

Councilmember Kalmick is not here tonight as he had a scheduled vacation but is now home ill with Covid. Councilmembers Bolton and Moser had pre-existing commitments. Here is the statement they have provided.

Statement Regarding Monday’s Special City Council Meeting – Charter Amendment

“No Charter Amendments!” That was the election promise of this Council Majority. Yet, in the eighteen months since their election, they’ve proposed more than a dozen, put three on the ballot at a cost of \$395,000 just four months ago, and now they’re at it again.

Similar to their attempt last fall to slip Charter amendments onto the ballot with minimal public notice, the Council majority has proposed this new Charter amendment with less than a week’s public notice; only one business day for staff to draft it, and a last-minute Special Meeting called with one business days’ notice during a holiday weekend to ratify the proposed amendment for the November ballot.

This process is broken. Amendments to the City Charter – essentially our City’s Constitution – should be made thoughtfully and with robust public input. This process has had neither.

The rushed nature of the Council majority’s process is reflected in the proposed Charter Amendment itself. It is poorly drafted and likely unenforceable, suggesting its true aim is to evade state housing laws. This is a desperate attempt to avoid compliance despite the City losing its second legal challenge to state housing mandates. Adopting a Charter amendment that would likely prevent the City from ever passing a housing element is likely to face court rebuke.

Some may argue that voters can reject this Charter amendment, but this amendment is disguised as an “Environmental Protection” measure with ambiguous language, that “sounds good.” Huntington Beach residents’ skepticism of new housing makes it likely the amendment will pass.

However, the Council majority’s ploy will not maintain local control or “fight the state.” Builder’s Remedy (developers can build whatever they want, bypassing our locally controlled zoning) and \$600,000 monthly fines for non-compliance with State Housing law could mean this amendment’s ultimate legacy is the City’s fiscal insolvency.

If these consequences (Builder’s Remedy and fines) become unbearable, the City may waste a million dollars on a special election, as early as next year, to convince a highly skeptical electorate to zone for more housing-- a complicated and detailed task historically and traditionally handled by the City Council. No other City Council in the State has proposed a ballot measure like this, with good reason.

The City Council majority’s refusal to take the time to study the Charter amendment’s implications means we know little about the costs and unintended consequences. What is immediately clear is that the City will struggle to master plan anything again. Master Planning

**SUPPLEMENTAL
COMMUNICATION**

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saves everyone money, by allowing for a larger shared vision instead of a piecemeal approach. If the economics of downtown, the hotel resort area, or Beach Blvd with our auto dealers (who produce 15% of our City's Sales Tax revenue) change, they'll be on their own at much greater cost. No one at the City will want to risk the time and money necessary to take a holistic plan to the voters.

Our experience with Measure C (our parks protection voter-driven initiative adopted in response to potential building on the beach) is instructive. Only one Measure C project (the Senior Center) has gone to a vote in the nearly twenty years since Measure C passed. And, it barely passed with 50.1%.

In summary, the hasty process and disregard for unintended consequences means this Charter amendment will, in the end, harm the City for years to come, much like many of this Council Majority's actions.