, LLC for Billing Services for Emergency Paramedic and Ambulance Services" for additional compensation not to exceed \$320,000.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns

NOES: None

14. 23-657 Approved and accepted the Fiscal Year (FY) 2022 Assistance to Firefighters Grant; authorized the Fire Chief and Chief Financial Officer to execute documents; and approved budget appropriations

A motion was made by Strickland, second Kalmick to approve and accept the FY 2022 Assistance to Firefighters Grant awarded to the City of Huntington Beach; and assign authority to the Fire Chief and Chief Financial Officer as the officials to execute and sign for the FY 2022 Assistance to Firefighters Grant award, agreement, amendments, and extensions; and approve the budget appropriations and expenditures of \$144,290.90, which is the federal award amount. The remaining \$14,429.10 non-federal matching requirement will be funded by existing budget appropriations in the FY 2023/24 Fire Department operating budget.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns

NOES: None

HUMAN RESOURCES

15. 23-639 Approved the reappointment of Dianne Thompson and appointment of Charles Barsam, Justin Betance and Ron Pasqual to the Personnel Commission, as recommended by Council Liaisons, Mayor Pro Tem Van Der Mark and Councilmember Burns

A motion was made by Strickland, second McKeon to approve the reappointment of Dianne Thompson, and the appointment of Charles Barsam, Justin Betance and Ron Pasqual to the Personnel Commission for the term of July 1, 2023 through June 30, 2025, as recommended by the Council Liaisons to the Personnel Commission.

The motion carried by the following roll call vote:

AYES: Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None
RECUSED: Kalmick (out of room)

16. 23-660 Approved Professional Services Contract between the City of Huntington Beach and INTERCARE for Workers' Compensation Third Party Administration of Claims

A motion was made by Strickland, second Kalmick to approve the Professional Services Contract between the City of Huntington Beach and INTERCARE for Workers' Compensation Third Party Administration of Claims for a three-year term.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

17. 23-501 Adopted Resolution No. 2023-36 of the City Council of the City of Huntington Beach approving the Side Letter to the Memorandum of Understanding between the City of Huntington Beach and the Huntington Beach Fire Management Association for the term July 1, 2021 through December 31, 2023

A motion was made by Strickland, second Kalmick to adopt Resolution No. 2023-36, "A Resolution of the City Council of the City of Huntington Beach Approving the Side Letter to the Memorandum of Understanding Between the City of Huntington Beach and the Huntington Beach Fire Management Association for the Term July 1, 2021 through December 31, 2023" authorizing the Side Letter between the City of Huntington Beach and the Huntington Beach Fire Management Association for the term beginning July 1, 2021 through December 31, 2023.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

18. 23-656 ~~ITEM 18 WITHDRAWN FROM CITY COUNCIL CONSIDERATION by City Attorney Michael Gates** Pursuant to the Non-Associated (NA) Resolution, approve Pay Step for new hire, Chief Assistant City Attorney, Randy J. Risner, and authorize the City Attorney to enter into such an employment contract~~**

POLICE DEPARTMENT

19. 23-647 Authorized use of Supplemental Law Enforcement Services Fund (SLESF) monies to fund up to \$500,000 in increased costs for the purchase of the City's third police helicopter

A motion was made by Strickland, second Kalmick to authorize the use of up to \$500K in SLESF funds to cover the outlined expenses; and appropriate up to \$500K from the SLESF fund balance to account 98470101.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

20. 23-648 Approved three-year agreement with Waymakers for Gang Prevention and Intervention Program services

A motion was made by Strickland, second Kalmick to approve and authorize the Mayor and City Clerk to execute a "Professional Services Contract between the City of Huntington Beach and Waymakers for the Management of Gang Prevention and Intervention Program."

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

21. 23-629 Approved and authorized execution of a one-year agreement with the Riverside County Sheriff's Department to participate in Operation Stone Garden

Councilmember McKeon pulled this item to provide Police Captain Svendsbo an opportunity to describe this important program. Captain Svendsbo stated that Operation Stone Garden provides funding for investments in enhanced cooperation and coordination among United States Border Patrol, and state and federal law enforcement agencies in securing the United States border for ingress along international borders to ensure resident and officer safety.

A motion was made by McKeon, second Strickland to approve and authorize Police Chief Eric G. Parra to execute the "Agreement for Fiscal Year 2022 Operation Stone Garden (OPSG);" and, appropriate \$369,000 in grant funding for Operation Stone Garden.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

22. 23-498 Approved and authorized the execution of contract amendments with Norman A. Traub & Associates, LLC and Beard Investigative Services, LLC for background investigative services, increasing compensation by \$75,000 per contract and extending the terms through June 30, 2024

A motion was made by Strickland, second Kalmick to approve and authorize the Mayor and City Clerk to execute "Amendment No. 3 to Agreement between the City of Huntington Beach and Norman A. Traub and Associates LLC for Background Services" (Attachment 1); and, approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Agreement between the City of Huntington Beach and Beard Investigative Services LLC for Background Investigative Services" (Attachment 2).

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns

NOES: None

PUBLIC WORKS

23. 23-644 Accepted the lowest responsive and responsible bid and authorized the execution of a construction contract with Excel Paving Inc. for \$418,250 for the Flow Line Half Round Drainage Inlet Structures Project, CC1733

A motion was made by Strickland, second Kalmick to accept the lowest responsive and responsible bid submitted by Excel Paving Inc. in the amount of \$418,250; authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City attorney; and approve the appropriation of \$180,988 from the Drainage Fund (211) to account 21188007.82500.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns

NOES: None

24. 23-621 Awarded and authorized the execution of a construction contract with Mehta Mechanical Company, Inc., in the amount of \$4,134,200 for the Humboldt Sewer Lift Station Replacement Project, CC-1634

A motion was made by Strickland, second Kalmick to accept the lowest responsive and responsible bid submitted by Mehta Mechanical Company, Inc., in the amount of \$4,134,200; and, appropriate \$887,502 from the undesignated Sewer Service fund balance to 51189017.82600; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns

NOES: None

25. 23-608 Accepted the lowest responsive and responsible bid and authorized execution of a construction contract with Sancon Technologies, Inc. in the amount of \$1,318,770 for the Fiscal Year 22/23 Sewer Lining Project, CC-1728

A motion was made by Strickland, second Kalmick to accept the lowest responsive and responsible bid submitted by Sancon Technologies, Inc. in the amount of \$1,318,770.00; and authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

26. 23-565 Approved Sole Source Procurement Request with Cascade Pump Company for the servicing or replacement of mixed or axial flow pumps used at all 15 flood control stations

A motion was made by Strickland, second Kalmick to approve the sole source procurement request with Cascade Pump Company to service the City's existing Cascade pumps at its flood control stations.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

ADMINISTRATIVE ITEMS

27. 23-641 Approved recommendations to streamline and restructure a select number of citizen-led Boards, Commissions, and Committees and Council Committees

Travis Hopkins, Assistant City Manager, presented a PowerPoint communication titled Board, Commission, & Committee (BCC) Reconfiguration with slides entitled: *Background (2); Current BCC Structure by Number; Current BCC Structure by Type; Proposed Committee Recommendations by Category; Committee Recommendation 1; Committee Recommendation 2; Committee Recommendation 3; Committee Recommendation 4; Committee Recommendation 5; Committee Recommendation 6; Committee Recommendation 7; Committee Recommendation 8; Committee Recommendation 9; and Recommended Actions.*

Mayor Strickland made a motion to approve the recommended actions, as presented.

Councilmember Moser asked if each Recommendation could be considered separately, and Mayor Strickland withdrew his motion.

Councilmember Kalmick clarified with Mayor Strickland that the goal of these recommendations is to have staff presentations to the full City Council for full Council discussion and deliberation.

Councilmember Moser and members of the Ad Hoc Committee discussed whether the Huntington Beach Human Relations Committee is providing redundant services. Councilmember Moser shared her personal involvement as a member of the Human Relations Committee and stated she would not support dissolving this legacy Committee.

Councilmember McKeon stated his opinion that boards and commissions should encourage civic engagement of the residents in municipal affairs, but many of the existing boards and commissions are focused on private sector issues. Further, staff time should be spent on core local government functions, and he believes the Huntington Beach Human Relations Committee duplicates the efforts of the Orange County Human Relations Commission.

Councilmember Bolton expressed her frustration that the Ad Hoc Committee recommendations were made without much understanding of what these groups actually do, nor was there any attempt to

discuss possible dissolution with any of the affected boards, commissions or committees during the consideration process. She stated how important it is to have community commitment and involvement, and the amount of money being saved is minimal in her opinion. Councilmember Bolton recommended discussing alternative solutions with the impacted groups before just arbitrarily dissolving them.

Mayor Strickland stated that the citizens of Huntington Beach can always organize and meet, and noted that over three-quarters of Orange County cities are happy with the services provided by the Orange County Human Relations Commission in dealing with the same issues that Huntington Beach deals with.

Councilmember Kalmick and Mayor Strickland discussed staff recommendations made during the budget process to reduce the number of meetings and number of staff hours for selected boards, commissions and committees to help reduce costs. Councilmember Kalmick stated these boards, commissions and committees do not make policy decisions, but provide the service of informing Councilmembers. Councilmember Kalmick noted other committees which he thinks could probably be dissolved rather than some being considered in this item.

Mayor Strickland stated that this item is not an "end all be all" effort, and suggested that Councilmember Kalmick bring his recommendations forward for Council consideration at a future meeting.

Councilmember Bolton shared her opinion it is a shame to dissolve a commission with such great technical expertise, and thanked the Jet Noise Commission for the Southwest Airlines agreement to fly at a higher path when they can into Long Beach Airport.

Councilmember McKeon stated his personal commitment to the Jet Noise volunteers to continue as a working group.

Councilmember Kalmick, speaking as a former Jet Noise Commission Council Liaison, suggested recommending this Commission meet "as needed" rather than dissolving it.

Councilmember Burns stated his appreciation for everyone who has served on any of the boards, commissions and committees. He also explained the Ad Hoc Committee determined that Huntington Beach doesn't have any regulatory power regarding mobile home parks and therefore recommend dissolving the Mobile Home Advisory Board.

Councilmember Kalmick suggested modifying this Board into an "Attainable Housing Board" to provide advice and recommendations on providing and maintaining attainable housing as a whole within the community.

Mayor Strickland responded there is nothing prohibiting mobile home residents from forming their own non-profit or lobbying groups.

Councilmember McKeon stated this is the perfect example of an issue that should be handled in the private sector, and in his opinion the government should not interject itself into disputes between tenants and landlords. He noted that Huntington Beach does provide a Tenant Rental Assistance Program.

Councilmember Kalmick noted the Smart Cities and Technology Council Committee doesn't meet until there is a Council item that would require the expertise of those Committee members, and respectfully shared his opinion that the Environmental and Sustainability Board expertise may not exist within the Public Works Commission.

Mayor Strickland reiterated that all of these recommendations were vetted through staff discussions and recommendations.

Assistant City Manager Travis Hopkins and City Manager Al Zelinka confirmed their support for Recommendation #5 regarding dissolving the Environmental and Sustainability Board and transferring those duties to the Public Works Commission.

Councilmember Moser shared her opinion it will be a major loss for a coastal city to dissolve the Environmental and Sustainability Board in the middle of developing the Sustainability Masterplan.

Mayor Strickland noted that a "committee" is not necessary for community members to bring their expertise and advice to Councilmembers, and noted nothing in these Recommendations prevents Councilmembers from setting up Advisory Boards as needed.

Councilmember McKeon stated his support for making decisions on a major topic like options related to more local management of Pacific Coast Highway development through the Downtown/Main Street area, require a Study Session to ensure community involvement.

Councilmember Moser stated her support for this suggestion.

Councilmember Kalmick noted that ad-hoc committees are not required to meet behind closed doors and asked that this committee meet only as needed.

Mayor Strickland and Assistant City Manager Travis Hopkins explained Recommendation #7 is focused on creating a Youth Committee that is not restricted by Brown Act meeting regulations, and expanding the committee to include involvement with the new Youth Citizens Academy.

Councilmember Moser, speaking as a Former Huntington Beach Youth Board Council Liaison, stated her support for this change, and suggested the importance of also educating them on the Brown Act. She stated her support for continuing the Youth in Government Day event, and allowing the Youth Citizen Leaders Committee members the opportunity to determine some of the government functions they want to learn more about.

Councilmember Burns stressed the importance of Council Liaisons being available to address Youth Committee member questions, and Councilmember Moser stated the Council Liaisons should make the commitment to attend meetings and be involved from the start to the end of the meetings.

Mayor Pro Tem Van Der Mark clarified that she has a passion for youth and desires to see them more involved in local government, and noted Recommendation #7 will expand, rather than limit, youth opportunities.

Mayor Pro Tem Van Der Mark explained that during her campaign a number of young people she had dialogue with didn't know why the 4th of July is celebrated, and she believes that Recommendation #8 is a start to clarifying the real purpose behind the celebration.

Mayor Strickland commended every person involved in the 2023 event, especially the public safety staff, for a very successful celebration.

Councilmember Kalmick made a point of order comment that addressing the RFP process is not appropriate in this action item, and Mayor Strickland stated he understood reference to the RFP as basically informational for staff.

City Attorney Gates confirmed that reference to the RFP should be removed from this item.

Mayor Strickland explained City Council representation at the table is important when priorities are determined for large-scale events in Huntington Beach.

Councilmember Kalmick, Mayor Strickland and Assistant City Manager Travis Hopkins clarified that the Special Events Executive Committee should focus on "policy" and provide staff with some guidelines when large events are being considered as Councilmembers supported during Strategic Planning. Mayor Strickland confirmed that as a "standing" Council Committee, meetings would be noticed and open to the public and would function under Brown Act policies.

A motion was made by Strickland, second Burns to approve Committee Recommendation #1 — Dissolve Short-Term Rentals Ad-hoc Council Committee, Housing/RHNA Ad-hoc Council Committee, and Cannabis Regulation and Policy Ad-hoc Council Committee.

The motion carried by the following minute action:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

At 10:59 PM, a motion was made by Strickland, second by Burns, to continue the meeting past the hour of 11:00 PM. The motion was approved 7 – 0.

A motion was made by Strickland, second Van Der Mark to approve Committee Recommendation #2 — Dissolve Huntington Beach Human Relations Committee (HBHRC).

A substitute motion was made by Moser, second Kalmick to ***Retain*** the Human Relations Committee.

The substitute motion failed by the following minute action:

AYES: Kalmick, Moser, and Bolton
NOES: Van Der Mark, Strickland, McKeon, and Burns

Mayor Strickland's motion seconded by Van Der Mark to approve Committee Recommendation #2 — Dissolve Huntington Beach Human Relations Committee (HBHRC) carried by the following minute action:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

A motion was made by Strickland, second Burns to approve Committee Recommendation #3 — Dissolve the Jet Noise Commission.

The motion carried by the following minute action:

AYES: Van Der Mark, Strickland, McKeon, and Burns

NOES: Kalmick, Moser, and Bolton

A motion was made by Strickland, second Van Der Mark to approve Committee Recommendation #4 — Dissolve the Mobile Home Advisory Board.

The motion carried by the following minute action:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

A motion was made by Strickland, second Burns to approve Committee Recommendation #5 — Dissolve the Smart Cities and Technology Council Committee (standing committee) and the Environmental and Sustainability Board and transfer their duties to the Citizen Infrastructure Advisory Board/Public Works Commission (CIAB/PWC).

The motion carried by the following minute action:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

A motion was made by Strickland, second Burns to approve Committee Recommendation #6 — Rename the Urban Design Study Ad-Hoc Committee to "Downtown and Beach Front ~~Ad-hoc~~ Committee" to broaden their scope of work, **as amended to meet on an "as needed" basis with required Public Notice.**

The motion carried by the following minute action:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

A motion was made by Strickland, second Burns to approve Committee Recommendation #7 — Restructure the Huntington Beach Youth Board as a Youth Citizen Leaders Committee, with specific, focused goals.

The motion carried by the following minute action:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

A motion was made by Strickland, second Van Der Mark to approve Committee Recommendation #8 — Restructure the Fourth of July Executive Board to be named as the Independence Day Board with more defined roles, **as amended to remove action to initiate a new RFP process.**

The motion carried by the following minute action:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

A motion was made by Strickland, second Burns to Committee Recommendation #9 — Restructure the Specific Events Executive Committee as a standing Council Committee to review Council's priorities for large-scale specific events.

The motion carried by the following minute action:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

A motion was made by Burns, second Strickland to direct staff to work with the City Attorney's Office and develop the appropriate Resolution(s), Ordinance(s), and other documents necessary to implement City Council directed adjustments and bring them back to the City Council; and direct staff to plan an appropriate event to recognize and thank citizen appointees who will be retiring due to this restructuring effort for their contribution.

The motion carried by the following minute action:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, and Burns
NOES: Bolton

28. 23-670 Considered and approved individually, by straw vote action, the City Council Charter Review Ad Hoc Committee's recommended Charter Amendments for placement as ballot measures at the March 5, 2024 Statewide Primary Election

Travis Hopkins, Assistant City Manager, and Robin Estanislau, City Clerk, presented a PowerPoint communication titled *Charter Review Ad Hoc Committee's Proposed Charter Amendments* with slides entitled: *Recommended Charter Amendment Timeline*; *Charter Review Ad Hoc Committee's Proposed Charter Amendments (5)*; and *Recommended Actions*.

Mayor Strickland clarified for the record that the City Council Charter Review Ad Hoc Committee's Section 310 (Clerk Qualifications) recommendation only requires any four-year bachelor's degree and only removes the verbiage he described as "subjective". He confirmed that the other requirements listed for the successful candidate to complete within three years will still stand.

City Attorney Gates noted that in the past the City Clerk educational requirement, as currently worded, has generated questions and required research which never resulted in clear, non-subjective interpretation.

Mayor Strickland explained that some municipalities in Northern California have "Choice" voting for specific situations, and noted that Section 702 (Local Control Over Elections) is an effort to determine if it is feasible for Huntington Beach to set up more polling locations, get more people involved in the voting process, and require Voter ID for municipal elections. This recommendation is not intended to get rid of State or County Election Codes.

City Attorney Michael Gates stated for the benefit of the public that currently Charter Section 702 specifically provides that "all elections shall be held in accordance with the provisions of the Election Code of the State of California," and confirmed with Mayor Strickland that the City Charter Review Ad Hoc Committee desires to have local control on the three items just referenced by Mayor Strickland.

Councilmember Kalmick questioned a point of order in that Ad Hoc Committee recommendations include, "and anything else," and City Attorney Gates opined straw vote actions will allow discussion, and all items will return at a future meeting where the public will have opportunity to comment.

Councilmember Burns requested that the City Flag Ordinance provisions be incorporated into the City Charter, as amended to include the Olympic Flag.

Councilmember McKeon read the full text for his July 18, 2023 "H" item: "An amendment to the City Charter that would restrict City Council from engaging in real property transactions that would require the City of Huntington Beach to forgo regularly collected property taxes on investment property, unless those purchases are approved by the voters of the City of Huntington Beach. Exceptions to this rule would/may include real property transactions that are important for acquisition of private property for infrastructure."

Councilmember Kalmick shared his understanding that Councilmember McKeon's approved "H" item requested that the Ad Hoc Committee address possible pitfalls and recommend language, and questioned if the Committee still needs to meet on this item. City Attorney Gates noted that all proposed Charter amendments will be finessed during future Councilmember presentation discussions.

Councilmember McKeon, speaking as a member of last year's Charter Review Committee, stated the importance of clarifying Charter language relating to the City Attorney's elected role to provide exclusive legal counsel for the City, acknowledges his authority to hire outside counsel, protects attorney-client privilege communications and work product, establishes internal investigation protocol, to ensure the situation City Attorney Gates described in his report earlier this evening (Agenda Item #6) never happens again.

Mayor Strickland and City Attorney Gates discussed the illegality of accessing and sharing attorney-client privilege communications which recently happened, and noted the issue will be addressed by clarifying proper processes.

Councilmember Kalmick stated, as a point of order, that Councilmember McKeon's item appears to substantially alter the rights or benefits of the City Attorney's role and may be illegal to put on a Primary ballot under SB 311.

City Attorney Gates explained that the issue is initially presented tonight, and that Chief Assistant City Attorney Paul D'Alessandro will be handing these items for review and will advise how to proceed.

Councilmember Bolton, Councilmember McKeon, City Attorney Gates and City Manager Zelinka discussed Councilmember McKeon's recommendation that for any issues related to the conduct of any City elected official or a staff member, a third-party public agency could be utilized as determined by the recommendation of the City Attorney.

Discussion ensued on the proposed amendment to Section 612 (Measure C). Councilmember Moser recommended that Community and Library Services staff be asked to determine what the numbers should be regarding expansion of the existing footprint for playground facilities and equipment. She further expressed her interest in addressing the issue of building a new public restroom where one doesn't currently exist. Councilmember Moser also requested that staff provide some guidelines to define a "structure" as related to beaches and parks.

City Attorney Gates stated the purpose of this item is to make it possible for the City to make beach and park improvements and/or alterations without having to always bring the item to a vote of the people per Measure C requirements. He noted that there is a difference between improving an existing structure vs building new.

Mayor Strickland requested that the Council move forward with conducting straw vote action.

Councilmember Kalmick asked if costs for Charter Amendments could be reduced by placing them on the November ballot rather than in March, and City Clerk Estanislau confirmed she will find out and report back.

A motion was made by Strickland, second McKeon to approve Section 300 (Term Commencement): the term of the elected candidate is to commence at the first regular City Council Meeting following the City's certification of the election, rather than the "Monday" following.

The motion carried by the following straw vote:

AYES: Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: Kalmick

A motion was made by Strickland, second Burns to approve Section 303 (Regular Meetings): the cancellation of a City Council Meeting may occur when there is a lack of a quorum or is cancelled by the Mayor or Majority of Council Members.

The motion carried by the following straw vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

A motion was made by Strickland, second McKeon to approve Section 612 (Measure C): Beaches and Parks: revise to provide more allowance to restroom and other existing facilities remodels, with no cost/price cap, only allowing expansion of the facility footprint up to 20% within a 10 year period; **as amended to include new restroom facilities**; Parks: revise children's playground facilities and equipment, both for new installations and for replacement installations; and replacement installations of playground facilities and equipment would be limited to not expand the existing footprint of more than ~~400~~ **20%** within a 10 year period, **or 100% in perpetuity, as amended.**

The motion carried by the following straw vote:

AYES: Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: Kalmick

Prior to a straw vote regarding Section 601/602 (Annual Budget), Councilmember Moser asked staff if there are any drawbacks to changing from an Annual Budget as recommended in Section 601/602 (Annual Budget).

Sunny Han, Chief Financial Officer, stated her support for this change and noted there are significant advantages, and there would still be the need for mid-year adjustments. City Manager Zelinka stated he has experience with two-year budgets and noted there are many more upsides than drawbacks.

A motion was made by Strickland, second McKeon to approve Section 601/602 (Annual Budget): revise to submission of two-year budgets in even **or odd** years, **as amended**.

Councilmember Kalmick asked, and staff acknowledged that an appropriate timeline for making this change will be provided.

The motion carried by the following straw vote:

AYES: Moser, Van Der Mark, Strickland, McKeon, and Burns

NOES: Kalmick, and Bolton

A motion was made by Strickland, second Burns to approve Section 300 (Clerk and Treasurer Election Cycle) to change election cycle to Gubernatorial for Treasurer and Clerk positions.

Councilmember Kalmick questioned the need for this amendment, and explained that the current voting cycle for elected officials was determined as the best way to prevent the potential for having four new City Council members at the same time as a new City Clerk and Treasurer. He also questioned how this change could be implemented without having the current City Clerk and Treasurer actually serve 6-year, rather than 4-year terms. Mayor Strickland stated these details would be addressed by staff in the process of returning these items for final Councilmember votes.

The motion carried by the following straw vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns

NOES: Kalmick, Moser, and Bolton

Mayor Strickland clarified again that the only purpose of Section 310 (City Clerk) recommendation is to remove the subjective text, ". . .~~in business, public administration, or a related field,~~".

Councilmember Bolton asked if there has ever been a dispute regarding this issue, and City Clerk Estanislau stated to the best of her knowledge not related to the City Clerk position, however, attorney advice was previously required for the City Treasurer position to determine if a potential candidate was qualified.

City Attorney Gates stated there have been potential candidate inquiries in the past brought to his office and noted in doing historical research they could not find a "bachelor's in business" degree, but rather a Bachelor of Science in Business Administration, or Business Management seems to be the correct nomenclature.

A motion was made by Strickland, second Burns to approve Section 310 (Clerk Qualifications) "To become and remain eligible for City Clerk, the person elected or appointed shall have a Bachelor's Degree ~~in business, public administration, or a related field,~~ and hold a certification as a Municipal Clerk or obtain such certification within the first three years in office." or modify so that Clerk position requires any four-year Bachelor's Degree for clarifying candidates

Councilmember Moser questioned qualifying a candidate whose degree in no way relates to the profession and does not offer the appropriate skills or knowledge to responsibly fill the position.

Councilmember Kalmick suggested that the Certified Municipal Clerk (CMC) certification also be required of a qualified candidate, rather than allowing three years to acquire the certification.

In response to Councilmember Moser's inquiry, City Clerk Estanislau described the International Institute of Municipal Clerk's Association (IIMC) "points" system to earn the CMC designation, and why a three-year timeframe may be needed to attend the Technical Track for Clerks (TTC) program that offers classes to earn points for those with little or no education, or prior municipal experience.

The motion carried by the following straw vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns

NOES: Kalmick, Moser, and Bolton

Mayor Strickland clarified the goal for approval of Section 702 (Local Control over Elections) is not to remove the State or County Election Codes or services, but rather to determine if, for municipal elections, Huntington Beach can expand the number of polling locations, require voter ID, and monitor ballot drop boxes.

A motion was made by Strickland, second Burns to approve Section 702 (Local Control over Elections) remove exclusive reliance on State Elections Code for all aspects of elections; add that for Municipal Elections, the City will maintain local control over voter ID provisions for resident verification; require/provide at least 12 polling locations/facilities throughout the City for in-person voting; and provide that the city will require/provide for monitoring of ballot drop boxes.

Mayor Strickland and Councilmembers Bolton, Kalmick and McKeon discussed what "monitoring ballot drop boxes" means, voter fraud implications for Orange County, and why requiring voter ID is being proposed. Councilmember McKeon asked that staff return this item to include "Voter ID" definition and review the changes that the state of Georgia made that resulted in increased voter turnout.

City Clerk Estanislau explained that every Orange County voter receives a mail-in ballot, that use of County vote centers is not restricted to the residents of the city the vote center is located in, and that the Voters' Rights Act determines the number of voting locations based on voter registration and population.

City Attorney Gates stated that as a matter of law, from initial research, it appears the three options being considered for this item are possible.

Councilmember Moser requested that if these suggestions related to voting are possible, when the items return, costs to implement the discussed options.

The motion carried by the following straw vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns

NOES: Kalmick, Moser, and Bolton

A motion was made by McKeon, second Burns to approve adding the City's Flag Ordinance into the City's Charter, ***as amended to also include the Olympic flag.***

The motion carried by the following straw vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns

NOES: Kalmick, Moser, and Bolton

A motion was made by McKeon, second Strickland to approve an amendment to the City Charter that would restrict City Councils from engaging in real property transactions that would require the City of Huntington Beach to forgo regularly collected property taxes on investment property, unless those purchases are approved by the voters of the City of Huntington Beach. Exceptions to this rule would/may include real property transactions that are important for acquisition of private property for infrastructure.

Councilmember Moser stated her general opposition to taking action on all proposed Charter amendments without an open and transparent process that includes public participation/discussion.

Mayor Strickland responded that none of these items can be enacted without voter approval, and noted that discussions, including public input on each item, will take place as the process moves forward.

The motion carried by the following straw vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

A motion was made by McKeon, second Strickland to approve incorporating language clarifying that the City Attorney is the exclusive legal counsel for the City; City Attorney Hiring Authority; Attorney-Client Privilege Communications and Work Product; and Internal Investigation Protocol

The motion carried by the following straw vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

A motion was made by McKeon, second Strickland to direct the City Attorney to review each proposed amendment and direct staff to prepare and return ballot measure language and all other materials required for submittal to the ROV for City Council consideration.

The motion carried by the following straw vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

COUNCILMEMBER ITEMS

29. 23-672 Approved Item Submitted by Councilmember Burns — Amending the Declaration of Policy on Human Dignity

Councilmember Burns noted that on November 16, 2021, the Huntington Beach City Council voted that the Declaration of Policy on Human Dignity, originally implemented on May 6, 1996, be amended and renamed Declaration on Policy on Human Dignity. The November 16, 2021, amendment included significant revisions to the language of the 1996 Declaration. His intent is to ask Councilmembers to further amend the Declaration, or cancel it, through an Ad Hoc Committee of three members and present recommendations at the October 3, 2023 City Council Meeting.

Councilmember Kalmick stated he cannot support the creation of another Ad Hoc Committee to meet behind closed doors, and shared his opinion there is no need to change anything within the Declaration of Policy on Human Dignity.

Councilmember Moser stated her support for a document that shows the vision for the kind of community we want to have where everyone has dignity and feels safe. She stated this document is a testament to the City's commitment to uphold the dignity of the community.

Councilmember Burns noted that the Declaration was dramatically amended in November 2021, and he is presenting an opportunity to re-evaluate whether the original Declaration should be reinstated, or possibly totally cancelled, and return to using the full Constitutional protection that everyone already has.

Councilmember Moser noted that one of the November 2021 updates included Penal Code updates, and she asked that the Ad Hoc Committee members be announced at this meeting.

Mayor Strickland appointed Mayor Pro Tem Van Der Mark, and Councilmembers McKeon and Burns to this Ad Hoc Committee.

Councilmember Moser and Mayor Pro Tem Van Der Mark exchanged words regarding alleged past statements pertaining to the Holocaust and personal associations with the Proud Boys that should prevent Mayor Pro Tem Van Der Mark from serving on the Ad Hoc Committee.

City Attorney Gates interrupted the discussion to note it is not appropriate in this meeting to interrogate anyone about their beliefs in this manner and discuss non-agenzized topics.

A motion was made by Strickland, second McKeon to recommend that the City Council amend the Declaration of Policy on Human Dignity through an Ad Hoc Committee of three City Council members (**Van Der Mark, McKeon, Burns**) appointed by the Mayor; and, the amendments to the Declaration of Policy on Human Dignity be presented at a future City Council Meeting on October 3, 2023 for approval of the newly amended Declaration of Policy on Human Dignity.

The motion carried by the following roll call vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns

NOES: Kalmick, Moser, and Bolton

ADJOURNMENT — at 1:16 AM on Wednesday, August 2, 2023, a motion was made by McKeon, second by Van Der Mark, to adjourn to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, September 5, 2023, in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

The Huntington Beach City Council/Public Financing Authority regular meeting of August 15, 2023 has been cancelled due to a lack of quorum.

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>

City Clerk and ex-officio Clerk of the City Council
of the City of Huntington Beach and Secretary of
the Public Financing Authority of the City of
Huntington Beach, California

ATTEST:

City Clerk-Secretary

Mayor-Chair