



AGENDA

City Council/Public Financing Authority

Tuesday, September 19, 2023

Council Chambers

2000 Main Street

Huntington Beach, CA 92648

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: 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 HBTV Channel 3 (replayed on Wednesday at 10:00 a.m. and Thursday at 6:00 p.m.); live and archived meetings for on-demand viewing accessed from <https://huntingtonbeach.legistar.com/calendar>, <https://bit.ly/SurfCityTV>, or the City's YouTube Channel at <https://www.youtube.com/cityofhb>, or from any Roku, Fire TV or Apple device by downloading the Cablecast Screenweave App and searching for the City of Huntington Beach channel.

PUBLIC COMMENTS: Individuals wishing to provide a 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.

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 STUDY SESSION OR CLOSED SESSION ITEMS (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO STUDY SESSION OR CLOSED SESSION ITEMS (3-Minute Time Limit)

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

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

STUDY SESSION

1. [23-763](#) **Mobility Implementation Plan - HB in Motion Survey Results**

RECESS TO CLOSED SESSION

CLOSED SESSION

2. [23-760](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Segal-Kaloski (Pamela) v. City of Huntington Beach, et al.; OCSC Case No.: 30-2021-01222791.**
3. [23-767](#) **LIABILITY CLAIM. (Section 54954.5(d).) Claimant: Elizabeth Lovin;**

Claim No. COHB-23-0152. Agency claimed against: City of Huntington Beach.

4. [23-761](#) **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).**

5. [23-762](#) **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).**

6. [23-773](#) **CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Al Zelinka, City Manager; Travis Hopkins, Assistant City Manager; Melanie Chaney, Chief Negotiator; Theresa St. Peter, Interim Human Resources Director; Sunny Han, Chief Financial Officer; Eric Parra, Police Chief; and Jose Rodriguez, Human Resources Manager. Employee Organization: Huntington Beach Police Officers' Association (HBPOA).**

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. [23-747](#) **Huntington Beach Police and Fire Chaplain Roger Wing**

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. [23-764](#) Quarterly Homeless Report

CONSENT CALENDAR

CITY CLERK

9. [23-692](#) Request to approve reappointments of Jerry Person as City Historian, and Kathie Schey as City Archivist, each to serve a four-year term commencing on September 23, 2023, and ending on September 23, 2027

Recommended Action:

A) Approve the reappointment of Jerry Person as City Historian, to serve a four-year term commencing on September 23, 2023, and ending on September 23, 2027; and

B) Approve the reappointment of Kathie Schey as City Archivist, to serve a four-year term commencing on September 23, 2023, and ending on September 23, 2027.

COMMUNITY DEVELOPMENT

10. [23-736](#) Annual Community Development Block Grant and HOME Investment Partnerships Grant End-of-Year Progress Report to the U.S. Department of Housing and Urban Development

Recommended Action:

A) Adopt the FY 2022-23 Consolidated Annual Performance and Evaluation Report for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) federal entitlement grant funds; and,

B) Authorize the City Manager to transmit the CAPER to HUD by September 28, 2023.

FIRE DEPARTMENT

11. [23-740](#) Consider the Harbour Commission's recommendation regarding proposed changes to Code of Federal Regulations affecting public navigation through Anaheim Bay

Recommended Action:

A) As recommended by the Harbour Commission, provide input to Naval Weapons Seal Beach regarding proposed changes to CFR Section 334.930, indicating that the City concurs with the proposed changes, with an amendment specifying that only vessels with California Boat/Vessel Registration be allowed to transit through the Anaheim Bay public navigation channel; and,

- B) Authorize the Mayor to submit a letter to the Commanding Officer of Naval Weapons Station Seal Beach specifying that the City concurs with the proposed CFR changes with the recommended amendment.

POLICE DEPARTMENT

12. [23-780](#) **Approve Responses to the 2022-2023 Orange County Grand Jury Reports Related to Animal Welfare**

Recommended Action:

- A) Approve the City's responses to findings and recommendations posed by the Orange County Grand Jury related to animal welfare; and
- B) Authorize the City Manager to submit the City's responses to the Presiding Judge of the Superior Court.

PUBLIC WORKS

13. [23-696](#) **Authorize the Mayor and City Attorney to execute Cooperative Agreement No. C-3-2654 between the Orange County Transportation Authority and the City of Huntington Beach for the I-405 Improvement Project**

Recommended Action:

Authorize the Mayor and City Attorney to execute Cooperative Agreement No. C-3-2654 between the Orange County Transportation Authority and the City of Huntington Beach for the I-405 Improvement Project

14. [23-725](#) **Approve and authorize execution of the Second Amendment to Site License Agreement between the City of Huntington Beach and T-Mobile West LLC, for a Wireless Communications Facility at Fire Station 6-Edwards**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the "Second Amendment to the Site License Agreement between T-Mobile West LLC and the City of Huntington Beach for the wireless communications facility at Fire Station 6 - Edwards," based on the terms and conditions as presented herein.

15. [23-735](#) **Accept the lowest responsive and responsible bid and authorize the execution of a construction contract with Oppenheimer National for \$134,387.26 for the Police Canine Facility, CC1744 and approve an appropriation from the Police Facilities Development Impact Fund**

Recommended Action:

- A) Accept the lowest responsive and responsible bid submitted by Oppenheimer National in the amount of \$134,387.26; and,
- B) Approve a budget appropriation in the amount of \$147,826 from Police Facility Development Impact Funds to account 22770106.82800; and,
- C) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

16. [23-745](#) **Accept bid and authorize execution of a construction contract with Applied Restoration, Inc. in the amount of \$754,451.80 for the construction of Goldenwest St. and Graham St. Bridge Maintenance Project, CC-1713**

Recommended Action:

- A) Accept the lowest responsive and responsible bid submitted by Applied Restoration, Inc. in the amount of \$754,451.80; and,
- B) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

ORDINANCES FOR INTRODUCTION

17. [23-750](#) **Approve for introduction Ordinance No. 4302 amending Huntington Beach Municipal Code (HBMC) Chapter 10.84 relating to bicycle regulations**

Recommended Action:

Approve for introduction Ordinance No. 4302, "An 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."

ADJOURNMENT

A special meeting of the Huntington Beach City Council will be held on Thursday, September 21, 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 3, 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>.**