

Minutes

City Council/Public Financing Authority Regular Meeting City of Huntington Beach

Tuesday, September 16, 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 4:30 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

CALLED TO ORDER — 4:30 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)

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: *Closed Session Item #3 (1 email communication)*.

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

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

RECESSED TO CLOSED SESSION — 4:33 PM

CLOSED SESSION

1. 25-746 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.
2. 25-747 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Protect HB v. City of Huntington Beach; OCSC Case No.: 30-2025-01470582.
3. 25-748 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.

4. **25-754 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Paragraph (1) of subdivision (d) of Section 54956.9). Tater (Michael George) v. City of Huntington Beach, et al.; USDC Case No. 8:20-cv-01772-MEMF (JDEx).**

6:00 PM — COUNCIL CHAMBERS

RECONVENED CITY COUNCIL/PUBLIC FINANCING AUTHORITY MEETING — 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. **25-729 Huntington Beach Fire and Police Chaplain Roger Wing**

PLEDGE OF ALLEGIANCE — Led by Mayor Pro Tem McKeon

CLOSED SESSION REPORT BY CITY ATTORNEY — None

CITY COUNCIL MEMBER COMMENTS (2-Minute Time Limit)

Mayor Burns, Mayor Pro Tem McKeon, Councilmembers Twining, Kennedy, Gruel, Williams, and Council Woman Van Der Mark shared their personal perspectives regarding the Huntington Beach 9/11 Remembrance ceremonies and vigils for Charlie Kirk who was assassinated this past week.

Mayor Burns, Police Chief Parra and Fire Chief McCoy acknowledged Police Officer Mike Carsten as Officer of the Year; Fire Captain Drew DiPaola as Firefighter of the Year and Marine Safety Specialist Jacob Crary as Marine Safety Officer of the Year.

Mayor Burns also noted category winners for the 69th annual Surf City 10 Miler on September 14, 2025.

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 #6 (staff memorandum), Item #7 (3 email communications), Item #8 (2 email communications), Item #10 (1 email communication), Item #11 (2 email communications), Item #13 (5 email communications); Administrative Item #20 (1 email communication); Councilmember Items #22 (2 email communications), Item #23 (1 email communication), and Item #24 (5 email communications).*

PUBLIC COMMENTS (2-Minute Time Limit due to the number of speakers) — 40 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>.

Brett Bush commented on his long-standing friendship and support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (00:47:04)

Dom McGee commented on his friendship and support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (00:49:25)

Joanne Sosa commented on her support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (00:51:32)

Heidi Vea commented on her support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (00:53:13)

Brian Vea commented on his support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (00:54:34)

Allan Harriman commented on the many eBike rule breakers he observes during his bicycle rides in Huntington Beach and encouraged Councilmembers to support Police Department efforts for enforcing the laws. (00:56:27)

Betty Flynn, Co-Founder of All Parks Matter and Friends of Edison Park, commented on Council Members Item #24 (25-751) regarding exploring the termination of the Symphony of Flowers event and stated support for Councilman Twining. (00:58:24)

Peter "PT" Townend commented on his support for Councilman Twining and Council Members Items #25 (25-753) regarding recertification of US SURFING as the National Governing Body of US Olympic Surfing. (01:00:19)

Unnamed Speaker commented on Council Members Items #25 (25-753) regarding recertification of US SURFING as the National Governing Body of US Olympic Surfing. (01:02:03)

Amory Hanson commented on Council Members Items #25 (25-753) regarding recertification of US SURFING as the National Governing Body of US Olympic Surfing. (01:03:31)

Ken Inouye commented on the questions asked at a previous Council meeting by Councilmembers Williams and Twining regarding the City's long-term contract for the Airshow. (01:04:18)

Stephen Quinn commented on his support for Councilman Twining, thanked all of the Councilmembers for their dignified leadership, and commented on the unfortunate assassination of Charlie Kirk. (01:05:45)

Jeanne Paris commented on her support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (01:07:11)

Ann Palmer commented on her support for Councilman Twining, the unfortunate assassination of Charlie Kirk, Public Hearing Item #15 (25-678) and Item #16 (25-679) regarding Planning Commission's action on Conditional Use Permits. (01:09:07)

Patricia Pappas commented on the infrastructure repairs being made throughout Huntington Beach, support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (01:11:18)

Unnamed Speaker encouraged Councilmembers and the Police Department to take appropriate actions against various extremists in Huntington Beach. (01:13:08)

Jignesh Padhiar commented on his support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (01:16:04)

Brett Barnes commented on his support for Councilman Twining and Council Members Items #25 (25-753) regarding recertification of US SURFING as the National Governing Body of US Olympic Surfing. (01:17:28)

Tim Geddes commented on Councilman Twining, the Airshow contract, and efforts to run our own City elections. (01:19:18)

Unnamed Speaker commented on various extremist activities in Huntington Beach and encouraged residents to vote. (01:20:45)

Unnamed Speaker commented on recent unacceptable reactions to political fear. (01:21:50)

Unnamed Speaker commented on his support for Councilman Twining, on the unfortunate assassination of Charlie Kirk, Consent Calendar Item #7 (25-727) to adopt Resolution No. 2025-59 opposing State Proposition 50, and Council Members Item #24 (25-751) regarding exploring the termination of the Symphony of Flowers event. (01:23:56)

Brett Simpson commented on his support for Councilman Twining and Council Members Items #25 (25-753) regarding recertification of US SURFING as the National Governing Body of US Olympic Surfing. (01:26:08)

Taryn Palumbo announced her intent to run for Huntington Beach City Council in 2026. (01:27:25)

Chris Rini commented on the need for everyone to do the right thing and find common ground. (01:28:46)

Kay Lu commented on the Huntington Beach Infrastructure Report Card and approvals for oversized builds in the Harbour. (01:29:54)

Clyde Yeroonian commented on Public Hearing Item #15 (25-678) and Item #16 (25-679) regarding appeals of Planning Commission's actions on Conditional Use Permits. (01:31:50)

Brad Bailey commented on the Huntington Beach Infrastructure Report Card and Public Hearing Item #15 (25-678) regarding an appeal of Planning Commission's actions on a Conditional Use Permit. (01:33:56)

Unnamed Speaker commented on her support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (01:35:21)

Russ Neal commented on continuing to stand for the rights of Huntington Beach citizens and on the unfortunate assassination of Charlie Kirk. (01:38:45)

Unnamed Speaker commented on the unfortunate assassination of Charlie Kirk and stated support for Councilman Twining. (01:40:20)

Unnamed Speaker commented on her support for Councilman Twining and on the unfortunate assassination of Charlie Kirk. (01:42:05)

Unnamed Speaker commented actions by current City Councilmembers. (01:44:14)

Unnamed Speaker commented on actions by current City Councilmembers and on Council Member Item #24 (25-751) to explore termination of Symphony of Flowers event. (01:46:27)

Carolyn Osborne commented on people of goodwill uniting to protect values that are being eroded. (01:48:17)

Kristen Nicole Valle, Orange County Young Republicans President, commented on the prayer vigil organized in response to the unfortunate assassination of Charlie Kirk and denounced the racial hatred and division that appeared at the vigil. (01:50:25)

Shelby Bay described her efforts to support a prayerful vigil after the unfortunate assassination of Charlie Kirk and how the event was hijacked. (01:52:31)

Perry Clitheroe commented about support for Councilman Twining and Council Member Items #22 (25-711) regarding an eBike ordinance. (01:54:52)

Unnamed Speaker commented on the fact that dangerous political rhetoric has no place in Huntington Beach and encouraged Councilmembers to live by the words they expressed earlier in this meeting. (01:56:54)

Skywalker commented on the dangerous political rhetoric used by elected officials trying to defame Huntington Beach Councilmember Twining and on the unfortunate assassination of Charlie Kirk. (01:59:07)

COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS — None

AB 1234 REPORTING — None

OPENNESS IN NEGOTIATION DISCLOSURES — None

CITY MANAGER'S REPORT — None

CONSENT CALENDAR (Items 6 - 14)

Mayor Burns pulled Consent Calendar Items #7, #8 and #13 for further discussion.

City Clerk

6. 25-750 Adopted amended Resolution No. 2025-60 establishing the delegation of authority for the execution of contracts from department heads to department positions

A motion was made by Burns, second Van Der Mark to Adopt Resolution No. 2025-60, "A Resolution of the City Council of the City of Huntington Beach Establishing the Delegation of Authority for the

Execution of Contracts from Department Heads to Department Positions," **as amended by supplemental communication.**

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

City Manager

7. 25-727 Adopted Resolution No. 2025-59 Opposing Proposition 50

Mayor Burns pulled this item and each Councilmember stated their opposition to Proposition 50.

A motion was made by Burns, second McKeon to Adopt Resolution No. 2025-59, "A Resolution of the City Council of the City of Huntington Beach Opposing Proposition 50."

The motion carried by the following roll call vote:

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

8. 25-467 Approved Agreement with Mercy House to Operate the City's Homeless Navigation Center

Councilman Gruel, City Manager Travis Hopkins, and Homeless Services Manager Jessica Kelly discussed statistical information related to the number of individuals served, the process for determining whether homeless individuals are directed to the Huntington Beach Navigation Center or another facility, and options negotiated through the Service Agreement to keep costs under control.

Larry Haynes, Mercy House CEO, expanded on questions related to Administrative Indirect Costs.

Mayor Pro Tem McKeon noted that the homeless issue has improved since the Navigation Center was opened; stated that when Request for Proposals (RFPs) are sent out for managing the Navigation Center, the other service providers choose to not even compete with Mercy House; and provided a basic review of the plan for eventual build-out of the area so the property can be transitioned for other uses if the need for homeless services decreases in the future.

Councilman Kennedy stated the Navigation Center has reduced the number of homeless individuals on the streets of Huntington Beach.

Council Woman Van Der Mark expressed appreciation for the Homeless Task Force.

A motion was made by Gruel, second Burns to approve and authorize the City Manager to execute a "Service Agreement between the City of Huntington Beach and Mercy House Living Centers for Operations and Management of a Temporary Shelter," in a not-to-exceed amount of \$2,528,715.13 for the period of October 1, 2025 through June 30, 2026, with the option to extend for up to two additional one-year terms, subject to future City Council budget approval, to operate the City's Homeless Navigation Center.

The motion carried by the following roll call vote:

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

City Treasurer

9. 25-712 Adopted Resolution No. 2025-58 designating the City Treasurer, Deputy City Treasurer, the Treasury Manager, and Assistant Chief Financial Officer as persons authorized to execute Financial Transactions in the name of the City of Huntington Beach

A motion was made by Burns, second Van Der Mark to adopt Resolution No. 2025-58, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Manual and/or Facsimile Signatures of the City Treasurer, Deputy City Treasurer, the Treasury Manager, and Assistant Chief Financial Officer as Persons Authorized to Execute Financial Transactions in the Name of the City of Huntington Beach."

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

Community and Library Services

10. 25-719 Approved and authorized execution of a Memorandum of Understanding between the City of Huntington Beach and Tee It Up for the Troops for the provision of maintenance services at Patriot Point

A motion was made by Burns, second Van Der Mark to authorize the Mayor and City Clerk to execute and approve "Memorandum of Understanding between the City of Huntington Beach and Tee It Up for the Troops for the Provision Maintenance Services at Patriot Point."

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

Community Development

11. 25-691 Approved Huntington Beach Tourism Business Improvement District (HBTBID) Annual Report for Fiscal Year (FY) 2025-26

A motion was made by Burns, second Van Der Mark to approve the HBTBID Annual Report for Fiscal Year 2025-26.

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

12. 25-720 Adopted Annual Community Development Block Grant and HOME Investment Partnerships Grant End-of-Year Progress Report to the U.S. Department of Housing and Urban Development

A motion was made by Burns, second Van Der Mark to adopt the FY 2024-25 CAPER for CDBG and HOME funds; and authorize the City Manager to transmit the report to HUD by September 30, 2025.

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

Police

13. 25-725 Adopted Ordinance No. 4339 Prohibiting the Sale, Distribution and Possession of Kratom — Approved for Introduction September 2, 2025, by a vote of 7-0

Council Woman Van Der Mark clarified that this item is intended to prohibit the sale, distribution and possession of synthetic kratom and protect children from the synthetic and natural products. There is no intent to interfere with individuals who use the natural product for medical purposes.

A motion was made by Van Der Mark, second Burns to adopt 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

14. 25-726 Adopted Ordinance No. 4338 Amending Huntington Beach Municipal Code Section 10.44.060 - Oversized Vehicle Parking Regulations — Approved for Introduction September 2, 2025, by a vote of 7-0

A motion was made by Burns, second Van Der Mark to adopt 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: Kennedy, McKeon, Burns, Van Der Mark, Gruel, and Williams
NOES: None
OUT OF ROOM: Twining

PUBLIC HEARING

15. 25-678 Approved Planning Commission's Action on Conditional Use Permit No. 24-007 and Coastal Development Permit No. 24-005 (Voong Residence)

Mayor Burns asked if any Councilmember had ex parte communication to disclose. There was nothing to report.

SUPPLEMENTAL COMMUNICATIONS PERTAINING TO ITEM #15 — None

Community Development Director Jennifer Villasenor introduced Wayne Carvalho, Contract Planner, who presented a PowerPoint communication titled *APPEAL OF CONDITIONAL USE PERMIT NO. 24-007 & COASTAL DEVELOPMENT PERMIT NO. 24-005 with slides entitled: REQUEST, PROJECT SITE, PLANNING COMMISSION ACTION, APPEAL, ANALYSIS (2), picture slide (2), ANALYSIS (3), SUMMARY, and Questions?*

Mayor Burns and Planner Carvalho discussed that Council must provide a reason if they decide this project is incompatible with the neighborhood or is inconsistent with zoning code. There was further discussion on the square footage of the proposed home compared to existing neighborhood homes; any design that fits within the zoning standards for a residential district; floor area ratio lot coverage; and five-foot (to the property line) side yard setback requirement.

Councilman Gruel stated he believes some of what is being proposed is out of synch with the character of the neighborhood. Director Villasenor clarified there are two permits under consideration: 1) Coastal Development, and 2) Conditional Use as compared to a by-right zoning check-off permit.

Mayor Burns opened the Public Hearing.

SUPPLEMENTAL COMMUNICATIONS — None

PUBLIC SPEAKERS (3 Minutes each) — 13 Speakers

Perry Clitheroe stated his opinion that this item is an attempt to overthrow a lawful approval and encouraged Council to not grant this appeal. He added that besides denying a family their dream home, Council would also deny architects, construction companies and a variety of contractors their work and wages, and the City tens of thousands of dollars in property taxes. He stated his beliefs that these decisions are about property rights and free markets. (02:49:45)

Brian Thienes, Planning Commissioner, commented on the split 3 – 3 Planning Commission vote on this proposed project, and described the roof pitch which limits height. He referred to Code §210.06 M(d) to support his statement that this design is not to code and noted this is Council's opportunity to assert their discretionary approval to ask that the home be shrunk down a bit to better fit the neighborhood. (02:51:50)

Daniel Levin, a Huntington Harbour homeowner who took down the vintage house and put up a new-built home, shared his personal experience with sea wall issues shortly after the new home was completed. He added that each lot's sea wall is joined to the neighbor's sea wall, and they are only as good as the weakest link. He stated that if his home, which is considerably smaller than the home proposed in this discussion, could create sea wall failure, he sees potential for catastrophic sea wall failure also affecting adjacent neighbors. In addition, he referred to the 2024 Huntington Beach Infrastructure Report which

gives the Harbour a D rating, listing the City-owned sea walls on the main channel; however, he noted the sea walls on the side channels are the homeowner's responsibility to maintain. (02:54:50)

Michael Ngo, Huntington Harbour resident, stated his large home was built about eight years ago and he has not had any sea wall issues. He added that about a year ago a City-approved home of approximately 6–7,000 sq. ft. was built across the channel from his home, with an older approximately 1,700 sq. ft. single-story home on the adjacent lot. He added he hopes the City will be consistent with that approval. (02:58:07)

Tom stated his support for approving the proposed home as he believes it is compatible with other existing neighborhood homes and will continue the trend of increasing Harbour property values. (02:59:53)

Angie Wong, a Huntington Beach resident, stated her support for approving this project. She believes new homes will improve their neighborhoods and this homeowner has designed a tasteful, fully complaint home that will have a positive impact. (03:01:00)

Richard Lewis, Huntington Harbour resident who lives directly across the street from the proposed project, stated his opinion that this project does not align with several Conditional Use Permit (CUP) requirements. He believes this project is not compatible with the neighborhood characteristics of surrounding homes. He added that Huntington Harbour is part of a sensitive coastal zone and he believes any CUP issued here must comply with the California Coastal Act. A CUP should not be used to bypass the long-standing commitment to coastal stewardship. He added that in his opinion this project does not provide any public benefit but is rather a private project for private gain. He urged Councilmembers to uphold the integrity of the CUP process and also not approve the Coastal Development Permit. (03:01:58)

Unnamed Speaker, a Gilbert Island resident, stated that the average size home on the small channel is about 2,700 sq. ft., yet this project is about 7,700 sq. ft. He believes this is a dramatic anomaly that would dominate the channel, block light and privacy for neighbors, sets a dangerous precedent and produces an over-sized structure that the aging sea walls were never designed to support. He respectfully asked that Council uphold the appeal and noted that a 7,700 sq. ft. home can constitute an unusual circumstance and therefore not be exempt from California Environmental Quality Act (CEQA) requirements. He believes this project also requires an Environmental Impact Report (EIR) and added that CEQA doesn't care about the floor area ratio lot coverage. (03:04:15)

Unnamed Speaker commented on the sea walls protecting the small channel and noted they were built in the 1960s when all of the homes were 1,499 sq. ft. tract homes. She stated the structure under consideration is more than triple the size of the original homes and added that the typical sea wall in the area has a lifespan of 50 to 60 years before major rehabilitation or replacement is required. She stated that if the Harbour area bridges require upgrades, it is clear the sea walls do as well. Under CEQA, she believes the aging infrastructure and oversized development clearly constitutes an unusual circumstance, and this project cannot be exempt from a full environmental review. She read from CEQA Guidelines, Section 15300.2(c) regarding categorical exemptions, and stated that before any approval is considered, the City must require a full independent sea wall engineering review and environmental analysis. (03:07:23)

Sam, next door neighbor to this project, with a single story 3,000 sq. ft. home, stated that all five bordering homeowners oppose this project. He explained the key points that were considered for reaching this position: sea wall stability; shading of his solar system; and small channel area. (03:10:32)

Brad Bailey, an adjacent property owner, shared his concerns which include Coastal Act requirements for protection of light, air and scenic views. He added that ignoring failing sea walls when approving projects is very dangerous. The issue is not about stopping development but rather keeping the island safe. He asked that Councilmembers stop the project and demand a project that both respects the limits of the sea wall and the character of the neighborhood. He noted that City records show a one-story home at 16642 Somerset Lane, so it appears to him that the current home, used as a comparative for this project, is not an approved build. He asked why owner Kevin appears to be building two houses using the exact same architectural plan. He noted that the Coral Cay plans have already been approved by the Huntington Beach Planning Commission and added the Board of the Coral Cay Association is shutting down the build and requesting the plans be drastically reduced. (03:13:45)

Duc-Huy Huynh, Project Architect, shared his professional opinions and described his process which starts with a thorough understanding of building code as well as respect for existing homes in the neighborhood. He focuses on protecting public safety, health and welfare in designing his projects. He described the back-and-forth dialogue with the City during this process to ensure the final project meets both client desires and regulation standards. He encouraged Councilmembers to ensure their decision is guided by local code, transparency and the rule of law rather than personal interests or anything that could be considered discriminatory. (03:17:34)

Catherine Voong, speaking for the project owner, stated that in February 2025 the Planning Commission approved this project as following all City code and regulations. This included setbacks, zoning, building height, lot coverage and privacy standards. She stated this is the family's multi-generational dream home and they are not flipping it. She reviewed the lot and home sizes for several of the neighborhood comparable properties and asked for Council's blessing so they can proceed with building the family's forever home. (03:20:53)

There being no more speakers, Mayor Burns closed the Public Hearing.

Mayor Pro Tem McKeon and staff discussed the maximum dimensions that would be allowed for this parcel by code, or for an over-the-counter permit, and changes the CUP covers. There was also discussion on the Coastal Development Permit which confirms the project does not impede coastal access nor degrade coastal resources. It was also noted that single family homes are exempt from CEQA regulations, and an unusual circumstance and a significant environmental effect related to the circumstance would have to exist before any CEQA regulations would apply

Councilman Gruel confirmed with Director Villasenor that the Huntington Beach Infrastructure Report Card does not evaluate private sea walls but rather City-owned bulk heads like parks and some areas of Admiralty Island. Several issues that can cause sea wall deterioration were discussed, as well as the fact that not all third-story approved homes necessarily have habitable space on the third story.

Councilman Kennedy and staff discussed how consistency and compatibility are referenced in the general land use plan; confirmed that third floor plans are in compliance with code as it is within the confines of the roof volume, and decks (which are only allowed on the front or back sides) are set back by five feet from the second floor building facade; consideration of settling weight for the third floor in the planning process; and consideration of issues such as framing, how close the structure is to the sea wall, and whether any soil is removed are considered during the plan check and required engineering report.

Councilman Twining, speaking from his geo-technical background, added that the geo-engineering report required to determine the foundation will flush out a lot of the issues being discussed.

Councilman Williams summarized the two major concerns regarding this build are whether the structure is compatible with the surrounding neighborhood and sea wall stability. From his perspective it appears as if all code requirements have been met. He confirmed with staff that if there is an issue with the sea wall it will be addressed as part of the building process. There was further discussion on the required setback for the third floor.

City Attorney Mike Vigliotta reminded everyone code states that ultimately the director and City staff interpretations determine any ambiguity.

Mayor Pro Tem McKeon reiterated that this house has been designed to code according to lot size.

Councilman Gruel confirmed with staff that most of the comparable homes, marked as red dots on the map, have living space on the third floor.

Mayor Burns stated his issue still is with the 7,700 sq. ft. size which he believes exceeds any other home along that channel.

Councilman Williams stated that if the concern is that homes are getting too big, then there should be consideration to changing the rule book or General Plan.

A motion was made by Burns, **but failed due to lack of a second**, to find Conditional Use Permit No. 24-007 and Coastal Development Permit No. 24-005 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3. Deny Conditional Use Permit No. 24-007 and Coastal Development Permit No. 24-005 with suggested findings and conditions of denial.

A motion was made by Williams, second McKeon to find Conditional Use Permit No. 24-007 and Coastal Development Permit No. 24-005 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3. Approve Conditional Use Permit No. 24-007 and Coastal Development Permit No. 24-005 with suggested findings and conditions of approval (Attachment No. 1), **as amended to be subject to findings and conditions.**

The motion carried by the following roll call vote:

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

16. 25-679 Approved Planning Commission's Action on Conditional Use Permit No. 24-032 and Coastal Development Permit No. 24-036 (Vu Residence)

Mayor Burns asked for any Councilmember ex parte communication disclosures. Mayor Burns stated he had an email exchange with the owner, Mr. Vu.

SUPPLEMENTAL COMMUNICATIONS — None

Community Development Director Jennifer Villasenor introduced Wayne Carvalho, Contract Planner, who presented a PowerPoint communication titled *APPEAL OF CONDITIONAL USE PERMIT NO. 24-032 & COASTAL DEVELOPMENT PERMIT NO. 24-036* with slides entitled: *REQUEST, PROJECT SITE, PLANNING COMMISSION ACTION, APPEAL, ANALYSIS, picture slide, ANALYSIS, pictures slide, ANALYSIS (3), SUMMARY, and Questions?*

Mayor Burns called for Councilmember questions on the staff report. There were none.

Mayor Burns opened the Public Hearing.

PUBLIC SPEAKERS (3-minute time limit) — 3 Speakers

Unnamed Speaker, born and raised in Huntington Beach and a realtor, stated her support for Developer Kyle Tran. She added that this project complies with every requirement yet has been denied by Huntington Beach. She referenced the square footage of adjacent properties and stated that the proposed project will not overpower or appear out of place. She added that Mr. Tran is bringing value to Huntington Harbour and Huntington Beach. She asked why a project that complies with every necessary code has been denied. (04:15:49)

Brian Thienes stated that this building is 35 feet tall but is less intrusive to the neighbors because of the roof pitch. He suggested a code change could allow the 35-foot height with a 5/12 roof pitch which wouldn't cast such a big shadow on the neighbors. He stated he believes this project is more in line with code, but it appears to him the limits are being pushed. (04:18:43)

George Jacobs, a four-year resident, stated his support for this project. He doesn't understand why it was appealed because he believes it fits well within the neighborhood (04:20:26)

There being no more public speakers, Mayor Burns closed the Public Hearing.

Mayor Burns stated his opinion that just because a project meets code doesn't make it cool.

Mayor Pro Tem McKeon confirmed with Community Development Director Jennifer Villasenor that this project meets all code setback requirements but does not meet building height requirements. The Conditional Use Permit is for the third story inhabitable space and height extending above 30 feet as allowed by code.

Councilman Gruel and staff discussed the number of comparable homes in the area that exceed the 30-foot height allowed by code. Director Villasenor noted that one home adjacent to this property is three stories and 35 feet high and the other adjacent property was approved for three stories and 35 feet height, but it was actually built to 33 feet.

Councilmember Williams continued the discussion with staff on the number of comparable homes that exceed the 30-foot height allowed by code and confirmed that no home can build beyond a height of 30 feet without a Conditional Use Permit.

Mayor Pro Tem McKeon confirmed with Director Villasenor that Council could approve the project with an amendment modification stipulating the height must not exceed 30 feet.

A motion was made by McKeon, second Van Der Mark to find Conditional Use Permit No. 24-032 and Coastal Development Permit No. 24-036 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3. Approve Conditional Use Permit No. 24-032 and Coastal Development Permit No. 24-036 with suggested findings and conditions of approval (Attachment No. 1), **as amended to modify the roof height from 35 feet to 30 feet, and modify findings that reflect the new building height.**

The motion carried by the following roll call vote:

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

17. 25-708 Approved Zoning Text Amendment No. 25-003 (Reapplication Process for Group Homes) by approving for introduction Ordinance Nos. 4340 and 4341

SUPPLEMENTAL COMMUNICATION — None

Community Development Director Jennifer Villasenor introduced Jason Kelley, Senior Planner, who presented a PowerPoint communication titled *ZONING TEXT AMENDMENT NO. 25-003 – GROUP HOMES*, with slides entitled: *REQUEST, PURPOSE & BACKGROUND, GROUP HOME AMENDMENT, RECOMMENDATION, and QUESTIONS?* (04:30:23)

Councilman Twining confirmed this Zoning Text Amendment was written to be applied city wide.

Mayor Burns opened the Public Hearing.

PUBLIC SPEAKERS (3-Minute time limit) — 1

Perry Clitheroe stated that sober living homes have been around Southern California for decades on end and he believes because middle class housing is now illegal, this item will only make upper-middle class housing illegal. He encouraged Council to re-think how the City is governing in these types of issues. (04:34:20)

There being no more public speakers, Mayor Burns closed the Public Hearing.

Mayor Pro Tem McKeon stated that illegal sober living homes are proliferating, and this item is long overdue.

Councilman Kennedy noted the City is not taking a stance against licensed facilities but rather has created a matrix that describes exactly the license needed, the distance required between group living homes, and also empowers residents with information that can be found on the City's website. He stated he is proud to support this item.

Councilman Gruel stated he sees this as a protection for the residents of sober living homes. He believes this item will remove the bad actors who are not necessarily focused on what is best for the people they serve.

Mayor Burns stated his support for this item.

Council Woman Van Der Mark stated that unfortunately many homeowners feel helpless when trying to deal with illegal operations in their neighborhood and she sees this as an empowering tool. She added this item has her support.

Councilman Twining asked Huntington Beach residents to remain vigil about what is happening in their neighborhoods and to not hesitate to reach out to City staff if something seems suspicious. Code Enforcement will be sent out to investigate.

A motion was made by Kennedy, second Burns to, after City Clerk reads by title, approve 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 approve for introduction 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 approve for introduction 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, Kennedy, McKeon, Burns, Van Der Mark, Gruel, and Williams
NOES: None

ADMINISTRATIVE ITEMS

18. 25-728 Approved the Proposed Memorandum of Understanding with Surf City Lifeguards Employees' Association

City Manager Travis Hopkins introduced Marissa Sur, Director of Human Resources, who presented a PowerPoint communication titled *Introduction of Proposed Memorandum of Understanding with Surf City Lifeguard Employees' Association (SCLEA)*, with slides entitled: *Meyers-Milias Brown Act (MMBA)*, *Proposed Memorandum of Understanding*, *Proposed Memorandum of Understanding (continued)*, *Fiscal Impact*, *Recommended Action*, and *Questions?*

A motion was made by Burns, second Twining to receive and consider the proposed Memorandum of Understanding between the City of Huntington Beach and the Surf City Lifeguard Employees' Association (SCLEA) for the period of July 1, 2025, to June 30, 2028, pursuant to City of Huntington Beach Ordinance No. 4154.

The motion carried by the following roll call vote:

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

19. 25-743 Approved the Proposed Memorandum of Understanding with Marine Safety Management Association

Marissa Sur, Director of Human Resources, presented a PowerPoint communication titled *Introduction of Proposed Memorandum of Understanding with Marine Safety Management Association (MSMA)* with slides entitled: *Meyers-Milias Brown Act (MMBA)*, *Proposed Memorandum of Understanding*, *Proposed Memorandum of Understanding (continued)*, *Fiscal Impact*, *Recommended Action*, and *Questions?*

A motion was made by Burns, second Van Der Mark to receive and consider the proposed Memorandum of Understanding between the City of Huntington Beach and the Marine Safety Management Association

(MSMA) for the period of January 1, 2025, to December 31, 2027, pursuant to City of Huntington Beach Ordinance No. 4154.

The motion carried by the following roll call vote:

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

20. 25-739 Approved Pursuing the expansion of the Huntington Beach Police Department's Computer Forensic Laboratory and explore the feasibility of developing a Huntington Beach Police Department DNA laboratory

Captain Kevin Johnson presented a PowerPoint communication titled *HBPD Crime Laboratory Development and Expansion* with slides entitled: *Crime Laboratory Expansion (3)*, and *Questions?*

Councilmembers and Captain Johnson discussed costs for the current system; determining number of cities which could contract with Huntington Beach while ensuring timely service for everyone; eventually expect to break even with the DNA Lab and earn some revenue with the High Tech Lab; time is of essence in solving crimes, getting violent criminals off the street and preventing additional victims; and finding funding through grants with the knowledge that the Department of Justice has available funding.

A motion was made by Twining, second Burns to direct staff to research grants and other funding opportunities through the state and federal government and return in the first quarter of 2026 to report on possible funding sources.

The motion carried by the following roll call vote:

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

At 11:00 PM City Council reached consensus to continue doing business after the hour of 11:00 PM.

ORDINANCES FOR INTRODUCTION

21. 25-271 Approved for Introduction 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

Ashley Wysocki, Director of Community & Library Services, presented a PowerPoint communication titled *Approve for Introduction Ordinance No. 4335 Deleting Chapter 2.106 of the Huntington Beach Municipal Code and Dissolving the Huntington Beach Independence Day Board* with slides entitled: *History, Event Contractor, IDB Revised Roles, Task Force (2), Recommended Action, and Questions?*

Mayor Pro Tem McKeon, speaking as a Council Liaison member of the Huntington Beach Independence Day Board, stated it was often difficult to reach a quorum, and it became obvious this was not the proper method moving forward. He added that residents will always have a seat at the table for this effort.

Council Woman Van Der Mark, speaking as a Council Liaison member of the Huntington Beach Independence Day Board, confirmed that last year was a challenge in regard to establishing a quorum

for meetings. She noted that this action will make it possible for meetings but without having the requirement of a quorum. She added this action is expected to increase resident participation.

Councilman Gruel stated any method that will get more residents involved has his support.

A motion was made by Burns, second Van Der Mark to, after City Clerk reads by title, approve for introduction 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, Kennedy, McKeon, Burns, Van Der Mark, Gruel, and Williams
NOES: None

COUNCIL MEMBER ITEMS

22. 25-711 Approved Amended Item Submitted by Council Woman Van Der Mark and Mayor Pro Tem McKeon — eBike Ordinance

Council Woman Van Der Mark introduced this item describing the increase in eBike use resulting in newly created public safety challenges throughout the City. She noted current Municipal Code restrictions pre-date widespread eBike use and updating the ordinance will strengthen the rules, while also establishing enforceable standards for speed, right-of-way and pedestrian safety issues. She stated this is a work in progress and when finalized the item would be brought back for approval.

Councilman Williams stated that on the surface this effort seems like a good idea and shared his concern this plan may actually create a bigger problem by pushing eBikes driven by mostly untrained drivers into the streets. Council Woman Van Der Mark responded that his concerns are being addressed in a way that is considerate of everyone. She noted there is no easy solution and added an increase in bike lanes would also help.

Mayor Pro Tem McKeon and Police Chief Parra agreed to amending the motion to research best practices pertaining to riding eBikes on sidewalks.

A motion was made by Van Der Mark, second Williams to direct the City Manager and City Attorney to prepare an ordinance amending Huntington Beach Municipal Code § 10.84.160 (Riding on Sidewalks), ***as amended to research best practices pertaining to riding eBikes on sidewalks.***

The motion carried by the following roll call vote:

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

23. 25-745 Approved Amended Item Submitted by Mayor Pro Tem McKeon, Councilman Gruel and Councilman Kennedy — Business Development Team and Service Improvements Ad Hoc Committee

Mayor Pro Tem McKeon introduced this item as a way to support a thriving local economy and build off of the successful Streamline HB permitting program to continue enhancing City services. He continued by describing potential considerations that could result with a proactive approach.

Councilman Kennedy noted the importance of listening to what residents and local businesses want and then formulating beneficial ideas for positive outcomes. He referenced Consent Calendar Item #10 on this meeting's agenda, regarding the public/private memorandum of understanding for the provision of maintenance services at Patriot Point, as an example of a positive public/private outcome.

Councilman Gruel stated his interest in looking at the different ways that government can act more as consultants and less as gatekeepers. He envisions more dialogue and creation of connections to pick up the pace for decision-making in supporting a very diverse business community. He sees this as an effort to create templates which can be used now and in the future.

A motion was made by McKeon, second Kennedy to create the Business Development Team and Service Improvements Ad Hoc City Council Committee comprised of three City Council Members and direct the City Manager to select department representatives, ***as amended to select initial Committee members of Mayor Pro Tem McKeon with Councilmembers Gruel and Kennedy, and evaluation every 12 months to consider Committee membership.***

The motion carried by the following roll call vote:

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

24. 25-751 Approved Item Submitted by Councilman Gruel — Explore Termination of Symphony of Flowers Event

Councilman Gruel noted that the Symphony of Flowers effort hasn't connected with the people of Huntington Beach as originally intended, and has required a lot of staff time, public resources and money. He added that it is time to focus on programs that serve the community better, may be more cost effective and sustainable, and that better amplify the true character of Huntington Beach.

Councilman Williams stated he had spoken with the Symphony of Flowers applicant who understands that if the event is approved in the future, it will have to include coordination with Protect HB and City of Huntington Beach.

A motion was made by Gruel, second Kennedy to direct staff to explore steps to terminate the Symphony of Flowers event.

The motion carried by the following roll call vote:

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

25. 25-753 Approved Item Submitted by Councilman Kennedy, Mayor Burns, and Councilman Twining — Support for the Recertification of US SURFING as the National Governing Body of US Olympic Surfing

Councilman Kennedy introduced this item by stating that USA Surfing belongs in Huntington Beach and nowhere else. The current leadership team is comprised of world-class surfing champions, and they are the right people to continue leading USA Surfing. He stated his shock at learning that US Skiing and Snowboarding is trying to take something that belongs right here.

Councilman Twining stated his support for this item for all the reasons that public speakers PT Townsend and the Brett's stated earlier.

Councilman Gruel expressed his gratitude for public supporters and surfers who he considers the stewards of the ocean.

Council Woman Van Der Mark thanked all who advocate for keeping USA Surfing in Huntington Beach.

Councilman Williams stated his support for surfers and this item, as did Mayor Burns and Mayor Pro Tem McKeon.

A motion was made by McKeon, second Burns to authorize the Mayor to issue a letter of support to the US Olympic and Paralympic Committee for recertification of US Surfing as the National Governing Body for the sport of surfing in the United States.

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 11:33 PM a motion was made by Burns, 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 7, 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