



AGENDA

City Council/Public Financing Authority

Monday, June 26, 2023

Adjourned Regular Meeting - 5:00 PM

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:

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 comment on agendized or non-agendized 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.

5:00 PM - COUNCIL CHAMBERS

CALL TO ORDER - ADJOURNED REGULAR MEETING

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 ITEM (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEM (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. [23-567](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.**
(Paragraph (1) of subdivision (d) of Section 54956.9). Name of case:
Clayton-Tarvin (Gina) v. City of Huntington Beach, et al.; OCSC Case
No.: 30-2023-01329927.

6:00 PM – COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY ADJOURNED REGULAR MEETING

ROLL CALL

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

PLEDGE OF ALLEGIANCE

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.

CONSENT CALENDAR

2. [23-570](#) **Adopt Resolution No. 2023-33 appointing Mark D. Alvarado as Interim Chief Financial Officer and approving the Employment Agreement**

Recommended Action:

- A) Adopt Resolution No. 2023-33, "A Resolution of the City Council of the City of Huntington Beach appointing Mark D. Alvarado as Interim Chief Financial Officer"; and
- B) Approve and authorize the City Manager to execute the "Employment Agreement between the City of Huntington Beach and Mark D. Alvarado."

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.

3. [23-566](#) **Continued from June 20, 2023 with Public Hearing open - Request to Consider Adopting Resolution No. 2023-24 to Adopt a Budget for the City for Fiscal Year 2023/2024 and Authorize the Corresponding Appropriation and Transfer of \$4.9 Million of AES Reserves and \$3.9 Million of Equipment Replacement Reserves and Return to a 12-year Paving Cycle; Resolution No. 2023-25 Establishing the Gann Appropriation Limit for Fiscal Year 2023/2024; Resolution No. 2023-23 Levying a Retirement Property Tax for Fiscal Year 2023/2024 to Pay for Pre-1978 Employee Retirement Benefits; Resolution No. 2023-27 Amending the City's Classification Plan by Adding the Classifications of Graphic Designer, Multimedia Coordinator, Homeless Services Manager, and Municipal Records Manager; Resolution No. 2023-28 to Adopt a Revised General Fund Reserve Policy; Resolution No. 2023-26 Acknowledging Receipt of a Report Made by the Fire Chief of the Huntington Beach Fire Department Regarding the Inspection of Certain Occupancies Required to Perform Annual Inspections in such Occupancies Pursuant to**

Sections 13146.2 and 13146.3 of the California Health and Safety Code; Approve and Authorize the execution of Amendment No. 2 to the Agreement between the City of Huntington Beach and Mind OC for Pilot Mobile Crisis Response Program; Approve and Authorize the Execution of Professional Services Contract between the City of Huntington Beach and National Council for Community Development (NDC) for Technical Assistance Services; Approve and Authorize the Execution of Professional Services Contract between the City of Huntington Beach and Hinderliter, De Llamas and Associates for Sales and Use Tax Allocation and Audit Services; Approve the Budget Balancing Plan to Proactively Address the Fiscal Year 2024/25 Projected General Fund Deficit; and, Approve Modifications to the Frequency of Select Boards and Commissions (“BCCs”) and Direct Staff to Update Municipal Code Section 2.100, “Operating Policy for Boards and Commissions” to Formalize a Process for BCC-directed Assignments Exceeding Four (4) Hours of Staff Time.

Recommended Action:

- A) Adopt Resolution No. 2023-24, “A Resolution of the City Council of the City of Huntington Beach Adopting a Budget for the City for Fiscal Year 2023/2024” (Attachment 2); and,
- B) Authorize the Professional Services included in the FY 2023/24 budget to be representative of the services projected to be utilized by departments in FY 2023/24 (Attachment 3); and,
- C) Authorize the appropriation and transfer of the full balance (\$4.9 million) of the AES Reserve from the General Fund to the AES Mitigation Fund 1284; and,
- D) Authorize the appropriation and transfer of \$3,903,803 from the General Fund Equipment Replacement Reserve to the Equipment Replacement Fund 324; and,
- E) Approve the return to a 12 year paving cycle; and,
- F) Adopt Resolution No. 2023-25, “A Resolution of the City Council of the City of Huntington Beach Establishing the Gann Appropriation Limit for Fiscal Year 2023/2024” of \$1,171,687,773” (Attachment 4); and,
- G) Adopt Resolution No. 2023-23, “A Resolution of the City Council of the City of Huntington Beach Levying a Retirement Property Tax for Fiscal Year 2023/2024 to Pay for Pre-1978 Employee Retirement Benefits” (Attachment 5); and,

H) Adopt Resolution No. 2023-27, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan by Adding the Classifications of Graphic Designer, Multimedia Coordinator, Homeless Services Manager, and Municipal Records Manager" (Attachment 6); and,

I) Adopt Resolution No. 2023-28, "A Resolution of the City Council of the City of Huntington Beach Adopting a Revised General Fund Reserve Policy" (Attachment 7) and authorize the City Manager or designee to execute all administrative and budgetary actions necessary to consolidate certain General Fund Assigned Fund Balances to the Economic Uncertainties Reserve in order to meet the City's two-month Emergency Reserve requirement; and,

J) Adopt Resolution No. 2023-26, "A Resolution of the City Council of the City of Huntington Beach, California Acknowledging Receipt of a Report Made by the Fire Chief of the Huntington Beach Fire Department Regarding the Inspection of Certain Occupancies Required to Perform Annual Inspections in such Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code" (Attachment 8); and,

K) Approve and authorize the Mayor and City Clerk to execute "Amendment No. 2 to Agreement between the City of Huntington Beach and Mind OC for Pilot Mobile Crisis Response Program" (Attachment 9); and,

L) Approve and authorize the Mayor and City Clerk to execute "Professional Services Contract between the City of Huntington Beach and National Council for Community Development (NDC) for Technical Assistance Services" (Attachment 10); and,

M) Approve and authorize the Mayor and City Clerk to execute "Professional Services Contract between the City of Huntington Beach and Hinderliter, De Llamas and Associates for Sales and Use Tax Allocation and Audit Services" (Attachment 11); and,

N) Approve the Budget Balancing Plan to proactively address the Fiscal Year 2024/25 Projected General Fund Deficit; (Attachment 12); and,

O) Approve modifications to the frequency of select Boards and Commissions ("BCCs") and direct staff to update Municipal Code Section 2.100, "Operating Policy for Boards and Commissions," to formalize a process for BCC-directed assignments exceeding four (4) hours of staff time.

ADMINISTRATIVE ITEMS

4. [23-568](#) **Adopt Resolution No. 2023-32 Approving and Implementing the Memorandum of Understanding (MOU) between the Huntington Beach Police Management Association (PMA) and the City of Huntington Beach for July 1, 2023 through June 30, 2026**

Recommended Action:

A) Adopt Resolution NO. 2023-32, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the Huntington Beach Police Management Association (PMA) and the City for July 1, 2023 through June 30, 2026;" and,

B) Authorize City Manager or designee to take all administrative and budgetary actions necessary for implementation of Resolution No. 2023-32.

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, July 18, 2023, in the Civic Center Council Chambers, 2000 Main Street, Huntington Beach, California.

The regular meeting of July 5, 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>