

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, October 7, 2025
4:30 PM - Council Chambers
6:00 PM - Council Chambers
Civic Center, 2000 Main Street
Huntington Beach, California 92648

**A video recording of the 4:00 PM and 6:00 PM portions of this meeting
is on file in the Office of the City Clerk, and archived at
<https://huntingtonbeach.legistar.com/Calendar.aspx>**

4:30 PM — COUNCIL CHAMBERS

CALL TO ORDER — 4:30 PM

ROLL CALL

Present: Twining, McKeon, Burns, Van Der Mark, and Gruel
Absent: Kennedy, and Williams

Pursuant to Resolution No. 2001-54, Councilmembers Kennedy and Williams requested, and with no objections were granted, permission to be absent from this meeting.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO CLOSED SESSION
(Received After Agenda Distribution) — None

PUBLIC COMMENTS PERTAINING TO CLOSED SESSION (3-Minute Time Limit) — None

City Attorney Mike Vigliotta announced that Closed Session Item #3 (25-799) Conference with Real Property Negotiators for 21091 Pacific Coast Highway, would not be discussed during Closed Session.

A motion was made by McKeon, with a second by Van Der Mark, to recess to Closed Session.

RECESSED TO CLOSED SESSION — 4:32 PM

CLOSED SESSION

- 1. 25-791 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Alianza Translatinx, et al. v. City of Huntington Beach, et al.; OCSC Case No. 30-2025-01462835.**
- 2. 25-792 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). People of the State of California/Bonta v. City of Huntington Beach, et al.; Case No. 30-2023-01312235-CU-WM-CJC.**

3. 25-799 ~~CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8.)~~
~~Property: 21091 Pacific Coast Highway, Huntington Beach, CA 92648 (APN 024-281-16).~~ Agency negotiator: ~~Travis Hopkins, City Manager; Ashley Wysocki, Director of Community and Library Services; Chris Cole, Community and Library Services Manager; William Krill, Real Estate Project Manager.~~
~~Negotiating parties: Paul Maddison - Pacific City Hotel, LLC dba Pasea Hotel and Spa (Not Present). Under negotiation: Price and terms of payment.~~

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:00 PM

ROLL CALL

Present: Twining, McKeon, Burns, Van Der Mark, and Gruel
Absent: Kennedy, and Williams

Pursuant to Resolution No. 2001-54, Councilmembers Kennedy and Williams requested, and with no objections were granted, permission to be absent from this meeting.

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.

4. 25-784 **Huntington Beach Police Chaplain Bob Ewing**

PLEDGE OF ALLEGIANCE — Led by Mayor Burns

CLOSED SESSION REPORT BY CITY ATTORNEY — None

CITY COUNCIL MEMBER COMMENTS (2-Minute Time Limit)

Mayor Burns acknowledged October 13, 2025, as the 250th birthday of the U. S. Navy and announced there will be recognition of this event at the Tuesday, October 21, 2025, City Council meeting.

Mayor Burns, Mayor Pro Tem McKeon, Councilmembers Twining, Gruel and Council Woman Van Der Mark expressed their gratitude to Code Four, all participants, attendees, Police, Fire, Marine as well as the Public Works staff for a successful event with no major issues in spite of the last-minute challenge of learning that military planes would not be available to participate. The Councilmembers acknowledged the sense of patriotism at this family-friendly event, which attracted people from well outside the Huntington Beach area. It was also noted Huntington Beach restaurants and stores were full on a Fall weekend that otherwise would have seen much less business.

NOTE: These Minutes reflect the original agendized order rather than actual order items were addressed during the meeting.

AWARDS AND PRESENTATIONS

5. 25-790 2025 Mosquito Awareness Campaign Award presented by Orange County Mosquito and Vector Control District to the City of Huntington Beach

A representative of the Orange County Mosquito and Vector Control District presented a plaque to recognize the success of the 2025 Mosquito Awareness Campaign in Huntington Beach. He noted that last year Vector Control treated over 3,000 homes in Huntington Beach. So far this year no treatments have been needed due to Awareness Campaign efforts of Public Information Officers Julie Toledo and Jessica Cuchilla as well as the support of Council Woman Van Der Mark who is also a Vector Control Board of Trustee member.

6. 25-762 Received Legislative Update from Board of Supervisor First District, Janet Nguyen

Orange County Supervisor Nguyen provided an overview of Supervisor responsibilities and described some of the issues addressed by the Orange County Board of Supervisors to restore integrity and transparency while governing Orange County and its unincorporated areas. She expressed gratitude for the pro-active stance Huntington Beach has and is taking on issues such as the sale and distribution of kratom and nitrous oxide and consideration of a community garden. As a resident of Huntington Beach, she commended the City for offering eBike safety training. In addition, she briefly reviewed proper voting protocols and explained how the County Registrar of Voters was able to stop the vote of a "registered" dog. She also noted that the Supervisors are working to put policies and procedures in place to help prevent a Supervisor or County employee from committing bribery or fraud with County funds. Supervisor Nguyen also shared ways in which OC Supervisors are addressing animal welfare and closed her remarks with announcement of upcoming events sponsored by OC Supervisors.

Supervisor Nguyen's presentation was followed by Councilmember questions regarding ways Huntington Beach can address some of the concerns and issues being addressed at the County level.

7. 25-798 Observed presentation by Unite 4 Freedom Regarding a Legally Valid 2026 Election

A presentation was made by a Unite 4 Freedom representative with slides titled: *Unite 4 Freedom; Our Work so far: Active States; Who Is Unite4Freedom; Data Systems Forensic Analysis; Election Reports; Phantom Voters - Orange County November Report 2024; Vote Tampering - California; California Redistricting Election; Unite4Freedom - Actions, and The Cost of Silence Is Our Freedom.*

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)

Pursuant to the Brown "Open Meetings" Act, City Clerk Lisa Lane Barnes announced supplemental communications received by her office following distribution of the Council Agenda packet which were all uploaded to the City's website and Councilmember iPads: Awards and Presentations #7 (3 email communications); Council Member Items #17 (1 email communication); and #18 (17 email communications).

PUBLIC COMMENTS (1:15-Minute Time Limit due to the number of speakers) — 19 Speakers
The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <https://huntingtonbeach.legistar.com/Calendar.aspx>.

Unnamed Speaker commented on various Councilmember actions to document ways that taxpayer dollars are being spent. (00:52:17)

Rebecca Grudt announced the Walk to End Alzheimer's Disease to be held on November 8, 2025, in Huntington Beach, and encouraged everyone to participate. She asked the City to consider waiving the fee to place a banner across Lake Street for this event. (00:53:30)

Unnamed Speaker commented on national and world situations. (00:54:53)

Rick Taketomo commented on the good working relationship with staff over the last couple of years regarding a privacy screen for the sewer up-lift station near his new neighborhood. He asked that City Council work with Shea Homes, the developer, to remedy the existing slope hazard and avoid liability concerns before the homeowner association accepts maintenance responsibility. (00:56:09)

Rosalind Price commented on a job well done by the Huntington Beach Fire and Police Departments, appreciation for the City establishing the Navigation Center, and Council Member Items #17 (25-789) regarding prohibition on sale and distribution of nitrous oxide in Huntington Beach. (00:57:40)

Tim Geddes commented on Awards and Presentations Item #7 (25-798) presentation by Unite 4 Freedom regarding a legally valid 2026 election. (00:59:05)

Chris Kluwe commented on Awards and Presentations Item #7 (25-798) presentation by Unite 4 Freedom regarding a legally valid 2026 election. (01:00:25)

Amory Hanson commented on Council Member Items #18 (25-795) in support of immediate action to ensure a legally valid and transparent 2026 General Election. (01:01:37)

Russ Neal commented on Council Member Items #18 (25-795) in support of immediate action to ensure a legally valid and transparent 2026 General Election. (01:02:18)

Unnamed Speaker commented on a Councilmember actions related to the Airshow. (01:03:25)

Ellen Riley commented on concerns related to the City's budget and spending decisions. (01:04:54)

Pat Keegan commented on the pollution of artificial dyes and high fructose corn syrup in food and drinks and suggested that Huntington Beach be the first city in the U. S. to ban these artificial ingredients. (01:06:26)

Unnamed Guest commented on efforts spearheaded by local Huntington Beach 11-time surfing champ and clean-living advocate Kelly Slater for removing artificial ingredients in food and drinks. (01:07:48)

Chris Rini commented on Council Member Items #18 (25-795) regarding immediate action to ensure a legally valid and transparent 2026 General Election. (01:08:37)

Unnamed Speaker commented on Council Member Items #18 (25-795) regarding immediate action to ensure a legally valid and transparent 2026 General Election. (01:09:59)

Unnamed Speaker commented on Council Member Items #18 (25-795) regarding immediate action to ensure a legally valid and transparent 2026 General Election. (01:11:18)

Unnamed Speaker commented on Council Member Items #18 (25-795) regarding immediate action to ensure a legally valid and transparent 2026 General Election. (01:12:31)

Unnamed Speaker commented on the spectacular Airshow this past weekend presented by Code Four and Kevin Elliott despite last-minute challenges presented by the government shutdown. (01:13:54)

Unnamed Speaker commented on procedures used by police departments to procure military equipment. (01:15:11)

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS — None

AB 1234 REPORTING

Councilman Twining reported attending a meeting of the Orange County Council of Governments (OCCOG) in September.

OPENNESS IN NEGOTIATION DISCLOSURES — None

CITY MANAGER'S REPORT

8. 25-802 Community Outreach and Engagement

City Manager Travis Hopkins introduced City Treasurer Jason Schmitt and City Attorney Mike Vigliotta who described upcoming Brewing Connections meetings for the purpose of meaningful engagements to help residents understand the functions of their positions while soliciting community feedback on ways to better serve the community. They thanked the City's Public Affairs team and local business owners for arranging these events.

CONSENT CALENDAR (Items 9-15)

City Clerk

9. 25-730 Approved and Adopted Minutes

A motion was made by Burns, second McKeon to approve and adopt the City Council/Public Financing Authority regular meeting and the Housing Authority, Parking Authority and Successor Agency special meeting minutes of September 2, 2025, the City Council/Public Financing Authority regular meeting minutes of September 16, 2025, and the City Council/Public Financing Authority special meeting minutes of September 23, 2025.

The motion carried by the following roll call vote:

AYES: Twining, McKeon, Burns, Van Der Mark, and Gruel
NOES: None
ABSENT: Kennedy, and Williams

Community and Library Services

10. 25-788 Authorized the appropriation of \$98,000 from the Huntington Central Park Sports Complex (HCPSC) Capital Improvement Fund 325 to replace the failed irrigation booster pump at the Huntington Beach Sports Complex

A motion was made by Burns, second McKeon, to authorize the appropriation of \$98,000 from the Huntington Central Park Sports Complex (HCPSC) Capital Improvement Fund Account 32545001.83700 to replace the irrigation booster pump at the Huntington Beach Sports Complex.

The motion carried by the following roll call vote:

AYES: Twining, McKeon, Burns, Van Der Mark, and Gruel
 NOES: None
 ABSENT: Kennedy, and Williams

**11. 25-782 Adopted Ordinance No. 4335 of the City of Huntington Beach Deleting Chapter 2.106 of the Huntington Beach Municipal Code and Dissolving the Huntington Beach Independence Day Board
 Approved for Introduction September 16, 2025, by a vote of 7-0**

A motion was made by Burns, second McKeon to adopt Ordinance No. 4335, "An Ordinance of the City of Huntington Beach deleting Chapter 2.106 of the Huntington Beach Municipal Code and Dissolving the Huntington Beach Independence Day Board."

The motion carried by the following roll call vote:

AYES: Twining, McKeon, Burns, Van Der Mark, and Gruel
 NOES: None
 ABSENT: Kennedy, and Williams

Community Development

**12. 25-783 Approved Zoning Text Amendment No. 25-003 (Reapplication Process for Group Homes) by adopting Ordinance Nos. 4340 and 4341
 Approved for Introduction September 16, 2025, by a vote of 7-0**

A motion was made by Burns, second McKeon to find Zoning Text Amendment No. 25-003 and amendment to Municipal Code Chapter 5.110 exempt from the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act because the request is a minor amendment to the municipal code and zoning ordinance that does not change the development standards intensity or density; and, approve Zoning Text Amendment No. 25-003 with findings (Attachment No. 1) and adopt Ordinance No. 4341, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 230.28 Group Homes of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 25-003)"; (Attachment No. 2); and, approve amendment to Municipal Code Chapter 5.110 and adopt Ordinance No. 4340, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 5.110 Group Homes of the Huntington Beach Municipal Code Titled Group Homes" (Attachment No. 3).

The motion carried by the following roll call vote:

AYES: Twining, McKeon, Burns, Van Der Mark, and Gruel
 NOES: None
 ABSENT: Kennedy, and Williams

Human Resources

13. 25-770 Adopted Resolution No. 2025-62 Approving and Implementing the Memorandum of Understanding with Marine Safety Management Association

A motion was made by Burns, second McKeon to adopt Resolution No. 2025-62, "Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding Between the Marine Safety Management Association (MSMA) and the City for January 1, 2025, to December 31, 2027;" and authorize the City Manager or designee to take all administrative and budgetary actions necessary for implementation of Resolution No. 2025-62.

The motion carried by the following roll call vote:

AYES: Twining, McKeon, Burns, Van Der Mark, and Gruel
NOES: None
ABSENT: Kennedy, and Williams

14. 25-771 Adopted Resolution No. 2025-63 Approving and Implementing the Memorandum of Understanding with Surf City Lifeguards Employees' Association

A motion was made by Burns, second McKeon to adopt Resolution No. 2025-63, "A Resolution of the City Council of the City of Huntington Beach Approving and Implementing the Memorandum of Understanding between the Surf City Lifeguard Employees' Association (SCLEA) and the City for July 1, 2025, to June 30, 2028;" and authorize the City Manager or designee to take all administrative and budgetary actions necessary for implementation of Resolution No. 2025-63.

The motion carried by the following roll call vote:

AYES: Twining, McKeon, Burns, Van Der Mark, and Gruel
NOES: None
ABSENT: Kennedy, and Williams

Public Works

15. 25-763 Amended the Measure M 7-year Capital Improvement Program for Fiscal Years 2025/2026 through 2031/2032 to add the Trash Provision Compliance FCS Installation project

A motion was made by Burns, second McKeon to amend the Measure M 7-year Capital Improvement Program for Fiscal Years 2025/2026 through 2031/2032 to add the Trash Provision Compliance FCS Installation project.

The motion carried by the following roll call vote:

AYES: Twining, McKeon, Burns, Van Der Mark, and Gruel
NOES: None
ABSENT: Kennedy, and Williams

PUBLIC HEARING

16. 25-724 Held Public Hearing and Adopted Resolution No. 2025-52 for Annual Assessment Approval in the Huntington Beach Downtown Business Improvement District for Fiscal Year (FY) 2025-2026

Mayor Burns called on City Clerk Lisa Lane Barnes to notice this Public Hearing. She confirmed that the notice was completed in the manner and form as required by the Parking and Business Improvement Area law of 1989, codified at Street and Highways Code 36500.

SUPPLEMENTAL COMMUNICATION PERTAINING TO THIS PUBLIC HEARING — None

City Manager Travis Hopkins introduced Chris Kennedy, Economic Development Project Manager who presented a PowerPoint communication titled *Public Hearing to consider adoption of Resolution No. 2025-52 approving an Annual Assessment within the Huntington Beach Downtown Business Improvement District for Fiscal Year 2025-26* with slides entitled: *Background; The District; Downtown HB; FY 2024-25 Highlights; FY 2025–26 Proposed Budget; Assessment Breakdown; How Assessment Funds Will Be Used; Annual Assessment Protest Hearing; Recommendation; and Questions?*

Mayor Burns opened the Public Hearing.

Public Hearing Speakers (3-minute time limit) — None

Mayor Burns closed the Public Hearing. (01:40:42)

Councilman Gruel confirmed with Manager Kennedy that currently eight or nine business locations are vacant which is a very low rate.

Mayor Burns confirmed with City Clerk Lisa Lane Barnes that no protests were received.

Mayor Pro Tem McKeon and Economic Development Project Manager Kennedy discussed operation of Surf City Nights which is managed by the Downtown Business Improvement District (DBID) and is expected to generate approximately \$300,000 in the coming year. The DBID has full discretion for use of those funds. The City has discretion over how the \$115,000 assessment funds are utilized.

Mayor Pro Tem McKeon stated he will support this item at this time but feels the process should be evaluated over the coming year. He wants clarity on why it is called a "Business Improvement District" rather than a "Property-Owner Improvement District." He noted he has recently heard from business owners as well as property owners on this issue.

A motion was made by Burns, second Van Der Mark to conduct the Public Hearing; and, if written protests from businesses representing 50% or more of the total assessment are not received, adopt Resolution No. 2025-52, "A Resolution of the City Council of the City of Huntington Beach Approving an Annual Assessment within the Huntington Beach Downtown Business Improvement District for Fiscal Year 2025-26."

The motion carried by the following roll call vote:

AYES:	Twining, McKeon, Burns, Van Der Mark, and Gruel
NOES:	None
ABSENT:	Kennedy, and Williams

COUNCIL MEMBER ITEMS

17. 25-789 Approved Item Submitted by Council Woman Van Der Mark and Councilmen Twining and Kennedy — Prohibition on Sale and Distribution of Nitrous Oxide in Huntington Beach

Council Woman Van Der Mark introduced this item as an effort to protect children from the growing threat of using nitrous oxide as a recreational inhalant. She described some of the short-term and long-term effects of use, including death, and noted the Huntington Beach Police Department has reported a sharp increase in nitrous oxide-related arrests, rising from 28 in 2023 to 89 in 2024, with 113 arrests already recorded in 2025. This represents more than a 400% increase since 2023.

She noted that California Penal Code § 381(b) prohibits possession or use of nitrous oxide for intoxication, but it does not effectively address sales through the "culinary use" loophole. A municipal ban on the sale, distribution, and recreational use of nitrous oxide will close existing regulatory gaps, limit youth access, reduce public nuisances, and affirm the City's commitment to proactive public safety.

Councilman Twining noted the increased use of nitrous oxide in Huntington Beach adding that many users are in their cars and described the immediate effects of use such as oxygen deprivation, dizziness, disorientation, and loss of coordination. In addition, because nitrous oxide is pressurized, it is extremely cold and can freeze a user's mouth, lips or lungs and can cause fainting or cardiac arrest as well as psychological dependence. He stated his full support for banning recreational use of nitrous oxide.

Councilman Gruel explained the only reason to sell nitrous oxide for retail purposes is to make fresh whipped cream, and when you see it for sale at locations unrelated to other culinary products, it is strictly to get the kids hooked on it as a recreational drug. He clarified that restaurants and food service operators get this product from their distributors, so this ban will not affect the restaurant and food service industries.

Mayor Burns noted that personal abuse of nitrous oxide is not a new problem, but use is increasing. He stated he fully supports banning the sale and distribution in Huntington Beach.

A motion was made by Van Der Mark, second Twining, to direct the City Manager and City Attorney to prepare an ordinance for the prohibition of sale and distribution of nitrous oxide in Huntington Beach.

The motion carried by the following roll call vote:

AYES:	Twining, McKeon, Burns, Van Der Mark, and Gruel
NOES:	None
ABSENT:	Kennedy, and Williams

18. 25-795 Approved Item Submitted by Mayor Burns — Adopt Resolution No. 2025-64 in Support of Immediate Action to Ensure a Legally Valid and Transparent 2026 General Election

Mayor Burns introduced this item by stating that free and fair elections are the cornerstone of representative democracy, ensuring that government remains accountable to the people it serves. He added that any perception of unfairness or lack of confidence in the system generally impedes voter

participation. He provided examples of invalid ballots he has personally seen, which were not flagged, going through the current system, and proceeded to read his Issue Statement.

Council Woman Van Der Mark stated a dog and people who are not citizens have voted, and it is not right to just say that elections are not corrupt enough to take any actions. She does not understand why anyone would oppose taking any action to validate the integrity of the voting system. She thanked the Unite 4 Freedom representatives for their presentation earlier in this meeting.

Councilman Gruel shared he believes the more safeguards the better, so he supports this item.

Mayor Pro Tem McKeon noted the proposed resolution is asking for infrastructure compliance, voter verification, ballot security, accurate counts, and proven outcomes, all of which sound reasonable and seem like common sense to him.

Councilman Twining stated this is not a political issue and he believes no one is interested in having their vote cancelled out by any illegal ballot.

A motion was made by Burns, second Van Der Mark to adopt Resolution No. 2025-64, "A Resolution of the City Council of the City of Huntington Beach in Support of Immediate Action to Ensure a Legally Valid and Transparent 2026 General Election." The motion carried by the following roll call vote:

AYES: Twining, McKeon, Burns, Van Der Mark, and Gruel
NOES: None
ABSENT: Kennedy, and Williams

CITY COUNCIL MEMBER REQUESTS — Mayor Burns noted that the U. S. Navy is invited to share a report of their 250th Birthday at the next City Council meeting.

ADJOURNMENT — At 7:57 PM Mayor Burns made a motion, with a second by McKeon, to adjourn to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, October 21, 2025, 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>

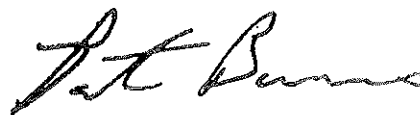


City Clerk and ex-officio Clerk of the City Council
of the City of Huntington Beach and Secretary of
the Public Financing Authority of the City of
Huntington Beach, California

ATTEST:



City Clerk-Secretary



Mayor-Chair