

## Minutes

### City Council/Public Financing Authority Regular Meeting and Housing Authority Special Meeting City of Huntington Beach

Tuesday, June 18, 2024  
4:00 PM – Council Chambers  
6:00 PM – Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

A video recording of the 6:00 PM portion of this meeting is on file in the Office of the City Clerk, and archived at [www.surfcity-hb.org/government/agendas/](http://www.surfcity-hb.org/government/agendas/)

**4:00 COUNCIL CHAMBERS** — With no items scheduled for Study and/or Closed Session, the regular meeting was called to order at 6:00 PM in Council Chambers.

#### **6:00 PM COUNCIL CHAMBERS**

**CALLED TO ORDER THE REGULAR MEETING OF THE CITY COUNCIL/PUBLIC FINANCING AUTHORITY, AND SPECIAL MEETING OF THE HOUSING AUTHORITY – 6:00 PM**

#### **ROLL CALL**

Present: Moser, Bolton, Burns, Van Der Mark, Strickland, McKeon, and Kalmick  
Absent: None

**PLEDGE OF ALLEGIANCE** — Led by Police Lieutenant Kevin Johnson

#### **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.

#### **1. 24-442 Huntington Beach Police and Fire Chaplain Roger Wing**

#### **CITY COUNCIL MEMBER COMMENTS (3-Minute Time Limit)**

Councilmember Moser thanked the Community Services Department for a successful celebration of Huntington Central Park's 50th Anniversary, and recognized the Federal holiday Juneteenth on June 19<sup>th</sup> condemning the history of slavery; Mayor Pro Tem Burns announced the Bike Ride that starts at Utica and Main Streets as part of the July 4th celebration, and expressed objection to display of the Pride flag by certain members of the Council on the dais; and, Councilmember Bolton spoke in support of her First Amendment right to display the Pride flag as an individual, not as a representation of City Council.

Mayor Van Der Mark announced that today is City Clerk Robin Estanislau's birthday.

## **ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS (Received After Agenda Distribution)**

Pursuant to the Brown "Open Meetings" Act, City Clerk Robin Estanislau announced supplemental communications that were 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 #3 (2 email communications); Item #4 (1 email communication); Administrative Items #7 (266 email communications and 1 letter); Ordinances for Introduction Item #8 (notice of withdrawal by staff, to be brought back at a later date).

### **PUBLIC COMMENTS** (2-Minute Time Limit due to volume of speakers) — 37 Speakers

*The number [hh:mm:ss] following the speakers' comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas>.*

Wendy Rincon, 50-year Huntington Beach resident, was called to speak, acknowledged the activists opposed to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library, and asked that Mayor Pro Tem Burns be censured for his derogatory remarks made from the dais at the June 4 City Council meeting. (00:10:17)

Barbara Richardson, 51-year Huntington Beach resident, was called to speak, stated support for proceeding with managed library services for the Huntington Beach Public Library only if approved by the voters, and announced the library's summer reading program for children, teens and adults. (00:12:13)

Debra Jubinsky, Huntington Beach Management Employee's Association Board President was called to speak and thanked Orange County Employee's Association, Orange County Coalition of Labor Groups, Orange County Labor Federation, numerous Teamster chapters, and Huntington Beach residents for their support in opposing Administrative Items #7 for consideration of managed library services for the Huntington Beach Public Library. (00:13:45)

Harry McLachlan, Huntington Beach resident, was called to speak and stated his opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library. He also shared his concerns about a member of the public advocating for Huntington Beach as an open carry firearms city, and referred to a flyer for a "God Guns Government" Election Action Summit on June 22 that pictured and acknowledged Mayor Van Der Mark, Mayor Pro Tem Burns and Councilmember McKeon for banning masks, removing LGBT Agenda, and restoring Voter ID. (00:15:03)

Brenda Glim was called to speak and shared her experience of being personally and publicly attacked by community members following an article published in the O.C. Register newspaper where a picture of her taken over a year ago when she publicly thanked the police, EMTs and firemen for their efforts to save her husband's life was used to represent public comments made at the June 4 City Council meeting. She claimed for the record that she was not present at the June 4 meeting. (00:17:17)

Dan McGee was called to speak and in acknowledging Juneteenth, expressed his appreciation to the first iteration of the Marine Corps sent by Jefferson, in conjunction with the support of the British Navy, to the Barbary states to destroy the system that made slaves of white, male, Christians. (00:19:12)

Bethany Webb was called to speak and shared her opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library. (00:20:39)

Unnamed Guest, a 44+-year Huntington Beach resident, was called to speak and asked that Interim City Manager Parra implement Resolution 2023-41 regarding Huntington Beach Public Library Teen Section

books which she believes are not appropriate for 12 – 18 year–old individuals, and stated she had a list of books she recommended for review. (00:22:58)

Delaine Baily was called to speak and asked how it is appropriate for Huntington Beach Friends of the Library to sponsor the Irvine Freedom to Read Summit where Councilmember Moser was a keynote speaker stating support for books which Ms. Bailey believes are pornographic and young age inappropriate. (00:24:54)

Amory Hanson was called to speak and stated his support for the fight against high density development. (00:26:36)

Michelle Ferry, a history teacher, was called to speak and shared her opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library, and her opinions regarding protecting children from gun violence. (00:27:21)

Unnamed Guest was called to speak and shared her expectation that the legal system will strike down Huntington Beach Ordinance 4318 and suggested that Councilmembers learn what it means to support the U. S. Constitution. (00:30:04)

Gretchen Erickson, 22-year Huntington Beach resident, 16-year City of Huntington Beach employee, and Huntington Beach Municipal Teamsters Shop Steward, was called to speak and stated support for maintaining local control of the Huntington Beach Public Library system. (00:31:45)

John Jeans, Huntington Beach homeowner and resident, was called to speak and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library and opposition to using non-qualified individuals to determine which library books are approved. (00:33:50)

Carol Daus was called to speak and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library. (00:34:56)

Stephen Quinn was called to speak and shared his opposition to the actions of the three Councilmembers who walked out of the June 4, 2024, City Council meeting rather than support a commitment to the United States Constitution and recognizing Huntington Beach as a 1st and 2nd Amendment friendly city. He stated support for Don Kennedy, Chad Williams and Butch Twining for City Council in 2024. (00:36:46)

Ann Palmer, 30+-year Huntington Beach resident and homeowner, was called to speak and shared her opinions regarding situations related to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library. (00:38:41)

Unnamed Speaker was called to speak and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library unless approved by the voters. (00:40:52)

Unnamed Speaker was called to speak, shared her opinions regarding several City lawsuits, played a video-looped clip of Mayor Pro Tem Burns making derogatory comments from the dais at the June 4, 2024 City Council meeting, and requested that he issue an apology to Councilmembers Bolton, Kalmick and Moser. (00:42:59)

Kanan Durham was called to speak, acknowledged Pride month, Juneteenth and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library unless approved by the voters. (00:45:08)

Paula Schaefer, 30+-year Huntington Beach resident, was called to speak and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library. (00:47:29)

Mary Ann Celinder, long-time library supporter, was called to speak, stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library and opposition to Consent Calendar Item #4 regarding a one-year agreement with the Riverside County Sheriff's Department to participate in Operation Stonegarden. (00:49:32)

Tim Geddes was called to speak, stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library, and acknowledged Juneteenth and Pride month. (00:50:28)

Russell Neal, Huntington Beach resident, was called to speak, stated his opposition to efforts focused on planting false fears regarding book banning and selling off the library system in the minds of voters, and encouraged residents to see through the deception and vote out Councilmembers Bolton, Kalmick and Moser. (00:52:19)

Unnamed Speaker was called to speak and stated support for Administrative Items #7 to consider managed library services for the Huntington Beach Public Library and for ensuring sexually explicit books are placed in age-appropriate sections of the library. (00:54:23)

Christopher Rini, lifetime Huntington Beach resident, was called to speak, noted that the American Library Association has been passionately against sexual predation for years, and stated his opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library and acknowledged Pride month. (00:56:34)

Meghan Wasson, born and raised in Huntington Beach, was called to speak and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library. (00:58:36)

David Rynerson, 26-year Huntington Beach resident, was called to speak and asked for clarification on the rules for turning in public speaker request forms because based on his personal experience it appears there is a set of rules for some people that differs for other people who request to speak. (00:59:35)

Unnamed Speaker was called to speak and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library and to using non-qualified individuals to determine which books are approved. She stated support for Councilmembers Bolton, Kalmick and Moser, and asked Mayor Pro Tem Burns to apologize for his derogatory comments made from the dais towards those Councilmembers at the June 4, 2024, City Council meeting. (01:01:01)

Heidi Veja was called to speak and stated support for ensuring sexually explicit books are placed in age-appropriate sections of the library. (01:02:53)

Carlos Rubio, Teamsters Local 911 President, was called to speak and stated that Teamsters oppose library privatization and encourage dialogue focused on improving the quality of life for all Huntington Beach residents. (01:04:54)

Dina Chavez was called to speak and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library. (01:07:31)

Heather Soodak, 10-year Huntington Beach resident, teacher and business owner, was called to speak and stated opposition to Administrative Items #7 to consider managed library services for the Huntington Beach Public Library. (01:08:43)

Laura Lavin was called to speak and shared her opinion that no child has been traumatized by any book available at the Oak View library, and acknowledged Pride month and the positive impact that Laura Sire has had on her life. (01:10:51)

John Carser, 55-year Huntington Beach resident, was called to speak and asked Mayor Pro Tem Burns to apologize for his derogatory comments made from the dais against Councilmembers Bolton, Kalmick and Moser at the June 4, 2024, City Council meeting. (01:12:36)

Unnamed Speaker was called to speak, shared his opinions related to the reasons that tourist occupancy is down in Huntington Beach and stated that increasing visitor taxes will not remedy the situation, and asked Councilmembers to focus on local issues and use dialogue to reach compromises. (01:14:53)

Joyce Holmes, 40-year Huntington Beach resident and homeowner, was called to speak and expressed her dismay at the lack of respect Councilmembers have for their colleagues and lack of respect some public speakers have for fellow residents. (01:17:08)

## **COUNCIL COMMITTEE APPOINTMENT ANNOUNCEMENTS**

Mayor Pro Tem Burns announced the appointment of Joe Pena to the Citizen Participation Advisory Board (CPAB).

**AB 1234 REPORTING** — None

**OPENNESS IN NEGOTIATION DISCLOSURES** — None

**CITY MANAGER'S REPORT** — None

**CONSENT CALENDAR** (Items 2-6)

Councilmember Kalmick pulled Item #2 for further discussion.

City Clerk

## **2. 24-441 Approved and Adopted Minutes**

Councilmember Kalmick pulled the item to share what he believes to be an omission of information documented for Council Member Items #21 on Page 19 of the June 4, 2024 minutes. He explained that while he was not physically present to witness discussion on the item after exercising his First Amendment right to protest the item and leave the meeting, he listened to the audio recording of the

meeting on his way home, and requested that the minutes be amended to document a derogatory remark made by Mayor Pro Tem Burns from the dais in response to his exit from the meeting that included Councilmembers Bolton and Moser.

Councilmember Kalmick indicated that in regular times, he would have agendized a censure for breaking Council decorum rules (literally approved earlier in the meeting), but for posterity, requested that the June 4 minutes accurately reflect what occurred at that meeting, and the language that was used.

Mayor Pro Tem Burns requested clarification on specifically which statement Councilmember Kalmick was referring to. Councilmember Kalmick referred to the profane remarks made from the dais at the end of the June 4 City Council that were referenced multiple times by speakers during tonight's public comment section, and in addition, violate Council decorum rules. He also stated his opinion that Council doesn't use profane language on the dais or when discussing Councilmembers here or otherwise, and asked that the minutes document what occurred.

A motion was made by Kalmick, second Moser to approve and adopt the City Council/Public Financing Authority regular meeting minutes of June 4, 2024, ***as amended to document the derogatory remark made by Mayor Pro Tem Burns from the dais during discussion of Council Member Item #21.***

Mayor Pro Tem Burns stated his opinion that Councilmember Kalmick narcissistically believes his comment was directed at the three Councilmembers who left the meeting

***At 7:22 PM Mayor Van Der Mark called for a five-minute recess to restore order in Council Chambers. At 7:27 PM the meeting was reconvened.***

The motion by Kalmick, seconded by Moser, failed by the following roll call vote:

AYES: Moser, Bolton, and Kalmick  
NOES: Burns, Van Der Mark, Strickland, and McKeon

A substitute motion was made by Burns, second Strickland to approve and adopt the City Council/Public Financing Authority regular meeting minutes of June 4, 2024 as originally presented.

The motion carried by the following roll call vote:

AYES: Burns, Van Der Mark, Strickland, and McKeon  
NOES: Moser, Bolton, and Kalmick

### Community Development

- 3. 23-977 Approved and authorized the execution of an Affordable Housing Agreement between the City of Huntington Beach and TPG AG EHC III (LSEA) CA 3, L.P. for a residential development consisting of 13 new affordable townhomes located at 7225 Edinger Avenue**

A motion was made by Kalmick, second Strickland to approve the Affordable Housing Agreement between the City of Huntington Beach and TPG AG EHC III (LSEA) CA 3, L.P. for the development of 13 affordable units at 7225 Edinger Avenue; and, authorize the City Manager or their designee to implement and execute the Affordable Housing Agreement for the Project, including all necessary related

documents; and, authorize the Housing Authority Executive Director or their designee to execute all necessary implementing agreements and related documents.

The motion carried by the following roll call vote:

AYES: Moser, Bolton, Burns, Van Der Mark, Strickland, McKeon, and Kalmick  
NOES: None

Police

**4. 24-434 Approved and authorized execution of a one-year agreement with the Riverside County Sheriff's Department to participate in Operation Stonegarden**

A motion was made by Kalmick, second Strickland to approve and authorize Police Chief Eric G. Parra to execute the "Agreement for Fiscal Year 2023 Operation Stonegarden (OPSG);" and, appropriate \$225,000 in grant funding for Operation Stonegarden.

The motion carried by the following roll call vote:

AYES: Moser, Bolton, Burns, Van Der Mark, Strickland, McKeon, and Kalmick  
NOES: None

**5. 24-437 Approved and authorized an Intergovernmental Service Agreement between the City of Huntington Beach and the City of Costa Mesa for detention of female arrestees for 647(f) PC (drunk in public) and 11550(a) HS (under the influence of a controlled substance) at the Huntington Beach Police Department Jail**

A motion was made by Kalmick, second Strickland to approve and authorize the Mayor and City Clerk to execute "Intergovernmental Service Agreement ("Agreement") between the City of Huntington Beach ("City") and the City of Costa Mesa ("Agency") for detention of arrestees at the Huntington Beach Police Department Jail for the City of Costa Mesa Police Department."

The motion carried by the following roll call vote:

AYES: Moser, Bolton, Burns, Van Der Mark, Strickland, McKeon, and Kalmick  
NOES: None

Public Works

**6. 24-444 Approved and authorized the execution of Amendment No. 1 to Existing Cooperative Agreement with the Orange County Transportation Authority (OCTA) for the I-405 Freeway Improvement Project**

A motion was made by Kalmick, second Strickland to approve and authorize the Interim City Manager to execute "Amendment No. 1 to Agreement No. C-3-2654 Between Orange County Transportation Authority and City of Huntington Beach for the I-405 Improvement Project."

The motion carried by the following roll call vote:

AYES: Moser, Bolton, Burns, Van Der Mark, Strickland, McKeon, and Kalmick

NOES: None

## ADMINISTRATIVE ITEMS

### 7. 24-452 NO ACTION TAKEN

#### ~~Consider Proposal Received as Part of the Request for Proposal Process for Managed Library Services for the Huntington Beach Public Library~~

Assistant City Manager Travis Hopkins shared an update for this item to explain that after publication of the agenda packet, the one (1) proposal received in response to the Request for Proposal process for Managed Library Services for the Huntington Beach Public Library had been withdrawn, and therefore there is nothing to discuss for this item, adding that staff was available to answer any questions.

Mayor Van Der Mark confirmed with Manager Hopkins that the process has been completed, and thanked staff for the months of effort put into this project. She stated that Councilmembers have a responsibility to be looking at efficiencies for every single department, and lamented the fact that the community was so polarized during this process due to so much misinformation coming from Councilmembers themselves. She asked for honest and truthful communication from Councilmembers moving forward, and encouraged the public to be civil.

Councilmember McKeon reviewed the history of looming budget deficits and 27 police officer vacancies that existed when the newly elected Councilmembers were seated in December 2022. Since that time the Council has focused on reviewing every department to create operational efficiencies and taxpayer cost savings. He added it is cheaper in the long run to have legal counsel available on staff rather than paying high hourly rates for outside counsel and prosecutors for quality-of-life crimes.

Councilmember McKeon noted that during the most recent budget process, Councilmembers Bolton, Kalmick and Moser focused on ways to increase revenue while the four most recently elected Councilmembers were focused on trimming expenditures. He added that the process to consider managed library services for the Huntington Beach Public Library was an effort to determine if there are potential cost savings or efficiencies for the library system. He reiterated this effort was not a request for contracts, but rather a request for proposals for review to meet Councilmembers' fiduciary responsibility.

Councilmember McKeon stated it is factually false and inappropriate to state this process is flawed or not worth doing, and noted people actually resigned because of the premature hysteria and confusion over the actions of a Council majority focused on their fiduciary duties. He noted there are many City services, such as mail, workers' comp, library custodians, street sweeping, slurry seal, carpentry, graffiti removal, paint, block wall repair, and tire replacement which are outsourced to provide savings and efficiencies for the taxpayers.

Councilmember McKeon stated he is interested in pursuing options for potential savings and increased revenue, including review of: 1) better utilization of Central Library meeting spaces and theater and concerts in the park adjacent to the library; 2) joining with other Orange County libraries for potential bulk book purchasing discounts; 3) whether or not volunteers can replace any temporary employee positions; and 4) considering a contract or memorandum of understanding with Friends of the Library to define roles and responsibilities, provide key performance indicators and metrics to gauge success, maximize efficiencies, and enrich what Friends of the Library offers. He noted that since last December he and Cathy Fikes, Council Administrative Assistant, have sent emails and made phone calls asking for civil dialogue with Friends of the Library President Martha Elliott and no response has been received.



Councilmember Bolton replied that she specifically has requested review of cannabis and short-term rentals as potential revenue generators, and admonished Councilmember McKeon for trying to speak on her behalf. She stated her opinion that people are fearful and upset over the request for proposals for managed library services for the Huntington Beach public library because of the way the process was implemented. She noted that normally staff is directed to prepare for a study session to provide opportunity for everyone to learn at the same time and information rightfully only becomes confidential during the bidding process. She stated that when a process begins with a request for proposals it generates fear and anger, and she requested Councilmembers to show their work as a result of this effort.

Councilmember Kalmick shared his perspectives on some of Councilmember McKeon's comments by noting that Procure America looks at current contracts, not outsourcing opportunities, for efficiencies; the library committee that was created has the ability to stop new books from coming into the library, effectively banning books; the mid-year budget review in February 2021 following the seating of newly elected Councilmembers showed a small budget deficit projected for 2025/2026 and not using the 115 Trust fund until FY 2028/2029; and, the last budget that was just passed shows an \$8M deficit next year, \$10M deficit the following year, and \$15M deficit for the following fiscal year.

Councilmember Kalmick asked what has been learned through the request for proposals for managed library services for the Huntington Beach Public Library proposal process, and reviewed the proper steps that should have been taken. He added that if the Council's desire is to look at efficiencies in all departments, then staff should be asked to do some research and if the required expertise does not already exist, then staff would recommend using third-party experts or consultants.

Councilmember Kalmick stated his opinion that is rather ingenious to consider that his campaign emails were responsible for the fear and confusion created through the request for proposal process. Councilmember Kalmick apologized to staff, to the library staff and to the people who resigned, for the way this whole process was mishandled, and stated that it is time for Councilmembers to focus on their real responsibilities, including facing budget deficits.

Councilmember Moser stated that looking for efficiencies in every department is part of the process for providing quality-of-life services to the community, including looking at both revenue and expenses. She stated this request for proposal process for managed library services for the Huntington Beach Public Library was not just an idea but the way it was handled had massive consequences. She shared her opinion that the current Council majority has done nothing but fan the flames of polarization through political theater. She stated that Council's job is to work together with the community to ensure Huntington Beach is seen as a shining oasis by the sea.

Councilmember Moser expressed appreciation for the civic engagement over this issue which has resulted in a community galvanizing across party lines. She stated it is time for real conversations to get back to good governance and move away from political theater. She asked the residents to engage in difficult conversations and to elect Councilmembers who will work together for the common good and speak decently to one another with decorum.

Councilmember Strickland stated this process worked from his perspective and noted the many community members he personally was able to engage with. He stated it is very evident that a majority of residents do not want to contract out library services, and that is where the situation sits today. He added that currently library staff determines which books to order, or not, but they are not accused of book banning. He noted the out-year budget deficit [inherited by the newly elected Councilmembers] projected for 2023/2024 of about \$7M that the current sitting Councilmembers addressed and resulted in

a small surplus. He also explained that any budget surplus is not rolled over from year to year like federal and state governments, but rather Huntington Beach uses surplus funds to pay down debt and save for rainy day needs. He confirmed that to work together you have to talk to each other and encouraged each sitting Councilmember to meet with every one of their colleagues for dialogue away from the dais. Councilmember Strickland shared his philosophy that it is possible to agree to disagree without being disagreeable, and stated he believes every Councilmember is doing what they think is best for the community to make Huntington Beach a better place. He encouraged everyone, residents and Councilmembers, to try to do better.

## ORDINANCES FOR INTRODUCTION

### 8. 24-414 ITEM WITHDRAWN — NO ACTION TAKEN

~~Approve for introduction Ordinance No. 4230 to authorize execution of an Amendment to the Pipeline Franchise Agreement with Cardinal Pipeline, L.P. for the operation and maintenance of a pipeline system for the transportation of oil, gas, and other hydrocarbon substances~~

**ADJOURNMENT** — at 8:08 PM a motion was made by Kalmick with a second by Burns to adjourn to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Tuesday, July 2, 2024, 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>

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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:**

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City Clerk-Secretary

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Mayor-Chair