



AGENDA

City Council/Public Financing Authority

Tuesday, May 16, 2023

3:00 PM - Closed Session/Study Session

6:00 PM - Regular Business Meeting

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

Council Chambers

2000 Main Street

Huntington Beach, CA 92648

STAFF

AL ZELINKA, City Manager

MICHAEL E. GATES, City Attorney

ROBIN ESTANISLAU, City Clerk

ALISA BACKSTROM, City Treasurer

IN-PERSON PUBLIC PARTICIPATION: Members of the public are welcome to attend City Council meetings in person. Alternate ways to view meetings live or on-demand include: livestreamed on 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>, <https://bit.ly/SurfCityTV>, or the City's YouTube Channel at <https://www.youtube.com/cityofhb>, or from any Roku, Fire TV or Apple device by downloading the Cablecast Screenweave App and searching for the City of Huntington Beach channel.

PUBLIC COMMENTS: Individuals wishing to provide a public comment on agenda items, including Study Session, Closed Session, and Public Hearing, may do so in person in the City Council Chambers by completing a **Request to Speak** form delivered to the City Clerk.

SUPPLEMENTAL COMMUNICATION: Members of the public unable to personally participate in the meeting but interested in communicating with the City Council on agenda-related items are encouraged to submit a written (supplemental) communication to the Council via email at SupplementalComm@Surfcity-hb.org. Supplemental Communications are public record, and if received by 9:00 AM on the day of the meeting, will be distributed to the City Council prior to consideration of agenda-related items, posted to the City website, and announced, but not read, at the meeting. Communications received after the 9:00 AM deadline will be incorporated into the administrative record. Members of the public are also welcome to communicate with the City Council (and staff supporting Council) at City.Council@surfcity-hb.org.

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

3:00 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 STUDY AND/OR 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 Study Session and/or Closed Session agendas. Individuals wishing to provide a comment on item(s) may do so in person by filling out a Request to Speak form delivered to the City Clerk. All speakers are encouraged, but not required to identify themselves by name. Each speaker may have up to 3 minutes unless the volume of speakers warrants reducing the time allowance.

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

RECESS TO CLOSED SESSION

CLOSED SESSION

1. [23-423](#) **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; Theresa St. Peter, Interim Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney; Eric Parra, Chief of Police; and Sunny Han, Acting Chief Financial Officer. Employee Organization: Police Officers' Association (POA).**
2. [23-430](#) **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; Theresa St Peter, Interim Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney; Eric Parra, Chief of Police; and Sunny Han, Acting Chief Financial Officer. Employee Organization: Police Management Association (PMA).

3. [23-420](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to Government Code §54957 for performance evaluation of the City Manager
4. [23-427](#) CONFERENCE WITH LEGAL COUNSEL-LITIGATION (Gov. Code section 54956.9(d)(4.): Number of matters: One (1).
5. [23-421](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Nemelka (Anthony L.) v. City of Huntington Beach; OCSC Case No.: 30-2023-01313377.
6. [23-422](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Stanley (Jean) v. City of Huntington Beach; OCSC Case No.: 30-2021-01215676.
7. [23-428](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Tater/Stankis v. City of Huntington Beach, et al.; USDC Case No. 8:20-cv-01772-MEMF (JDEx).

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING

STUDY SESSION

8. [23-419](#) Proposed FY 2023/24 Budget Review

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.

9. [23-414](#) Huntington Beach Police Chaplain Bob Ewing

CLOSED SESSION REPORT BY CITY ATTORNEY

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

PUBLIC COMMENTS (3-Minute Time Limit)

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

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

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS

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

AB 1234 REPORTING

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

OPENNESS IN NEGOTIATION DISCLOSURES

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

CITY MANAGER'S REPORT

- 10. [23-418](#) **E-Bike Safety Presentation**

- 11. [23-429](#) **Food Allergy Awareness Week**

CITY TREASURER'S REPORT

- 12. [23-409](#) **Receive and File the City Treasurer's March 2023 Quarterly Investment Summary Report**

Recommended Action:

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

CONSENT CALENDAR

CITY MANAGER'S OFFICE

- 13. [23-406](#) **Oak View Pilot Parking Program Update and Recommendation to Conclude the Year-Long Program When It Sunsets on June 30, 2023**

Recommended Action:

- A) Receive and file the Oak View Pilot Parking Program Update; and

- B) Conclude the Program when the pilot year sunsets on June 30, 2023.

COMMUNITY DEVELOPMENT DEPARTMENT

- 14. [23-377](#) **Adopt Resolution No. 2023-20 authorizing submittal of an application for a California Coastal Commission Local Coastal Program Planning Grant; and, approve and authorize execution of an amendment to a Professional Services Contract between the City and Michael Baker International, Inc. for a Comprehensive Local Coastal Program update**

Recommended Action:

- A) Adopt Resolution No. 2023-20, "A Resolution of the City Council of the City of Huntington Beach Authorizing Submittal of an Application for a California Coastal Commission LCP Planning Grant" (Attachment No. 1); and,

B) Approve and authorize the Mayor and City Clerk to execute “Amendment No. 1 to Agreement between the City of Huntington Beach and Michael Baker International, Inc. for a Comprehensive Local Coastal Program Update” as prepared by the City Attorney (Attachment No. 2).

COMMUNITY AND LIBRARY SERVICES

15. [23-404](#) **Approve the conceptual design for the Michael E. Rodgers memorial wall at the Senior Center in Central Park as recommended by the Community & Library Services Commission**

Recommended Action:

Approve the recommendation by the Community & Library Services Commission to approve the conceptual design for the Michael E. Rodgers memorial wall located in the central hallway at the Senior Center in Central Park.

FINANCE DEPARTMENT

16. [23-413](#) **Adopt Ordinance No. 4292 amending Huntington Beach Municipal Code Chapter 10.60 relating to On-Street Parking Meter Zones Approved for Introduction 5/02/2023 - Vote 5-2 (Strickland, Bolton-No)**

Recommended Action:

Adopt Ordinance No. 4292, “An Ordinance of the City of Huntington Beach Amending Chapter 10.60 of the Huntington Beach Municipal Code Relating To On-Street Parking Meter Zones”

OFFICE OF THE CITY CLERK

17. [23-412](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes of May 2, 2023.

PUBLIC WORKS DEPARTMENT

18. [23-394](#) **Approve appropriation of funds for electrical system repairs at the Central Library**

Recommended Action:

Authorize the appropriation of \$585,805 in HB Recovery Funds to Infrastructure Fund Account 31440006.82800.

19. [23-395](#) **Reject bids for the Traffic Signal Improvements at the intersection of**

**Warner Avenue and Ash Lane (CC-1670) and at the intersection of
Main Street and Delaware Street (CC-1671)**

Recommended Action:

Reject all bids for the Traffic Signal Improvements at the intersection of Warner Avenue and Ash Lane (CC-1670) and at the intersection of Main Street and Delaware Street (CC-1671).

POLICE DEPARTMENT

20. [23-407](#) **Approve sole source purchases of three Shotover Augmented Reality Mapping Systems from Hangar One Avionics for the Huntington Beach Police Department Air Support Unit recently purchased helicopters**

Recommended Action:

A) Approve Sole Source purchase of the Shotover Augmented Reality Mapping System from Hangar One Avionics; and,

B) Appropriate \$433,000 in the Supplemental Law Enforcement Service Fund.

ORDINANCES FOR INTRODUCTION

21. [23-403](#) **Approve for introduction Ordinance No. 4282 Amending Huntington Beach Municipal Code Chapter 9.20 relating to Public Nudity**

Recommended Action:

Approve for introduction Ordinance No.4282, "An Ordinance of the City of Huntington Beach amending Chapter 9.20 of the Huntington Beach Municipal Code relating to Public Nudity".

COUNCILMEMBER ITEMS

22. [23-431](#) **Submitted by Councilmember Burns - Board, Commission, Committee Status and Organizational Review**

Recommended Action:

1. Request the City Council form an Ad Hoc Committee to review the purpose and structure of Citizen and Council Boards, Commissions, and Committees.
2. Recommend that the Mayor select three Council Members and the City Manager select two staff members to the Ad Hoc Council Committee to review the need and pertinence of standing boards, commissions, and committees.
3. Recommend that the Ad Hoc Committee return to Council in 90 days with a report on the status and recommendation to the City Council.

23. [23-432](#) Submitted by Councilmember McKeon - Fiscal and Operations
Update on the City's Middle Income Housing Program

Recommended Action:

Direct the City Manager and the Community Development Department to coordinate with Catalyst and CMFA to present a comprehensive report at a City Council Meeting in July or sooner of the Financial Impact section mentioned in the July 2021 City Council Action. The report should include, but not be limited to, the following important details:

- How many of the 649 housing units are occupied?
- How many have been remodeled as planned and at what cost?
- How many of the units are leased to persons earning 80%-120% of the Area Median Income, as required?
- What are the average monthly rents?
- To fund the Middle Income Housing Program, the City has to forgo future property tax revenues for up to a 30 year period. How much in property tax did the City forego in 2022 and what is the estimated amount for 2023 and over the next 30 years?
- What are the property management fees paid every year and to whom are they paid?
- What are the annual maintenance and repair fees?
- How many of the retail shops on the first level of Elan are leased?

24. [23-433](#) Submitted by Councilmember Moser - Invocation Policy Update

Recommended Action:

Request the City Manager and City Attorney to present the following information at a City Council Meeting in June 2023:

1. An update on the Invocation Policy.
2. Considerations for amending Council's direction on February 21 with a draft Resolution outlining a policy of providing a moment of silence (in lieu of an invocation).

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, June 6, 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>