

Minutes

City Council/Public Financing Authority Regular Meeting Special Meeting Minutes of the Housing Authority, Parking Authority, and Successor Agency

City of Huntington Beach

Tuesday, September 2, 2025
4:00 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>

4:00 PM — COUNCIL CHAMBERS

CALL TO ORDER — 4:00 PM

ROLL CALL

Present: Twining, Kennedy, McKeon, Burns, Van Der Mark, Gruel, and Williams
Absent: None

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

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

*City Attorney Mike Vigliotta confirmed Closed Session Items #1 (25-700) and #2. (25-701),
Conference with Labor Negotiators, would not be discussed during Closed Session.*

*Mayor Burns read titles for Closed Session Items #4, Conference with Real Property Negotiators
for property at 21091 Pacific Coast Highway, Huntington Beach, CA, 92648 (APN 024-281-16);
William Krill, Real Estate Project Manager (Not Present) regarding price and terms of lease.*

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

RECESSED TO CLOSED SESSION — 4:03 PM

CLOSED SESSION

- ~~1. 25-700 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency
designated representatives: Travis Hopkins, City Manager; also in attendance:
Marissa Sur, Director of Human Resources; Mike Vigliotta, City Attorney and Robert
Torrez, Interim Chief Financial Officer. Employee Organization: Marine Safety
Management Association (MSMA).~~

- ~~2. 25-701 CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code section 54957.6.) Agency designated representatives: Travis Hopkins, City Manager; also in attendance: Marissa Sur, Director of Human Resources; Mike Vigliotta, City Attorney and Robert Torrez, Interim Chief Financial Officer. Employee Organization: Surf City Lifeguard Employees' Association (SCLEA).~~
3. 25-702 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.
4. 25-703 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 21091 Pacific Coast Highway, Huntington Beach, CA, 92648 (APN 024-281-16). Agency Negotiators: 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: (Not Present). Under negotiation: Price and terms of lease.
- NEW 25-716 CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION (Gov. Code section 54956.9(d)(2).): One (1).
- NEW 25-721 CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION (Gov. Code section 54956.9(d)(2).): One (1).
- NEW 25-722 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Southwest Voter Registration Education Project, et al. v. City of Huntington Beach, et al.; OCSC Case No. 30-2024-01397379.

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY REGULAR MEETING AND CALLED TO ORDER SPECIAL MEETINGS OF THE HOUSING AUTHORITY, PARKING AUTHORITY, AND SUCCESSOR AGENCY — 6:00 PM

ROLL CALL

Present: Twining, Kennedy, McKeon, Burns, Van Der Mark, Gruel, and Williams
Absent: None

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.

- 5. 25-693 Huntington Beach Police Chaplain James Pike**

PLEDGE OF ALLEGIANCE — Led by Mayor Burns

CLOSED SESSION REPORT BY CITY ATTORNEY — None

CITY COUNCIL MEMBER COMMENTS (2-Minute Time Limit) — None

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: *Consent Calendar Item #14 (3 email communications); Administrative Items #17 (1 email communication); Ordinances for Introduction #18 (6 email communications); Councilmember Items #20 (1 email communication); and NEW (25-714) (2 email communications).*

Mayor Burns announced the two Public Hearings for this meeting which include time for public speakers, in addition to this general Public Comment time.

PUBLIC COMMENTS (1-Minute Time Limit due to the number of speakers) — 56 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>.

Paul Murphy commented on Public Hearing Item #15 (25-623) regarding the Airshow Event. (00:09:06)

Harry McLachlan commented on a the Patriot Academy offered at the Huntington Beach Public Library. (00:10:16)

Amory Hanson commented on Administrative Items #17 (25-687) regarding voter identification and requirements. (00:11:28)

Unnamed speaker commented on the Patriot Academy offered at the Huntington Beach Public Library. (00:12:04)

Andrew Einhorn commented on the Patriot Acedemy offered at the Huntington Beach Public Library; Public Hearing Item #15 (25-623) regarding Airshow Event; Council Member Items NEW (25-714) regarding special election for redistricting; and relocating the Surf Museum to the Main Street Library. (00:13:14)

Unnamed speaker commented on the recent ruling of a dismissal by a Superior Court Judge regarding his four Huntington Beach parking violations. (00:14:28)

Thomas Laparne commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:15:32)

Don Ramsey commented on Public Hearing Item #15 (25-623) regarding the Airshow Event. (00:16:44)

Unnamed Speaker commented on Consent Calendar Item #14 (25-636) regarding critical incident response and Council Member Items #20 (25-710) regarding allocation of revenue increases to public safety. (00:17:41)

Patricia Pappas commented on her appreciation for the service of Mayor Burns and each of the Councilmembers. (00:18:34)

Laszlo Lak commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:19:45)

Tomari commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:21:01)

Sam Giesy commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:22:13)

Dominic McGee commented on Public Hearing Item #15 (25-623) regarding the Airshow Event; the Patriot Academy offered at the Huntington Beach Public Library; and Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:23:21)

Janet Ewell commented on the Patriot Academy offered at the Huntington Beach Public Library. (00:24:17)

Scott commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:25:33)

Unnamed speaker commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:26:48)

Pat Goodman commented on Public Hearing Item #15 (25-623) regarding the Airshow Event; Consent Calendar Item #14 (25-636) regarding critical incident response; Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex; Administrative Items #17 (25-687) regarding voter identification and requirements; Council Member Items #20 regarding allocation of revenue increases to public safety; and NEW (25-714) regarding special election for redistricting. (00:27:59)

Matt Liffreing commented on Public Hearing Item #15 (25-623) regarding the Airshow Event. (00:29:06)

Unnamed speaker commented on the Patriot Academy offered at the Huntington Beach Public Library and Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:30:42)

Chris Kluwe commented on the Magnolia Street project; City Manager's Report Item #6 (25-698) regarding Surfside–Sunset Sand Replenishment Project; and Council Member Items NEW (25-714) regarding special election for redistricting. (00:31:55)

Unnamed speaker commented on multiple "conflicting" City Council actions. (00:33:02)

Unnamed speaker commented on the great job Councilmembers are doing and on Public Hearing Item #16 (25-664) and the use of alcohol at the Huntington Beach Sports Complex. (00:34:07)

Joanne Sosa commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:35:09)

Richard Worley speaker commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:36:01)

Billy Maddox commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:36:30)

Tim Geddes commented on the lack of time for speakers and cited several examples of Council actions which he described as their ideological approach to governing. (00:37:46)

Russ Neal commented on his support for City Council actions and standing up to Sacramento. (00:38:54)

Frank Daniels commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:39:52)

Ken Inouye commented on several reasons for the City's unprecedented deficit. (00:41:02)

Unnamed speaker commented on Consent Calendar Item #14 (25-636) regarding critical incident response; Public Hearing Item #15 (25-623) regarding the Airshow Event; and Council Member Items #20 (25-710) regarding allocation of revenue increases to public safety. (00:43:15)

Unnamed speaker commented on Council Members Items NEW (25-714) regarding special election for redistricting and lack of appropriate time for public speakers. Mayor Burns invited this speaker to complete a blue card for follow-up. (00:44:27)

Unnamed speaker commented on Consent Calendar Item #13 regarding the Huntington Beach Downtown Business Improvement District and expressed appreciation for Councilmember support. (00:45:05)

Mr. Chavez, commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:45:21)

Bethany Webb commented on Public Hearing Item #15 (25-623) regarding the Airshow Event. (00:45:45)

Brett Bush commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:46:57)

John Carser commented on Council Members Items NEW (25-714) regarding special election for redistricting. (00:48:05)

Unnamed speaker commented on Consent Calendar Items #14 (25-636) regarding critical incident response; Public Hearing Items #15 (25-623) regarding the Airshow Event; Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex; Administrative Items #17 (25-687) regarding voter identification and requirements; Councilmember Items #20 (25-710) regarding allocation of revenue increases to public safety; and NEW (25-714) regarding special election for redistricting. (00:49:19)

Regina Blankenhorn commented on Public Hearing Item #15 (25-623) regarding the Airshow Event and made comments in regards to the the City Treasurer. (00:50:34)

Rebecca Grudt announced the November 7, 2025, Walk to End Alzheimer's Disease at Bolsa Chica State Beach. Council Woman Van Der Mark asked Ms. Grudt to complete a blue card for follow-up. (00:51:45)

Paula Schaefer commented on Public Hearing Item #15 (25-623) regarding the Airshow Event. (00:53:04)

Jennifer Winberg commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:54:12)

Kanan Durham commented on Consent Calendar Item #14 (25-636) regarding critical incident response and Council Member Items #20 (25-710) regarding allocation of revenue increases to public safety. (00:55:28)

Unnamed speaker commented on Public Hearing Item #15 (25-623) regarding the Airshow Event. (00:56:43)

Billie Kriss commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:57:56)

Dianna Phillips commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (00:59:07)

Unnamed Speaker commented on Public Hearing Item #15 (25-623) regarding the Airshow Event. (01:00:18)

Stan Calibutro commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (01:02:06)

Unnamed Speaker commented on a Constitution class offered at the Huntington Beach Public Library. (01:02:38)

Unnamed Speaker commented on how family is treated by officials when a loved one dies in their home. (01:03:48)

Rebecca Chavez commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (01:05:00)

Unnamed speaker commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (01:06:04)

B. Chanel commented on Public Hearing Item #15 (25-623) regarding the Airshow Event. (01:07:14)

Matt commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (01:08:36)

Unnamed speaker commented on Public Hearing Item #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex. (01:09:53)

Jignesh Padhiar commented on Consent Calendar Item #14 (25-636) regarding critical incident response; Public Hearing Items #15 (25-623) regarding the Airshow Event and #16 (25-664) regarding the use of alcohol at the Huntington Beach Sports Complex; and Council Member Items NEW (25-714) regarding special election for redistricting. (01:10:31)

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS — None

AB 1234 REPORTING — Councilman Twining reported attending a meeting of the Orange County Council of Governments (OCCOG).

OPENNESS IN NEGOTIATION DISCLOSURES — None

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

CITY MANAGER’S REPORT

6. 25-698 Surfside-Sunset Sand Replenishment Project

Travis Hopkins, City Manager, introduced Jim Merid, Environmental Services Manager, Public Works, who presented a PowerPoint communication titled *SURFSIDE–SUNSET BEACH SAND REPLENISHMENT PROJECT (Stage 14)* with slides entitled: *BACKGROUND – Surfside-Sunset Beach Nourishment, BENEFITS & NEED, pictures, PROJECT DETAILS, pictures, FUNDING & SCHEDULE, Next Steps, and Questions?*

The presentation was followed by brief Councilmember discussion and questions.

7. 25-709 BreatheSafe HB — Community Opioid Response Initiative

Travis Hopkins, City Manager, introduced Fire Chief Medical Officer Rombod Rahimian and Fire Division Chief Justin Fleming to present a PowerPoint communication titled *Introduction to BreatheSafe HB*, with slides entitled: *BreatheSafe HB, What is BreatheSafe HB?, Three-Pillar Structure, Community Benefits, and Questions?*

The presentation was followed by brief Council member discussion and questions.

CONSENT CALENDAR (Items 8 - 14)

Councilman Kennedy pulled Item #12 for further discussion.

City Clerk

8. 25-692 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 August 19, 2025.

The motion carried by the following roll call vote:

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

City Manager

9. 25-688 Approved and authorized First Amendment to Professional Services Contract Between the City of Huntington Beach and Kahn, Soares and Conway for State Legislative Advocacy Services and Approve and Authorize First Amendment to

Professional Services Contract Between the City of Huntington Beach and Stapleton & Associates for Federal Legislative Advocacy Services

A motion was made by Burns, second Van Der Mark to approve and authorize first amendment to professional services agreement with Kahn, Soares and Conway for one year for state legislative advocacy services; and approve and authorize first amendment to professional services agreement with Stapleton & Associates for one year for federal legislative advocacy services.

The motion carried by the following roll call vote:

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

NOES: None

10. 25-694 Approved updated 2025 City Council Liaison List — Citizen Boards, Commissions, and Committees

A motion was made by Burns, second Van Der Mark to as recommended by the City Council, Public Financing Authority, Housing Authority, Parking Authority, and Successor Agency: Approve updates to the 2025 Council Liaison List that includes appointments to citizen boards, commissions, committees, and task forces as presented by Mayor Burns. (The City Clerk certifies that FPPC Form 806 "Agency Report of Public Official Appointments" which is used to report additional compensation that officials receive when appointing themselves to positions on committees, boards or commissions of a public agency, special district and joint powers agency or authority was posted to the City's website according to law prior to this vote.)

The motion carried by the following roll call vote:

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

NOES: None

Community Development

11. 25-689 ~~WITHDRAWN Approve and authorize execution of the First Amendment to the Affordable Housing Agreement between the City of Huntington Beach and Nash-Holland 18750 Delaware Investors, LLC — continued from the August 19, 2025, meeting~~

12. 25-690 Approved and authorized Execution of the Third Amendment to the Affordable Housing Agreement and the Second Amendment to the Declaration of Covenants, Conditions and Restrictions to Extend Affordability Covenants by Three Years for the Five Points Senior Villas Project (Revised Request) — continued from the August 19, 2025, meeting

Councilman Kennedy pulled this item to note that when asked, the owners changed their request from a one-year to a three-year extension which he believes is a win for the senior citizen residents living in the facility.

A motion was made by Kennedy, second McKeon to approve the Third Amendment to the Affordable Housing Agreement by and between the Huntington Beach Housing Authority and Five Points Seniors, L.P. to extend the affordability covenants by three years until July 30, 2029, and direct the City Attorney

to revise said Third Amendment to reflect this three-year extension; approve the Second Amendment to the Declaration of Covenants, Conditions, and Restrictions by and between the Huntington Beach Housing Authority and Five Points Seniors, L.P. to extend the affordability covenants by three years until July 30, 2029, and direct the City Attorney to revise said Second Amendment to reflect this three-year extension; and, authorize the Housing Authority Executive Director or their designee to execute the Third Amendment to the Affordable Housing Agreement, the Second Amendment to the Declaration of Covenants, Conditions and Restrictions, and all related documents necessary to implement the three-year extension.

The motion carried by the following roll call vote:

AYES: Kennedy, McKeon, Burns, Van Der Mark, Gruel, and Williams
NOES: None
OUT OF ROOM: Twining

13. 25-669 Approved the Annual Report and Budget for the Huntington Beach Downtown Business Improvement District (District) for Fiscal Year 2025-2026 and adopted Resolution No. 2025-51 to continue collecting an annual fee from businesses in the District, with a public hearing scheduled for October 7, 2025

A motion was made by Burns, second Van Der Mark to approve the Huntington Beach Downtown Business Improvement District Annual Report and Budget for FY 2025-2026; and adopt Resolution No. 2025-51, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment For Fiscal Year 2025-2026 within the Huntington Beach Downtown Business Improvement District" and schedule a public hearing for October 7, 2025, to consider continuation of the District.

The motion carried by the following roll call vote:

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

Police

14. 25-636 Approved Implementation of Aerial Flashbangs and Inert Blast Balls for Critical Incident Response

A motion was made by Burns, second Van Der Mark to approve the implementation of aerial flashbangs and inert blast balls as authorized non-lethal tools for use by the Huntington Beach Police Department during critical incident response.

The motion carried by the following roll call vote:

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

PUBLIC HEARING

15. 25-623 Certified Environmental Impact Report No. 25-003 by adopting Resolution No. 2025-24; Approved Findings of Fact with a Statement of Overriding Considerations

(Pacific Airshow Huntington Beach); and Approved and authorized the execution of an Airshow Event Agreement between the City of Huntington Beach and Pacific Airshow, LLC, and amended the On—Call Contract with Environmental Science Associates to appropriate \$250,000 for the Airshow Environmental Impact Report and ongoing mitigation monitoring, as amended by Supplemental Communication

Mayor Burns called for **Supplemental Communications Pertaining to Public Hearing Item #15.**

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: Public Hearing Item #15 (*California State Lands Commission letter, 4 email communications and 1 staff memorandum*).

City Manager Travis Hopkins and Jennifer Villasenor, Director of Community Development, presented a PowerPoint communication titled *EIR No. 25-003 Pacific Airshow* with slides entitled: *EIR No. 25-003 (Pacific Airshow), Topical Issues Analyzed, Significant and Unavoidable Impacts, Alternatives, Final EIR, Statement of Overriding Considerations, Airshow Event Agreement, Agreement Summary (3), Recommended Action (2), and Questions?*

Director Villasenor introduced representatives of Environmental Science Associates (ESA), the City's California Environmental Quality Act (CEQA) consultants and Airshow operator. Director Villasenor noted they were available to answer technical or project description questions.

Councilman Williams and City staff discussed the expected cost for City—provided services such as police, fire and other City services for this year's Airshow event; how much time the Environmental Impact Report (EIR) covers; how often biologists will survey the area for any environmental change; and potential future EIR requirements or considerations.

Mayor Burns announced continuation of the Open Public Hearing from August 19, 2025.

Public Speakers (3-Minute Time Limit) — 10 Speakers

Unnamed speaker stated she believes Kevin Elliott of Code Four cannot be expected to follow any rules; the Airshow destroys natural life in the wetlands; the City cannot afford this expense; and made additional comments unrelated to this Public Hearing. (02:38:13)

Unnamed Speaker stated his support for the Airshow event and noted that Code Four has been invited by other countries to provide similar events overseas. He presented statics on the number of Huntington Beach outsiders who come to this event and noted the economic impact to Orange County and approximately \$4M annually to the City's General Fund. He added that the Huntington Beach lump sum payment from the Amplify Energy settlement last October entirely offsets the Airshow Agreement, leaving the City in a net positive position, and this event is the most powerful economic windfall event the City has. This settlement isn't just about setting a legal matter, but about investing in the City's economic vitality, its reputation and future. (02:40:02)

Bethany Webb stated that as a homeowner her taxes are unfortunately supporting Code Four if this item is approved. She continued by suggesting the Blue Angels could be contracted directly for free. She added she believes approving this item provides no upside for Huntington Beach but is rather a "pay for play" move by Councilmembers up for re-election. (02:42:57)

Unnamed speaker stated her strong opposition to the Airshow event because she believes the owner is bilking Huntington Beach citizens out of millions through a shady settlement deal. She continued that an event that is meant to honor service and inspire pride should not be built on corruption. She suggested the event be held at an alternate space. (02:46:08)

Amory Hanson stated his support for the Airshow which he believes will provide many economic benefits for Huntington Beach as it has done in previous years. (02:47:51)

Russ Neal stated his support for the Airshow. He believes most of the opposition has been manufactured on the part of local opponents to the City Council. He added he believes the Settlement Agreement just lays out a framework that is still subject to annual contract negotiations as was presented this evening. He stated that the Airshow has been conducted for many years with no environmental problems. (02:48:19)

Stephanie Dufour, a Huntington Beach home and business owner, stated her advocacy for responsible public spending, coastal protection and smarter economic planning. She stated she believes there are a variety of other healthier events available that wouldn't be disrupted by oil spills or the marine layer fog. She believes it is time to end the Airshow and bring in events that reflect the values of a city that treasures its precious coastline and community. (02:49:38)

Unnamed Speaker encouraged Council to not adopt the Statement of Overriding Conditions and not have any further dealings with Kevin Elliott, Pacific Airshow, LLC or Code Four because of their failure for a number of years to obtain necessary permits from the California Coastal Commission. The City should not give away exclusive use of parking and the monetization of it, waving City fees, covering City employment costs, mitigate third-party costs, provide City resources, pay for the EIR, or authorize an additional \$250,000 for environmental mitigation. She asked for proof of all the money this event supposedly brings into the City, because that is the only justification for this item. Further, the City is indemnifying Mr. Elliott's organization for CEQA challenges and sticking this for future City Councils with long-term renewals. (02:52:12)

Dianna Phillips stated her support for the Airshow which brings patriotism, camaraderie, creates a family-friendly community, and brings in revenue. (02:54:54)

Unnamed Speaker made comments regarding Code Four, Pacific Airshow, LLC, Kevin Elliott and City Council candidate election signs and staged events. (02:57:49)

Mayor Burns closed the Public Hearing.

Councilman Kennedy reviewed actual costs when the Blue Angels are booked for "free" as some speakers suggested, extrapolated some basic cost estimates, and noted that the Pacific Airshow is the #1 most attended airshow in the entire U.S. attracting three million people. He continued by providing examples of other events that are subsidized by the sponsoring cities to bring in commerce and people. Councilman Kennedy stated his support for this item.

Mayor Pro Tem McKeon reviewed the Airshow history since he was elected in 2022, noting settlement issues that will allow the Airshow to continue as a premiere event for the West Coast. He noted there are discussions regarding a simultaneous aviation convention to super charge sales and tax revenue, and there is immeasurable marketing which puts Huntington Beach on the world stage. Many local businesses report that the Airshow event weekend is their busiest weekend of the whole year. He reviewed additional events that are subsidized by sponsoring cities to document operation standards.

Mayor Pro Tem McKeon stated he personally believes the economic and ancillary benefits provided by the Airshow far outweigh the \$250,000 being paid and he fully supports the Airshow.

Council Woman Van Der Mark stated her support for the comments made by both Councilman Kennedy and Mayor Pro Tem McKeon. She added that the Downtown businesses support the Airshow, and the event brings in people that otherwise wouldn't normally visit Huntington Beach. She believed if the Airshow was not held, the City would lose more money than what is spent to hold the event and expressed her full support for the Airshow.

Councilman Twining described some of the planning, investments and details that Kevin Elliott and Code Four take to make the Airshow a successful event. He noted that because of the marine layer that moved in last year, Mr. Elliott announced that ticket holders could use their 2024 tickets for the 2025 event. He commended Mr. Elliott for using his own money to bring a world-class event to Huntington Beach and stated his support for the Airshow Event.

Mayor Burns stated that not everything is about money, and that experience and long-term benefits have to also be considered. He believes that in the long term the Airshow is a benefit for Huntington Beach, and it has his support.

Councilman Williams stated his love for the Airshow and noted that his own cost analysis doesn't support the numbers his fellow Councilmembers are using. He added that hiring an auditor could provide the details to confirm, or deny, the revenue numbers being presented by Destination Analysis. He noted that in the report, there is an asterisk to denote a "county" tax number, not just Huntington Beach. He questioned the validity of including increased property tax revenue because of the Airshow. He noted the assignment rights in the contract which allows the event producer to sell this contract to some third party, and it would take a City Council super-majority to stop that sale, yet the City Charter states any Council decision is made by a quorum. He continued by reviewing annual costs totaling about \$800,000 compared to the actual expected \$117,000 Transient Occupancy Tax (TOT) increase.

Councilman Williams continued by stating he believes if this long-term agreement is approved it could expose the City to litigation and there is a fiduciary responsibility to hold off. There is nothing in the settlement that compels a decision tonight. The proposal relinquishes certain benefits and amends the settlement recital which indicates there is latitude to negotiate better terms for the taxpayers. Exercising caution at this time is prudent given the pending litigation and State audit over the next couple of weeks.

Councilman Kennedy responded to Councilman Williams comments stating he had some good math and described some of the items missed such as parking facilities filled to capacity with the Airshow. Councilman Kennedy reiterated his opinion that the Airshow creates goodwill, supports local businesses, puts Huntington Beach on the international map, builds reputational value, provides a reason to visit Huntington Beach and a reason to come back, even if only \$1 is made above the cost base. Councilman Kennedy also noted concessions that Code Four made to reach this point. Councilman Kennedy clarified he paid for and did not get "free" campaign signs from Code Four as was insinuated by at least one public speaker.

Councilman Twining and City Manager Travis Hopkins discussed the existing 40-year settlement agreement between Code Four and Huntington Beach and confirmed the agreement under consideration is for 25 years. Councilman Twining added he believes there are several intangibles which were not included in Councilman Williams calculations, and stated continuing analysis is important.

Mayor Pro Tem McKeon called the question as to whether Council was ready to end discussion and vote on the issue. City Attorney Mike Vigliotta stated the call to question must receive a second and the prior substitute motion could not be amended until after the call to question is heard and decided. A second was made by Van Der Mark. Councilman Williams confirmed that if the call to question did not pass, then the discussion on this item will continue, and added he has another option to present.

The question failed by the following roll call vote:

AYES: McKeon, Van Der Mark,

NOES: Twining, Kennedy, Burns, Gruel, Williams

Councilman Williams stated he understands the promoter's need for the stability of a long-term agreement. He proposed making a 25-year agreement with one-year deal points to allow time for audited financials and then a long-term settlement would be negotiated for the deal points. He stated if audited financials support the numbers being presented, then the deal points would be extended for the 25 years.

Mayor Pro Tem McKeon confirmed with City Attorney Vigliotta that the originally presented agreement has been approved by attorneys for both sides and has staff recommendation. If it is not approved tonight, it could provide an option for enforcing the previous contract.

City Attorney Vigliotta confirmed for Councilman Williams that the court would have jurisdiction over the settlement agreement to force the City to comply with the terms. City Attorney Vigliotta added that after the environmental review is conducted, if the promoter asks the City for an agreement, the City is compelled to do it at that point. He stated that if Councilmembers engage at this point with different terms, the promoter could argue bad faith.

A substitute motion was made by Williams, second Kennedy, ***to Postpone any action until the completion of an economic audit to provide an accurate fiscal analysis, invite community input and consider potential amendments. Lock in a 25-year exclusive commitment with 1-year deal points to be followed by continued negotiations for the deal points after the completion of an economic audit.***

The motion failed by the following roll call vote:

AYES: Twining, and Williams

NOES: Kennedy, McKeon, Burns, Van Der Mark, and Gruel

A motion was made by Burns, second Van Der Mark to certify Environmental Impact Report No. 25-003 as adequate and complete in accordance with CEQA requirements and adopt Resolution No. 2025-54, "A Resolution of the City Council of the City of Huntington Beach Certifying the Environmental Impact Report (SCH#2024020006) for the Pacific Airshow Huntington Beach Project" (Attachment No. 1); and Approve CEQA Findings of Fact with a Statement of Overriding Considerations (Attachment No. 2); and Approve and authorize the Mayor and City Clerk to execute the "Airshow Event Agreement Between the City of Huntington Beach and Pacific Airshow, LLC" for the management and operation of the Pacific Airshow, and provide authority to the City Manager and City Attorney to amend On-Call Contract for ESA to appropriate an additional \$250,000 for the Airshow Environment Impact Report and ongoing mitigation monitoring, bringing the on-call contract total to \$1,100,000, ***as amended by Supplemental Communication.***

The amended motion carried by the following roll call vote:

AYES: Twining, Kennedy, McKeon, Burns, Van Der Mark, and Gruel
NOES: Williams

16. 25-664 Considered Appeal of the Planning Commission's approval of Conditional Use Permit Nos. 25-007 and 25-014 (Huntington Beach Sports Complex)

Mayor Burns called for any Councilmember to disclose any ex parte communications. Mayor Pro Tem McKeon, Councilman Twining and Council Woman Van Der Mark stated they had spoken with the applicant.

Mayor Burns called for **Supplemental Communications Regarding Public Hearing Item #16** (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: *Public Hearing Item #16 (5 email communications)*.

Jennifer Villaseñor, Director of Community Development, presented a PowerPoint communication titled *Appeal of the Planning Commission's Approval of Conditional Use Permit No. 25-007 and No. 25-014* with slides entitled: *Request, Project Location, Background, Site Plan, Renderings, Site Plan, Renderings, Analysis, Analysis (cont.)*, and *Recommendation*.

Mayor Burns and Director Villaseñor discussed that if there were to be violations of the Conditional Use Permits (CUP), it would be documented through Code Enforcement and the zoning code has the provisions for revocation of the CUPs.

Mayor Pro Tem McKeon and Director Villaseñor discussed the Request for Proposal (RFP) and subsequent agreement that was approved a year ago by a 7 – 0 Councilmember vote, including considerations for alcohol sales provided that proper permits were acquired.

Councilman Williams and Director Villaseñor discussed that the second food service location is adjacent to a tot lot, and noted that a child could go order food without being attended by an adult.

Councilman Williams referenced Municipal Code §9.84.080 (C) which describes the type of activities that are prohibited in connection with the issuance of any alcohol use permit. Staff responded that the Conditional Use Permit (CUP) is conditioned so that each location will provide what is called a "fast" window that is delineated so that a child would be directed to go to a window that will not sell any alcoholic beverage, nor would the child have to go through the outdoor dining area to access the "fast" window.

Mayor Burns opened the Public Hearing.

Public Speakers (3-Minute Time Limit) — 19 Speakers

Unnamed speaker stated her opposition to the sale of alcohol at the Huntington Beach Sports Complex because City Code prohibits the sale of alcohol in City parks by default. Further, the City Code states special permits for selling alcohol cannot be used when sports activities are scheduled in the same

facility. The Sports Complex is within the Open Space zoning district which allows alcohol sales through a Conditional Use Permit only if the City makes findings that the use will not harm public health, safety or welfare and is consistent with the General Plan. In her opinion, it is impossible, to make those findings for a facility centered on children's activities and tournaments. Finally, the City's own park rules say no alcoholic beverages of any type are permitted. This proposal conflicts with existing Huntington Beach rules, raises public safety concerns and undermines the family—oriented nature of the park. (04:05:44)

Dominic McGee, Huntington Beach resident, stated his opinion that both Conditional Use Permits (CUPs) violate City Charter Section 612 even though the City Attorney's Office stated that it is not the case. These types of licenses are not usually allowed by the California Department of Alcoholic and Beverage Control (ABC) if neighboring facilities are designed specifically for children, like the tot lot. (04:08:10)

Unnamed Speaker, Chairman of the Subcommittee that designed the Sports Complex, shared the history of the effort for Measure L to get some open space in Huntington Beach dedicated to youth sports. He added that typically if a planned event wants to serve alcohol, they get a license for the event and said that policy should continue. He noted that the amount of space at the Youth Complex dedicated to youth diminishes every year and encouraged Council to come up with the right answer. (04:10:19)

Unnamed speaker stated the Huntington Beach Sports Complex is a recreation facility built for the community, specifically for the children. If this item passes, there will be only one window for the children to use which is a perversion of the intended use for this facility. As a former varsity high school umpire, he shared the travesty of witnessing competitive sports ambitions from parents and the bad behavior that can result when there is no alcohol involved. He cannot support mixing children's competitive sports with alcohol, and if allowed, he suspects it will only increase public safety issues. (04:13:36)

Sue Goodwin, a resident of Westminster, urged a "No" vote on this issue as she believes the result will create a negative impact to the community. As an elementary school teacher, she knows firsthand that children are impressionable and searching for mentors. She asked how parents can be expected to drive home safely if they have had alcohol during their child's game. She added that an on—line search provided a list of ten locations where alcohol is served within a four— to seven—minute distance of the Huntington Beach Sports Complex. (04:16:19)

Melanie Brady, Huntington Beach resident, a nurse practitioner with an educator background, shared her opinion that allowing alcohol at a youth sports facility is not a wise decision. She encouraged the Council to vote "No" on this item. (04:19:20)

Unnamed Speaker stated his strong opposition to allowing the sale of alcohol at the Huntington Beach Sports Center. He believes allowing alcohol will raise serious concerns regarding public safety, public youth development, traffic management and the overall character of the community. He noted that even when regulated, alcohol consumption can escalate tensions in the competitive sports environment and increase the risk of poor judgement, DUIs and medical emergencies. This just results in an increased burden on public safety, staff and City resources. There could also be increased parking and traffic hazards in the neighborhood. In addition, the sale of alcohol is not necessary for the continued success of the Complex. (04:20:53)

Unnamed Speaker stated his opposition to the sale of alcohol at the Huntington Beach Sports Complex. He referenced 6.12(a) which states that no public utility, or park or beach or portion thereof, now or hereafter, owned or operated by the City shall be sold, leased, exchanged or otherwise transferred or disposed of unless authorized by an affirmative vote of at least a majority of the total membership of the

City Council, and by the affirmative vote of at least a majority of the electors voting on such a proposition at a General or Special election which such proposition is submitted. He understands the need to increase revenues, but any plan should never be on the back of the children. (04:23:39)

Joe Pedick, Pastor, shared from his perspective when considering the intent of the facility is a safe place for families. He noted there are all kinds of existing drinking establishments. He referenced some of the negative effects of alcohol to support the position of opposition that he and many other community members have for this project. (04:26:47)

Jason stated there is no way to justify combining alcohol with kids and a sports complex. He noted that just one drink can impair judgement which could result in a tragedy. He asked Councilmembers to do the right thing right now. (04:29:54)

Carol Tracy, a resident of Huntington Beach, stated her opposition to making alcohol available at the Huntington Beach Sports Complex. (04:31:55)

Dan Hay, President and CEO, Premier Girls' Fast Pitch, Huntington Beach, stated he is responsible for PGF National Championships that generates over \$130M of economic impact to Huntington Beach and Orange County. He has run hundreds of youth sports tournaments across the U. S. in the past twenty years, and only about five percent (5%) of them allow alcohol sales. He stated his belief that alcohol should be banned at all youth sports events, but not necessarily for music concerts. (04:32:31)

Brian Thienes, Planning Commissioner who voted in favor of this project, explained that the two snack bars being discussed are currently never open, and allowing the sale of beer and wine in the restaurants would help to keep those snack bars open. He noted that security was an added condition to ensure that the alcohol does not go into the stands. He believes this improves people's experiences at the Sports Complex, allows the snack bars to stay open for the kids, and allows the businesses to survive. He added that research found other cities that allow for alcohol sales at their sports complexes, as well as Club 33 at Disneyland in Anaheim. He stated he still supports these Conditional Use Permits. (04:36:24)

Unnamed Speaker stated her opposition to allowing alcohol at a youth Sports Complex. (04:38:43)

Joyce Rilley stated her opinion there should be no alcohol served at a venue for children's activities as children should be protected at all times. (04:39:17)

Unnamed speaker stated he feels like the facility built for the benefit of underage children is being hijacked. He believes there are enough places in the area that already sell alcohol and allowing alcohol at a facility built for the benefit of kids is the wrong thing to do. (04:40:19)

Applicants *(not bound by the 3-minute time limit)*

Jerry Marchbank, Huntington Beach Sports Complex (HBSC), introduced Business Partner Matt Olmstead and Louie Palmerin, HBSC Director of Food and Beverage and President of Huntington Valley Little League. Mr. Marchbank described the guiding principle for HBSC and noted that the three men are Huntington Beach locals who want to build the best sports complex in America. He continued with a PowerPoint presentation with a slide entitled: *Where We Are*.

Mr. Olmstead continued the presentation by describing current operations and explained this agenda item will provide the mechanisms for more control by providing a beer garden type of experience where the alcohol is contained within defined parameters. He added that staff will be trained to monitor behaviors where alcohol is served. (04:42:28)

Mr. Marchbank continued the PowerPoint presentation covering slides entitled: *Timeline*; and *Comparables*;

Mr. Palmerin addressed the question of how alcohol and wine can be safely served by describing service and security staff training, including the requirement for Responsible Beverage Certifications as mandated by the State. Further, he clarified this is not going to be a bar but rather is an eating establishment where patrons can order a beer, a glass of wine or a soft drink with their food. As community residents themselves, the Applicants are focused on keeping a safe environment for everyone.

Mr. Olmstead stated that for the most part people are responsible and exercise personal responsibility, each of them have children and the interest is in creating a family backyard bar-b-que environment. (04:50:53)

Mayor Burns closed the Public Hearing.

Councilman Williams and the Applicants discussed why the facility closest to the Public Library has not been open this past year; potential profits; the City's 15% on concessions; food and beverage service industry cost model; and Save Our Kids and Measure L.

Councilman Kennedy and the Applicants discussed the possibility of adding a small snack shack dedicated for the use of kids for non-cooked snacks; use of a snack golf-cart driving the premises for non-alcoholic service; and confirmed each of the Applicants is a parent and personally invested in the safety of children.

Mayor Burns and Applicants discussed the deteriorating field conditions and Applicant responsibility to report to the police any public drinking observed within the park.

Mayor Pro Tem McKeon and Applicants discussed various events for adult leagues and defined the demand for alcoholic service.

Councilman Twining and Applicants discussed the possibility of defining specific types of events when alcohol could be served.

At 11:09 PM a motion was made by Burns, with a second by McKeon, to continue doing business after the hour of 11:00 PM. The motion passed with all in favor (7 – 0).

Councilman Twining and Applicants continued discussion on the project process and meeting City requirements for all departments involved including Community Services, City Attorney, Design Review Board, Zoning Administrator, and the Police Department.

Councilmember Kennedy, speaking as a parent of three, stated he has played on that sports complex for over three decades; provided statistics about alcohol-related accidents and deaths; expressed his faith in the ability of parents to monitor their drinking; noted his appointed Planning Commissioner had planned to vote "No" on the issue, but after some personal research reversed her initial position; noted that the Applicants have lawfully passed the California Department of Alcoholic Beverage Control (ABC) requirements, as well as Police Department conditions and now it is time for City Council consideration. He closed by stating his support for this item because he expects the Applicants to serve their customers while protecting the kids and confirmed that there is a right to revoke the CUPs if problems arise.

Councilman Kennedy reviewed statistics on DUI's in Huntington Beach, according to the Office of Traffic and Safety, which rates Huntington Beach at #54 out of 61 comparable communities, size wise, in 2022.

Council Woman Van Der Mark stated her support for consistency, individual liberty, individual freedom and parental rights. She compared this decision to the decision to put safeguards in place for children whether at the Public Library or the Sports Complex.

Mayor Pro Tem McKeon reviewed the historical path of this item noting the upgrades and processes the Applicants have implemented based on the Council's 7 – 0 vote nearly a year ago to proceed with the Request For Proposal (RFP) that clearly included serving beer and wine. He noted that Huntington Beach is a City that cherishes conservative values of freedom, choice, and expectation of personal responsibility. He added that Chuck E. Cheese and Legoland both serve alcoholic beverages, as do ice hockey facilities. He added that there are revocation rights, and the CUPs can be pulled if the Applicants do not maintain control.

Councilman Williams reviewed some of the Planning Commissioner remarks to rationalize why they approved this and added he doesn't believe any parental rights will be removed. He continued with a PowerPoint communication with slides entitled: *HB Youth Sports Complex History; Los Angeles Times, Huntington Beach: Park Land Sought for Sports Complex; Youth Sports Site Selected; Measure C and Voter Intent; "Measure C" "Section 612" of HB City Charter (2); Youth Sports Site Selected; "Measure C" "Section 612" of HB City Charter; MEASURE L and Voter Intent (5); Legislative Intent (2); Stay tuned for the Huntington Beach Planning Commission Meeting, April 10, 2018, 7:00 pm (video); Legislative Intent; The "Measure C" LEASE Issue; The LEASE Issue; Huntington Beach Meetings Agendas, Minutes and Multimedia (screen shot); The LEASE Issue, Conclusion, and JIM SILVA – Former HB Mayor.*

Mayor Pro Tem McKeon discussed with Community Development Director Jennifer Villasenor that the Planning Commission meeting video just shared was considering the Zoning Text Amendment change for all of Central Park, and at that time only two facilities qualified for a Conditional Use Permit (CUP). Director Villasenor explained that the standard is always the Zoning Code when any CUP is considered. Open Space Parks and Recreation, Section 21307 L (5) states a CUP to sell/serve beer and wine can only be permitted if full table service is, or will be, also provided.

Councilman Williams referred back to slide 17, Legislative Intent, to reiterate his point that "there are two locations in Central Park that are eligible to apply for a conditional use permit as a result of ZTA No. 18-001: Kathy May's Lake View Cafe and Park Bench Cafe. There are several other types of establishments that do not qualify to apply for a CUP, such as snack stands, walk-up counters, concession stands, or other similar operations typically found at the Sports Complex, community parks, Little League baseball fields, Friday night lights flag football, Frisbee golf, or the Library. These types of services do not meet the prerequisite of being a restaurant with full table service which precludes them from applying for a CUP."

Councilman Kennedy explained his understanding that in this situation the Applicant meets the "prerequisite" of full table service and is therefore now able to apply for a CUP to sell beer and wine. Mayor Pro Tem McKeon and Councilman Williams continued the discussion re-iterating their respective interpretations, and Mayor Pro Tem McKeon noted this is the process that allows for Zoning Text Amendments.

Councilman Kennedy confirmed with Director Villasenor that the Applicant will not be able to serve any alcohol until the facilities become fully table service compliant. Director Villasenor stated there are three

conditions of approval related to full table service and the CUP. Councilmember Kennedy reviewed the standard process is first applying, getting approval, and then building.

Councilman Williams asked that slide 25 of the Zoning Text Amendment (ZTA) material of the area schematic be shown and noted that one of the proposed locations is very close to an existing tot lot and noted he is trying to fulfill his campaign promise to always do his best to protect children. Councilman Kennedy replied that the California Department of Alcoholic Beverage Control (ABC) obviously reviewed the documentation and approved the application.

Councilman Kennedy explained his understanding that in this situation the Applicant met the "prerequisite" of full table service and is therefore now able to apply to sell beer and wine.

A motion was made by McKeon, second Van Der Mark to find Conditional Use Permit Nos. 25-007 and 25-014 categorically exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301, Class 1. Approve Conditional Use Permit No. 25-007 with suggested findings and conditions of approval (Attachment No. 1). Approve Conditional Use Permit No. 25-014 with suggested findings and conditions of approval (Attachment No. 2).

The motion carried by the following roll call vote:

AYES: Twining, Kennedy, McKeon, Burns, and Van Der Mark
NOES: Gruel, and Williams

ADMINISTRATIVE ITEMS

17. 25-687 Discussed and Directed the City Clerk and the City Attorney Regarding Voter Identification and Requirements

City Manager Travis Hopkins presented a brief history of voter approved Measure A and asked City Council if they approve the three proposed actions for staff regarding voter identification and requirements.

A motion was made by Burns, second Twining to direct the City Manager to work with the City Clerk and City Attorney to return with cost estimate to retain an elections consultant to assist the City in developing a process to implement the measures approved by the voters in Resolution No. 2024-12 for the 2026 Huntington Beach Municipal Election; and, direct that an ordinance be drafted and brought to City Council for the implementation of Voter Identification pursuant to the passing of Measure A from the March 3, 2024, Presidential Primary Election; and, direct the City Manager to return with an estimate of the costs associated with implementing Resolution No. 2024-12.

The motion carried by the following roll call vote:

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

ORDINANCES FOR INTRODUCTION

18. 25-704 Approved for Introduction Ordinance No. 4339 Prohibiting the Sale, Distribution and Possession of Kratom

Police Captain Kevin Johnson presented a PowerPoint communication titled *Ordinance No. 4339*, with slides entitled: *Prohibition of Kratom (2)*, *Recommended Action* and *Questions?* Captain Johnson introduced Ryan Sherman, representing the California Narcotics Association, who explained a bit of the history and effects of Kratom. These presentations were followed by Councilmember discussion, questions and clarification that this ordinance will prohibit the sale of synthetic, not natural, Kratom in Huntington Beach.

A motion was made by Van Der Mark, second Burns to, after the City Clerk reads by title, approve for introduction Ordinance No. 4339 "An Ordinance of the City Council of the City of Huntington Beach Amending the Huntington Beach Municipal Code by Adding New Chapter 9.92 Thereof Prohibiting the Sale, Distribution and Possession of Kratom."

The motion carried by the following roll call vote:

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

19. 25-663 Approved for Introduction Ordinance No. 4338 Amending Huntington Beach Municipal Code Section 10.44.060 — Oversized Vehicle Parking Regulations

This item was described by staff as a simplification of the code to provide greater clarity by providing one definition of an over-sized vehicle: any motor vehicle over 22 feet long or 84 inches wide, whether or not the trailer is disconnected. Staff clarified 22 feet long by 84 inches wide, as measured from the extreme forward widest point to the extreme rear point. Measurements shall include extensions and/or attachments. Except as provided in this section, no person shall park or leave standing upon any public highway or alleyway.

Councilman Twining confirmed with staff that RV owners can still apply on-line for 3-day oversized parking permits, free of charge, for use in front of their residence.

A motion was made by Burns, second Van Der Mark to approve for introduction, after City Clerk reads by title, Ordinance No. 4338, "An Ordinance of the City Council of the City of Huntington Beach Amending Section 10.44.060 of the Huntington Beach Municipal Code Relating to Oversized Vehicle Parking."

The motion carried by the following roll call vote:

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

COUNCIL MEMBER ITEMS

20. 25-710 Approved Amended Item Submitted by Councilman Williams — Allocation of Revenue Increases to Public Safety

Councilman Williams explained he is bringing this item back from the September 2, 2025, Council meeting to ensure the increased revenue is allocated to first responders and police. He showed a slide describing the anticipated financial impact of approximately \$1M based on citations issued annually. He stated support for this item only if the funds are designated. A short video was played to document prior instances where Master Fee and Charges Schedule Adjustments were designated. Councilman Williams

reviewed the need for a Special Events dedicated Fire Captain and invited Fire Chief McCoy and Police Chief Parra to elaborate on how the funds would be utilized.

Mayor Pro Tem McKeon clarified that he does not believe it is appropriate to earmark funds from one department to another and explained that in the video just played he was stating that revenue raised by the parking at the Sports Complex be used at the Sports Complex.

Council Woman Van Der Mark noted that no one disagrees with the fact that both the Police and Fire Departments have severe needs, however, the time for allocating funds is during the budget process.

Councilman Kennedy confirmed that when the budget was approved, it was understood that there would be a mid-year review to re-evaluate funding of another Fire Captain. He added he doesn't want to support a precedent that could continue year after year. There was further discussion regarding specific needs in both the Police and Fire Departments, including additional services that could potentially also be used by other agencies to increase revenue.

Mayor Pro Tem McKeon reiterated there is a need to reduce expenditures and increase revenue for the benefit of all departments.

Mayor Burns confirmed with City Manager Travis Hopkins that typically the Council considers an expenditure and asks staff to return with how it could be accomplished, rather than earmarking or directing how specific revenue will be spent.

Councilmen Kennedy and Williams continued the discussion on whether it is wise to spend out of the General Fund just based on expected revenue. Mayor Pro Tem McKeon stated he believes it is setting a dangerous precedent to start earmarking specific revenues for specific departments when in reality revenue is needed for all departments.

Councilman Twining confirmed with City Manager Hopkins that the budget year-end report is expected in a couple of months and at that time Council will be able to determine if there are additional funds available because of reduced expenditures.

Discussion continued to determine accuracy of the increased parking revenue number, which was based on the average number of citations in previous years including the increased fines. Councilman Kennedy and Fire Chief McCoy discussed it would take a couple of weeks to fill the position of Special Events Fire Captain once the funds are released.

Mayor Burns confirmed with City Manager Hopkins that priority positions and projects directed by City Council would be accomplished.

Council Woman Van Der Mark noted that if there was a surplus she would not be as concerned about designating these projected funds. She feels there is a need to prioritize moving forward and designating from the General Fund is not appropriate.

Councilman Gruel stated it appears everyone agrees on the priorities and suggested the earmarking of funds be put aside, and direct the City Manager to find funding for the Fire Department Special Events Captain.

A motion was made by Kennedy, second Van Der Mark to direct the City Manager to allocate all revenues generated from the 2025 updates to the Huntington Beach Uniform Bail Schedule for Parking

~~Violations exclusively as follows for public safety enhancements: 70% to the Police Department to be expended at the discretion of the Police Chief for the highest and best use; and 30% to the Fire Department, prioritizing funding for the second administrative Fire Captain position (with any excess for other Fire public safety needs). Further direct the City Manager to track these revenues separately and provide quarterly reports to the Council on collections, allocations, and expenditures to ensure transparency and compliance with this directive~~ **as amended to the General Fund and direct the City Manager to find funding for the position of Fire Department Special Events Captain, as well as report back on costs and funding for increasing Police Department programs.**

The motion carried by the following roll call vote:

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

NEW 25-714 Approved Amended Item Submitted by Council Woman Van Der Mark — Request for Resolution in Opposition to Special Election for Redistricting

Council Woman Van Der Mark introduced this item by stating that Proposition 50 is a direct assault on the democratic process in California. California voters deliberately created an independent Districting Commission and enshrined it into the State Constitution to protect against partisan gerrymandering. She added that Governor Newsom's effort is not rooted in fairness, or by public demand or necessity, but rather retaliation and unnecessary political move against Texas. Such abuse of power undermines voter trust and turns residents into collateral damage for political gain. Allowing this precedent would mean politicians would get to select their voters rather than the voters choosing their representatives. That is not democracy but rather manipulation. We must stand together to stop this dangerous overreach and defend the integrity of our independent Commission and preserve the principle that free and fair representation belongs to the people of California, not the ambitions of those in power.

A motion was made by Van Der Mark, second Burns to direct the City Manager to draft a resolution for City Council approval in opposition to Governor Newsom's special election regarding redistricting and bring the resolution back for consideration on September 16, 2025, **as amended to also ask the City Attorney to take legal action against Governor Newsom.**

The motion carried by the following roll call vote:

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

CITY COUNCIL MEMBER REQUESTS — None

ADJOURNMENT — at 1:06 AM, September 3, 2025, a motion was made by McKeon, with 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, September 16, 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