



AGENDA

City Council/Public Financing Authority

Tuesday, June 4, 2024

5:00 PM - Closed Session

6:00 PM - Regular Meeting

Special Meeting of the Housing Authority

MAYOR AND CITY COUNCIL

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

Council Chambers

2000 Main Street
Huntington Beach, CA 92648

STAFF

ERIC G. PARRA, Interim 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 HDTV 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.

PRESENTATION MATERIAL: Presentations/AV materials shall be submitted to staff no later than 9AM the day of the meeting to PublicPresentations@huntingtonbeachca.gov. Members of the audience and speakers shall not wear or display signs that obstruct the view of other audience members. Signs shall remain with the holder and shall not be placed in adjacent seats or in common areas.

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. Sign-ups to Request to Speak will begin in person 30 minutes prior to the start of Study Session, Closed Session, or Regular City Council Meeting, whichever comes first. Sign-ups will be accepted until the commencement of the public comment period.

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

ROLL CALL

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

CITY COUNCIL MEMBER 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(S) (Received After Agenda Distribution)

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION ITEM(S) (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. [24-425](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.
(Paragraph (1) of subdivision (d) of Section 54956.9). Clayton-Tarvin (Gina) v. City of Huntington Beach, Michael Gates, et al.; OCSC Case No.: 30-2023-01329927.

6:00 PM – COUNCIL CHAMBERS

RECONVENE THE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING AND CALL TO ORDER A SPECIAL MEETING OF THE HOUSING AUTHORITY

ROLL CALL

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

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.

2. [24-417](#) **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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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

CONSENT CALENDAR (Items 3-17)

City Clerk

3. [24-416](#) **Approve and Adopt Minutes**

Recommended Action:

Approve and adopt the City Council/Public Financing Authority regular meeting minutes of May 21, 2024.

4. [24-415](#) **Monthly Update of Activities for Citizen Boards, Commissions, Committees (BCCs) and Regional Agencies - May 2024**

Recommended Action:

Receive and File.

City Manager

5. [24-422](#) **Approve the appointments of Delaine Bailey, Kristine Carroll, Ellen Kuhnert, Christian Meyer, Ann Palmer, Patricia Pappas, Joe Pena, Brooke Stewart, and Dixie Walters to the City Celebration Committee as recommended by City Council Liaisons Casey McKeon and Tony Strickland**

Recommended Action:

Approve the appointments of Delaine Bailey, Kristine Carroll, Ellen Kuhnert, Christian Meyer, Ann Palmer, Patricia Pappas, Joe Pena, Brooke Stewart, and Dixie Walters to the City Celebration Committee. Committee members will serve until their respective successors are appointed and qualified. The Council Liaison has the power to recommend replacement members for any vacancies.

6. [24-001](#) **Adopt Resolution No. 2024-23 to Adopt a Revised City Council Manual**

Recommended Action:

Adopt Resolution No. 2024-23, "A Resolution of the City Council of the City of Huntington Beach Adopting a Revised City Council Manual."

7. [24-400](#) **Consider positions on legislation pending before the State Legislature, as recommended by the Intergovernmental Relations Committee (IRC)**

Recommended Action:

Approve the legislative position taken by IRC on May 15, 2024:

A) OPPOSE Senate Bill 1174 (Min) Elections: Voter identification

8. [24-413](#) **Approve and authorize execution of a service agreement between the City of Huntington Beach and Procure America for expense reduction and cost recovery services**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute a "Service Agreement Between the City of Huntington Beach and Procure America for Expense Reduction and Cost Recovery Services."

Community and Library Services

9. [24-424](#) **Approve and authorize execution of a Memorandum of Understanding between the City of Huntington Beach and the American Legion Huntington Beach Post 133 for the use of City Facilities and provision of Veterans Services**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute the Memorandum of Understanding between the City of Huntington Beach and the American Legion Huntington Beach Post 133 for the use of City facilities and provision of Veterans Services.

10. [24-412](#) **Approve the Marina Park reconfiguration conceptual plan as recommended by the Community & Library Services Commission**

Recommended Action:

Approve one of two conceptual plan design options for the Marina Park reconfiguration conceptual plan, and authorize staff to move forward with initiating development of the design and bid package for construction of the updated facility.

- Option 1: Conceptual Plan presented to the Community & Library Services Commission
- Option 2: Conceptual Plan recommended by the Community & Library Service Commission

11. [24-403](#) **Approve and authorize execution of a five-year License Agreement with Southern California Edison Company for public parkland located**

at Edison Park

Recommended Action:

Approve the License Agreement with Southern California Edison for the use of the 4.71 acres of property commonly known as Edison Park, Contract No. 9.2473, and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction.

12. [24-404](#) **Approve and authorize execution of a five-year License Agreement with Southern California Edison Company for public parkland located at Gisler Park**

Recommended Action:

Approve the License Agreement with Southern California Edison for the use of 10.5 acres of property known as Gisler Park, Contract No. 9.2247, and authorize the Mayor and City Clerk to execute any and all documents necessary to complete this transaction.

13. [24-405](#) **Approve and authorize execution of a five-year License Agreement with Southern California Edison Company for public parkland located at LeBard Park**

Recommended Action:

Approve the License Agreement with Southern California Edison for the use of the 2.02 acres of property commonly known as LeBard Park, Contract No. 9.2480 and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction.

Community Development

14. [24-397](#) **Approve and authorize execution of an 18-month extension to the Exclusive Negotiations Agreement with Jamboree Housing to continue planning and secure funding for the Pathways Project**

Recommended Action:

A) Approve and authorize the Chair, Authority Clerk and Executive Director to enter into an agreement with Jamboree Housing, extending the Exclusive Negotiations Agreement between the Housing Authority and Jamboree Housing; and

B) Approve and authorize the Chair, Authority Clerk and Executive Director to approve Jamboree Housing's submission of funding applications for the Pathways Project.

Public Works

15. [24-387](#) **Accept the lowest responsive and responsible bid and authorize execution of a construction contract with RJ Noble in the amount of \$4,046,298.55 for the FY 23/24 Arterial Rehabilitation Project, CC-1741**

Recommended Action:

A) Accept the lowest responsive and responsible bid submitted by RJ Noble in the amount of \$4,046,298.55 (Base Bid + Alternative Bid); and,

B) Authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

16. [24-389](#) **Approve and authorize execution of Amendment No. 1 to add Yorktown bridge to the existing Cooperative Agreement with the Orange County Flood Control District for funding, construction, and maintenance of bridges**

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute "Amendment No. 1 to Cooperative Agreement MA-080-23011516, between Orange County Flood Control District and City of Huntington Beach for addition of Funding, Construction, and Maintenance of the Talbert Channel (DO2) at Yorktown Avenue Improvements Project."

17. [24-393](#) **Adopt Resolution No. 2024-15 concerning the status and update of the Pavement Management Plan for the Measure M2 Program, and adopt a 7-year Capital Improvement Program for Fiscal Years 2024/2025 through 2030/2031 to comply with renewed Measure M eligibility requirements**

Recommended Action:

A) Adopt Resolution No. 2024-15, "A Resolution of the City Council of the City of Huntington Beach Concerning the Status and Update of the Pavement Management Plan for the Measure M2 Program"; and,

B) Adopt the 7-year Capital Improvement Program for Fiscal Years 2024/2025 through 2030/2031 to comply with renewed Measure M eligibility requirements.

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.

18. [24-406](#) Public Hearing to consider adoption of Resolution No. 2024-30 Modifying the Management District Plan for the Huntington Beach Tourism Business Improvement District

Recommended Action:

A) Conduct the Public Hearing; and,

B) If written protests of at least 50 percent or more of the total assessments are not received, adopt Resolution No. 2024-30, "A Resolution of the City Council of the City of Huntington Beach Declaring Results of Majority Protest Proceedings and Modifying the Huntington Beach Tourism Business Improvement District (HBTBID);" and,

C) Approve and Authorize the City Manager to execute the Second Amendment to the Tourism Business Improvement District Management Agreement between the City of Huntington Beach and Visit Huntington Beach.

19. [24-420](#) Consider Adopting Resolution No. 2024-29 to Adopt a Budget for the City for Fiscal Year 2024/25; Resolution No. 2024-28 Establishing the Gann Appropriation Limit for Fiscal Year 2024/2025; Resolution No. 2024-27 Levying a Retirement Property Tax for Fiscal Year 2024/2025 to Pay for Pre-1978 Employee Retirement Benefits; Resolution No. 2024-24 Modifying Salary and Benefits for Non-Represented Employees by Adding the Deputy Public Works Director/City Engineer Classification; Resolution No. 2024-25 Amending the City's Classification Plan by Adding the Classifications of Capital Projects Supervisor and Real Time Crime Center Supervisor; Resolution No. 2024-33 Modifying Salary and Benefits for Non-Represented Employees by Adding the Senior Deputy Community Prosecutor Classification and Establishing the Compensation and Amending the Non-Elected Non-Represented Employees Pay Schedule to Update the Compensation Range for the Chief Assistant City Attorney and Deputy Community Prosecutor; Resolution No. 2024-31 Adopting an Updated Master Fee and Charges Schedule; Resolution No. 2024-32 Setting Advanced Life Support, Basic Life Support, and Emergency Ambulance Transportation Fees to be Charged by the Fire Department of the City of Huntington Beach; and Resolution No. 2024-26 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; and Authorize the City Manager or Designee to Purchase One Triple Combination Pumper Engine in the Amount of \$1,257,063.

Recommended Action:

- A) Adopt Resolution No. 2024-29, "A Resolution of the City Council of the City of Huntington Beach Adopting a Budget for the City for Fiscal Year 2024/25" (Attachment 2); and,
- B) Authorize the Professional Services included in the FY 2024/25 budget to be representative of the services projected to be utilized by departments in FY 2024/25 (Attachment 3); and,
- C) Adopt Resolution No. 2024-28, "A Resolution of the City Council of the City of Huntington Beach Establishing the Gann Appropriation Limit for Fiscal Year 2024/2025" of \$1,217,866,589" (Attachment 4); and,
- D) Adopt Resolution No. 2024-27, "A Resolution of the City Council of the City of Huntington Beach Levying a Retirement Property Tax for Fiscal Year 2024/2025 to Pay for Pre-1978 Employee Retirement Benefits" (Attachment 5); and,
- E) Adopt Resolution No. 2024-24, "A Resolution of the City Council of the City of Huntington Beach Modifying Salary and Benefits for Non-Represented Employees by Adding the Deputy Public Works Director/City Engineer Classification and Establishing the Compensation" (Attachment 6); and,
- F) Adopt Resolution No. 2024-25, "A Resolution of the City Council of the City of Huntington Beach Amending the City's Classification Plan by Adding the Classifications of Capital Projects Supervisor and Real Time Crime Center Supervisor" (Attachment 7); and,
- G) Adopt Resolution No. 2024-33, "A Resolution of the City Council of the City of Huntington Beach Modifying Salary and Benefits for Non-Represented Employees by Adding the Senior Deputy Community Prosecutor Classification and Establishing the Compensation and Amending the Non-Elected Non-Represented Employees Pay Schedule to Update the Compensation Range for the Chief Assistant City Attorney and Deputy Community Prosecutor" (Attachment 8); and,
- H) Adopt Resolution No. 2024-31, "A Resolution of the City Council of the City of Huntington Beach Adopting an Updated Master Fee and Charges Schedule" (Attachment 9); and,
- I) Adopt Resolution No. 2024-32, "A Resolution of the City Council of the City of Huntington Beach Setting Advanced Life Support, Basic Life Support, and Emergency Ambulance

Transportation Fees to be Charged by the Fire Department of the City of Huntington Beach” (Attachment 10); and,

J) Adopt Resolution No. 2024-26, “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 11); and,

K) Authorize the City Manager or designee to purchase one Triple Combination Pumper Engine in the amount of \$1,257,063.

L) Direct 40 percent of Huntington Central Park Sports Complex (HCPSC) Tournaments and Special Events Parking to the HCPSC Capital Improvements Fund (Fund 325) to provide for HCPSC capital improvements.

COUNCIL MEMBER ITEMS

20. [24-433](#) **Item Submitted by Council Member Kalmick - Water is Wet, Sky is Blue**

Recommended Action:

Reaffirm by minute action that water is wet, and the sky is blue.

21. [24-427](#) **Item Submitted by Mayor Pro Tem Pat Burns - Affirmation of the Huntington Beach City Council’s Commitment to the United States Constitution and Special Recognition that Huntington Beach is a 1st and 2nd Amendment Friendly City**

Recommended Action:

The City of Huntington Beach City Council affirms and communicates our commitment and respect for the Constitution of the United States of America, and with special recognition that Huntington Beach is a 1st and 2nd Amendment friendly city.

ADJOURNMENT

The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, June 18, 2024, 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>

