

Minutes

City Council/Public Financing Authority City of Huntington Beach

Tuesday, March 18, 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

CALLED TO ORDER — 4:00 PM

ROLL CALL

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

Pursuant to Resolution No. 2001-54 Mayor Pro Tem McKeon requested permission and, with no objections, was granted permission to be absent from this meeting.

ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS PERTAINING TO STUDY AND/OR CLOSED SESSION ITEMS (Received After Agenda Distribution) — None

PUBLIC COMMENTS PERTAINING TO STUDY AND/OR CLOSED SESSION ITEMS — None

STUDY SESSION

- 1. 25-081 Joint Study Session of the Citizen Participation Advisory Board (CPAB) and City Council to review funding recommendations for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs for 2025-26**

CPAB ROLL CALL

Present: Vice Chair Padhiar, and Board Members Pappas and Quinn
Absent: Chair Hammel, and Secretary Pena

Charles Kovac, Housing Manager, presented a PowerPoint communication titled *Joint Study Session of the City Council and Citizen Participation Advisory Board* with slides entitled: *Background, 2025-26 Estimated Funding Levels, Public Participation, CDBG Objectives, CDBG Local Priority Objectives, CDBG Allocations, CDBG Public Services, CDBG CAPITAL & HOUSING PRESERVATION PROJECTS, CDBG Administration, HOME Program Objectives, HOME Local Priority Objectives, HOME Allocations (2), Available HOME Admin (Carryover), Upcoming Actions, and QUESTIONS?*

Vice Chair Padhiar expressed appreciation for the opportunity to present the CPAB recommendations and gratitude for the number of non-profits in Huntington Beach that are focused on helping the community.

Councilmember Kennedy clarified with Housing Manager Kovac the application and eligibility processes, as well as HUD's detailed documentation requirements for all recipients; Councilmember Twining and Housing Manager Kovac discussed that HUD determines the amount of available funds each year using a formula that is determined by and known only to HUD, and noted HUD's actual award amount is usually announced in late March or April; Council Woman Van Der Mark clarified with Housing Manager Kovac the Girls and Boys Club referenced is in the Oak View neighborhood; and Councilmember Williams and CPAB Vice Chair Padhiar discussed some of the criteria used by the CPAB Board in determining award recipients.

Mayor Burns read titles for Closed Session Item #3 25-198 regarding Conference with Labor Negotiators and Employee Organization: Huntington Beach Municipal Teamsters (HBMT); Item #4 25-199 regarding Conference with Labor Negotiators and Employee Organization: Management Employees' Organization (MEO); Item #5 25-200 regarding Conference with Labor Negotiators and Employee Organization: Marine Safety Management Association (MSMA); and Item #7 25-203 regarding Conference with Real Property Negotiators Dave Clapp DBA Jack's Beach Concessions: Price and terms of lease.

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

RECESSED TO CLOSED SESSION — 4:24 PM

CLOSED SESSION

- 2. 25-197 CONFERENCE WITH LEGAL COUNSEL-LITIGATION (Gov. Code section 54956.9(d)(4).): Number of matters: One (1) - Confer with City Attorney regarding a request to provide Amicus support with regard to Byrne, et al. v. Rule, et al.; Court of Appeal Case No. B332962.**
- 3. 25-198 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 David Cain, Interim Chief Financial Officer. Employee Organization: Huntington Beach Municipal Teamsters (HBMT).**
- 4. 25-199 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 David Cain, Interim Chief Financial Officer. Employee Organization: Management Employees' Organization (MEO).**
- 5. 25-200 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 David Cain, Interim Chief Financial Officer. Employee Organization: Marine Safety Management Association (MSMA).**
- 6. 25-201 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; OCSC Case No. 30-2024-01397379-CU-CR-NJC.**

7. **25-203 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) Dave Clapp DBA Jack's Beach Concessions. Under negotiation: Price and terms of lease.**
8. **25-211 CONFERENCE WITH LEGAL COUNSEL-LITIGATION (Gov. Code section 54956.9(d)(4).): Number of matters: One (1).**

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 6:02 PM

ROLL CALL

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

Pursuant to Resolution No. 2001-54 Mayor Pro Tem McKeon requested permission and, with no objections, was granted permission to be absent from this meeting.

INVOCATION

9. 25-185 Huntington Beach Police Chaplain James Pike

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.

PLEDGE OF ALLEGIANCE — Led by Council Woman Van Der Mark

CLOSED SESSION REPORT BY CITY ATTORNEY — City Attorney Vigliotta announced City Council unanimously approved Amicus support in the case of Byrne v. Rule; Court of Appeal Case No. B332962.

CITY COUNCIL MEMBER COMMENTS (2-Minute Time Limit)

Council Woman Van Der Mark noted the safe return of NASA's SpaceX Crew-9 after an extended time at the International Space Station.

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: *City Manager's Report Item #11 (1 email communication); Consent Calendar Item #14 (1 email communication); Administrative Items #10 (4 email communications); and #20 (2 email communications and 1 staff communication).*

PUBLIC COMMENTS (2-Minute Time Limit due to number of speakers) — 31 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>.

Andrew Einhorn commented on the current City Councilmember actions. (00:31:21)

Unnamed Speaker commented on the proposed book review committee. (00:33:03)

Unnamed Speaker commented on the library initiatives. (00:34:50)

James Elder commented on the selection of a candidate for appointment to the vacated City Council seat. (00:36:40)

Unnamed Speaker commented on the library initiatives. (00:38:09)

Unnamed Speaker commented on the selection of a candidate for appointment to the vacated City Council seat. (00:39:17)

Unnamed Speaker commented on current City Councilmember actions. (00:41:22)

Damien commented on the selection of a candidate for appointment to the vacated City Council seat. (00:43:10)

Amory Hanson commented on the lease agreement with Southern California Edison Company for land to be used as a community garden. (00:44:33)

Unnamed Speaker commented on commemorative plaques to honor heroes and the selection of a candidate for appointment to the vacated City Council seat. (00:45:03)

Unnamed Speaker commented on the budget townhall meetings, the Housing Element and zoning overlays. (00:46:40)

Tim Geddes commented on the time allotted for speakers changes from meeting to meeting. (00:49:26)

Diana Lithgow commented on the budget and the City's press reputation. (00:51:42)

Chris Kluwe commented on current City Councilmember actions. (00:54:06)

Unnamed Guest commented on current City Councilmember actions. (00:55:41)

Sue Kingman commented on recent City Councilmember actions. (00:57:06)

Hannah E. commented on the selection of a candidate for appointment to the vacated City Council seat. (00:58:50)

Chris Rini commented on recent City Councilmember actions. (01:00:10)

Emily Sharp commented on recent City Councilmember actions. (01:01:40)

Mayor Burns called a short recess.

Unnamed Guest played a video of a conversation with a library petitioner. (01:04:27)

Valentine Bankhead announced her withdrawal as a candidate for appointment to the vacated City Council seat and declined to be considered for the position. (01:07:33)

Ken Babineau announced his withdrawal as a candidate for appointment to the vacated City Council seat and declined to be considered for the position. (01:09:05)

Jignesh Padhiar commented on the selection of a candidate for appointment to the vacated City Council seat. (01:09:44)

Brian Vea commented on the selection of a candidate for appointment to the vacated City Council seat. (01:12:04)

Jacob Showalter commented on recent City Councilmember actions. (01:13:56)

Bryan Schauer commented on his experiences related to the enforcement of 72-hour parking in Huntington Beach. (01:16:15)

Unnamed Speaker commented on the library initiatives. (01:18:30)

Nathan commented on recent City Councilmember actions. (01:20:11)

Justine Makoff announced the Hug and Groom Event on the first Sunday of every month at the Equestrian Center sponsored by the Free Rein Foundation, and announced the free 3K Poppy Stroll on Saturday, April 26, 2025, at the Equestrian Center. (01:21:46)

Russ Neal commented on the library initiatives. (01:23:53)

Unnamed Speaker commented on the budget townhall meetings and recently approved plaque to commemorate the Public Library's 50th Anniversary. (01:25:37)

ADMINISTRATIVE ITEMS

10. 25-204 Appointed Andrew Gruel to Vacated City Council Seat

Mayor Burns cleared the council chambers of members of the public.

A motion was made by Burns, second Van Der Mark to nominate Andrew Gruel for appointment to the vacated City Council seat.

The motion carried by the following roll call vote:

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

ADMINISTERED OATH OF OFFICE TO NEWLY APPOINTED COUNCILMEMBER GRUEL

Council Woman Van Der Mark administered the Oath of Office for newly appointed Councilmember Gruel.

Mayor Burns called a short recess.

ROLL CALL

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

Pursuant to Resolution No. 2001-54 Mayor Pro Tem McKeon requested permission and, with no objections, was granted permission to be absent from this meeting.

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS

Councilmember Williams announced his appointment of Michelle Schutze to the Investment Advisory Board.

AB 1234 REPORTING — None

OPENNESS IN NEGOTIATION DISCLOSURES — None

CITY MANAGER'S REPORT

11. 25-167 Department Services and Budget Overview

City Manager Travis Hopkins introduced Jennifer Carey, Deputy City Manager who presented a PowerPoint communication titled *City Manager's Office* with slides entitled *City Manager's Office Budget*, *City Manager's Office*, *City Manager's Office Divisions & Services*, *Operations & Performance Data*, and *Questions?*

12. 25-215 Mid-Year Budget Update

Serena Bubenheim, Assistant Chief Financial Officer (CFO), presented a PowerPoint communication titled *FY 2024/25 Mid-Year Budget Update* with slides entitled *City Budget and Financial Position – FY 2023/24*, *City Budget and Financial Position – FY 2024/25*, *City Projected Financial Position – FY 2024/25*, *General Fund Long—Term Financial Plan*, and *Questions?*

Councilmembers Twining, Williams and Kennedy discussed with Assistant CFO Bubenheim whether the increased property tax revenue is expected to offset the decrease in sales tax revenue as well as any consideration for projected and realized increase in property values. It was noted that 4th Quarter results are expected in a few weeks and could change the current projections. Councilmember Kennedy asked if "pro-forma" or uncertain numbers could be included as a new category in future Budget Update reports.

CONSENT CALENDAR (Items 13 - 18)

City Clerk

13. 25-158 Approved and Adopted Minutes

A motion was made by Van Der Mark, second Burns to approve and adopt the City Council/Public Financing Authority regular meeting minutes of March 4, 2025, and special meeting minutes of March 11, 2025.

The motion carried by the following roll call vote:

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

Community and Library Services

14. 25-163 Approved and authorized execution of a five-year (5) License Agreement with Southern California Edison Company for public parkland located at Arevalos Park

A motion was made by Van Der Mark, second Burns to approve the License Agreement with Southern California Edison Company for the use of the 2.58-acre parcel commonly known as Arevalos Park and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction.

The motion carried by the following roll call vote:

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

15. 25-164 Approved and authorized execution of a five-year (5) License Agreement with Southern California Edison Company for use of 2.48 acres of land southeast of Atlanta Avenue and Brookhurst Street to be used as a Community Garden

A motion was made by Van Der Mark, second Burns to approve the License Agreement with Southern California Edison Company for the use of the 2.48-acre parcel to be used for the Huntington Beach Community Garden and authorize the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction.

The motion carried by the following roll call vote:

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

Community Development

16. 25-138 Directed staff to forward the 2024 Housing Element Annual Progress Report to the California Department of Housing and Community Development and the Governor's Office of Land Use and Climate Innovation (formerly the Office of Planning and Research)

A motion was made by Van Der Mark, second Burns to approve the 2024 Housing Element Annual Progress Report, and direct staff to submit the 2024 Housing Element APR to the California Department of Housing and Community Development and Governor's Office of Land Use and Climate Innovation (formerly the Office of Planning and Research)

The motion carried by the following roll call vote:

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

ABSENT: McKeon

Public Works

17. 25-136 Approved the West Orange County Water Board (WOCWB) Fiscal Year 2025/26 Budget in the amount of \$1,683,800

A motion was made by Van Der Mark, second Burns to approve the WOCWB Proposed budget for Fiscal Year 2025/26, with the City of Huntington Beach amount of \$1,046,624.

The motion carried by the following roll call vote:

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

18. 25-134 Accepted the lowest responsive bid and authorized execution of a construction contract with Crosstown Electrical & Data, Inc., in the amount of \$242,967.80, for the construction of a fiber optic communication system for traffic signal communication along Bolsa Chica Street corridor (CC-1622)

A motion was made by Van Der Mark, second Burns to accept the lowest responsive and responsible bid submitted by Crosstown Electrical & Data, Inc., in the amount of \$242,967.80; and authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney.

The motion carried by the following roll call vote:

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

PUBLIC HEARING

19. 25-143 CONTINUED OPEN TO April 1, 2025 — Public Hearing to Approve Zoning Text Amendment No. 25-001 (Smoke/Tobacco Shop Regulations) by approving for the introduction of Ordinance Nos. 4331, 4332, 4333, and 4334

Mayor Burns opened the Public Hearing.

A motion was made by Burns, second Kennedy to CONTINUE this Open Public Hearing to Tuesday, April 1, 2025, to find Zoning Text Amendment No. 25-001 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 zoning ordinance that does not change the development standards intensity or density; and, approve Zoning Text Amendment No. 25-001 with findings (Attachment No. 1) and approve for introduction:

1. Ordinance No. 4331, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 204 Use Classifications of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 25-001)"; (Attachment No. 2)
2. Ordinance No. 4334, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 211 C Commercial Districts of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 25-001)"; (Attachment No. 3)

3. Ordinance No. 4333, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 212 I Industrial Districts of the Huntington Beach Zoning and Subdivision Ordinance (Zoning Text Amendment No. 25-001)"; (Attachment No. 4)
4. Ordinance No. 4332, "An Ordinance of the City Council of the City of Huntington Beach Amending Chapter 230 Site Standards of the Huntington Beach Zoning Code and Subdivision Ordinance (Zoning Text Amendment No. 25-001)"; (Attachment No. 5)

The motion carried by the following roll call vote:

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

ADMINISTRATIVE ITEMS

20. 25-202 Adopted Resolution No. 2025-26 appointing Robert Torrez as Interim Chief Financial Officer and approving the Employment Agreement.

City Manager Travis Hopkins introduced Marissa Sur, Director of Human Resources, who provided a PowerPoint communication titled *Interim Chief Financial Officer Employment Agreement*, with slides entitled *Contract Overview*, *Recommended Action*, and *Questions?*

Councilmember Kennedy suggested that since unforeseen circumstances prevented Mr. Torrez from attending this meeting, he would like Mr. Torrez's appearance rescheduled so that discussion on Mr. Torrez's impressive past experience could take place.

A motion was made by Van Der Mark, second Twining to adopt Resolution No. 2025-26, "A Resolution of the City Council of the City of Huntington Beach Appointing Robert Torrez as Interim Chief Financial Officer;" and approve and authorize the City Manager to execute the "Employment Agreement between the City of Huntington Beach and Robert Torrez"

The motion carried by the following roll call vote:

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

Mayor Burns invited newly appointed Councilmember Gruel, as well as the other Councilmembers, to take a few moments to make comments on his appointment.

Councilmember Gruel expressed his appreciation for the appointment to represent true American values for the greatest city in California. He added that chefs are always cutting waste, and he finds resident passions inspiring. As a Huntington Beach small business owner who is raising his family in Huntington Beach, he expects to have safe drinking water, streets and parks for everyone, good schools and opportunities for new small businesses. He believes he will bring unique and creative ways to reach compromises and understands that Councilmember decisions will have an effect on the future of Huntington Beach. He closed his remarks by stating he will always be a transparent, honest and thorough Councilmember.

Mayor Burns and Councilmembers Kennedy, Twining, Van Der Mark, and Williams congratulated and thanked Councilmember Gruel for his past demonstrations of leadership, his unique approach to solving issues, having genuine character and a record of excellence.

CITY COUNCIL MEMBER REQUESTS — None

ADJOURNMENT — At 8:02 PM a motion was made by Gruel, 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, April 1, 2025, at the Central Library, 7111 Talbert Ave, Huntington Beach, California 92648.

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