

**Moore, Tania**

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**From:** Cooper Carrasco <askcpr@gmail.com>  
**Sent:** Thursday, August 31, 2023 10:48 PM  
**To:** Van Der Mark, Gracey; supplementalcomm@surfcity-hb.org  
**Subject:** RE:Masks RESOLUTION DECLARING CITY TO BE A "NO MASK AND NO VACCINE MANDATE" CITY

Hello,

In your agenda item, it's a little unclear. Are you saying businesses would not be allowed to require customers to wear masks within their own store? I.E. They would not be allowed to ask an unmasked customer to leave?

IDK if that is the case. I believe a business should retain the right to have a storewide mask policy **IF THEY CHOOSE.**

***Would this apply to hospitals?***

It's not clear and I understand it will be clarified when staff returns with a proposal...

**But my response is:** allow stores to require mask IF they choose, and certainly do not deny hospitals the option to require masks -- especially in certain settings; not just for covid or variants of covid.

Perhaps you simply mean the City of HB would not be able compel private businesses to require masks... which I am skeptical of too but it would not be the same level of overreach as prohibiting businesses from requiring masks if they choose.

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 9/5/2023

Agenda Item No.: 35 (23-738)

## Moore, Tania

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**From:** Levin, Shannon  
**Sent:** Friday, September 1, 2023 8:37 AM  
**To:** supplementalcomm@surfcity-hb.org  
**Subject:** Fwd: Agenda item 23-738 Resolution Declaring City to be a "No Mask and No Vaccine Mandate" City  
**Attachments:** 2023-09-05 - Van Der Mark - Masks.pdf

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**From:** Ted Scheidell <ted.scheidell@gmail.com>  
**Sent:** Thursday, August 31, 2023 8:50:17 PM  
**To:** CITY COUNCIL (INCL. CMO STAFF) <city.council@surfcity-hb.org>  
**Cc:** Strickland, Tony <Tony.Strickland@surfcity-hb.org>; Van Der Mark, Gracey <Gracey.VanDerMark@surfcity-hb.org>; Burns, Pat <Pat.Burns@surfcity-hb.org>; McKeon, Casey <Casey.McKeon@surfcity-hb.org>; Kalmick, Dan <Dan.Kalmick@surfcity-hb.org>; Moser, Natalie <Natalie.Moser@surfcity-hb.org>; Bolton, Rhonda <Rhonda.Bolton@surfcity-hb.org>; Fikes, Cathy <CFikes@surfcity-hb.org>  
**Subject:** Agenda item 23-738 Resolution Declaring City to be a "No Mask and No Vaccine Mandate" City

Dear Honorable City Council Members,

Thank you for your service. Your elected positions take on good and bad and probably the bad is the most you hear about.

I am writing to you this evening after reviewing Agenda item 23-738 Resolution Declaring City to be a "No Mask and No Vaccine Mandate" City item on the Agenda listed as Agenda for City Council/Public Financing Authority - SUCCESSOR AGENCY SPECIAL MEETING on Tuesday, September 5, 2023 at 6:00 PM PDT.

I ask that you all vote NO on this resolution and not bind the City and residence to something that can cause harm to many people.

Although there are many other items on the agenda you will be making a decision on this item and it stands out to me. I'm looking at the legal liability of the individual City Council Members and the City Government as a whole should another OUTBREAK occur with any virus that the Federal Government mandates masks.

Should the City Council vote to pass this type of resolution there may be mass confusion between what the government advises under the direction of US Government health agencies using scientific decisions (CDC), the businesses of Huntington Beach and the residents. The Federal Government Authority making these decisions are not making fly by night decisions as some may think. As you probably are aware and agree, these are decisions that are thought out by the scientists or those with a background in biology, yet probably have a Masters in Biology. Biology is what they do all day and night and probably when they sleep. Science is the closest thing we have for factual direction and the best defense we have in the health and safety of our community.

Although the resolution lists media sources, it amazes me that quotes are taken as a one line sentence to me what they want rather than the entire communication as if it was a paragraph enwrapping the thought process and decision to be valid. Decisions are made to learn by and can be changed when factually found to come with a different outcome. A business would die if it did not monitor it's decisions to know if that decision is good or bad.

Our City has had its share of rioters for BLM and the stay-at-home orders. We probably had more riots than many inland cities because those cities do not have a beach. We had rioters who were not even our residents, and some of those rioters were hostile. My point is that many people are coming from all over and by having a No Mask and No Vaccine Mandate resolution voted and passed by City Council, the City and the entire City Council has now effectively made a decision whereas someone from another city, or someone within our City becomes ill because another person sneezed in their direction (someone else catching it on their cell phone video or camera) becomes deathly ill or dies and a legal action is now upon the City Council and City as a whole due to this Mandate. Effectively the City Council (without a Masters Degree in Biology) made a decision to defy science prior to any real data coming out for any future OUTBREAK of any sort.

Many people come to the City of Huntington Beach from all over Orange, LA, and Riverside County. They come here on their bikes not obeying any traffic laws, running stop signs riding the wrong way, not getting off their bike like they should and yelling fuck you to someone who asks them to walk their bike. There are usually no officers to keep the violators in line.

It just makes sense to vote NO on 23-738 resolution and let the people who run the business or residents of the City decide how they move forward in a pandemic. The City should not have to hold the responsibility and liability of those who don't follow a mandate by the Federal Government.

Just one additional fact: how many City Police Officers did not wear a mask, or did wear a mask on duty but did not wear a mask when they went to that social function while off duty. Then they got COVID and it was an automatic I'm off of work due to public contact and getting COVID. So we paid for their sick time, we paid for their medical care as workers comp, and gheez our Human Resources staff could do nothing but keep paying these Officers who may have actually got sick while off duty. I've heard about it, not just our City but also for the City of Los Angeles.

How about that resident that has a compromised immune system or is on chemotherapy, living alone, and needs to go to the grocery store. Then gets sick and dies due to Agenda item 23-738 passed. With a No Mask and No Vaccine mandate, guess who is at fault for not protecting the resident?

As a voter I would hope you are all serving to create more harmony and sustainability within our City for all of our residents.

I would not like to see or hear about our City getting sued over this and my vote counts, so do many others.

FYI: you all have been placed on notice for the potential of gross negligence and liability as individuals, as City Council Members and the City. You may want to review your liability exposure and insurance policy.

Respectfully,

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Theodore Scheidell-Paholski  
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**CITY OF HUNTINGTON BEACH  
CITY COUNCIL MEETING – COUNCIL MEMBER ITEMS REPORT**

**TO:** CITY COUNCIL

**FROM:** GRACEY VAN DER MARK, MAYOR PRO TEM

**DATE:** SEPTEMBER 5, 2023

**SUBJECT:** RESOLUTION DECLARING CITY TO BE A “NO MASK AND NO VACCINE MANDATE” CITY

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**ISSUE STATEMENT**

In 2020 and 2021, National, State, and Local governments throughout the country imposed "mask-wearing mandates" and "vaccine mandates" on the American people in response to the COVID-19 pandemic. However, when the pandemic broke out in February of 2020, the nation's leading "expert" on the COVID-19 response, Dr. Anthony Fauci, wrote that masks were "not really effective." (Newsweek, "Fauci Said Masks 'Not Really Effective in Keeping Out Virus,' Email Reveals," June 2, 2021). In 2023, in retrospect of the COVID-19 response related to mask wearing, we learned that the "CDC exaggerated the evidence for masks to fight COVID." (Chicago Sun Times, "New research shows CDC exaggerated the evidence for masks to fight COVID," February 8, 2023). In addition, studies show that COVID vaccines lost effectiveness over time. (LA Times, "Study shows dramatic decline in effectiveness of all three COVID-19 vaccines over time," November 4, 2021).

Also in 2020 and 2021, the City of Huntington Beach imposed, among other things, broad (universal) mask-wearing mandates at City Hall and it encouraged the community to follow broad mask-wearing mandates issued by the State of California. Businesses throughout the City imposed a requirement to enter or patronize by showing a "proof of vaccination" card. Those mandates, like many of the other COVID-19 response restrictions, unnecessarily limited the freedoms of the citizens of Huntington Beach - even those who were not around anyone who tested positive for COVID-19 or at risk of any exposure. And, as we know now, with little to no effectiveness on the spread of COVID-19.

With the increase in reports that there now may be a COVID resurgence and spread by a new COVID-19 variant, and additional discussion of possible new broad (universal) mask-wearing mandates and pushes for vaccination boosters, the City Council of Huntington Beach should take a stand against government imposing on individual liberties and broadly imposing response measures on individuals that have been proven to have little or no effectiveness. The City should ban broad (universal) mask and vaccine mandates by declaring the City to be a "no mask and no vaccine mandate City." An exception to this rule only applies to those who have tested positive for COVID. Otherwise, those individuals not directly at risk of direct exposure should have a right to choose whether to wear a mask or not, or whether to get vaccinated or not, and if someone chooses to, they should be allowed to.

**RECOMMENDED ACTION**

The City ban broad (universal) mask and vaccine mandates; City Manager to return to Council with a Resolution at the next regular meeting declaring the City to be a "no mask and no vaccine mandate City" as a response to COVID-19 or any variants. Individuals, whether at City Hall or in the private sector, should have a right to choose whether to wear a mask or get vaccinated or boosted.

**STRATEGIC PLAN GOAL**

Not Applicable

## Moore, Tania

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**From:** Sheila Ellis <sheila.ellis78@gmail.com>  
**Sent:** Friday, September 1, 2023 1:39 PM  
**To:** supplementalcomm@surfcity-hb.org; CITY COUNCIL (INCL. CMO STAFF); Van Der Mark, Gracey; Moser, Natalie; McKeon, Casey; Kalmick, Dan; Burns, Pat; Bolton, Rhonda; Strickland, Tony  
**Subject:** Tuesday Council Meeting Agenda

I have read the draft of the proposed Statement of Human Dignity and wonder why the draft excludes so many of our residents, guests and tourists? The overt bigotry is unmistakable. You are clearly stating my non-binary family member and my friend's trans granddaughter are not welcome or safe here. Instead of alienation, inclusion of our marginalized community should be part of this statement.

Additionally, the proposed censure of a council member for making true statements during a council meeting is unnecessary and inflammatory. Many human rights groups have labeled Ms. Van Der Mark a racist and Holocaust Denier and her social media history certainly supports that. Her photo ops with avowed white supremacists also support her reputation as antisemitic. As my grandmother would say "If you lie down with dogs, you get up with fleas." Council Member Moser did nothing wrong calling out the facts.

Also, the proposed Resolution of No Mask No Vaccine City is absolute ignorance. Your encouragement to your followers to not protect themselves and others is abhorrent. Even your leader Trump has been vaccinated!

I, along with many other residents, are disturbed by the hate being spread in our city and the council members who support it. We will be watching the council meeting on Tuesday.

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Sheila Ellis  
(She/Her)