SUPPLEMENTAL COMMUNICATION

Meeting Date:

7/2/2024

From:	Fikes, Cathy
To:	Agenda Alerts
Subject:	FW: More political theater on 7/2 agenda
Date:	Monday, July 1, 2024 9:49:57 AM

Agenda Item No.: 13 (24-479)

From: Andrissa Dominguez <andrissahb@gmail.com>
Sent: Saturday, June 29, 2024 4:17 AM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: Fwd: More political theater on 7/2 agenda

Just so everyone knows what Dan Kalmick thinks

------ Forwarded message ------From: **Dan Kalmick** <<u>dan@dankalmick.com</u>> Date: Fri, Jun 28, 2024, 5:09 PM Subject: More political theater on 7/2 agenda To: <<u>andrissahb@gmail.com</u>>

View this email in your browser

?

I can't say I was surprised when I saw the agenda for our next City Council meeting. The Council Majority submitted an item to place a charter amendment on the November 2024 ballot requiring voter approval for any city initiated general plan amendment or zoning change that will make significant environmental impacts according to the California Environmental Quality Act (CEQA). If your head is spinning, it should be. This is a very technical and complicated process and is relitigating, at the ballot box, the housing case we lost in San Diego Court just <u>a few months ago</u>. It also has a litany of **unintended consequences** that could be **devastating** to the City and will affect **commercial** zoning too.

This is a dangerous political gambit. We know that residents in Huntington Beach are sceptical of new housing and if given the opportunity to vote, will likely vote against it. Below is a slide from the last Yorba Linda City Council Meeting. YL has a similar 'green light' ordinance that requires a vote of the people to change zoning on property. This slide

shows what happens if their voters don't approve their Housing Element or as they call it "Local Control Measure."



Even after our Council is gone, this amendment will block or delay and inflate the cost of all big city-initiated projects for years to come. Any changes to Downtown, Beach Blvd, the General Plan update, or to come into compliance with changes in state law, will all likely require a expensive election on a very technical and complicated issue (the March primary cost the City **\$395,000**). We were elected to do this complicated and highly technical work, not pass the hard decisions involving land use off to residents who are already overburdened.

I have a lot more to say on this and I don't want this email to get too long. Please <u>tune</u> <u>into</u> (youtube link) the Council Meeting on Tuesday night at 6pm.

Once again they are leading us down a road with more fines, lawsuits, reckless spending and stagnation. That's why these upcoming elections are so critical. We need to make sure Councilmembers Natalie Moser, Rhonda Bolton and I are elected in 2024 and rational leaders take the majority back in the next election. If you're tired of the political theater, this is the opportune time to <u>donate</u>, organize, and vote wisely.

DONATE TODAY

Don't forget to tune into our next council meeting on Tuesday, July 2nd at 6pm.

Thank you so much for your support,

In Service,

Dan Kalmick, Huntington Beach City Council

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From:	Fikes, Cathy
To:	Agenda Alerts
Subject:	FW: PROPOSED CHARTER AMENDMENT (June 2 City Council Meeting)
Date:	Monday, July 1, 2024 9:52:09 AM

From: Kent Braithwaite <kntbrthwt@aol.com>
Sent: Sunday, June 30, 2024 6:30 PM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Cc: Kent Braithwaite <kntbrthwt@aol.com>
Subject: PROPOSED CHARTER AMENDMENT (June 2 City Council Meeting)

June 30, 2024

Dear Mayor Van Der Mark and Huntington Beach City Council:

I am writing this email to express my concern over the proposed Charter Amendment stating that no City initiated general plan amendment or zoning change that would incur significant unavoidable environmental impacts may be approved by the City without a vote by the people. While zoning and approval of new construction are certainly municipal affairs, even charter cities must follow State laws. While we all favor local control, your proposed Charter Amendment would prevent a Housing Element from being adopted unless voters approved it. Housing Elements are extremely complex documents better left for you, the City Council, with the expertise of our appointed Planning Commission to approve. Because we lack a Housing Element, and especially under the scenario where your Charter Amendment passes, we will be subject to Builder's Remedy rather than under the strict scrutiny of our own Planning Commission. Local control will be supplanted by State control.

Very proud of our city's progress to fight homelessness over the last four years, I applaud recent progress such as the Huntington Beach Navigation Center and the construction of the new Jamboree project to house senior citizens. There is a marked contrast between the beautiful buildings managed by Jamboree and those which could be forced down our throats by Builder's Remedy. Imagine what will happen if we lose the state grants which support our projects to fight homelessness. Imagine what will happen if we are fined up to \$600,000 per month because we are out of compliance on the Housing Element.

As an advocate for SHIP and the unhoused population, I worry about whether you will direct law enforcement to criminalize poverty as a result of the Grants Pass Supreme Court decision. It is essential that we address the systemic issues at the core of our housing crisis—a lack of affordable housing within Huntington Beach. The proposed Charter Amendment will lead to restricting housing development as well as a shortage of workforce housing which harms local businesses trying to hire employees. If you truly care about environmental issues, please focus on sustainability concerns like sea-level rise, coastal erosion, and previously researched sustainability measures ready to be enacted.

We all value local control, and we should pass the Housing Element rather than the proposed Charter Amendment, which will only trigger Governor Newsom's "Strike Force" of penalties. The short-sighted charter amendment will lead to much worse environmental risk when we consider the collective greenhouse gas emissions from all the people who have to commute from the Inland Empire in order to work in Huntington Beach. Is the charter amendment truly worth the tremendous costs it will impose in terms of future litigation, state fines, loss of local control, and greater environmental risk?

Sincerely,

Jenny Braithwaite

From:	Fikes, Cathy
То:	Agenda Alerts
Subject:	FW: balloting attempt
Date:	Monday, July 1, 2024 9:55:48 AM

From: cathy werblin <ccwerblin@yahoo.com>
Sent: Saturday, June 29, 2024 11:27 AM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: balloting attempt

Members of the Huntington Beach City Council,

Please do your jobs overseeing the city, including accepting or rejecting building and zoning requirements, and stop using the ballot box as a means to achieve your goals when the courts and residents are against you. It is exhausting. You are creating a hostile city with residents at each other's necks. Is this your objective? Reasonable, long-time residents are tired of the theater and of your on-going and ill-advised attempts to push through your unpopular agenda. Please, for the sake of our sanity, return to the normal functions of a city council and stop with all the drama. You are getting bad advise from your city attorney, and if you had a professional city manager rather than a police chief doing two jobs, you would have been informed of this.

Of course, not everyone will always agree with the actions of their elected officials, but this is getting humiliating and you should be embarrassed .

Cathy Werblin

I am in FULL SUPPORT !!!!!!!

of placing a charter amendment on the November 2024 ballot requiring voter approval for any city initiated general plan amendment or zoning change that will make significant environmental impacts according to the California Environmental Quality Act (CEQA).

Thank you for giving HB's future back to the residents.

Unfortunately we have members like Dan Kalmick who think that the residents of HB are stupid and cannot comprehend the charter amendment in fact in an email sent out by Kalmick he believes that our heads should be spinning...

HE KNOWS HOW RESIDENTS OF HB FEEL about the Demoncrats push for high density development that he is part of ie... QUOTE from an email he sent out

""" This is a dangerous political gambit. We know that residents in Huntington Beach are sceptical of new housing and if given the opportunity to vote, will likely vote against it. """"

Remember why YOU SIT ON HB CITY COUNCIL... voters put you there to do what HB residents want to protect our HB lifestyle.

Please vote YES

Thank you for continuing efforts to protect HB...

Stop overdevelopment and destruction of our HB lifestyle!!!

Stop Dan Kalmick and the Demoncrats from the DESTRUCTION of HB....

Sincerely Andrissa Dominguez Resident of hb for 54 years

<u>hy werblin</u>
plementalcomm@surfcity-hb.org
lot
urday, June 29, 2024 11:30:36 AM

Members of the Huntington Beach City Council,

Please do your jobs overseeing the city, including accepting or rejecting building and zoning requirements, and stop using the ballot box as a means to achieve your goals when the courts and residents are against you. It is exhausting. You are creating a hostile city with residents at each other's necks. Is this your objective? Reasonable, long-time residents are tired of the theater and of your on-going and ill-advised attempts to push through your unpopular agenda. Please, for the sake of our sanity, return to the normal functions of a city council and stop with all the drama. You are getting bad advise from your city attorney, and if you had a professional city manager rather than a police chief doing two jobs, you would have been informed of this.

Of course, not everyone will always agree with the actions of their elected officials, but this is getting humiliating and you should be embarrassed .

Cathy Werblin

From:	<u>Judy Brusslan</u>
То:	supplementalcomm@surfcity-hb.org
Subject:	No on Item 13 (24-479)
Date:	Saturday, June 29, 2024 7:52:31 PM
Attachments:	image001.png
	image002.png

Please vote NO on 24-479. Zoning is a complicated issue that affects environment and economy. Thousands of pages of documents are prepared to make informed decisions and citizens may not have time or expertise to evaluate these documents with sufficient knowledge to make informed decisions. In addition, Huntington Beach is a city under the regulations of the state of California, and zoning decisions must be in accordance with the laws of the state. It is unconscionable to waste taxpayer money paying legal fees and noncompliance fees.

Thank you,

Dr. Judy Brusslan Resident, Huntington Beach Professor of Biological Sciences Bridges to the Doctorate PI California State University, Long Beach





From:	cherivatkinson@aol.com
То:	supplementalcomm@surfcity-hb.org; CITY COUNCIL (INCL. CMO STAFF)
Subject:	I vote no on Item 12 (24-479) being on the ballot in November, 2024
Date:	Sunday, June 30, 2024 8:53:46 PM

Dear City Council,

l vote no on Item 13 (24-479)

The language is vague and it appears to be another way to resist complying with California directive ; to adopt a Housing Element, and another way to resist providing affordable housing in HB.

Cheri Atkinson LCSW (6/30/2024)

Hello,

My wife and I support 24-479. Charter Amendment stating that "No City initiated general plan amendment or zoning change may be approved by the City where the related environmental review (EIR) finds the same proposed general plan update or zoning change presents "significant and unavoidable" negative impacts to the environment, without first receiving approval by a vote of the people."

Thank you for continuing the fight to have local control of HB.

Best,

Mark and Valerie Tonkovich

From:	dfgbentley@gmail.com
To:	supplementalcomm@surfcity-hb.org
Cc:	dfgbentley@gmail.com
Subject:	Agenda Item 24-479
Date:	Monday, July 1, 2024 12:21:22 PM

July 1, 2024

Dear City Council Members,

I am writing to communicate my strong opposition to item 24-479 on the July 2, 2024 City Council agenda. The proposed charter amendment that would place before the voters any general plan amendment or zoning change could result in environmental impacts is a thinly disguised attempt to continue the practice of stopping reasonable housing development in Huntington Beach. It is also a recipe for complete gridlock in the functioning of the City government.

Huntington Beach has an aging population of mostly single-family homeowners of a limited stock of very high-priced homes. If voters continue to prevent reasonable development of multi-family homes, there will continue to be a shortage of affordable workforce housing. And the City's employers will find it increasingly difficult to hire employees if those potential employees must travel ever farther to get to the City. The tax base will erode, and the City will find it difficult to fund the many infrastructure projects that loom in the near future. To ensure that Huntington Beach can thrive into the future, we must welcome new residents, not keep them out due to the high cost of our housing.

This charter amendment will not prevent the State from imposing fines on Huntington Beach for non-compliance with State laws regarding housing development. And the specter of Builder's Remedy that currently looms over the City will only be worse if this charter amendment passes. Do we really want to let builders construct buildings of any height, on any parcel, and potentially without parking, because we have lost local control of our planning process??

Residents depend on City Council members, qualified City staff and members of Boards and Commissions to evaluate and make complicated, technical decisions regarding appropriate development in the City. If every development decision is left up to the voters in endless, expensive elections, what is the point of having a representative City government??

This proposed charter amendment will result in more fines, more lawsuits and severe damage to the future of our beautiful City. Please do not sacrifice the future of Huntington Beach on the altar of NIMBYism!

Sincerely,

Diane Bentley

23-year resident of Huntington Beach

From:	Carol Daus
То:	supplementalcomm@surfcity-hb.org
Subject:	In opposition to 24-479
Date:	Monday, July 1, 2024 10:20:10 PM

Dear Council Members - I read with considerable interest your concern about Orange County's groundwater basin and potential impact of future high density housing in HB on the sustainability of the groundwater supplies. This is ridiculous. High density housing that replaces single family homes is an excellent use of water resources. The vast majority of groundwater used by residents in HB is used to water lawns (the State of California Department of Water Resources estimates that 67% of residential water use is to irrigate lawns - high density housing would not have lawns). High density housing is a great alternative to single family homes if the concern is optimal utilization of groundwater supply that HB draws from, runs one of the most well managed groundwater basins in the world.

Anthony Daus Hydrogeology professional for 40+ years and resident of HB

From:	Steven C Shepherd Architect
То:	CITY COUNCIL (INCL. CMO STAFF); supplementalcomm@surfcity-hb.org
Subject:	OPPOSED TO AGENDA ITEM #13
Date:	Tuesday, July 2, 2024 8:27:12 AM

You can attempt to rehash the local zoning and land use debate as it relates to housing in as many ways as you wish, but that doesn't change the basic underlying facts on this topic.

The issue statement accompanying this agenda item continues to mischaracterize basic information and repeatedly uses incorrect zoning references solely for the purpose of inflaming emotions. This ongoing deception, whether intentional or simply due to basic subject matter ignorance, is not helpful and does a deep disservice to the residents of our community.

The time has come for a serious discussion about the real-world consequences of this ongoing political stunt and how it all could have been easily avoided.

Steve Shepherd Huntington Beach 92646

To City Council:

Well, well. Once again you F4 majority plus your ring leader Gates, drunk on power, prove to the people that you are merely playing politics instead of actually governing.

Your short-brained and short-sighted stunt to change our Charter, once again, shows a complete lack of understanding the big picture ramifications of your impulsive decisions.

Tying the hands of the City to address the future housing needs by codifying this into the Charter is irresponsible and an obvious last ditch effort to fight the growing lawsuits that we face. Since you are incapable of rolling up your sleeves and working together to address this housing problem, that most major metropolitan areas are facing across the country, you turn to playing games. Instead of having hard conversations and making rational, functional housing plans for our future, you bow to your puppet masters. We all know you did not come up with this plan yourselves.

You are mere puppets bowing to your donor overlords and MAGA handlers.

Kicking the housing plan can down the road serves no one. Pretending to "fight Sacramento" while paving the way for Builder's Remedy, serves no one. Who are you serving? Certainly not the people of HB who expect adults to work together on modern problems.

I am vehemently against Agenda Item 13, 24-479. Do your jobs and stop the constant Charter amendment changes. Changing the Charter should always be accompanied by serious studies, data, examples of other cities that have done this, public input (prior to putting this on the ballot), and expert opinions.

Your voters put you in your seats to make hard decisions. This irresponsible agenda item will stagnate growth, hurt businesses, workers, and impact school enrollment that is already down due to affordability for young families. It will put building and zoning into a quagmire of walls and red tape. Instead of embracing your responsibilities and doing the hard work you were elected to do, you sheepishly punt that burden to the people so you can shirk your responsibilities and attempt to be blameless. It's YOUR job, just like every other city, to address the housing crisis and make progress toward solutions. But instead you want to throw your hands up and complicate progress. Do you even know the ramifications of this? What studies can you show to support this?

It's laughable that you cloak this sinister agenda item in some kind of "environmental impact" mumbo jumbo. You all caring for the environment while you land planes on

the beach? The hypocrisy is thick.

Trying to change our Charter left and right just makes you look weak and impulsive and beholden to your donors..... because Builder's Remedy is on its way. You rolled out the red carpet for it. We've been predicting this since you arrived on the dais.

Faux outrage towards Sacramento while your real estate developer donors and Apartment Association donors lick their lips in anticipation of Builder's Remedy.

We know who your donors are.

Buffie Channel 35 year Resident From: Annilise Flanagan-Frankl <anniliseff@gmail.com>
Sent: Tuesday, July 2, 2024 8:37 AM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: Agenda item.

I am opposed to Placing a charter amendment on the November 2024 ballot requiring voter approval for any city initiated general plan amendment or zoning change

I think it would be a problem for our city which continues to be run in such a way that we are constantly in a battle legally, which cost money which is unnecessary. The majority of members on this Council are spending money that could be used in other way to support and positively change our community.

I oppose a charter amendment on the November 2024 ballot requiring voter approval for any city initiated general plan amendment or zoning change

Annilise M. Flanagan-Frankl, M.A.

CounselingPsychologist

Certified School Psychologist

Remember - the past is over, the future is a mystery, and today is a gift. That is why it is called the PRESENT.

Make today count. Call: 847-226-3119 Nationally

From:	Levin, Shannon
То:	supplementalcomm@surfcity-hb.org
Subject:	FW: Vote No on Agenda # 13 and Present an Alternative Motion to Address the Housing Needs of HB
Date:	Tuesday, July 2, 2024 8:37:47 AM

From: Pat Goodman <patgoodman@yahoo.com>

Sent: Tuesday, July 2, 2024 7:34 AM

To: Van Der Mark, Gracey <Gracey.VanDerMark@surfcity-hb.org>; CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>

Subject: Vote No on Agenda # 13 and Present an Alternative Motion to Address the Housing Needs of HB

Dear Mayor Van Der Mark and City Council,

I'm opposed to agenda item #13, July 2, 2024 City Council agenda, because such a charter amendment, if approved by the people, will weaken local control of housing development in an attempt to circumvent state housing law. The city will continue to be lawbreakers and make it impossible to plan for any housing development in the future. If you vote in favor of this item you are putting the property owners' financial security at risk by causing an unstable, unpredictable housing environment.

Generally, cities, including Huntington Beach, have met the assessed moderate and above income housing goals over the last 55 years, but have failed miserably to reach very low and low income housing goals thus creating a housing shortage and homelessness. I acknowledge that HB provides affordable, safe housing but it is not enough to meet the demand. We know this by the time it takes for residents to move through wait lists, reapply, and the length of stays in transitional shelters. Residents have to overcome herculean hurdles to apply for affordable housing. We see people moving out of state, doubling up in units to try to live near their jobs and schools, causing labor shortages, pollution, and other burdens on our infrastructure. The current system of resistance, denial, and blame isn't working. Agenda Item #13 will not correct the problem.

The council needs to come up with its own housing needs assessment and a working plan to address the housing needs of its residents. Such an action shows good faith to voters that you take your responsibility for running the city seriously. Without such a plan we're all in the dark and putting at risk the financial security of current homeowners, businesses and taxpayers. You will show to voters that you want to address housing blight and decay, and the lack of affordable housing stock in our city by developing a housing plan of your own making. Please vote no on Item #13, and present an alternative motion that addresses the housing needs of Huntington Beach.

Thank you.

Pat Goodman Huntington Beach, CA From: Tim Geddes <timgeddes3@gmail.com>
Sent: Tuesday, July 2, 2024 1:28 AM
To: CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>
Subject: Communication opposing July 2, 2024 City Council Agenda Item #13 (24-479)

Dear Mayor and City Council,

Once again, the City Council majority has taken to weaponizing the City Charter to inflict its own reactionary agenda on our community by trying to foist its irresponsible and confrontational will on an unsuspecting general public. The Item (24-479) does nothing to inform the community about the consequences of failing to comply with state mandates. For over a year, this Council majority has done nothing to grapple with our affordable housing dilemma and is practically begging for the state to come down on us hard with fines, penalties, punishments, and unpalatable "remedies" so it can hide within the grievance-driven mantle it has cloaked itself in to avoid its duty of providing problem-solving leadership to our local government.

The referenced Housing Element Update (HEU) from last year is being used to stonewall the state and manipulate the electorate into doing nothing constructive to bring ANY plan of compliance to address our housing dilemma. Many of the HEU and EIR findings are challenging and require the kind of deft decision-making and diplomacy the Council majority has utterly failed to provide to deal in good faith with now hostile state authorities. This Council majority has not only abdicated its responsibility to represent our citizenry effectively, it has condemned it to suffering all manner of development disasters and degradation if local control is stripped from us. Worse, it is suckering the public into believing that a charter amendment will stand up against the state better than the first two constructions of the Three Little Pigs. Yes, the state may be characterized as "the big bad wolf", but its ability to "huff and puff and blow our house in" cannot be ignored. The Council majority makes this mistake. And every "little pig" in Surf City will pay for it. The "all or nothing" strategy being adopted by the Council majority will not only fail, it will open the door to the destruction of the quality of life the 2022 Council election winners trumpeted they would preserve. The Council majority should withdraw this item and agree to negotiate with the state to mitigate our compliance status. It should be open and honest with the citizenry and not offer false hope and hollow promises. Our City Charter has already been besmirched with the irresponsible trappings of Measures "A" and "B" this year. It should not be further defiled.

Sincerely,

Tim Geddes Homeowner, Parent, 40 year H.B. resident

From:	Paula Schaefer
То:	CITY COUNCIL (INCL. CMO STAFF); supplementalcomm@surfcity-hb.org; city.manager@surfcity-hb.org
Subject:	VOTE NO on Agenda Item # 13 24-479 Charter Amendment
Date:	Tuesday, July 2, 2024 8:47:47 AM

City Council Members,

Why is this being proposed if the City was confident in its legal authority and likelihood of success in its legal appeals?

Putting this complex issue forward as a Charter amendment is a high-risk/low-reward proposition.

1. You are wasting City money on a Charter amendment that is

unnecessary because you are failing to perform your duties as City Council members. 2. You are requesting a vote, that if approved, is likely to result in additional fines for failing to adopt a housing element that is approved by the State.

3. Without a compliant housing element, the City is likely prevented from applying for grant funds.

4. The City could be subject to the "builder's remedy" under which the City forfeits significant control over its zoning and planning authority.

These are all possibilities and are unnecessary risks to take given the probability of one of the 4 results. **VOTE NO!**

Paula A. Schaefer Huntington Beach resident

From:	Carol Daus
To:	supplementalcomm@surfcity-hb.org
Subject:	In opposition to agenda item, #13, 24-479
Date:	Tuesday, July 2, 2024 8:52:03 AM

Dear Council Members,

I am opposed to agenda item, #13, (24-479) because this charter amendment, if approved, will weaken housing opportunities in Huntington Beach, and will lead to costly litigation.

Our city needs a housing plan and should not be fighting the state on questionable "housing-is-bad-for-the-environment" issues that ultimately will lead to more litigation. Lawsuits are piling up in Huntington Beach and eventually residents will have to pay for them through cuts in service and increased taxes.

Providing adequate housing for its residents is the responsibility of a city government. Housing is not a bogeyman and shouldn't be linked to specious environmental concerns. Agriculture is also bad for the environment, and no one is saying we should stop planting crops. People need food and people need housing. Your arguments showing the link between the environment and housing fall on deaf ears.

Due to a lack of housing, many younger individuals and families can no longer afford to live in Huntington Beach. We desperately need more affordable housing, and multi-family units should be part of that plan. From an environmental standpoint, most new housing should be multi-story since these developments involve a smaller environmental impact.

The housing debate is about affordability. It is about equity. It is about quality of life. It should not involve fighting the state for personal and political gains.

Thank you,

Carol Daus HB resident, 28 years

From:	Cooper Carrasco
То:	CITY COUNCIL (INCL. CMO STAFF); supplementalcomm@surfcity-hb.org
Subject:	Oppose 24-479
Date:	Tuesday, July 2, 2024 8:55:45 AM

You know those Measure M , Section 612 meetings that are happening? It's because of short sighted charter revisions just like this.

If it goes through, we'll be having the same kind of meetings about this in the future and people we'll be asking, just like they are in the 612 meetings, "why did we even do this in the first place?"

P.S. Take a shot if one of the councilmembers says something to the effect of "i thought you guys were pro-environment"