

**Minutes
City Council/Public Financing Authority
City of Huntington Beach**

Tuesday, May 2, 2023
2:00 PM – Council Chambers
6:00 PM – Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**A video recording of the 2:00 PM and 6:00 PM portions of this meeting
are on file in the Office of the City Clerk, and archived at
www.surfcity-hb.org/government/agendas/**

2:00 PM — COUNCIL CHAMBERS

CALLED TO ORDER — 2:00 PM

ROLL CALL

Present: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
Absent: None

CITY COUNCILMEMBER COMMENTS (3-Minute Time Limit)

Councilmember Moser congratulated and thanked the Greater Huntington Beach Interfaith Council, volunteers and City Staff that participated in the recent Community Day of Service. She thanked staff as well as the Youth Board for a very successful Youth in Government Day which included a mock Council meeting, and also reported attending SIMA SURFscape with a consumer focus on sustainability and the importance of the ocean.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS FOR STUDY AND CLOSED SESSION ITEMS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were received by her office following distribution of the Council Agenda packet, which were all uploaded to the City's website and Councilmember iPads:

Study Session, #2 (6 email communications)

At 2:08 PM, Mayor Strickland announced that City Attorney Michael Gates was in transit from a court appearance in Riverside and expected to arrive at the meeting soon.

PUBLIC COMMENTS REGARDING STUDY AND CLOSED SESSION ITEMS (3-Minute Time Limit)

The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas/>.

Connie Boardman was called to speak and stated her support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. Ms. Boardman encouraged Councilmembers to plan for upgrades at all Huntington Beach libraries. (00:03:59)

Amory Hanson was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:05:31)

Susan Wexler, Friends of the Children's Library President, was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:06:03)

John Bostick, a resident of Huntington Beach since 1977, was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:06:35)

Clare Bostick, Oak View ComUNIDAD Volunteer, was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:08:42)

Laura Sire, a long-time resident of Huntington Beach and Oak View ComUNIDAD Volunteer, was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:10:26)

Pat Goodman, a resident of Huntington Beach, was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:12:47)

Laura Lavin Valle, a 30-year resident of Huntington Beach, was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:14:18)

Larry Hersh, Friends of the Children's Library Volunteer and Oak View Math Tutor Volunteer, was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:17:32)

Ned Lazaro, Oak View Library Volunteer, was called to speak and stated support for Study Session Item #2 regarding the Oak View Library and Community Master Plan. (00:18:51)

STUDY SESSION

1. 23-328 OneHB Customer Service Excellence Initiative

City Manager Al Zelinka introduced City Consultant and former Disney World Executive Dennis Snow who presented a PowerPoint communication titled *Delivering a World-Class Customer Experience* with slides entitled: *OneHB Customer Service Excellence Initiative (2); Delivering a World-Class Customer Experience; Look at Everything Through the Lens of the Customer; Pre Surgical Testing; Service Mapping; Pay Attention to the Details: Everything Speaks; Pictures; "Attitudinal" Everything Speaks; Everything Speaks; Create Moments of Wow; Picture; Mousetronaut Certification; Lens of the Customer; Leading a Culture of Service Excellence; "Inculturate" service excellence; Use the Language; Use the Tools; Service Improvement Tools; Train & Communicate Relentlessly; Hire the Right People; Interviewing and Selection; Hold EVERYONE Accountable for Service Excellence; Never let the Coaching Moment Go; Never let the Recognition Moment Go; Walk-the-talk of Service Excellence; Presentation Overview; and Leading a Culture of Service Excellence.*

City Manager Zelinka noted this presentation was an overview of the upcoming one-and-one-half hour customer service training program planned for all City officials and employees.

2. 22-845 Oak View Library and Community Center Master Plan

Ashley Wysocki, Acting Community & Library Services Director and City Consultant Jim Favaro, Johnson Favaro Principal, presented a PowerPoint communication titled *Oak View Library & Community Center Conceptual Plan* with slides entitled: *Oak View Community Facilities; Family Resource Center Data; Oak View Branch Library Data; Huntington Beach Oak View Library Community Center and Gymnasium Concept Plan (5); Concept Plan Goals; Stakeholders & Outreach; Concept Plan; Library; Huntington Beach Oak View Library Community Center and Gymnasium Concept Plan (20); CEQA and Measure C; Estimated Project Cost; Funding Opportunities; and Proposed Next Steps.*

Councilmember Bolton confirmed with Principal Favaro that "event" areas could be used for revenue-generating activities.

Mayor Pro Tem Van Der Mark shared concerns related to use of the parking spaces when not needed by the Oak View Library or Community Center. Principal Favaro responded those would be City operational decisions, not an issue controlled by the architects.

Director Wysocki confirmed that currently the Huntington Valley Boys & Girls Club manages the after-school program through a Community Development Block Grant (CDBG) pass-through with the Family Resource Center. At this time it is expected that arrangement would continue after the project improvements are completed.

Mayor Pro Tem Van Der Mark confirmed with Director Wysocki that revenue-generating events would be managed by the City, and Community Center hours of operation will be determined by need.

Councilmember McKeon stated his appreciation for the need and plan. He shared his main concern is understanding how the project will be paid for, and suggested it may be necessary to scale down, or plan to build in phases over time to utilize only available funds so that General Fund monies are not used.

Principal Favaro noted the project could easily be built in phases, and stated that a library is only second to a hospital as far as building complexity and costs, and reiterated that a Cost Estimator with library market experience in Southern California determined the projected costs.

Acting Director Wysocki clarified that the project costs include paying prevailing wages, furniture, fixtures, and equipment, and are not just for facility construction.

Councilmember McKeon, Principal Favaro and Acting Director Wysocki discussed potential funding sources and how Oak View, as a disadvantaged community, is expected to receive bonus points for federal and state funding that may cover a large percentage of the anticipated costs.

Councilmember Kalmick shared his excitement at seeing detailed renderings for this project and stated his support for developing the project in phases if necessary. He also realizes there are other libraries and parks which need remediation and trusts the residents will support Measure C funding as necessary.

Councilmember Moser expressed appreciation for the multiple opportunities provided for community members to provide input to this point. She sees this project as part of the City's social infrastructure

and believes that not only Councilmembers, but also the residents, place priority on moving ahead. She shared one of her concerns is that not having a certified housing element may have a negative impact when it comes to securing funds from the state.

Mayor Strickland announced that City Attorney Michael Gates was still in court, and Chief Deputy City Attorney Mike Vigliotta was representing the City Attorney's Office for this meeting.

A motion was made by McKeon, second Burns, to recess to Closed Session for Items 3 – 12.

RECESSED TO CLOSED SESSION FOR ITEMS 3 – 12 — 3:42 PM

CLOSED SESSION

3. 23-364 **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; Travis Hopkins, Assistant City Manager; Mike Vigliotta, Chief Deputy City Attorney; Eric Parra, Chief of Police; and Sunny Han, Acting Chief Financial Officer. Employee Organization: Police Officers' Association (POA)
4. 23-402 **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; Travis Hopkins, Assistant City Manager; Mike Vigliotta, Chief Deputy City Attorney; Eric Parra, Chief of Police; and Sunny Han, Acting Chief Financial Officer. Employee Organization: Police Management Association (PMA)
5. 23-389 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** Pursuant to Government Code §54957 for performance evaluation of the City Manager
6. 23-343 **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: People of the State of California/Bonta v. City of Huntington Beach/Zelinka; Case No. 30-2023-01312235.
7. 23-344 **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: City of Huntington Beach, et al. v. Gavin Newsom, et al.; Case No. 8:23-CV-00421
8. 23-345 **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Whitaker (Brittany) v. City of Huntington Beach and Todd McClung; OCSC Case No.: 30-2021-01235807
9. 23-346 **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Bottoms (Mark) v. City of Huntington Beach, et al.; OCSC Case No. 30-2021-01196342
10. 23-347 **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Gapezzani (Gary) v. John Romero, City of Huntington Beach; OCSC Case No.: 30-2021-01225030

11. 23-363 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Thomas Shaw v. City of Huntington Beach, Workers' Comp. Case No. COHB-20-0339
12. 23-398 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: Pacific Airshow, LLC v. City of Huntington Beach and Kim Carr; OCSC Case No. 30-2022-01287749

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:01 PM

ROLL CALL

Present: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns

Absent: None

PLEDGE OF ALLEGIANCE — Led by Councilmember Burns

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.

13. 23-360 Huntington Beach Police and Fire Department Chaplain Roger Wing

Mayor Strickland acknowledged that Chief Deputy City Attorney Mike Vigliotta was in attendance for City Attorney Michael Gates.

CLOSED SESSION REPORT BY CHIEF ASSISTANT CITY ATTORNEY — None

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were received by her office following distribution of the Council Agenda packet, which were all uploaded to the City's website and Councilmember iPads:

City Clerk's Report #15 (1); Consent Calendar #17 (1), #18 (5), and #20 (1).

PUBLIC COMMENTS (3-Minute Time Limit) — 14 Speakers

The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas>.

Brian Turner, a La Questa by the Sea resident, was called to speak and reported the increasing numbers of homeless individuals at the intersection of Beach Blvd. and Atlanta Avenue. Mr. Turner described his unsatisfactory experience after reporting a clean-up issue via the City's online reporting tool, and asked for a contact he could speak to in the Police Department. Mr. Turner was asked to complete a blue card for staff follow-up. (01:41:30)

Luanne Nichols, whose family has lived in Huntington Beach for a long time, was called to speak and thanked the Police Department for making the Downtown area a friendlier environment for visitors and residents. During recent visits she noted that there were no solicitors on Main Street or in the parking area, Main Street was cleaner, and all of the planters had flowers in them. She was also pleased to see that in spite of Main Street being opened up to traffic, there is still room for outdoor dining. (01:44:26)

Mary Jo Baretich, a 40-year Huntington Beach homeowner, was called to speak and asked why Councilmembers oppose Consent Calendar Item #18 C) AB 1035, regarding rent caps for mobile home parks. Ms. Baretich encouraged Councilmembers to support this important Assembly Bill, even if it is no longer moving through the system this year. (01:46:14)

Pat Goodman, a Huntington Beach resident, was called to speak and asked that Councilmembers support Consent Calendar Item #18 C) AB 1035 regarding rent caps for mobile home parks; D) SB 4 regarding housing development zoning for higher education and religious institutions; and F) AB 68 regarding land use. Ms. Goodman also asked Councilmembers to revisit their vote against the Housing Element Update at the March 21, 2023, City Council meeting. (01:48:39)

Tim Geddes, a southeast Huntington Beach 40-year resident, was called to speak and shared his objection to the cancellation of the April 18, 2023, City Council meeting. He also asked when Councilmembers will have their invocation policy determined so that a variety of presenters can again be utilized, and asked for a return to allowing Zoom public comments. (01:51:42)

Amory Hanson was called to speak and shared his appreciation for the Mayor's recent Town Hall meetings, and suggested holding them outdoors could allow room for more residents to participate. (01:54:34)

Jeanne Farrens, a resident of Skandia Mobile Home Park and Huntington Beach Mobile Home Resident Coalition Member, was called to speak and encouraged Councilmembers to support Consent Calendar Item #18 C) AB 1035, regarding rent caps for mobile home parks. (01:55:29)

Jynene Johnson was called to speak and shared details related to the various projects addressed by over 1,000 volunteers for Community Service Day on April 22, 2023. (01:58:12)

Mike Trelles, a Huntington Beach resident for 16 years, was called to speak and asked for the reactivation of the crosswalk on Newland Street north of the intersection at Pacific Coast Highway (PCH). He noted the Newland Street crosswalk was heavily used by AES construction workers, as well as neighborhood children, and believes it is a much safer pedestrian crosswalk than the signal lights on PCH. (02:01:31)

Dr. Pat French, Retired Boeing Engineering Director and Robyne's Nest Board Member, was called to speak and described many of the services offered by Robyne's Nest to prevent students from becoming homeless utilizing Community Development Block Grant (CDBG) funds. (02:04:00)

Unnamed Guest, a Huntington Beach resident for over 30 years who is legally blind, was called to speak and requested that remote participation be reinstated for public speakers so they may participate in, and not just observe, City meetings. (02:06:12)

Ashley Williamson was called to speak and invited everyone to participate in the Pride at the Pier event scheduled for May 21, 2023. (02:08:16)

Allison Plum, a Huntington Beach "immobile" home owner and Huntington Beach Mobile Home Resident Coalition Member, was called to speak and asked that Councilmembers take a position of support for Consent Calendar Item #18 C) AB 1035, regarding rent caps for mobile home parks. (02:10:14)

Ken Inouye, a 50-year resident of Huntington Beach, was called to speak and shared his opinion that until the Housing Element issue is adjudicated by the courts, Huntington Beach is subject to the laws of the State of California. Mr. Inouye stated that the Council majority's action at the April 4, 2023, meeting may result in extreme fines, as well as possibly having to reimburse costly State of California attorney fees, and possibly lose the ability to control Huntington Beach housing permits. He encouraged Councilmembers to revisit their vote against the Housing Element Update at the March 21, 2023, City Council meeting, and begin to serve with respect for each other for a powerful and united City Council. (02:11:54)

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS — None

AB 1234 REPORTING

Mayor Strickland, Mayor Pro Tem Van Der Mark, and Councilmember McKeon reported participating in a trip to Washington, DC, with the Association of California Cities — Orange County (ACC—OC) to petition for Federal support in dealing with local issues.

OPENNESS IN NEGOTIATION DISCLOSURES

Councilmembers Kalmick, Moser and Bolton reported speaking with the Huntington Beach Police Officers' Association (HBPOA).

CITY MANAGER'S REPORT

14. 23-405 April update from Orange County Mosquito and Vector Control (OCMVC)

City Manager Al Zelinka reported the Orange County Mosquito and Vector Control (OCMVC) April update, provided by Trustee Mike Posey, was included in Council's agenda packet published on Councilmember iPads and the City's website, and noted the importance of eliminating any standing water to help prevent opportunities for mosquito egg incubation.

CITY CLERK'S REPORT

15. 23-167 Mayor Strickland called on Miss Huntington Beach Princess Roslyn Brown-Bilyeu and Princess Coral Gangitano to assist with conducting the 4th of July fireworks stand lottery drawing

City Clerk Estanislau presented a PowerPoint communication titled *2023 Non-Profit Fireworks Stand Lottery*, with slides entitled: *Public High School Winners (4); Private High School Winner; Civic Organizations; Civic Organizations = 18; Youth Sports; and Youth Sports = 11.*

City Clerk Estanislau noted that four public high schools and one private high school conducted their own lotteries to select their winning organizations.

Successful lottery applicants in the Youth Sports and Civic Organizations categories were:

Youth Sports:

1. Surf City Premier Youth Sports and Fitness
2. Seaview Little League
3. South Huntington Beach Girls Fastpitch Softball
4. Culture Football Organization
5. Team 90, Inc., dba California Rush.

Alternates: 1) Huntington Beach Pop Warner Youth Football; 2) Huntington Valley Little League; and, 3) Vanguard Aquatics

Civic Organizations:

1. Patriots and Paws
2. Lutheran Church of the Resurrection
3. Friends of the HB Junior Guards
4. HB Lions Foundation
5. Orange Coast Gakuen, Inc.

Alternates: 1) O. C. Children's Theater (OCCT); 2) Apostolic Assembly of the Faith HB; and, 3) American Legion Huntington Beach Post 133

CONSENT CALENDAR

Councilmember Kalmick pulled Consent Calendar Items #17 and #18, and Councilmember Burns pulled Items #22 and #29 for further discussion.

OFFICE OF THE CITY CLERK

16. 23-316 Approved and Adopted Minutes

A motion was made by Burns, second Van Der Mark to approve and adopt the City Council/Public Financing Authority regular meeting minutes of April 4, 2023.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

17. 23-397 Received and filed amended, revisions to the 2023 City Council Liaison List — Citizen Boards, Commissions, Committees and Task Forces

Councilmember Kalmick pulled this item to point out missing information in the document, specifically Regional Board appointments and others which appear vacant on the list. He also recommended amending the JPA agreement for the West Orange County Water Board (WOCWB) to allow for an alternate member before taking action to make the alternate assignment.

Councilmember Moser also noted appointments where her name should be listed.

City Clerk Estanislau acknowledged that the list would be updated as requested.

Mayor Strickland called for action as recommended by Councilmember Kalmick to update the list without taking action to name a WOCWB alternate.

Councilmember McKeon questioned postponement of the alternate assignment until the Water Board ends their Joint Powers Authority (JPA) Agreement. Assistant City Manager Travis Hopkins clarified the JPA Agreement does not specifically address alternates, confirmed there are two Councilmembers already appointed to serve on this board, and noted that since 2017, other member cities have appointed alternates so it is entirely up to the Council whether or not to assign an alternate.

A substitute motion was made by McKeon, second Strickland to receive and file the revised 2023 City Council Liaison List that assigns Councilmember McKeon as Alternate to the West Orange County Water Board, **as amended to include missing information as reported by Councilmembers Kalmick and Moser.**

The motion as amended carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

CITY MANAGER'S OFFICE

18. 23-388 Approved positions on legislation pending before the State Legislature, as recommended by the Intergovernmental Relations Committee (IRC)

Councilmember Kalmick pulled this item so that each issue could be addressed individually. Mayor Strickland asked staff to provide a brief description of each item before Councilmembers voted.

A) Opposed AB 480 (Ting/Umberg) — an amendment to the Surplus Land Act in an attempt to codify many of the Housing and Community Development (HCD) interpretations and provide HCD with more control over a city's surplus land.

A motion was made by Strickland, second Burns to oppose AB 480 (Ting/Umberg). The motion carried by the following roll call vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: None
ABSTAIN: Kalmick, Moser, and Bolton

B) Support SB 747 (Caballero) — an amendment related to the Surplus Land Act by providing clarification and reaffirming that cities may take advantage of economic opportunity law.

A motion was made by Strickland, second Kalmick to support SB 747 (Caballero). The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

C) Oppose Pulled AB 1035 (Muratsuchi) — an amendment related to Land Use or Housing, specifically mobile home park rent caps, and noted State legislature has pulled this item because of a lawsuit and this item may actually change before final consideration by State legislature.

A motion was made by Kalmick, second Strickland to pull AB 1035 (Muratsuchi). The motion carried by the following roll call vote

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

D) Opposed SB 4 (Wiener) —allowing for by-right development on properties owned by higher education or religious institutions. Staff noted that taking away a city's ability to determine what type of development is appropriate for specific locations is problematic.

Councilmember Kalmick asked if there was a way to push for more local control while allowing for local development by these institutions. Staff provided examples of other cities that have approved this type of development, and noted that ultimately City Council has the ability to re-zone property on a site-by-site basis as they see fit.

A motion was made by Strickland, second Van Der Mark to oppose SB 4 (Wiener). The motion carried by the following roll call vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: None
ABSTAIN: Kalmick, Moser, and Bolton

E) Opposed AB 1485 (Haney/Wiener) — allowing for Housing and Community Development (HCD) and the State Attorney General the ability to intervene in housing lawsuits as a matter of right, rather than waiting for a court decision. Currently, HCD is meant to be an agency of assistance for cities, and staff feels this effort could be problematic.

A motion was made by Strickland, second Burns to oppose AB 1485 (Haney/Wiener). The motion carried by the following roll call vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: None
ABSTAIN: Kalmick, Moser, and Bolton

F) Opposed AB 68 (Ward) — allowing streamlined by-right development for a "climate smart" parcel required to meet just one indicator of either one-half mile from a major transit stop, or high-quality transit corridor, or a low vehicle travel area within one mile of a cluster of either a restaurant, coffee shop, or grocery store, i.e., high resource area. Staff noted that practically all of Huntington Beach qualifies as a high resource area, and therefore this item would allow for by-right development everywhere.

A motion was made by Strickland, second Van Der Mark to oppose AB 68 (Ward). The motion carried by the following roll call vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: None
ABSTAIN: Kalmick, Moser, and Bolton

G) Opposed SB 423 (Wiener) — permanently extends SB 35 (which Council opposed) to put the sunset date off the table, and would allow developers to propose projects where they do not have to comply with underlying zoning in cities that do not have a certified housing element.

A motion was made by Strickland, second McKeon oppose SB 423 (Wiener). The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

H) Watch No Action SB 222 (Nguyen) — Mayor Strickland noted he has discussed this item with Senator Nguyen who confirmed it is not yet ready for action, therefore no action will be taken at this time.

I) Watch AB 1175 (Quirk-Silva) — Staff noted that SB 222 and AB 1175 both relate to outdoor advertising by freeways or busy corridors.

Councilmember Kalmick and Mayor Strickland agreed that AB 1175 is a huge issue for Huntington Beach.

A motion was made by Kalmick, second Strickland to watch AB 1175 (Quirk-Silva). The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

J) Opposed SB 252 (Gonzalez) — Mayor Strickland described this item as related to Sacramento's plan to divest of oil stocks for pension fund investments, and he believes their job is to maximize the returns, but not to set policy on type of investments.

Councilmember Kalmick respectfully disagreed and stated he believes it is prudent to divest of a dying industry.

A motion was made by Strickland, second Burns to oppose SB 252 (Gonzalez). The motion carried by the following roll call vote:

AYES: Van Der Mark, Strickland, McKeon, and Burns
NOES: Kalmick, Moser, and Bolton

COMMUNITY AND LIBRARY SERVICES DEPARTMENT

19. 23-212 Approved and authorized License Agreement between the City of Huntington Beach and Subhash and Sushil Patel, Individuals, dba One Fine Blend for operation of food and beverage kiosk located at the Huntington Beach Central Library

A motion was made by Burns, second Van Der Mark to approve and authorize the Mayor and City Clerk to execute the "License Agreement between the City of the City of Huntington Beach and Subhash and Sushil Patel, dba One Fine Blend" for a food and beverage kiosk located at the Huntington Beach Central Library.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

COMMUNITY DEVELOPMENT DEPARTMENT

20. 23-357 Approved and authorized Execution of a License Agreement between the City of Huntington Beach and the Huntington Beach Credit Union for ATM Services at City Hall

A motion was made by Burns, second Van Der Mark to approve and authorize the Mayor and City Clerk to execute the "Non-Exclusive License Agreement between the City of Huntington Beach and the Huntington Beach Credit Union for ATM Services at City Hall."

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

FINANCE DEPARTMENT

21. 23-325 Approved the escheatment of Unclaimed Funds pursuant to Government Code Sections 50050-50057

A motion was made by Burns, second Van Der Mark to review and approve the transfer of \$9,575.48 of unclaimed funds from the City's Unclaimed Funds Liability Account to the City's Miscellaneous Revenue Account 10000100.48550 in compliance with Government Code Sections 50050-50057.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

22. 23-400 Authorized the City Manager or designee to purchase 112 3M Scott Self-Contained Breathing Apparatus (SCBA) Replacement Units in the amount of \$1,088,199 through a sole source procurement, two (2) Triple Combination Pumper Engines in the amount of \$1,212,623 each, one (1) 100-foot Aerial Quint Truck in the amount of \$2,151,085; and authorized the City Manager or designee to enter into all documents necessary to acquire and finance the purchase of these items and other vehicles and capital equipment for a total not to exceed \$7,742,143 at an interest rate not to exceed 3.837%

Councilmember Burns, Acting Chief Financial Officer Sunny Han, and Fire Chief Haberle discussed existing loans, interest rates, current outstanding principal for large equipment purchases, as well as approved seller, liquidated damages clause if equipment is not produced by a deadline, the intent to re-sell used equipment, lease/purchase terms, equipment depreciation, time needed to make a unit operational, Huntington Beach's shop can perform warranty work, prepayment option with a performance bond for a reduction in cost, product warranty and permanent base considerations.

A motion was made by Burns, second Kalmick to authorize the City Manager or designee to purchase 112 3M Scott Self-Contained Breathing Apparatus (SCBA) Replacement Units in the amount of \$1,088,199 through a sole source procurement from AllStar Fire Equipment; approve the purchase of two (2) Triple Combination Pumper Engines in the amount of \$1,212,623 each, one (1) 100-foot Aerial Quint Truck in the amount of \$2,151,085 from Rosenbauer America; and authorize the City Manager or designee to enter into all documents necessary to acquire and finance the purchase of these items and other vehicles and capital equipment for a total not to exceed \$7,742,143 at an interest rate not to exceed 3.837%.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

POLICE DEPARTMENT

23. 23-303 Approved and authorized execution of contract agreements with Best Towing, LLC and Mandic Motors, Inc. for Police Directed Vehicle Towing and Storage Services, and adopt Resolution 2023-11, revising the fees for towing services and garage impounds

A motion was made by Burns, second Van Der Mark to approve and authorize execution by the Mayor and City Clerk of the "Agreement Between the City of Huntington Beach and Best Towing, LLC, services for Police Directed Towing and Storage Services," including the "Tow Rate Schedule for Best Towing, LLC, services for Police Directed Towing and Storage Services;" approve and authorize execution by the Mayor and City Clerk of the "Agreement Between the City of Huntington Beach and Mandic Motors, Inc., services for Police Directed Towing and Storage Services," including the "Tow Rate Schedule for Mandic Motors, Inc., services for Police Directed Towing and Storage Services;" and, adopt Resolution 2023-11, "A Resolution of the City Council of the City of Huntington Beach Revising the Fees for Towing Services and Garage Impounds."

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

PUBLIC WORKS DEPARTMENT

**24. 23-342 Adopted Ordinance No. 4286 amending Huntington Beach Municipal Code Chapter 10.12 relating to speed limits
Approved for Introduction on 4/4/2023 — Vote: 7 – 0**

A motion was made by Burns, second Van Der Mark to adopt Ordinance No. 4286 "An Ordinance of the City of Huntington Beach Amending Chapter 10.12.080 of the Huntington Beach Municipal Code Relating to Speed Limits."

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

25. 23-312 Approved the Execution of a Subdivision Agreement with Huntington Gateway Industrial III, LLC and accepted securities for the Huntington Gateway Phase III Industrial Project.

A motion was made by Burns, second Van Der Mark to approve and authorize the Mayor and City Clerk to execute and record the Subdivision Agreement by and between the City of Huntington Beach and Huntington Gateway Industrial III, LLC to construct public improvements for the Huntington Gateway Phase III industrial project (Attachment 1); and, accept the Faithful Performance Bond No. 1001047762 (Attachment 2), Labor and Material Bond No. 1001047762 (Attachment 3) and Monument Bond No. 1001047763 (Attachment 4), the securities furnished for installation of the required public improvements; and, instruct the City Clerk to file the bonds with the City Treasurer.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

26. 23-317 Adopted Resolution 2023-17 identifying a list of projects that will be funded with SB 1: The Road Repair and Accountability Act of 2017 in Fiscal Year 2023/24

A motion was made by Burns, second Van Der Mark to adopt Resolution 2023-17, "A Resolution of the City Council of the City of Huntington Beach Adopting a List of Projects for Fiscal Year 2023/24 Funded by SB 1: The Road Repair and Accountability Act."

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

27. 23-318 Adopted Resolution No. 2023-18 authorizing an Application for Funds for the Environmental Cleanup, Tier 1 Grant Program under the Orange County Transportation Authority Environmental Cleanup Program

A motion was made by Burns, second Van Der Mark to adopt Resolution No. 2023-18, "A Resolution of the City Council of the City of Huntington Beach Authorizing an Application for Funds for the Environmental Cleanup, Tier 1 Grant Program Under Orange County Transportation Ordinance No. 3 for the Huntington Beach Trash Removal Project, Phase 3."

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

28. 23-149 Approved Sole Source Procurement Request with Murcal Incorporated (Murcal) for Flood Control Station Controllers and Related Equipment

A motion was made by Burns, second Van Der Mark to approve the sole source procurement request with Murcal for programmable logic controllers (PLCs) and other flood control station equipment.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

29. 23-372 Approved and authorized the execution of Amendment No. 1 to the Agreement between the City of Huntington Beach and GHD Inc., for On-Call Water Engineering, Wastewater Engineering, Stormwater Engineering, and Engineering Consulting Services

Councilmember Burns pulled this item to ask if it would be possible to utilize a consultant, when necessary, through the Orange County Sanitation or Water Districts. Staff replied that they believe it is most expedient to contract directly with the consultant, and in this case the consultants used are the ones used by the Orange County Districts.

A motion was made by Burns, second McKeon to approve and authorize the Mayor and City Clerk to execute Amendment No. 1 to the Agreement Between the City of Huntington Beach and GHD Inc., for On-Call Water Engineering, Wastewater Engineering, Stormwater Engineering, and Consulting Services.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

PUBLIC HEARING

30. 23-288 Adopted Resolution No. 2023-19 approving 2023-2024 Annual Action Plan for Federal Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Entitlement Grant Programs and an Amendment (Substantial) to the 2020/21-2024/25 Citizen Participation Plan

There were no Councilmember ex parte communications to disclose.

Director of Planning Ursula Luna-Reynosa introduced Housing Manager Charles Kovac and Community Development Deputy Director Steve Holtz who presented a PowerPoint communication titled *City Council Public Hearing on the 2023-24 Annual Action Plan and Amendment (Substantial) to the Citizen Participation Plan* with slides entitled: *Background (3); 2023-24 Funding; CDBG Public Services; CDBG Capital & Housing Preservation Projects; CDBG Administration; Home Allocations; Citizen Participation Plan Substantial Amendment; Recommendations; and Questions?*

Councilmember McKeon asked Manager Kovac to further discuss and describe the Mobile Home Tenant Based Rental Assistance (TBRA) Program to inform residents how the City does support the mobile home community. Manager Kovac corrected the numbers for the Home Allocations slide, and noted the Mobile Home TBRA Program funding amount should be \$591,654 since Mercy House changed their focus to county-wide projects and are no longer receiving CDBG funds through Huntington Beach. Councilmember McKeon summarized that with increasing funds for the Mobile Home TBRA Program, more people will qualify for assistance going forward.

Mayor Strickland opened the Public Hearing.

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were received by her office following distribution of the Council Agenda packet and which were all uploaded to the City's website and Councilmember iPads: two (2) email communications

Public Speakers — None

Mayor Strickland closed the Public Hearing.

Councilmember Moser thanked staff especially for the update on the Mobile Home Tenant Based Rental Assistance (TBRA) Program. Manager Kovac confirmed that staff is also working closely with Huntington Beach Council on Aging (HBCOA) to recommend HBCOA programs when appropriate.

A motion was made by Moser, second Van Der Mark to approve staff recommendations that the City Council approve and authorize the following in compliance with the Consolidated Plan Procedures of 24 CFR Part 91: conduct a public hearing for the 2023-2024 Action Plan and an Amendment (Substantial) to the 2020/21-2024/25 Citizen Participation Plan; and, adopt Resolution No. 2023-19, "A Resolution of the City Council of the City of Huntington Beach, California, Approving the 2023-2024 Action Plan for Federal Community Development Block Grant and Home Investment Partnerships Programs, and Approving the Amendment (Substantial) to the 2020/21-2024/25 Citizen Participation Plan"; and, authorize the City Manager to sign all necessary related documents.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns

NOES: None

31. 23-399 Adopted Resolution No. 2023-21, adopting an updated Master Fee And Charges Schedule by amending Resolution 2016-59, as amended by Resolution Nos. 2017-28, 2017-44, 2017-46, 2018-01, 2018-29, 2018-48, 2018-55, 2019-07, 2019-19, 2019-87, 2020-37, 2021-17, 2021-18, 2021-36, 2021-78 and 2022-35, which established a Consolidated Comprehensive Citywide Master Fee And Charges Schedule (Supplemental Fee Resolution No. 17); and, approved for introduction Ordinance No. 4292 amending Huntington Beach Municipal Code Chapter 10.60 relating to On-Street Parking Meter Zones

There were no Councilmember ex parte communications to disclose.

Acting Chief Financial Officer Sunny Han presented a PowerPoint communication titled *Master Fee and Charges Schedule and Parking Meter Review* with slides entitled: *Background (2); Fee Schedule Update - New Fees (3); Fee Schedule Update - Community and Library Services (2); Hourly Parking Rates Update; Hourly Parking Rates Market Comparison Summary; Master Fee and Charges Schedule and Hourly Parking Rate Changes Summary; Recommended Actions; and Questions?*

Acting Chief Financial Officer Sunny Han introduced City Consultant David Schroeder, Senior Consultant, ClearSource Financial Consulting, who assisted staff with this project and was available to answer any questions.

Councilmember Bolton confirmed with Acting Chief Financial Officer Sunny Han that the proposed 508 CPI increases are primarily for Community Development, and include permit and inspection fees in some other departments.

Councilmember Bolton shared her concern about fee increases for the typical working family, and asked staff what percentage of parking meter fees are paid by residents vs visitors. Staff will have to research that information.

Mayor Strickland opened the Public Hearing.

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were received by her office following distribution of the Council Agenda packet, which were all uploaded to the City's website and Councilmember iPads: 1 email communication

Public Speakers — None

Mayor Strickland closed the Public Hearing.

Councilmember Kalmick stated his support for one-hundred percent cost recovery for services provided, and shared concerns regarding increasing fees for the Junior Lifeguard program. He noted there are scholarships for this program, and confirmed with staff that fees for this program had been reduced just prior to COVID-19. Councilmember Kalmick stated his interest in taking a look at the possibility of a "gate" charge for events at Bolsa Chica State Beach to determine if there are enough events to make it worthwhile to recoup some of the City's costs for spill-over impacts, and the process required to implement those fees. Councilmember Kalmick confirmed with Acting Chief Financial Officer Sunny Han that a full study of the Master Fee Schedule is expected to start late summer and will probably take three to six months to complete, depending upon the number of proposed new fees and level of analysis required.

Councilmember Moser stated her support for full cost recovery, and confirmed with Acting Chief Financial Officer Sunny Han that further analysis of credit card fees will be included in the upcoming full study of the Master Fee Schedule. Councilmember Moser also confirmed that the proposed Junior Life Guard Program fees would become effective next year.

Councilmember McKeon expressed his appreciation for the effort put into this project which he believes is just the first step to ensure one-hundred percent cost recovery, and optimizing the tourist industry.

A motion was made by Kalmick, second McKeon to adopt Resolution No. 2023-21, "A Resolution of the City Council of the City of Huntington Beach Adopting An Updated Master Fee And Charges Schedule By Amending Resolution No. 2016-59, As Amended By Resolution Nos. 2017-28, 2017-44, 2017-46, 2018-01, 2018-29, 2018-48, 2018-55, 2019-07, 2019-19, 2019-87, 2020-37, 2021-17, 2021-18, 2021-36, 2021-78 and 2022-35, Which Established A Consolidated Comprehensive Citywide Master Fee And Charges Schedule (Supplemental Fee Resolution No. 17);" **as amended to remove the Lifeguard Tower Fee**, and, after City Clerk reads by title, approve for introduction 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"

The motion as amended carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, McKeon, and Burns
NOES: Strickland, and Bolton

ADMINISTRATIVE PUBLIC HEARING

32. 23-313 Conducted Administrative Public Hearing for the 2023 Annual Weed Abatement Program and authorized the Director of Public Works to proceed with abatement

Director of Community Development Ursula Luna-Reynosa introduced Code Enforcement Supervisor Jimmy Hoang who presented a PowerPoint communication titled *Annual Weed Abatement Public Hearing* with slides entitled: *Background; Program Timeline (3); and Questions?*

Mayor Strickland opened the Public Hearing.

City Clerk Robin Estanislau announced there was no supplemental communication.

Public Speakers — None.

Mayor Strickland closed the Public Hearing.

A motion was made by Kalmick, second Van Der Mark to open a public hearing for any objections to the proposed removal of weeds and rubbish; and, authorize the Director of Public Works to proceed with the abatement of the nuisance.

The motion carried by the following roll call vote:

AYES: Kalmick, Moser, Van Der Mark, Strickland, McKeon, Bolton, and Burns
NOES: None

A motion was made by Kalmick, second Moser to agendaize for the next regular meeting on May 16, 2023, the second reading of Builder's Remedy Ordinance No. 4285, approved for introduction on March 7, 2023.

The motion failed by the following roll call vote:

AYES: Kalmick, Moser, and Bolton
NOES: None
ABSTAIN: Van Der Mark, Strickland, McKeon, and Burns

ADJOURNMENT — 8:16 PM, a motion was made by McKeon, a second by Van Der Mark, to adjourn to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, May 16, 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>

Robin Estanislau

City Clerk and ex-officio Clerk of the City Council
of the City of Huntington Beach and Secretary of
the Public Financing Authority of the City of
Huntington Beach, California

ATTEST:

Robin Estanislau
City Clerk-Secretary

Tom O'Neil
Mayor-Chair