

## **Minutes**

### **City Council Emergency Meeting City of Huntington Beach**

Thursday, April 30, 2020  
5:00 PM - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

**A video recording of the 5:00 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/)**

#### **5:00 PM - COUNCIL CHAMBERS**

#### **CALLED TO ORDER — 5:05 PM**

#### **ROLL CALL**

Present: Posey, Delgleize (remote), Hardy, Semeta, Peterson, Carr (remote), and Brenden (remote)  
Absent: None

#### **PLEDGE OF ALLEGIANCE — Led by City Attorney Michael Gates**

#### **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.

#### **Administrative Items**

Item No. 1 (20-1608) Regarding the Governor's announcement to close Orange County Beaches

Seventeen (17) communications from:

Justin Bruursema	Dan Ciscel	Darrin Hainer	Brian Ross
Jeannie Bird	Marty Caprioni	Kathleen Johnson	John Carter
Michael Canas	Andrew Richmond	Lenny Mawad	Tom Niedringhaus
Joe and Lori Scholz	David Quesada	Linda Fitch	Dr. Kevin D. Tubbs
Susan Lipscomb			

**PUBLIC COMMENTS** (all agenda and non-agenda items): Members of the public wishing to submit comments on agenda or non-agenda items that will be read live during the Public Comments portion of the meeting can submit one communication per person of 300 words or less at:  
<https://huntingtonbeachca.gov/HBPublicComments/>. Public Comments must be received no later than 5:00 PM the day of the meeting.

Speakers — 36

*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>.*

City Clerk Robin Estanislau read aloud public comments received as of 5:00 PM:

Judy Hall submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:02:10)

Chauncey Fisher submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:02:53)

Lee Ann Kruger submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:03:11)

Marni Luther submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:03:30)

Holly A. Conway submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:03:58)

Joseph Dean submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:04:22)

Heather Smalley submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:04:50)

Mario Archaga submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:05:39)

Eric Hertz submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:06:12)

Patrick submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:06:37)

Kevin Murray submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:06:58)

Melinda Sprueill submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:07:27)

Laura Conway submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:07:37)

Patrick O'Sullivan submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:08:08)

Carol Monroe submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:08:29)

Bethany Webb submitted a communication stating support of Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:08:53)

April S. submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:09:19)

Libby Frolichman submitted a communication stating support for Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:09:49)

Tamara Loving submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:10:31)

Cathey Rider submitted a communication stating support for Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:11:07)

Benjamin Rudolph submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:11:27)

Roderick Jones submitted a communication stating support for Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:11:51)

Keith Burke submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:12:04)

Diana Zimmer submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:12:31)

Matt Smalley submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:13:40)

John Monroe submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:14:01)

Donald Slaven submitted a communication stating opposition to allowing continued demonstrations on the streets of Huntington Beach. (00:14:26)

Ary Davis submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:15:17)

Amparo Burke submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:15:47)

Debbi Parrott submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:16:19)

Mary Moore submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:16:58)



Lisa DeLuccio-Kavaleski submitted a communication stating support for Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:17:15)

Jiri Herrmann submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:18:17)

Janed Sax submitted a communication stating support for Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:19:38)

Sarah Walker submitted a communication stating support for Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:20:12)

Laurie Plotherow submitted a communication stating opposition to Administrative Item No. 1 (20-1608) regarding the Governor's announcement to close Orange County Beaches. (00:20:42)

## **ADMINISTRATIVE ITEMS**

### **1. 20-1608 Emergency Meeting regarding the Governor's announcement to close Orange County Beaches that severely impacts the Public Health and Safety of the community and an immediate threat to disrupt public services facilities.**

Mayor Semeta introduced this item and explained that in a conference call by Governor Newsom's staff, held concurrently with Governor Newsom's public announcement of his closure of Orange County beaches, public officials were told this action was the result of alleged violations of the prohibition of mass gatherings and social distancing directives. As of the time of this meeting, no written statement outlining the directive has been received from Governor Newsom's office. This City Council Emergency Meeting has been called to discuss the City's response options.

## **RECESS TO CLOSED SESSION — 5:30 PM**

(Pursuant to Section 54957 of the California Government Code, a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present).

A motion was made by Peterson, second Posey to recess to Closed Session for Item #2 (20-1606). The motion carried by the following vote:

AYES: Posey, Delgleize, Hardy, Semeta, Peterson, Carr, and Brenden  
NOES: None

## **CLOSED SESSION**

### **2. 20-1606 Pursuant to Government Code §54957(a), City Council recessed to Closed Session to discuss with City Management, Fire Department, Police Department, and City Attorney regarding the threat to the security of public services and the right of the public to access public services and facilities related to COVID-19 and the Governor's press conference on April 30, 2020. In addition a discussion regarding potential litigation against the State regarding the same (Government Code §54956.9(d)(2)).**

**RECONVENED CITY COUNCIL MEETING — 7:09 PM**

**CLOSED SESSION REPORT BY CITY ATTORNEY**

In Closed Session, City Council voted 5-2 giving the City Attorney and his office authority to take any legal action to challenge the Governor's Executive Order of today, seeking to close all the cities' beaches in Orange County. The action was approved 5 - 2, with Peterson, Hardy, Semeta, Brenden and Posey in favor, and Delgleize and Carr in dissent.

**ADJOURNMENT** — At 7:10 PM to the next regularly scheduled meeting of the Huntington Beach City Council/Public Financing Authority on Monday, May 4, 2020, at 4:00 PM 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>

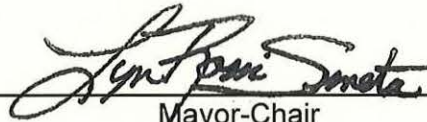


City Clerk and ex-officio Clerk of the City  
Council of the City of Huntington Beach  
and Secretary of the Public Financing  
Authority of the City of Huntington Beach,  
California

**ATTEST:**



City Clerk-Secretary



Mayor-Chair