



CITY OF HUNTINGTON BEACH
CITY COUNCIL MEETING – COUNCIL MEMBER ITEMS REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

FROM: ERIK PETERSON, CITY COUNCIL MEMBER

DATE: MAY 18, 2020

SUBJECT: REOPENING HUNTINGTON BEACH

STATEMENT OF ISSUE

Since the start of the declared COVID-19 pandemic, the Federal and State government have arbitrarily chosen businesses and categories of business deemed “essential” that were therefore allowed to remain open, while “non-essential” businesses were required to close. In part, California uses Federal guidelines to determine what constitutes an essential businesses. However, the Federal guidelines are vague and ambiguous and create confusion.

For example, grocery stores, big box retail (like Costco and Target), automotive stores, and bicycle shops are allowed to remain open, while retail clothing stores are required to be closed. We continue to see long lines at these stores where very large groups of people are in very close proximity to one another. If the goal is to stop the spread of COVID-19 through person-to-person contact, why is Target allowed to be open, while Nordstrom clothing is required to be closed? There does not appear to be any rational definition of essential business and / or categories of businesses that are considered essential.

I believe that all businesses, large and small, are essential to Huntington Beach, California, and the US and worldwide economy. It is time for the unconstitutional Federal and State policies that have destroyed business to be reversed.

In addition, the Governor has enacted a “stay at home” order that severely restricts how people can move about in the State, where people can go, and who people can interact with (only family members.) Like closing businesses, the rationale behind the “stay at home” order was to reduce person-to-person contact which spreads COVID-19. However, this “stay at home” order is a violation of the US and State Constitution, and importantly, also a violation of the First Amendment!

I feel our City Council should discuss what is essential to our community and set clear policies moving forward as to what can be opened and what can be closed (including beaches) in accordance with the Constitution.

RECOMMENDED ACTION

1. Create a list of businesses essential to Huntington Beach and discuss the policies needed to get our City open.
2. Discuss local enforcement of the State orders.