



AGENDA

City Council/Public Financing Authority

Tuesday, April 4, 2023

Council Chambers

2000 Main Street

Huntington Beach, CA 92648

--or--

Virtual via Zoom Webinar

MAYOR AND CITY COUNCIL

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

STAFF

AL ZELINKA, City Manager
MICHAEL E. GATES, City Attorney
ROBIN ESTANISLAU, City Clerk
ALISA BACKSTROM, City Treasurer

IN-PERSON PUBLIC PARTICIPATION/ZOOM ACCESS: Members wishing to attend the meeting in person are encouraged to wear a face covering.

Assembly Bill 361 (AB 361) authorizes public meetings to take place via teleconference (i.e., virtual using Zoom), or in person if in part. State and Local officials continue to recommend measures to promote social distancing. In addition to this hybrid format, alternate ways to view City Council meetings live or on-demand remain: livestreamed on HBTB Channel 3 (replayed on Wednesday's at 10:00 a.m. and Thursday's at 6:00 p.m.); live and archived meetings for on-demand viewing accessed from <https://huntingtonbeach.legistar.com/calendar>; or, from any Roku, Fire TV or Apple device by downloading the Cablecast Screenweave App and searching for the City of Huntington Beach channel.

PUBLIC COMMENTS: Individuals wishing to provide a comment on agenda items or non-agenda items, including Study Session, Closed Session, and Public Hearing, may do so in person by completing a **Request to Speak** form delivered to the City Clerk, or from a virtual location by entering **Zoom Webinar ID 971 5413 0528** via computer device, or by phone at **(669) 900-6833**. The **Zoom Webinar** can be accessed here: <https://huntingtonbeach.zoom.us/j/97154130528>. Instructions for those utilizing computer devices to request to speak are provided in each section of the agenda where public comments are accepted.

Members of the public unable to personally participate in the meeting but interested in communicating with the City Council on agenda-related items are encouraged to submit a written (supplemental) communication via email at SupplementalComm@Surfcity-hb.org, or City.Council@surfcity-hb.org. Supplemental Communications are public record, and if received by 2:00 PM on the day of the meeting, will be distributed to the City Council prior to consideration of agenda-related items, posted to the City website, and announced, but not read, at the meeting. Communications received following the 2:00 PM deadline will be incorporated into the administrative record.

MEETING ASSISTANCE NOTICE: In accordance with the Americans with Disabilities Act, services are available to members of our community who require special assistance to participate in public meetings. If you require special assistance, 48-hour prior notification will enable the City to make reasonable arrangements for an assisted listening device (ALD) for the hearing impaired, American Sign Language interpreters, a reader during the meeting and/or large print agendas. Please contact the City Clerk's Office at (714) 536-5227 for more information.

4:00 PM - COUNCIL CHAMBERS

CALL TO ORDER

ROLL CALL

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

CITY COUNCILMEMBER COMMENTS (3-Minute Time Limit) - The Mayor will facilitate a voluntary opportunity for members of the Huntington Beach City Council to individually make brief comments to the public. Please note that the Brown Act does not allow for lengthy comments, discussion, or action on topics that are not on the agenda.

**ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO
CLOSED SESSION ITEMS (Received After Agenda Distribution)**

PUBLIC COMMENTS (3-Minute Time Limit)

At this time, the City Council will receive comments from members of the public regarding any topic, including items on the Closed Session agenda. Individuals wishing to provide a comment on item(s) may do so in person by filling out a Request to Speak form delivered to the City Clerk. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

Please note that the Brown Act does not allow discussion or action on topics that are not on the agenda. Members of the public who would like to speak directly with a Councilmember on an item not on the agenda may consider scheduling an appointment by contacting the City Council's Administrative Assistant at (714) 536-5553 or emailing the entire City Council at city.council@surfcity-hb.org.

RECESS TO CLOSED SESSION

CLOSED SESSION

1. [23-306](#) **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Al Zelinka, City Manager, and Peter Brown, Chief Negotiator; also in attendance: Jose Rodriguez, Human Resources Manager; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney; Eric Parra, Chief of Police; Sunny Rief, Acting Chief Financial Officer; and Alisa Backstrom, City Treasurer. Employee Organization: Police Officers' Association (POA)**
2. [23-304](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: People of the State of California/Bonta v. City of Huntington**

Beach/Zelinka; Case No. 30-2023-01312235.

3. [23-305](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
City of Huntington Beach, et al. v. Gavin Newsom, et al.; Case No.
8:23-CV-00421
4. [23-307](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
Whitaker (Brittany) v. City of Huntington Beach and Todd McClung;
OCSC Case No.: 30-2021-01235807
5. [23-308](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
Bottoms (Mark) v. City of Huntington Beach, et al.; OCSC Case No.
30-2021-01196342
6. [23-309](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
Gapezzani (Gary) v. John Romero, City of Huntington Beach; OCSC
Case No.: 30-2021-01225030

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

ROLL CALL

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

PLEDGE OF ALLEGIANCE

INVOCATION

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

7. [23-295](#) Huntington Beach Fire and Police Department Chaplain Roger Wing

AWARDS AND PRESENTATIONS

NEW 23-324 Junior Citizens Academy Graduation

CLOSED SESSION REPORT BY CITY ATTORNEY

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3-Minute Time Limit)

At this time, the City Council will receive comments from members of the public regarding any topic, including items on the open session agenda. Individuals wishing to provide a comment may do so in person by filling out a Request to Speak form delivered to the City Clerk. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

Please note that the Brown Act does not allow discussion or action on topics that are not on the agenda. Members of the public who would like to speak directly with a Councilmember on an item not on the agenda may consider scheduling an appointment by contacting the City Council's Administrative Assistant at (714) 536-5553 or emailing the entire City Council at city.council@surfcity-hb.org.

While the City Council welcomes public involvement and supports and defends free speech, the City Council rejects comments from anyone that are discriminatory, defamatory or otherwise not protected free speech. Those comments will not inform nor be considered by the City Council and may be cause for the Mayor to interrupt the public speaker. Such public comments will not be consented to or otherwise adopted by the City Council in its discussions and findings for any matter tonight.

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS

Councilmembers may make brief announcements on any appointments made to a board, committee, or commission. Councilmembers may not discuss or take any action on these announcements. Announcements are limited to 1 minute.

AB 1234 REPORTING

Per AB 1234 (Government Code Section 53232.3(d)) Councilmembers who attend a meeting, conference, or similar event at the expense of the City must provide a brief report of the meeting, conference, or similar event during the next regular City Council meeting. Reports are limited to 1 minute.

OPENNESS IN NEGOTIATION DISCLOSURES

Councilmembers must publicly disclose any meetings or communications with City employee associations, related to the negotiations of labor agreements. Disclosures are limited to 1 minute and must be made by the next regular City Council Meeting.

CITY MANAGER'S REPORT

8. [23-277](#) **Recognizing Public Works Director, Sean Crumby, for his leadership and management while serving the City**

9. [23-319](#) **Upcoming City Programs: Customer Service Input and 2023 Citizens Academy**

CONSENT CALENDAR

COMMUNITY DEVELOPMENT DEPARTMENT

10. [23-272](#) **Adopt Resolution No. 2023-12 declaring weeds and rubbish a nuisance on specific properties and scheduling a Public Hearing on May 2, 2023, at 6:00 p.m. for protests and objections to the abatement thereof**

Recommended Action:

Adopt Resolution No. 2023-12, "A Resolution of the City Council of the City of Huntington Beach Finding and Declaring That Certain Weeds Growing in the City, and Rubbish and Refuse Deposited on Public Ways and Private Property are a Public Nuisance; and Fixing the Time for Hearing Protests and Objections to the Abatement Thereof."

OFFICE OF THE CITY CLERK

11. [23-267](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes of March 21, 2023.

OFFICE OF THE CITY MANAGER

12. [23-274](#) **Approval of the Mobile Home Advisory Board (MHAB) Annual Report and Request for a Mobile Home Market Space Rent Study by the MHAB**

Recommended Action:

A) Receive and file the Mobile Home Advisory Board 2022 Annual Report approved by the MHAB; and,

B) Approve the two MHAB recommendations in the Annual Report, including marketing outreach and a Mobile Home Market Space Rent Study.

OFFICE OF THE CITY TREASURER

13. [23-293](#) **Adopt Ordinance No. 4287 Repealing Ordinance No. 3907 relating to the duties of the Finance Director; and, adopt Ordinance No. 4288 to reinstitute the City Treasurer's Powers and Duties, as authorized in**

the City Charter

Approved for Introduction 3/21/23 - Vote: 7-0

Recommended Action:

A) Adopt Ordinance 4287, "An Ordinance of the City Council of the City of Huntington Beach Repealing Ordinance No. 3907 relating to the duties of the Finance Director;" and,

B) Adopt Ordinance No. 4288, "An Ordinance of the City Council of Huntington Beach amending Chapter 2.15 relating to the duties of the Finance Department and re-adding Chapter 2.16 as amended relating to the duties of the Treasurer."

POLICE DEPARTMENT

14. [22-1020](#) **Approve and authorize a one-year contract extension with Universal Protection Services, LP, DBA Allied Universal Security Services for street sweeping parking enforcement services**

Recommended Action:

Approve and authorize "Amendment No. 1 to Service Agreement Between the City of Huntington Beach and Universal Protection Services, LP dba Allied Universal Security Services (UASS) for Street Sweeping Enforcement Services" not to exceed \$399,272.14 for the next calendar year; and authorize the Mayor and City Clerk to execute the attached contract.

PUBLIC WORKS DEPARTMENT

15. [23-278](#) **Approve and authorize execution of Amendment #2 to the Limited Partial Basin Equity Assessment Exemption Agreement between the Orange County Water District (OCWD) and City of Huntington Beach (Huntington Beach Well No. 9)**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute "Amendment #2 to the Limited Term Partial Basin Equity Assessment Exemption Agreement between the Orange County Water District and City of Huntington Beach (Huntington Beach Well No. 9).

PUBLIC HEARING

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

Individuals wishing to provide a comment on an item scheduled for Public Hearing may do so in person by filling out a Request to Speak form delivered to the City Clerk. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

16. [23-292](#) **Continued from March 21, 2023 with Public Hearing Open: Request to Adopt Resolution No. 2023-14 approving General Plan Amendment No. 2021-003 (Housing Element Update), adopt Resolution No. 2023-16 approving General Plan Amendment No. 2022-001 (General Plan Land Use Element Affordable Housing Overlay), approve for introduction Ordinance No. 4289 approving Zoning Map Amendment No. 2022-002 (Zoning Map Affordable Housing Overlay), approve for introduction Ordinance No. 4291 approving Zoning Text Amendment No. 2022-008 (HBZSO Chapter 229 Affordable Housing Overlay), adopt Resolution No. 2023-13 approving Zoning Text Amendment No. 2022-009 (Beach and Edinger Corridor Specific Plan Affordable Housing Overlay), approve for introduction Ordinance No. 4290 approving Zoning Text Amendment No. 2022-007 (Holly Seacliff Specific Plan Affordable Housing Overlay), and adopt Resolution No. 2023-15 approving Subsequent Environmental Impact Report No. 2022-002 with findings of fact and statement of overriding considerations (Housing Element Update and Associated Program Implementation Actions)**

Recommended Action:

CEQA Action

A) Approve Subsequent EIR No. 22-002 with findings of fact and statement of overriding considerations by adopting City Council Resolution No. 2023-15, "A Resolution of the City Council of the City of Huntington Beach certifying Final Subsequent Environmental Impact Report No. 22-002 for the City of Huntington Beach 6th Cycle Housing Element Update (2021-2029), adopting findings pursuant to the California Environmental Quality Act, adopting a statement of overriding considerations, and adopting a mitigation monitoring and reporting program" (Attachment No. 1);

Housing Element Update Action

B) Approve General Plan Amendment No. 21-003 (Housing Element Update) and adopt City Council Resolution No. 2023-14, "A Resolution of the City Council of the City of Huntington Beach approving General Plan Amendment No. 21-003 (2021-2029 Housing Element Update" (Attachment No. 2);

Implementation Actions (Legislative Amendments)

C) Approve General Plan Amendment No. 22-001 (General Plan Land Use Element Affordable Housing Overlay) and adopt City Council Resolution No. 2023-16, "A

Resolution of the City Council of the City of Huntington Beach approving General Plan Amendment No. 22-001 (Land Use Element and Land Use Map Updates” (Attachment Nos. 3, 4 and 5);

D) Approve Zoning Map Amendment No. 22-002 (Zoning Map Affordable Housing Overlay) with findings (Attachment No. 6) by approving for introduction Ordinance No. 4289, “An Ordinance of the City of Huntington Beach amending District Maps 2 (Sectional Map 2-6-11), 27 (Sectional Map 24-5-11), 31 (Sectional Map 26-5-11), and 32 (Sectional Map 27-5-11) of the Huntington Beach Zoning and Subdivision Ordinance to add the Affordable Housing Overlay to real property within the City of Huntington Beach” (Attachment No. 7);

E) Approve Zoning Text Amendment No. 22-008 (HBZSO Chapter 229 Affordable Housing Overlay) with findings (Attachment No. 6) by approving for introduction Ordinance No. 4291, “An Ordinance of the City Council of the City of Huntington Beach amending the Zoning and Subdivision Code of the City of Huntington Beach to add a new Chapter 229 (Affordable Housing Overlay)” (Attachment No. 8);

F) Approve Zoning Text Amendment No. 22-009 (Beach and Edinger Corridor Specific Plan Affordable Housing Overlay) with findings (Attachment No. 9) by adopting City Council Resolution No. 2023-13, “A Resolution of the City Council of the City of Huntington Beach approving an amendment to the Beach and Edinger Corridors Specific Plan (SP 14)” (Attachment No. 10); and

G) Approve Zoning Text Amendment No. 22-007 (Holly Seacliff Specific Plan Affordable Housing Overlay) with findings (Attachment No. 11) by approving for introduction Ordinance No. 4290, “An Ordinance of the City Council of the City of Huntington Beach amending the Holly-Seacliff Specific Plan (SP 9) to establish an Affordable Housing Overlay” (Attachment No. 12).

ADMINISTRATIVE ITEMS

17. [23-294](#) **Proposed 90-Day Plan to Address Homelessness in Huntington Beach**

Recommended Action:

A) Receive and file this report; and

B) Approve the proposed 90-Day Plan.

ORDINANCES FOR INTRODUCTION

18. [23-237](#) **Approve for introduction Ordinance No. 4286 amending Huntington Beach Municipal Code Chapter 10.12 relating to speed limits.**

Recommended Action:

Approve for introduction Ordinance No. 4286 “An Ordinance of the City of Huntington

Beach Amending Chapter 10.12.080 of the Huntington Beach Municipal Code Relating to Speed Limits.”

COUNCILMEMBER ITEMS

19. [23-321](#) Item submitted by Councilmember McKeon - One Stop Shop Update

Recommended Action:

Direct the City Manager to continue providing quarterly updates to City Council and to return to City Council with a proposed scope of work and timeline (i.e. schedule) showing when the One Stop Shop will be implemented at City Hall in order to cut the red tape and roll out the red carpet for businesses and improve customer service to our residents and visitors. Please also provide any items needed from the City Council in order to streamline this endeavor for maximum success.

ADJOURNMENT

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