



## AGENDA

### City Council/Public Financing Authority

Tuesday, August 6, 2024

4:30 PM - Closed Session

6:00 PM - Regular Meeting

#### Council Chambers

2000 Main Street

Huntington Beach, CA 92648

#### 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*

#### 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](mailto: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](mailto: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](mailto: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.

**4:30 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 (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](mailto:city.council@surfcity-hb.org).

**RECESS TO CLOSED SESSION**

1. [24-539](#) CONFERENCE WITH LEGAL COUNSEL-LITIGATION (Gov. Code section 54956.9(d)(4).): One (1).
2. [24-542](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Raymond Casillas v. City of Huntington Beach; Workers' Compensation No. COHB-19-0226.
3. [24-540](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E.

Gates, City Attorney and Sunny Han, Chief Financial Officer.  
Employee Organization: Huntington Beach Police Officers'  
Association (HBPOA).

4. [24-543](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney and Sunny Han, Chief Financial Officer. Employee Organization: Huntington Beach Municipal Teamsters (HBMT).
5. [24-545](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney and Sunny Han, Chief Financial Officer. Employee Organization: Management Employees' Organization (MEO).
6. [24-544](#) CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Eric Parra, Interim City Manager; also in attendance: Marissa Sur, Director of Human Resources; Travis Hopkins, Assistant City Manager; Michael E. Gates, City Attorney and Sunny Han, Chief Financial Officer. Marine Safety Management Association (MSMA).

**6:00 PM – COUNCIL CHAMBERS**

**RECONVENE CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING**

**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.

7. [24-536](#) Huntington Beach Police Chaplain James Pike

**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](mailto: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. [24-529](#) Streamline Surf City Update

**CITY TREASURER'S REPORT**

9. [24-418](#) Receive and File the City Treasurer's Quarterly Investment Report for June 2024

**Recommended Action:**

Receive and File the City Treasurer's Quarterly Investment Report for June 2024, pursuant to Section 18.0 of the Investment Policy of the City of Huntington Beach.

**CITY ATTORNEY'S REPORT**

10. [24-521](#) Update on State housing lawsuit against City
11. [24-522](#) Update on City housing lawsuit against State
12. [24-523](#) Update on U.S. Supreme Court case, City of Grants Pass, including City's Amicus support
13. [24-546](#) Annual Report on Community Prosecutor Program

**CONSENT CALENDAR (Items 14-28)**

**City Clerk**

14. [24-519](#) Approve and Adopt Minutes

**Recommended Action:**

Approve and adopt the City Council/Public Financing Authority regular meeting minutes of July 16, 2024.

15. [24-520](#) Monthly Update of Activities for Citizen Boards, Commissions, Committees (BCCs) and Regional Agencies - July 2024

**Recommended Action:**

Receive and File.

16. [24-530](#) Receive and file the City Clerk's quarterly listing of professional services contracts filed in the City Clerk's Office between April 1, 2024 and June 30, 2024

**Recommended Action:**

Receive and file the "List of Professional Services Contracts Approved by Department

Heads and Submitted to the Office of the City Clerk during the period of April 1, 2024 and June 30, 2024.”

17. [24-550](#) **Approve and authorize execution of License Agreements with the County of Orange to continue the operation and maintenance of official and secure Ballot Drop Boxes at the Huntington Beach Civic Center, 2000 Main Street, and the Main Street Branch Library, 525 Main Street, in Huntington Beach**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute a “License Agreement” with the County of Orange for continued operation and maintenance of a Ballot Drop Box as identified in Exhibits A and B (License Area description and location) at the Huntington Civic Center, 2000 Main Street, Huntington Beach; and,

B) Approve and authorize the Mayor and City Clerk to execute a “License Agreement” with the County of Orange for continued operation and maintenance of a Ballot Drop Box as identified in Exhibits A and B (License Area description and location) at the Main Street Branch Library, 525 Main Street, Huntington Beach.

**City Manager**

18. [24-527](#) **Consider positions on legislation pending before the State Legislature and a statewide ballot proposition, as recommended by the Intergovernmental Relations Committee (IRC)**

**Recommended Action:**

A) Support Senate Concurrent Resolution 165 (Nguyen) to Designate Portion of 405 Freeway as Surf City Highway.

B) Adopt Resolution No. 2024-43, “A Resolution of the City of Huntington Beach in Support of Proposition 36, The Homelessness, Drug Addiction and Theft Reduction Act”, which will set aside Resolution No. 4344 and Resolution No. 2024-23 for this action.

**Community and Library Services**

19. [24-528](#) **Approve the Carr Park reconfiguration conceptual plan as recommended by the Community & Library Services Commission**

**Recommended Action:**

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

**Community Development**

20. [24-502](#) **Approve and authorize execution of Professional Services Contracts for On-Call Plan Review Services with Scott Fazekas & Associates, Inc., CSG Consultants, Inc., and True North Compliance Services, Inc.**

**Recommended Action:**

- A) Approve and authorize the Mayor and City Clerk to execute a \$1,500,000 Professional Services Contract between the City of Huntington Beach and Scott Fazekas & Associates for On-Call Building Division Plan Review Services for a three-year term; and,
- B) Approve and authorize the Mayor and City Clerk to execute a \$1,500,000 Professional Services Contract between the City of Huntington Beach and CSG Consultants, Inc. for On-Call Building Division Plan Review Services for a three-year term; and,
- C) Approve and authorize the Mayor and City Clerk to execute a \$1,500,000 Professional Services Contract between the City Huntington Beach and True North Compliance Services, Inc. for On-Call Building Division Plan Review Services for a three-year term.

**Fire**

21. [24-533](#) **Approve and accept the Fiscal Year (FY) 2023 Assistance to Firefighters Grant; authorize the Fire Chief and Chief Financial Officer to execute documents; and approve appropriation of funds**

**Recommended Action:**

- A) Approve and accept the FY 2023 Assistance to Firefighters Grant awarded to the City of Huntington Beach; and
- B) Authorize the Fire Chief and Chief Financial Officer as the officials to execute and sign for the FY 2023 Assistance to Firefighters Grant award, agreement, amendments, and extensions; and,
- C) Approve the appropriation of grant revenues and expenditures in the amount of \$161,745.16.

22. [24-532](#) **Approve and accept the Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Grant Award from the U.S. Consumer Product Safety Commission, authorize the Fire Chief and Chief Financial Officer to execute grant documents, and approve appropriation of funds**

**Recommended Action:**

- A) Approve and accept the Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Grant award of \$53,400 from the U.S. Consumer Product Safety

Commission; and,

B) Authorize the Fire Chief and Chief Financial Officer to execute the grant agreement; and,

C) Approve the appropriation of grant revenues and expenditures in the amount of \$53,400.

### **Public Works**

23. [24-474](#) **Approve and authorize execution of Professional Services Contract with Moffat & Nichol to provide Professional Engineering and Environmental Consulting Services for the Gilbert Bridge Project, CC-1453; Acceptance of Federal grant funds from Caltrans and Appropriation of funds**

**Recommended Action:**

A) Approve and Authorize the Mayor and City Clerk to Execute a Professional Services Contract Between the City of Huntington Beach and Moffat & Nichol to Provide Professional Engineering and Environmental Consulting Services in the amount of \$484,403.19, and;

B) Accept award of a Federal grant administered by Caltrans in the amount of \$424,300 and approve the appropriation of the funds to grant account 129285101.82800

24. [24-475](#) **Approve and authorize execution of Professional Services Contracts for On-Call Grant Writing and Administration Consulting Services with Advanced Avant-Garde, Inc., CWE, Engineering Solution Services, Harris & Associates, Inc., KOA Corporation, and Villa Civil, APC**

**Recommended Action:**

A) Approve and authorize the Mayor and City Clerk to execute, "Professional Services Contract Between the City of Huntington Beach and Advanced Avant-Garde Corporation, for On-Call Grant Writing and Administrative Consulting Services," in an amount not to exceed \$250,000; and,

B) Approve and authorize the Mayor and City Clerk to execute, "Professional Services Contract Between the City of Huntington Beach and CWE for On-Call Grant Writing and Administrative Consulting Services," in an amount not to exceed \$250,000; and,

C) Approve and authorize the Mayor and City Clerk to execute, "Professional Services Contract Between the City of Huntington Beach and Engineering Solutions Services for On-Call Grant Writing and Administrative Consulting Services," in an amount not to exceed \$250,000; and,



D) Approve and authorize the Mayor and City Clerk to execute, "Professional Services Contract Between the City of Huntington Beach and Harris & Associates, Inc. for On-Call Grant Writing and Administrative Consulting Services," in an amount not to exceed \$250,000; and,

E) Approve and authorize the Mayor and City Clerk to execute, "Professional Services Contract Between the City of Huntington Beach and KOA Corporation for On-Call Grant Writing and Administrative Consulting Services," in an amount not to exceed \$250,000; and,

F) Approve and authorize the Mayor and City Clerk to execute, "Professional Services Contract Between the City of Huntington Beach and Villa Civil, APC, for On-Call Grant Writing and Administrative Consulting Services," in an amount not to exceed \$250,000.

25. [24-497](#) **Approve and authorize execution of a five-year License Agreement with Southern California Edison for traffic signals at the intersection of Center Avenue and One Park Plaza**

**Recommended Action:**

Approve and authorize the Mayor and City Clerk to execute a License Agreement between the City of Huntington Beach and Southern California Edison for use of property being occupied by City traffic signal facilities.

26. [24-517](#) **Adopt Resolution No. 2024-36 Confirming Cost Report for Weed Abatement on Private Parcels within the City for the 2024 Season**

**Recommended Action:**

A) Adopt Resolution No. 2024-36 "A Resolution of the City Council of the City of Huntington Beach Confirming the Report of the Public Works Director Regarding the Cost for Weed Abatement on Private Property Within the City for the 2024 Season," and

B) Direct that all charges listed thereon be certified to the Orange County 2024/25 Property Tax Roll.

27. [24-538](#) **Approve and authorize Service Agreements with ECB Solutions, LLC and MVA Power, Inc. for the purchase of electrical switchgear and transformer equipment for the Central Library and authorize appropriation in the amount of \$221,494**

**Recommended Action:**

A) Approve the purchase of electrical switchgear and transformer equipment from ECB Solutions, LLC and MVA Power, Inc. in the amount of \$221,494; and,

B) Authorize the Mayor and City Clerk to execute a Service Agreement between the City of Huntington Beach and ECB Solutions, LLC for the purchase of 3-phase padmount

transformer; and,

C) Authorize the Mayor and City Clerk to execute a Service Agreement between the City of Huntington Beach and MVA Power, Inc. for the purchase of padmount switchgear; and,

D) Authorize the appropriation of \$221,494 from the Infrastructure Fund (314) to business unit 31440040.82200.

28. [24-535](#) **Adopt Ordinance No. 4320 to authorize execution of an Amendment to the Pipeline Franchise Agreement with Cardinal Pipeline, L.P. for the operation and maintenance of a pipeline system for the transportation of oil, gas, and other hydrocarbon substances Approved for Introduction July 16, 2024 by a vote of 6-0-1 (Strickland-Absent)**

**Recommended Action:**

A) Adopt Ordinance No. 4320, “An Ordinance of the City Council of the City of Huntington Beach Amending Ordinance No. 4008 which Granted an Oil Pipeline Franchise”; and,

B) Approve and authorize the Mayor and City Clerk to execute the “Amendment to Franchise Agreement between the City of Huntington Beach and Cardinal Pipeline, L.P.”

**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.

29. [24-513](#) **Adopt Resolution No. 2024-37 authorizing an application for funds under the Orange County Transportation Authority (OCTA) for an Orange County Enhanced Mobility for Seniors & Disabled Grant Program (EMSD)**

**Recommended Action:**

Adopt Resolution No. 2024-37, "A Resolution of the City Council of the City of Huntington Beach Authorizing City Staff to apply to the Orange County Transportation Authority for an Orange County Enhanced Mobility for Seniors & Disabled Grant Program to Purchase the TripSpark's Notification software for the Surf City Senior's on the Go! Senior Transportation program."

### **COUNCIL MEMBER ITEMS**

30. [24-541](#) **Item Submitted by Mayor Van Der Mark - Request to Prepare an Ordinance Declaring Huntington Beach to be a "Parents' Right to Know" City**

**Recommended Action:**

Direct the City Manager to work with the City Attorney to prepare an Ordinance for introduction at the September 3, 2024 City Council Meeting declaring that Huntington Beach is a "Parents' Right to Know" City, that no educator stands in the way of informing parents of their child's gender identity or gender expression, and declaring that the City has an interest in challenging the State on AB 1955 or joining a parent's challenge to the State on AB 1955.

31. [24-547](#) **Item Submitted by Council Members Kalmick, Bolton, and Moser - Financial Transparency - Determine Total Cost of Pacific Airshow Settlement**

**Recommended Action:**

Direct the City Manager to contract an independent third-party expert in financial auditing or accounting (not firms that prepare reports for marketing entities) to review the settlement agreement costs and value, City financials, and estimate the Airshow's net direct economic benefit to the City. This expert should present their findings within 60 days at a public City Council meeting, providing detailed assumptions, calculations, and source material for resident understanding.

32. [24-549](#) **Item Submitted by Council Member McKeon - Taxpayer Transparency - Evaluation of City Tax-Sharing**

**Recommended Action:**

Direct the City Manager and Finance Director to report back to Council at the September 17, 2024 City Council Meeting with a written report and oral presentation with the answer to all of the aforementioned questions.

### **ADJOURNMENT**

**The Huntington Beach City Council/Public Financing Authority regular meeting of August 20, 2024, has been cancelled.**

**The next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority is Tuesday, September 3, 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>