

**Moore, Tania**

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**From:** Mark Bixby <mark@bixby.org>  
**Sent:** Saturday, December 17, 2022 9:55 PM  
**To:** CITY COUNCIL; supplementalcomm@surfcity-hb.org  
**Subject:** opposed to code enforcement changes on the 12/20/2022 CC agenda

Tony Strickland's councilmember item to forbid anonymous and remote code enforcement complaints against businesses will end general public code enforcement complaints against businesses.

The incidents of alleged code enforcement abuse that Tony refers to involved some very vocal and agitated business owners and campaign supporters who railed against the complaints during city council public comments. Few members of the public would be willing to file legitimate complaints against such business for very real fear of retaliation in verbal, legal, or perhaps even physical form in these hyper-polarized times.

Consider a scenario of a business employee who is aware of significant health and safety code violations in their workplace. They may have raised their concerns with management only to have those concerns be ignored because the business doesn't want to spend the money to do the right thing. If the employee were to file a complaint under Tony's proposed system, the business owner would know the identity of the employee and may likely fire the employee. No employee will take that risk in a tough economy, and so the health and safety violations will persist unaddressed until somebody is seriously injured.

Or consider a scenario of a customer with mobility challenges requiring use of a wheelchair or other mobility device who encounters ADA-related code violations at a business. Because complaints against businesses must now be filed in person at city hall, the customer must transport to city hall and navigate the long distance between parking lots and the city hall entrances. Many elderly people won't bother with that kind of effort to accomplish a task that is currently trivial when done online from home via the Internet. My father spent the final three years of his life in a wheelchair, and I personally know how challenging transport can be sometimes. Requiring in-person filing of complaints at city hall may constitute disability discrimination which will invite lawsuits against the city.

It is important to remember that there is already a process in place to weed out unfounded code violation complaints. All complaints must be vetted by code enforcement staff as being legitimate before any citations are issued. If code enforcement staff gets it wrong and issues a citation for something that is not truly a violation, then the business owner's dispute should be with code enforcement staff rather than the complainant.

Mark Bixby  
17451 Hillgate Ln  
Huntington Beach, CA 92649-4707  
714-401-4526

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 12/20/2022

Agenda Item No.: #26(22-1092)

**Moore, Tania**

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**From:** Fikes, Cathy  
**Sent:** Monday, December 19, 2022 9:38 AM  
**To:** Agenda Alerts  
**Subject:** FW: Please vote NO on Item #26, 12-20-22 mtg.

**From:** Dan Jamieson <danjamieson4@gmail.com>  
**Sent:** Saturday, December 17, 2022 2:51 PM  
**To:** CITY COUNCIL <city.council@surfcity-hb.org>  
**Subject:** Please vote NO on Item #26, 12-20-22 mtg.

Dear HB City Councilmembers:

I urge a NO vote on Councilmember Item #26 of the 12-20-22 Council meeting.

The item proposes that city code complaints regarding businesses could not be made anonymously. The proposal appears to be based on alleged harassment (via code complaints) of businesses that may have supported the current Council majority.

The proposed ordinance is unnecessary and smacks of political retaliation.

Some percentage of code complaints are always inaccurate or frivolous, and enforcement officers are able to make this determination when necessary. (This is also true of police complaints, but no one would seriously suggest that the police not accept anonymous complaints.)

Code complaints may come from neighbors of offending properties who wish to maintain friendly relations with the alleged violator. Forcing public disclosure of the complainant will force many residents and businesses to remain silent and suffer from ongoing code violations of a nearby business.

Please vote NO on Item #26.

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 12/20/2022

Agenda Item No.: #26(22-1092)

Sincerely,

Dan Jamieson

Huntington Beach

**Moore, Tania**

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**From:** Linda Moon <lsapiro048@gmail.com>  
**Sent:** Monday, December 19, 2022 3:54 PM  
**To:** CITY COUNCIL  
**Subject:** 12-20-23 City Council Agenda

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 12/20/2022

Dear Mayor Strickland and City Council Members:

Agenda Item No.: #26(22-1092)

I have been a resident and homeowner in Huntington Beach for 48 years and maintained a law office in Huntington Beach for 40 years until my retirement. I have followed the work of the City Council for many years. I understand that the new City Council majority is anxious to make changes and put its mark on the city's future. I fear, however, that several of the Councilmember Items on the December 20, 2022 agenda were hastily thought out and could have negative impacts on the city. I urge your careful consideration and measured approach in moving forward with these proposals. Of greatest concern to me are the following:

Item 11 would raise the salary of the current City Attorney, who had no training or experience in Municipal Law prior to coming into office, beyond that of all but one other City Attorney in the state, many of whom are far more experienced, and from wealthier communities. While the City Attorney should be fairly compensated, the current proposal is concerning.

**Item 26**, prohibiting anonymous complaints against businesses and requiring in-person filing will be intimidating to the public and have a chilling effect on legitimate complaints regarding potentially dangerous Code violations. The public should not be made to fear retaliation or retribution for reporting dangerous conditions or be required to appear in person during business hours, something impossible for many residents. The City Code Enforcement employees can quickly determine whether reports are valid or frivolous. The proposal makes an upfront assumption that all reports are wrongful. The opposite should be true. Code enforcement practices should best serve the residents, employees and customers, not make them targets and endanger the safety of reporters and their families.

Item 27 seeking to raise political campaign contribution limits beyond the inflation standards previously established will result in an unfortunate scenario in which only candidates with wealthy and corporate supporters can possibly be elected. This is a recipe for council corruption and the elimination of diversity on the city's governing body.

Item 28 appears to be an inappropriate gift of public funds for the cost of a CEQA Environmental Impact Review, which would ordinarily be paid by the event sponsor. The benefit to the city in hosting that event does not warrant the cost proposed.

Item 29 smacks of a full-on attack on services to the homeless. I suggest that the Council avail itself of the knowledge of your competent staff to become educated regarding state laws protecting the homeless and the benefits of the services now provided, before seeking to dismantle them.

Item 30 regarding the Orange County Power Authority may be better considered after full reporting on the status of the Community Choice Power Aggregate and its potential for reducing dangerous greenhouse gasses and saving money for consumers. As noted by the County Audit serious concerns exist regarding the current operation of the OCPA. But throwing the baby out with the bathwater may not be the best strategy.

Item 33 will most certainly result in the city incurring significant fines for "challenging" and defying state laws. Huntington Beach does not exist in a vacuum. Like it or not, we are part of the State of California and subject to its housing laws. Most of the council members have had little education, to date, regarding how and why housing mandates exist. We have already paid millions of dollars to fines that could have gone to good use in our city for defying housing statutes. Continued defiance will not be productive or in the best interests of the residents of Huntington Beach.

Item 34 regarding the RWG report appears to be political payback at its worst. I sincerely doubt the legality of this city council "waiving" the Attorney Client privileges of the prior council. The report, previously made public, explains to Huntington Beach residents why over 1.5 Million dollars had to be paid to former employees and litigants who were the subject of age discriminatory tactics by the City Attorney. A desire to cleanse Mr. Gates' record to facilitate his future political aspirations is entirely inappropriate. Mr. Steele, unlike Mr. Gates, has many decades of Municipal Law experience and training. The point of the report was to educate the council and serious issues came to light. Sweeping problems under the rug is not in the best interests of the City and its residents.

I hope the City Council will fully deliberate and consider the need for, effects and ramifications of the above proposals, with the focus on serving the best interests of the City and its residents.

Sincerely,  
Linda Sapiro Moon

**Moore, Tania**

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**From:** Shereen Hawkins <shercat@cephira.com>  
**Sent:** Tuesday, December 20, 2022 9:32 AM  
**To:** CITY COUNCIL  
**Subject:** Proposed Ban on Anonymous Code Enforcement Complaints

I found out the City Council is considering a ban on anonymous code enforcement complaints. I read the memo and have concerns about the proposed change.

The memo states "some of the complaints, after investigation and review, were unfounded". The memo doesn't say most or all, just some.

The memo goes on to say " Our government should never be perceived as punitive or actively taking steps to frustrate, discourage, or hinder business. Government should get out of the way of business to allow business to flourish, and only when businesses are in actual, substantial violation of law, should the government take corrective steps with the business to rectify the problem." Without complaints and investigations I don't know how you plan to find "actual, substantial violations of law". Requiring people to go to City Hall to complete the form which includes their name, address, copy of their Drivers License (or other ID) and photo will have a chilling effect on complaints.

Some of the complaints may come from people visiting the city who can't/won't go to city hall to file a complaint but also won't come back if their complaint is not heard. Others may be from people who fear retaliation if they give their name and address.

Because "some" complaints were unfounded Mayor Strickland proposes doing away with anonymous complaints. That is an overreaction. Vote against this proposal.

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Sheri

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 12/20/2022

Agenda Item No.: #26 (22-1092)

**Moore, Tania**

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**From:** vanessa martinez <rockonbaileybailey@yahoo.com>  
**Sent:** Tuesday, December 20, 2022 11:05 AM  
**To:** Pat Burns for HB City Council; CITY COUNCIL; Gates, Michael; William Hennerty Jr.; Vigliotta, Mike  
**Subject:** Fw: Hennerty-Martinez Residence, 605 Main Street— Original Garage/ADU

Good Morning Mayor Strickland and city council members, I hope this reaches all council members.

We support Mayor Tony Strickland's item to forbid anonymous and remote code enforcement complaints against businesses and residents.

We have been victims of this abuse. I wrote at length on the facebook forums regarding our personal experience.

We are asking for a full investigation, and that it brought to the attention of the DA office. We hope all council members will support this. Weaponizing code enforcement against residents and businesses is a crime. You cannot be retaliated against for questioning government officials. A full investigation is needed.

In addition, below is a former email describing our detached unit. We would like the harassment to stop.

This email was not sent to Jimmy Hoang, as we asked that he be removed from our case, after filing a criminal case against me.

The timeline of abuse begins after publicly opposing Dan Kalmick's mural and Kim Kramer's brick project. It then continued when I posted the CPRAS detailing Kim Kramer's involvement with the removal of the memorial bench.

A neighborhood "Next door app" was created specifically to harass our property. Mr Bixby himself ( who lives nowhere near us) also made specific complaints.

Mr. Bixby's forum has become political fodder for social media where actively shares code enforcement complaints at the expense of others. He is open to how he uses code enforcement to his advantage.

They also did this to the corner Market on 11th street. Mr. Rice, allegedly enlisted the help of a councilman, who actively stalked the market for violations using his personal cellphone and then showing it proudly to businessman Moe Kanoudi who became the whistle blower. Jimmy Hoang harassed Suzanne and the Schrimps endlessly (Corner Market owner and land owners). Suzanne still has the written notice from Mr. Hoang telling her she needed to leave and wrote down possible other places she could move to.

When I posted this to Facebook, a swift motion to permit the market was made; knowing that what had happened was an abuse of power. Dan Kalmick called Suzanne at 9:30 that evening telling her he could help her, a message she still has.

The 40 sheds that have been reported using google maps is another example of abuse.

What happened to Dino Farraro is unexceptionable.

Furthermore, we are asking that our structure is grandfathered in and that this type of abuse continues.

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 12/20/2022

Agenda Item No.: #26(22-1092)

Respectfully,  
Martinez/ Hennerty

----- Forwarded Message -----

**From:** joseph santiago <[graphicviolencedesn@yahoo.com](mailto:graphicviolencedesn@yahoo.com)>  
**To:** "kenneth.waldecker@surfcity-hb.gov" <[kenneth.waldecker@surfcity-hb.gov](mailto:kenneth.waldecker@surfcity-hb.gov)>  
**Cc:** vanessa martinez <[rockonbaileybailey@yahoo.com](mailto:rockonbaileybailey@yahoo.com)>  
**Sent:** Friday, August 28, 2020 at 06:59:18 PM PDT  
**Subject:** Re: Hennerty-Martinez Residence, 605 Main Street— Original Garage/ADU

Huntington Beach Community Development Department

Attn: Kenneth Waldecker

Hello Mr. Waldecker

My name is Joseph D. Santiago. I am writing you about the Hennerty-Martinez Residence at 605 Main Street as a qualified historic preservation professional. I have served on the Historic Resources Board of Huntington Beach for nearly 15 years and I am the primary author of *Ebb & Flow - 100 Years of Huntington Beach*, the centennial history of our city. I have 40 years of construction, demolition, historic restoration and refurbishment experience including 15 years of historic house moving experience. Restoration projects include The Buffums House in Long Beach, The Mayor Manning House and The Judge Warner House in Huntington Beach and several others. I also have a BFA in Graphic Design/Advertising from The California State University, Long Beach. I have successfully consulted independently with Community Development on behalf of several historical property owners, including The Mayor Shipley House at 831 Main Street and The Corner Market at 601 11th Street, on the application of the State Historic Building Code and SB 1069, the 2017 California ADU law.

It is my qualified opinion that Mrs. Hennerty-Martinez' historic Spanish Revival home, built in 1936, was likely constructed with a guest quarters in the garage structure or one was added during the primary period of historicity—a period of development for which the city has no permits on record. The original lath and plaster ceiling and walls of the rear guest quarters would be a highly unlikely finish for a simple garage laundry, indicating that the bathroom and other similarly finished portions of the detached rear structure were original. Plumbing work, pre-WWII galvanized steel supply pipes and cast iron waste pipes, also support this.

The materials and techniques of construction in this once-isolated community are a time capsule that helps to pinpoint when houses and later additions were made. Changes in lumber finishes and dimensions, plaster formulations and even pipe galvanizing methods can shed light on what decade or even year a project was done.

If you would like further information please contact me at (714) 206-1965 or [graphicviolencedesn@yahoo.com](mailto:graphicviolencedesn@yahoo.com).

Sincerely

Joseph D Santiago



**Moore, Tania**

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**From:** Walker, Renee  
**Sent:** Tuesday, December 20, 2022 1:35 PM  
**To:** AgendaAlerts@surfcity-hb.org  
**Subject:** H Item Code enforcement

Mayor, City Council and Mr. Gates,

First and foremost I would like to congratulate and welcome the new members of our city council. I can not believe what you all have accomplished here in our great city and you all should be very proud of that achievement. That was a very big deal. Mr. Gates congratulations to you as well. Your continued support of local small business within our city is greatly appreciated within the community.

In regards to the H item pertaining to code enforcement and anonymous reports. My family has first hand knowledge of how this harassment works. We do support this H item. We have dealt with this at our historic home at 605 main st. for the past several years since the proposed mural on 602 main st. (Frontier building).

All documentation is saved and can be provided to help with any type of criminal investigation that may take place. These individuals and others in their circle have sued us, filed a criminal case against my wife to go after her teaching credentials, and other tactics to silence us to no avail. When a individual lives in 92649 area code and is reports a home in 92648 these is a issue and should be questioned to stop wasting city resources.

These individuals should be removed, replaced, let go, fired or their departments should be charged to be able to get rid of people that deliberately go after people speaking publicly in opposition. If any of you have any questions or concerns please call me at 714.686.2629. I am planning on speaking out tonight at city council and will be supporting the Mayor's H item.

We even have received city letters addressed to Miguel Martinez, Hernandez and other Hispanic names other than the correct name of Michael Martinez which I find to be racist and on purpose. I have addressed this issue many times and will not accept this as mistake since it has happened several times.

Thank you,

Bill Hennerty

Thank you,

[Sent from Yahoo Mail on Android](#)

**SUPPLEMENTAL  
COMMUNICATION**

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