

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, October 3, 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 (3-Minute Time Limit)

Councilmember Moser announced Banned Books Week, October 1 – 7, and recognized the work of PEN America (more information can be found at pen.org), and also recognized October as Breast Cancer Awareness Month; Councilmember Burns recognized the successful Pacific Air Show event; and Mayor Pro Tem Van Der Mark thanked public safety personnel for their service during the Pacific Air Show weekend.

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

PUBLIC COMMENTS RELATED TO CLOSED SESSION ITEMS (3-Minute Time Limit) — None

A motion was made by Burns, with a second by Van Der Mark, to recess to Closed Session.

RECESSED TO CLOSED SESSION — 5:04 PM

CLOSED SESSION

1. 23-826 **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Al Zelinka, City Manager and Melanie Chaney, Chief Negotiator; also in attendance: Jose Rodriguez, Human Resources Manager; Theresa St Peter, Interim Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney; Scott Haberle, Fire Chief and Sunny Han, Chief Financial Officer. Employee Organization: The Huntington Beach Firefighters' Association (HBFA).**

2. **23-827 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Al Zelinka, City Manager and Melanie Chaney, Chief Negotiator; also in attendance: Jose Rodriguez, Human Resources Manager; Theresa St Peter, Interim Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney; Scott Haberle, Fire Chief and Sunny Han, Chief Financial Officer. Employee Organization: Fire Management Association (FMA).**
3. **23-840 CONFERENCE WITH LEGAL COUNSEL-LITIGATION (Gov. Code section 54956.9(d)(4).): Number of matters: One (1) - Confer with City Attorney regarding a request to provide Amicus support with regard to The Ohio House, LLC vs. City of Costa Mesa; United States Court of Appeals for the Ninth Circuit Case No. 22-56181; United States District Court for the Central District of California Case No. 8:19-cv-01710-JVS-GJS**

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:01 PM

ROLL CALL

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

PLEDGE OF ALLEGIANCE — Led by Councilmember Bolton

INVOCATION

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

4. **23-829 Huntington Beach Police Chaplain James Pike**

CLOSED SESSION REPORT BY CITY ATTORNEY

City Attorney Gates reported that by a vote of 7 – 0, the City Council authorized Amicus support through the League of Cities with regard to The Ohio House, LLC vs. City of Costa Mesa; United States Court of Appeals for the Ninth Circuit Case No. 22-56181; United States District Court for the Central District of California Case No. 8:19-cv-01710-JVS-GJS.

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:

Consent Calendar Items #5 (1 Staff Memorandum), #7 (3 email communications), #8 (4 email communications), #12 (1 email communication); Administrative Items #14 (1 email communication), and #15 (8 email communications).

PUBLIC COMMENTS (3-Minute Time Limit) — 35 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>.

Luanne Nichols Shoup was called to speak and announced Surf City Arts Fest and Family Arts Day at Central Park right behind Central Library on Saturday, October 7, from 10 AM – 4 PM. (00:12:09)

Shammy Dee was called to speak and shared her opinions on misleading information from the Pacific Air Show Financial Impact brochure. (00:13:26)

Unnamed Guest, Huntington Beach homeowner, was called to speak and shared her opinions regarding recent actions of City Attorney Gates, and Councilmember actions and decisions. (00:16:43)

Nora Pedersen, 37-year resident, was called to speak and shared information about Banned Books Week, October 1 – 7. (00:19:50)

Unnamed Guest was called to speak and shared exhibits related to COVID-19, voter fraud, and Mayor Strickland's violations of the Political Reform Act, and asked that Mayor Strickland recuse himself from deliberations regarding proposed election Charter amendments. (00:21:37)

Kathy Carrick, 48-year resident, was called to speak and stated her support for placing pornographic and sexually explicit library materials away from the children's section and thanked Mayor Pro Tem Van Der Mark for her efforts on this issue. (00:24:33)

Mary Jo Baretich, a 40-year resident, was called to speak and stated her opposition to proposed election Charter amendments and bundling unrelated items on the ballot. (00:27:37)

Meg Robinson, a resident, was called to speak and shared her opinion on many broken Councilmember campaign promises as documented by actions taken since being elected. (00:29:56)

Unnamed Guest was called to speak and shared her opinion that many of the proposed Charter amendments should be handled through ordinances, and stated her opposition to proposed election Charter amendments. (00:32:26)

Pat Goodman, a resident since 1976, was called to speak and shared her opinions related to lack of adequate affordable housing in Huntington Beach. (00:35:09)

Carol Daus, 28-year resident, was called to speak and shared her opinions regarding some proposed Charter amendments, and opposition to recent partisan actions of elected Huntington Beach officials. (00:38:23)

TJ England, 55-year resident, was called to speak and stated her opposition to the many unnecessary proposed Charter amendments, Councilmembers serving on too many committees, and Administrative Items #15, adoption of Resolution No. 2023-48, the "no mask and no vaccine mandate". (00:41:34)

Dennis, a 40-year resident, was called to speak. He objected to being the first person to enter Council Chambers for this meeting, yet there were many speakers called before him. City Clerk Estanislau explained that she accepts Request to Speak prior to the meeting, and that speaker names are called in the order received. Dennis acknowledged the service of Sen. Dianne Feinstein and shared his opinions on divided politics across the nation. (00:44:30)

Terry Rose, a 40-year resident, was called to speak and asked that all proposed Charter amendments be listed separately on the ballot and shared her concerns about the safety issues created by e-bikes and skateboards on Utica Street. (00:47:51)

Synde Manion, a resident, was called to speak and shared her opinions on Charter Section 705, Special Provisions Relating to Municipal Elections, and asked that Councilmembers put aside their political differences and actually listen to the speakers. (00:49:55)

Andrew Einhorn, a resident, was called to speak and requested an external independent investigation of Mayor Pro Tem Van Der Mark's past actions, statements and affiliations to determine the truth. (00:53:04)

Neal Kuster was called to speak and stated his opposition to Consent Calendar Item #7 regarding streamlining, consolidating, and/or dissolving a select number of the City's boards, commissions and committees and Council committees, and Administrative Items #15 regarding declaring the City a "no mask and no vaccine mandate" city. He also shared his opinions on the availability of low-income housing, homelessness, and safe cycling options. (00:55:59)

Brian Vea, a resident, was called to speak and shared his opinions on various aspects of the awesome Pacific Air Show this past weekend. (00:59:08)

Jignesh Padhiar was called to speak and thanked those responsible for the successful Pacific Air Show. He stated support for Administrative Items #15 regarding declaring Huntington Beach a "no mask and no vaccine mandate" city, the proposed Charter amendment requiring voter ID, and moving selected books from the children to adult sections in libraries. (01:00:24)

Ann Palmer, a 30+-year resident, was called to speak and thanked Councilmembers for the Charter review process. She also shared her concerns regarding development and asked that plans for the property at Bolsa Chica and Warner Avenue be re-imagined during the zoning change process. (01:03:24)

Unnamed Guest was called to speak and thanked everyone responsible for the awesome Pacific Air Show. He stated opposition to proposed Charter amendment changes to Section 313, Conflict of Interest, Nepotism, and his opinions regarding mask mandates. (01:05:43)

Tim Geddes, a 40-year resident, was called to speak and stated his opposition to proposed Charter amendments regarding voting and the election process. (01:09:30)

Merle Moshiri, a 45-year resident, was called to speak and shared her opinions regarding the importance of the words used for the proposed Charter amendments, and opposition to Councilmembers using divisive terms and not looking out for what is best for all residents. (01:12:08)

Jerry Donohue was called to speak and read excerpts from a management editorial piece in the September 13th *Orange County Register* expressing opinions regarding recent Huntington Beach City Council meetings. (01:15:08)

Butch Twining, 58-year resident, was called to speak and stated his support for the proposed Charter amendment on voter ID by citing examples of when ID is required. (01:18:12)

Unnamed Guest was called to speak and expressed appreciation for the tremendously successful Pacific Air Show, and shared examples of some results from Make America Great Again (MAGA) efforts. (01:20:52)

Kathryn Goddard, a resident since the 1980s, was called to speak and provided examples from her perspective on the problem of newly-elected Councilmembers saying one thing but delivering something else and encouraged Councilmembers to support policies of inclusion rather than policies of exclusion. (01:23:15)

David Rynerson, 27-year resident, was called to speak and stated his opposition to allowing use of Pacific Air Show funds and time for a national political candidate. (01:25:53)

Jeanne Farrens was called to speak and stated her opposition to all proposed Charter amendments. (01:27:24)

Tony Duran, resident, local business owner and HB Downtown Business Improvement District Executive Board member, was called to speak and stated his support for Consent Calendar Item #12 regarding bicycle regulations and offered to assist with developing safe policies. (01:30:34)

Sandy Taylor, owner of two Downtown clothing boutiques and HB Downtown Business Improvement District (HBDBID) Board of Directors Vice President, was called to speak and stated she was speaking as an individual in describing the benefits of HBDBID. (01:33:42)

Amory Hanson was called to speak and stated his support for Administrative Items #15 regarding declaring the City a "no mask and no vaccine mandate" city. (01:35:07)

Ken Inouye, a 50-year resident of Huntington Beach, was called to speak and suggested adopting a strategic and accumulative financial schedule that shows all of the reserves, potential revenues, expenses, and potential liabilities so Councilmembers can make intelligent decisions based upon the financial impact of their decisions, and as a prior CPA, he volunteered to help create the suggested schedule. (01:37:08)

Dean Schwartz, a Citizen Advocate for Non-Smokers' Rights, was called to speak and offered to work with Councilmembers to enact smoke-free policies for Huntington Beach. Mayor Pro Tem Van Der Mark asked Mr. Schwartz to complete a blue card for follow-up. (01:39:26)

Chris Byrne was called to speak and stated appreciation for the epic Pacific Air Show. He stated support for Administrative Items #15 regarding declaring the City a "no mask and no vaccine mandate" city. (01:42:26)

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS — None

AB 1234 REPORTING — None

OPENNESS IN NEGOTIATION DISCLOSURES — None

CITY MANAGER'S REPORT — None

CONSENT CALENDAR (Items 5-12)

Mayor Strickland announced that staff pulled Consent Calendar Item #12, Councilmember Kalmick pulled #7, and Councilmember Burns pulled #8 for further discussion.

CITY CLERK

5. 23-823 Approved and Adopted Minutes

A motion was made by Strickland, second Van Der Mark to ~~approve and adopt the City Council/Public Financing Authority regular meeting minutes of August 1, 2023~~ approve and adopt the City Council/Public Financing Authority regular meeting minutes of September 5, 2023; approve and adopt the City Council/Public Financing Authority regular meeting minutes of September 19, 2023; and, approve and adopt the City Council/Public Financing Authority special meeting minutes of September 14, 2023.

The motion as amended by supplemental communication to remove from consideration the August 1, 2023 minutes, carried by the following roll call vote:

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

6. 23-825 Received and Filed September Update of Activities for Citizen Boards, Commissions, Committees (BCCs) and Regional Agencies

A motion was made by Strickland, second Van Der Mark 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

CITY MANAGER

7. 23-758 **Adopted Ordinances to amend the Huntington Beach Municipal Code to streamline, consolidate, and/or dissolve a select number of the City's Boards, Commissions, and Committees and Council Committees**
Ordinance Nos. 4296, 4295, 4298, 4299 approved for introduction September 5, 2023 — Vote: 4–3 (Kalmick, Moser, Bolton – No);
Ordinance Nos. 4297, 4300, 4301 approved for introduction September 5, 2023 — Vote: 5–2 (Moser, Bolton – No)

Councilmember Kalmick pulled this item to ensure accurate recording of votes.

Councilmember Burns suggested changing "July 4th" to "Independence Day" for Ordinance No. 4301, (Part G). After a brief discussion, Mayor Strickland and Councilmembers Burns and Kalmick agreed to leave as is for this vote and asked that staff bring back for full discussion at another time.

Councilmember Moser requested more details on the "new Youth Committee" that will replace the Youth Board. She expressed her concern about the continuity of the Junior Citizens Academy which previously began with the school year. Councilmember Moser noted that the Human Relations Committee has been dissolved and the Orange County Hate Crimes Report shows increased hate crimes, hate incidents and anti-LGBTQ activity in Orange County.

Assistant City Manager Travis Hopkins and Director of Community and Library Services Ashley Wysocki responded with more details regarding the Youth Civic Leaders Collaborative which is expected to have their first meeting early next year. Director Wysocki confirmed this Collaborative will not be under the Brown "Open Meetings" Act restrictions to allow for more communication between the members.

A motion was made by Kalmick, second Strickland to adopt Ordinance No. 4296, "An Ordinance of the City of Huntington Beach repealing Ordinance No. 4168 and delete Chapter 2.104 of the Huntington Beach Municipal Code dissolving the Jet Noise Commission;" adopt Ordinance No. 4295, "An Ordinance of the City of Huntington Beach repealing Ordinance No. 3332 and delete Chapter 2.112 of the Huntington Beach Municipal Code dissolving the Mobile Home Advisory Board;" adopt Ordinance No. 4298, "An Ordinance of the City of Huntington Beach deleting Chapter 2.102 of the Huntington Beach Municipal Code and dissolving the Environmental and Sustainability Board;" adopt Ordinance No. 4299, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code by amending Chapter 2.111 thereof related to Citizen Infrastructure Advisory Board/Public Works Commission"; and approve the official dissolution of the Smart Cities and Technology Council Committee by minute action; adopt Ordinance No. 4297, "An Ordinance of the City of Huntington Beach deleting Chapter 2.108 of the Huntington Beach Municipal Code and dissolving the Huntington Beach Youth Board;" adopt Ordinance No. 4300, "An Ordinance of the City of Huntington Beach amending the Huntington Beach Municipal Code by amending Chapter 2.106 thereof related to Fourth of July Executive Board;" and, adopt Ordinance No. 4301, "An Ordinance of the City of Huntington Beach amending the Huntington Beach Municipal Code by amending Chapter 13.54 thereof related to Specific Events."

The motion carried by the following roll call vote for Ordinance Nos. 4296, 4295, 4298, 4299:

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

The motion carried by the following roll call vote for Ordinance Nos. 4297, 4300, 4301:

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

COMMUNITY DEVELOPMENT

8. 23-581 Denied Resolution No. 2023-39 authorizing the acceptance of \$325,000 in grant funds from the California Department of Cannabis Control (DCC) to assist in the development of a cannabis retail access program.

Councilmember Burns pulled this item to ensure that each recommended action is voted on separately.

Councilmember Kalmick noted this planning grant doesn't require a commitment of any kind, and there is support for legalization and taxation of retail and non-retail cannabis within Huntington Beach. He stated appreciation for staff efforts to quickly process the paperwork for this grant and believes these funds will help determine the best policy for moving forward.

There was discussion on the history of voter decisions to this point. Councilmember Kalmick noted that retail cannabis tax could potentially help shore up projected deficits, and this grant will provide resources to allow voters to approve or not the program Council develops.

Councilmember McKeon stated his opposition to accepting these funds because he believes the process to get to this point was disingenuous by asking voters a hypothetical question.

Mayor Pro Tem Van Der Mark stated she would like the community to first determine if they want cannabis sales before moving forward and accepting any taxpayer funds.

A motion was made by Kalmick, second Burns to adopt Resolution No. 2023-39, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Acceptance of Funds from the Department of Cannabis Control (DCC) from the Cannabis Local Jurisdiction Retail Access Grant" and appropriate the \$325,000 grant award."

The motion failed by the following roll call vote:

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

A motion was made by Strickland, second Van Der Mark to formally dissolve the City Council Cannabis Ad-Hoc Committee.

The motion carried by the following roll call vote:

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

PUBLIC WORKS

9. 23-749 Approved Fifth Amendment to the West Orange County Water Board Joint Powers Agreement allowing member agencies to designate up to two alternate members to the Board of Directors.

A motion was made by Strickland, second Van Der Mark to approve and authorize the Mayor and City Clerk to execute the Fifth Amendment to the WOCWB Joint Powers Agreement.

The motion carried by the following roll call vote:

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

10. 23-770 Accepted the lowest responsive and responsible bid and authorized execution of a construction contract with A2Z Construct Inc. in the amount of \$117,600.00 for the Central Library Lower Level Restroom ADA Improvements, CC-1658

A motion was made by Strickland, second Van Der Mark to accept the lowest responsive and responsible bid submitted by A2Z Construct Inc. in the amount of \$117,600; and authorize the Director of Public Works to execute change orders not to exceed 20% of the contract costs, or \$23,520. 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

11. 23-784 Approved and authorized execution of Professional Service Contract with Iteris, Inc. in the amount of \$646,136.00 for the Valley View Street/ Bolsa Chica Street RTSSP Project, CC-1622

A motion was made by Strickland, second Van Der Mark to approve and authorize the Mayor and City Clerk to execute a Professional Service Contract between the City of Huntington Beach and Iteris, Inc. for the Valley View Street/ Bolsa Chica Street RTSSP Project, CC-1622, in an amount not to exceed \$646,136.

The motion carried by the following roll call vote:

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

POLICE

12. 23-824 Adopted Emergency Ordinance No. 4304 amending Huntington Beach Municipal Code (HBMC) Chapter 10.84 relating to bicycle regulations

***5 Affirmative Votes are required to adopt Emergency Ordinance No. 4304 per City Charter Section 501**

City Attorney Michael Gates stated this item was pulled because it should not be part of the Consent Calendar and noted that as an emergency ordinance, five (5) affirmative votes are required for adoption. He confirmed the ordinance was not changed, but findings were added to support the change to emergency status and if approved, the ordinance becomes effective immediately.

Councilmembers Kalmick and Bolton expressed appreciation for staff efforts to bring this back as an emergency ordinance and Councilmember Bolton briefly reviewed the findings.

A motion was made by Kalmick, second Strickland to after City Clerk reads by title, adopt Emergency Ordinance No. 4304, "An Emergency Ordinance of the City Council of the City of Huntington Beach Amending Chapter 10.84 of the Huntington Beach Municipal Code Relating to Bicycle Regulations."

The motion carried by the following roll call vote:

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

PUBLIC HEARING

13. 23-787 Public Hearing Held — Adopted Resolution No. 2023-38 approving an Annual Assessment within the Huntington Beach Downtown Business Improvement District (District) for Fiscal Year (FY) 2023-2024

Councilmember Kalmick announced that out of an abundance of caution, because one of his clients submitted a protest letter, he recused himself from this discussion and left the room.

Kriss Casanova, Economic Development Manager, presented a PowerPoint communication titled *Public Hearing to consider adoption of Resolution No. 2023-38 approving an Annual Assessment within the*

Huntington Beach Downtown Business Improvement District for Fiscal Year 2023-2024 with slides entitled: Background; The District; HB Downtown; FY 23-24 Annual Report; FY 22-23 Highlights; FY 23-24 Activities; Budget (Income); Budget (Expenses); Assessment Breakdown; Public Hearing; Recommendation; and Questions?

Councilmember McKeon and staff discussed some details regarding the budget change for the Surf City Artisan Fair of -\$42,000. Councilmember McKeon asked how many vendors participate and noted the previous operator had contracts with 57 vendors, with a wait list.

Ms. Jaime Strong, Huntington Beach Downtown Business Improvement District Executive Director, stated there is currently a maximum of 45 vendors, and time of year influences the number of vendors. Over the summer there was an average of 35 to 40 vendors. She stated she would review maps possibly showing changes in available space and noted this year's holiday season will provide more space where the ice rink was placed in the past.

Councilmember McKeon encouraged efforts to maintain vendor capacity, and noted this is one way to increase revenues.

Mayor Strickland opened the Public Hearing for approval of the Downtown Business Improvement District Annual Assessment for Fiscal Year (FY) 2023–2024.

City Clerk Robin Estanislau announced that if written protests are received from the owners of businesses in the District which will pay 50 percent or more of the assessments proposed to be levied, no further proceedings to renew the District or to levy the proposed assessment shall be taken for a period of one year from this date. If the majority protest is only against a specified type or types of improvement or activity within the area, those types of improvements or activities shall be eliminated.

City Clerk Estanislau announced there were no speakers.

Mayor Strickland closed the Public Hearing.

City Clerk Estanislau announced that if the protests total less than fifty percent (50%) of the total assessment amount, the City Council can approve the renewal of the District. If more than fifty percent (50%) of the total assessment is protested, the City Council cannot approve the renewal of the District or consider it further for one year.

City Clerk Estanislau reported that the percentage of assessments protested for the Downtown BID is 9.1%, or \$9,594 of the \$115,245 projected assessment amount. Protests were received from twenty-one (21) businesses, with one duplicate, of the 257 businesses in the Business Improvement District. However, four (4) protests totaling \$2,808 could not be validated as being signed by the owner or designated agent of the entity. If included, that would increase the total percentage of protests to 12.1%.

A motion was made by Strickland, second Burns to conduct the Public Hearing; and, if written protests of at least 50% or more of the total assessments are not received, adopt Resolution No. 2023-38, "A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment within the Huntington Beach Downtown Business Improvement District for Fiscal Year 2023-2024."

The motion carried by the following roll call vote:

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

RECUSE/OUT OF ROOM: Kalmick

ADMINISTRATIVE ITEMS

14. 23-786 Adopted Resolution No. 2023-46 adopting the 2023-2027 Strategic Plan

Al Zelinka, City Manager, Travis Hopkins, Assistant City Manager, and Carol Jacobs, Managing Director with Baker Tilly, LLP, City Consultant, presented a PowerPoint communication titled *Resolution No. 2023-46: Consider Adoption of the FY 2023-2027 Strategic Plan* with slides entitled: *Strategic Planning Process (2023); Why Strategic Planning?; Big Rock Theory; How Management Allocates Time; Strategic Planning Workshop; Strategic Plan Framework & Goals (2); 8 Overarching Goals; Economic Development; Fiscal Stability; High Performing Organization (3); Homelessness; Housing; Infrastructure Investment (2); Public Engagement (2); Public Safety; Implementation Action Plan; Transparency and Accountability; and Recommendation.*

Councilmember Bolton asked that objective and concrete metrics be used to determine the success indicators, using as an example "High Performing Organization" to determine if the workforce is engaged, and asked if that will be based on Customer Service surveys and/or employee surveys. City Manager Zelinka replied that as staff proceeds through the implementation action plan it will include developing the Key Performance Indicators (KPIs) and other appropriate measures to determine how the workforce is doing in an objective manner.

Councilmember Moser noted her personal interest in successfully addressing housing needs with the objective of providing proactive programs to address diverse housing needs in the City's jurisdiction. She stated the listed strategy of "take action to maintain local control of land-use planning" isn't going to properly address this issue. She shared her concern that a Housing Element is not stated anywhere in the Strategic Plan, and suggested that be added to Goal 5 — Housing, and added that having a certified Housing Element would be an indicator of success.

Mayor Strickland confirmed with City Manager Zelinka that the Strategic Plan contains the items that received a Council majority straw vote.

Mayor Strickland expressed thanks and appreciation to everyone involved in the Strategic Plan process.

A motion was made by Burns, second Strickland to adopt Resolution No. 2023-46, "A Resolution of the City Council of the City of Huntington Beach Adopting the 2023-2027 Strategic Plan".

The motion carried by the following roll call vote:

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

15. 23-756 Adopted Resolution No. 2023-48 declaring the City of Huntington Beach a "No Mask and No Vaccine Mandate City"

City Manager Zelinka provided a history and summary of this resolution.

Mayor Pro Tem Van Der Mark shared the importance of standing up for the rights of individuals and businesses, and noted this is a pre-emptive effort to ensure such draconian measures are not repeated in Huntington Beach. She stated that the Huntington Beach Police and Fire Chiefs are capable of

determining whether or not masks may be required for officers, and it is her belief that whether or not to be vaccinated is a personal decision which should not be mandated by someone else.

Councilmember Kalmick shared his opinion this resolution is virtue signaling, tilting at shadows and puts Huntington Beach in a precarious position regarding public health. Further, he stated he believes that eventually this action will go into the archives as failed public policy.

Councilmember Bolton shared her opinion that some of the assertions made to support this resolution are incorrect. She noted that no specific data or analysis has been provided to support the statement: "... a retrospective analysis has shown that government responses to COVID-19 were not convincingly or compellingly supported by medical or scientific evidence ...". Councilmember Bolton stated she cannot support a document filled with inaccuracies and internal inconsistencies.

Mayor Strickland responded there were mandates from federal, state and county governments, and it is his belief that government officials should consider the macro impact to the economy. He noted closing down businesses caused many local business owners to lose life savings and also created state-wide deficits. He further noted that the state made cuts in healthcare funding to cover the deficits because public safety and education are protected. Mayor Strickland thanked Mayor Pro Tem Van Der Mark for making the statement that Huntington Beach will stand against the mistakes of the past.

Councilmember Moser shared her opinion this is purely political theatre, and bringing this down to the micro level reveals the lives lost to COVID-19. She also noted the City and this Council do not regulate health policy for any hospital, school, or business.

Mayor Pro Tem Van Der Mark agreed that many people died from COVID-19, and noted that also many more died from suicide because of depression from not being allowed to earn a living, or be with family members, or because they lost their business when forced to close it. She noted that Hawaii actually had more people die from suicide than from COVID-19.

A motion was made by Van Der Mark, second Strickland to adopt Resolution No. 2023-48, "A Resolution of the City Council of the City of Huntington Beach, California, Declaring the City of Huntington Beach a "No Mask and No Vaccine Mandate City"

The motion carried by the following roll call vote:

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

NOES: Kalmick, Moser, and Bolton

ADJOURNMENT — at 8:59 PM a motion to adjourn was made by Burns, second by Van Der Mark, to a special meeting of the Huntington Beach City Council/Public Financing Authority on Thursday, October 5, 2023, at 6:00 PM in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, October 17, 2023, in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

INTERNET ACCESS TO CITY COUNCIL/PUBLIC FINANCING AUTHORITY AGENDA AND
STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT
<http://www.huntingtonbeachca.gov>

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