

**CITY OF HUNTINGTON BEACH
SUPPLEMENTAL COMMUNICATION
Joan L. Flynn, City Clerk
Office of the City Clerk**



TO: Honorable Mayor and City Council
FROM: Joan L. Flynn, City Clerk 
DATE: March 4, 2013
**SUBJECT: SUPPLEMENTAL COMMUNICATIONS FOR THE MARCH 4, 2013
REGULAR CITY COUNCIL/PFA MEETING**

Attached is Supplemental Communications to the City Council (received after distribution of the Agenda Packet):

Study Session

#1. PowerPoint communication submitted by Scott Hess, Director of Planning and Building, entitled "*Huntington Beach 2013-2021 Housing Element Update.*"

#2. PowerPoint communication submitted by Scott Hess, Director of Planning and Building, entitled "*General Plan Update Considerations.*"

Consent Calendar

#10. Two anonymous communications dated March 3, 2013 regarding the Social Host Ordinance.

Ordinances for Introduction

#12. PowerPoint communication submitted by Ken Small, Police Chief, entitled "*Amendment to 5.24 HBMC Massage Establishments.*"

Huntington Beach 2013-2021 Housing Element Update



City Council Study Session
March 4, 2013



Presentation Overview



- Why a Housing Element?
- Key Housing Needs
- RHNA and Residential Sites
- Element Goals and Programs



What is the Housing Element?



- Part of the City's General Plan
- 4 Major Components:
 - ❖ Housing Needs Assessment
 - ❖ Evaluation of Constraints to Housing
 - ❖ Identification of Residential Sites
 - ❖ Program Strategy to Address Needs
- Each California city required to update every 5 years, subject to the statutory schedule
- Review by State HCD for compliance with State law



Benefits of HCD Compliance

- Presumption of **legally adequate** Housing Element in courts
- If courts invalidate Element, **suspend City's authority** to issue building permits until brought into compliance
- Maintain **discretionary review** over affordable housing projects
- Maintain eligibility for **State housing funds**
- Don't face **RHNA carry-over** into next Housing Element cycle



**HUNTINGTON BEACH 2008-14 HOUSING ELEMENT
CERTIFIED BY HCD**

2000-2010 Demographic Trends

↓ **Families with children**
(from 31% to 27%)



↑ **Senior households**
(from 17% to 23%)



8% Residents living with a disability

WORKFORCE HOUSING NEEDS

- ❖ Relative balance between jobs (73,000) & housing (78,000)
- ❖ 1/3 of employment base in lower income occupations (retail, accommodations/food service, construction, service industries)
- ❖ 80% of persons employed in Huntington Beach commute in from outside the City.

➔ *Evaluate workforce housing opportunities to reduce commuting*



Who in Huntington Beach Needs Affordable Housing?

- **People who work in town and cannot afford to live here**

Teachers, nurses, retail and hospitality workers, childcare providers



- **Special needs households**

Senior citizens, disabled persons, single-parent households



- **Children of long-time Huntington Beach residents**

Regional Housing Needs (RHNA)

- **RHNA = Regional Housing Needs Allocation**

- **Requires cities to zone for “fair share” of region’s housing needs**

- ✓ Based on State population growth
- ✓ Mix of housing for economic segments
- ✓ Affordability linked to zoning & density



- **RHNA is a planning target, not a building quota**

Huntington Beach 2013- 2021 RHNA

Income Level	2012 Income (3 person hh)	Units	“Default Density”
Very Low (<50% AMI)	\$43,350	313 units	Min. 30 du/acre
Low (51-80% AMI)	\$69,350	220 units	Min. 30 du/acre
Moderate (81-120% AMI)	\$92,100	248 units	Min. 12 du/acre
Above Moderate (>120% AMI)	> \$92,100	572 units	
Total		1,353 units	

Potential Housing Units: 2014-2021					
Income Category	Very Low	Low	Moderate	Above Moderate	TOTALS
Entitled Projects	10	1	189	1,973	2,173
Pending Projects	69	29	44	610	752
VACANT AND UNDERUTILIZED RESIDENTIAL SITES					
RL Capacity				82	82
RM Capacity			86	110	196
RMH Capacity			30	3	33
RH Capacity		4	4	12	20
M Capacity	320	322	12	7	661
Second Units		8	8		16
TOTAL UNITS	399	364	373	2,797	3,933
2014- 2021 RHNA	313	220	248	572	1,353

5 Required Components of Housing Element Implementation

1. **Conserve & improve** existing affordable housing
2. Provide **adequate sites** to address RHNA
3. Assist in development of **affordable housing**
4. Remove **governmental constraints**
5. Promote **equal housing** opportunities

PLUS

6. Promote **sustainable housing**



Existing Affordable Housing

GOAL: Conserve and Improve Existing Affordable Housing in Huntington Beach

1. Single-Family Housing Rehabilitation
2. Multi-family Acquisition/Rehab w/h Non-Profits
3. Neighborhood Preservation Program
4. Preservation of Assisted Rental Housing
5. Section 8 Rental Assistance
6. Mobile Home Park Preservation



Adequate Housing Sites



GOAL: Provide Adequate Housing Sites to Accommodate Regional Housing Needs

- 7. Residential and Mixed Use Sites Inventory
- 8. Beach/Edinger Corridor Specific Plan
- 9. Second Units



Development of Affordable Housing



GOAL: Assist in Development of Affordable Housing

- 10. Affordable Housing Development Assistance
- 11. Inclusionary Housing Ordinance
- 12. Child Care Facilities



Remove Constraints



GOAL: Remove Governmental Constraints

- 13. Affordable Housing Density Bonus
- 14. Development Fee Assistance
- 15. Streamlined Processing Procedures



Promote Equal Housing

GOAL: Provide Equal Housing Opportunity

- 16. Fair Housing Program
- 17. Continuum of Care – Homeless Assistance
- 18. Project Self-Sufficiency



Sustainable Housing

GOAL: Promote sustainability through support of housing which minimizes reliance on natural resources and automobile use.

- 19. Green Building
- 20. Energy Conservation



Huntington Beach 2013-2021 Housing Element Update



**City Council Study Session
March 4, 2013**





General Plan Update Considerations

March 4, 2013

Reasons for General Plan Update

- Issues facing the community have changed since 1996
 - ✓ Almost entirely built out
 - ✓ Changing demographics
 - ✓ Areas that were a focus (downtown, Bella Terra) are now in stable phase of redevelopment
- Changes in state law and the focus of state agencies
 - ✓ Sustainability (Sustainable Community Strategy by SCAG)
 - ✓ Addressing Climate Change, including Sea Level Rise
 - ✓ Natural Hazards
- General Plan elements in need of fine tuning
 - ✓ Noise, Air Quality, Utilities, Public Facilities and Public Services elements to reflect regulatory standards, city systems and service needs
 - ✓ GP and its EIR are foundations for evaluating projects. As they become more outdated, this is more difficult, results in higher project costs to update data and increases the risk of litigation.

Workplan Concepts

- Public Engagement
 - ✓ Open house, workshops, website, newsletter, advisory committee
 - ✓ As a result of this may do a more focused update
- Technical Update
 - ✓ Existing conditions survey and documentation
 - ✓ Land use alternatives review
 - ✓ Evaluation of police and fire service levels and response time goals
 - ✓ Sea level rise study and adaptation strategy
 - ✓ Trend and fiscal analysis
 - ✓ Updated inventory of habitat types, e.g. wetlands.
- Preparation of General Plan Elements
 - ✓ Required to have 7; City has 16
- Preparation of General Plan Program EIR
- Preparation of Sustainable/Climate Action Plan

Possible Timeline

- RFP and Select Consultant - Spring 2013
- Existing Conditions and Issues - Fall 2013
- Complete Baseline Technical Studies - Winter 2014
- Prepare Draft Goals and Policies - Spring 2014
- Prepare Land Use Alternatives - Spring 2014
- Complete Analysis and Alternatives - Winter 2015
- Prepare Draft Plans - Winter 2015
- Prepare EIR - Spring 2015
- Public Hearings and Approval - Fall 2015

❖ Public Engagement will be ongoing and will heavily influence the actual schedule

Budget Factors

- Cost Estimate: Overall ~ \$1.5 – \$2 million
(average of \$500k-\$700k/year for 2013, 2014 & 2015)
 - ✓ Technical Studies ~ \$520k-\$700k
 - Biological ~ \$20k, Market/Fiscal ~ \$65k, Sea Level Rise ~ \$100k, Sustainable Action Plan ~ \$100k, Police and Fire Service Levels/Response ~ \$100k, Traffic ~ \$100k, Urban Runoff Plan (limited update) ~ \$100k, Utilities ~ \$50k, Aerials ~ \$40k
 - ✓ EIR ~ \$200k-\$250k
 - ✓ General Plan Document & Public Process ~ \$750k-\$900k
 - ✓ Contingency ~ \$75k-\$115k
- Revenue Sources
 - ✓ General Plan Update Fee: \$350,000 collected; additional \$200,000 estimated for remainder of FY 12/13 (\$1.85/\$1,000 valuation of new construction)
 - ✓ Apply for Grant: unknown

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Sunday, March 03, 2013 6:48 PM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 13600 from the Government Outreach System has been assigned to Agenda Alerts.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name:

Description: Suggest you visit website: socialhostlaw.com

Expected Close Date: 03/04/2013

[Click here to access the request](#)

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**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 3/4/2013

Agenda Item No. 10

**SUPPLEMENTAL
COMMUNICATION**

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com] **Meeting Date:** 3/4/2013
Sent: Sunday, March 03, 2013 6:53 PM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notified) **Agenda Item No.** 10

Request # 13601 from the Government Outreach System has been assigned to Agenda Alerts.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name:

Description: STOP THE SHO: HB City Council should be wary of adopting "political trophy" laws like the proposed Social Host Ordinance

Introduction:

At the HB City Council meeting this Monday, March 4, there will be a final vote on Ordinance 3972. It is a so-called Social Host Ordinance that purports to "get tough" on teenage drinking by making adults accountable for enabling alcohol abuse by minors.

SHO's are trendy nationwide because local law makers want to appear tough on teen drinking, even though there is scant evidence these measures reduce teen drinking or teen DUI's. More importantly, it doesn't hold adults more accountable.

To the contrary the SHO's being promoted by a few passionate crusaders actually let irresponsible adults off the hook when compared to existing state law that already outlaws teen drinking.

The HB SHO passed first reading on February 19 by a 5-2 vote, but it appears there had been no public hearings and council members who supported the SHO admitted the only input they had gotten was from fervent supporters. Supporters target local parents groups and urge them to lobby law-makers by pointing to SHO's adopted by other cities.

But one OC city Mayor voted for a SHO on first reading based on the passion of a few supporters, but then read it and listened to witnesses and switched his vote on second reading. "We pass too many laws already without knowing enough. I am not convinced this is going to work, so I am not voting for it."

Proposed HB SHO is bad law and bad policy:

Ordinance 3972 would convert HB Municipal Health and Safety Code Chapter 8.42 from a simple and straight forward law requiring sponsors of loud and disorderly parties to pay for cost of police intervention into a convoluted social host law, modeled after but not consistent with the logic of similar laws enacted by some other cities.

Provisions of proposed Ordinance 3972 create high risk of botched arrests, selective enforcement and liability for city and taxpayers. Several core features of Ordinance 3972 create problematic issues with regard to subjective enforcement criteria, privacy violations, liability for botched arrests, selective enforcement, intrusion into family

rights and parental responsibility, as well as infringement on due process rights:

Section 8.42.010 defines the "host" or "responsible person" who is made subject to enforcement action by police in broad and ambiguous terms that can be applied to any adult who is present and appears to police to be playing a prominent role in the gathering.

Section 8.42.031 makes it a legal duty for any adult identified by police as a "host" or "responsible person" to prevent minors from drinking, even if the adult did not serve minors or know minors were in possession of alcohol or consuming it. Instead, if police conclude the adult "reasonably should know" that minors possessed or consumed alcohol the adult can be charged with unlawful conduct. This creates an anomalous legal standard that does not require police to have evidence of a specific objective act or even objective facts that establish knowledge and intent. Rather, the ordinance confers enforcement authority on police based on subjective opinions and judgments of uniformed officers who form impressions and make after-the-fact presumptions about what may have transpired.

Section 8.42.031 provides for adults to be charged even without "prior warning" from police that teens may be drinking, and any adult is "presumed to have knowledge" if the adult "did not take all reasonable steps to prevent such activity from occurring." A "reasonableness" standard is highly subjective when there is no overt act that triggers enforcement, and "should have known" determinations by police are based on social and legal perceptions that are inherently relativistic and impressionistic.

Section 8.42.031 provides that "Reasonable steps include without limitation: controlling access to and serving of alcoholic beverages to underage persons, and monitoring the responsible, safe and lawful conduct of underage persons." Creating a legal duty to prevent irresponsible, unsafe or unlawful conduct by minors as an abstraction creates vagueness and due process issues, instead of outlawing participation in or consent to specific acts by adults and minors.

Section 8.42.032 exempts adults who "take all reasonable steps" to prevent teen drinking, including the summoning of police or actions intended to control the conduct of others and influence events to prevent teen drinking. But this is an inclusive rather than exclusive list of reasonable steps that adults have a duty to take, so police are enabled to deny the exemption if police determine other steps should have been taken. In addition, an adult attempting to control actions of others could be determined by police to be a "host" and "responsible party" under the provision of Section 8.42.010 that enables police to designate as an offender any adult who "willingly accepts responsibility" at a gathering.

Section 8.42.033 provides that police can take enforcement action against the "parent and/or legal guardian" of "any responsible person or host who is a juvenile" violating the ordinance. Because the definition of "parent or legal guardian" in

Section 8.42.010 does not require that the parent or guardian be present at the gathering, this derivative liability in absentia for teen drinking is a violation of due process rights.

HB SHO will send mixed messages to teens and parents:

1. California state statutes and judicial rulings which District Attorneys and well-trained police know and understand based on decades of experience already make it a misdemeanor to endanger teens by serving alcohol to minors, and that includes doing so at social gatherings on private property. Police and prosecutors already have the tools and discretion needed to hold adults accountable if drinking is allowed and it puts kids at risk. See CA Criminal Code Section 272. In addition, CA Civil Code 1714(d) provides for civil liability in the case of adults who serve minors who then cause injury or death to themselves or others. CA Bus. & Profs. Code 25658 already makes it a misdemeanor to serve minors in public.

2. The proposed HB SHO actually reduces the penalty for adults who serve minors from misdemeanor to civil infraction, thereby making teen drinking safer for the adults and less safe for the kids. Giving the local police an ordinance that lowers the bar and liberalizes arrest powers at the same time it reduces the legal consequences of irresponsible and unlawful adult conduct is the opposite of what the Council should do if it wants to deter teen drinking. This merely creates a confusing legal policy which provides police and prosecutors in the District Attorney's office an excuse not to prosecute serious violations of CPC 272. It may feel good to appear tough on teen drinking but this ordinance sends a mixed message to adults and teens about the seriousness of adult actions making alcohol available to kids. Contrary to puffed up rhetoric about saving kids lives, once they have a chance to understand what the Council actually has done many adults and kids will view reduction of teen drinking offenses by social hosts to an infraction with fines or education classes as a softening rather than hardening of the law against serving minors at parties.

3. Based on the comments made about the proposed SHO there is basis for believing some or all of them have not read the document closely if at all. As noted below, in comments on the 2/19/13 Council debate, the Police Chief and City Attorney were not precisely responsive Council questions based on the actual content of the measure. The proposed ordinance was not available to the public at the 2/19/13 Council session, and none of the comments made by the Council members who supported the measure or city staff focused on the specific provisions identified above as problematic. These issues need to be openly discussed in a far more transparent proceeding in which the public becomes informed and has more than a three minute opportunity to discuss the SHO.

4. The model SHO being promoted by small advocacy networks based on the draft SHO developed by the national organization Mothers Against Drunk Driving. The MADD model SHO is not alcohol only, but includes all illegal substances. That is because making teen drinking subject to more aggressive enforcement than other drugs provides an incentive for irresponsible adults who want to party with teens to switch from alcohol to pot and other drugs. Yet, as some states legalize pot it is necessary to regulate its use in the same way alcohol is regulated, including new DUI laws based on blood content of the substance. In addition, former Congressman Patrick Kennedy has launched a national campaign opposing pot legalization based on new scientific proof of damage done to adolescent brains and social development by pot. In addition, deaths in automobile accidents involving pot DUI's are being reported in Washington State and Colorado. At the national level MADD understands the need for a SHO to cover all drugs, but in OC local MADD activists have decided the alcohol-only SHO is smart, even though there is no rational basis for limiting a SHO to any one substance abused by teens.

5. The HB City Council sponsor of the ordinance made statements that establish the lack of an open process. The only in-put the Council and city staff have received before committing the city - including the Chief of Police - to support this ordinance was in-put from its supporters. Was there a balanced and informed education process in which supporters and opponents were given an opportunity to discuss it? Were students who reportedly were "begging" for it given pro and con arguments by adults and peers with opinions on both sides of the issue? If not, why not? As it now stands, even if supporters rally for the March 4 second reading, the manner in which this has been brought forward has been prejudicial to informed and open public deliberation.

6. In other cities it has been discovered that school board, school district, City Council members and city staff strongly supporting the copycat SHO model had not actually read or had informed discussion of the ordinance before it was adopted as law. Again, that appears to be the case in HB as well. Why not have a public hearing, let people know that is being proposed?

7. The law does not provide any adequate provisions to ensure immunity for adults trying to take control at a social gathering, so that an adult who is present and becomes aware of teen drinking or who arrives at a party and attempts to stop teen drinking could in fact become subject to citation depending on the officer's subjective perception of the situation. Similarly, there is no adequate immunity for teens making 911 calls in the event of a medical emergency, and state law immunity provisions on 911 immunity are far too complex and ominously consequential for most adults much less teens to cope with in a crisis, including a three pronged test of eligibility for immunity that would require advice of counsel in most cases.

Comments on SHO debate by Council 2/19/13:

In response to question from Council about potential criminal as well as civil liability for landlords and other adults with any degree of control over property where teens drink, the City Attorney gave an explanation that was so incomplete that the Council was misled if it believed the question had been fully addressed. The real point he should have addressed in greater depth with respect to the language he read from the proposed ordinance is that its provisions do not prohibit the act of serving minors. It does not actually make it illegal for an adult to give alcohol to a minor. Rather, it includes serving to minors in the definition of a "host," but instead of limiting the outlawed conduct to a specific overt act committed knowingly and intentionally, Section 8.42.031 actually outlaws the gathering itself, but only if a minor takes a drink of alcohol.

Thus, the Section 8.42.031 violation is being present at a gathering, and being perceived by police as a "host or responsible person," based only on alleged passive failure to act, alleged acts of omission rather than acts of commission. Police are given broad and intrusive enforcement authority based on what police speculate the person accused of a violation "should have known." This outlaws a gathering that one moment is legal and the next moment is not based not on a specific act of the adult accused of a violation but the act of any minor present if police identify any adult who "should have" taken what police regard as "reasonable steps" to prevent the minor from taking that act.

This retroactivity feature (sort of like "ex post facto lite") makes the general non-specific act of hosting a gathering that is legal unlawful due to an act the "should have" been prevented. This raises not only 4th Amendment due process issues but also 1st

Amendment freedom of association issues. Yet, Section 8.42.050 gives the police expansive enforcement authority and limits appeals to the Chief of Police. Thus, complex constitutional issues of individual rights implicated in the ordinance are entrusted exclusively to the police who are charged with enforcement and adjudication of alleged violations.

The import of that provision is profound. First, it means the Chief of Police and at least one or two of the Council members who spoke in favor of the ordinance were dead wrong when they said the ordinance is "more specific" than existing state law. To the contrary, this ordinance is far more vague than the applicable provisions of the California Criminal Code and Business & Professions Code provisions because it is not triggered by the specific act of serving alcohol to a minor. Rather, it converts a gathering that is legal into an illegal gathering after-the-fact if one police officer decides an adult he deems to be in control to have known or who reasonably should have known minors had possession of alcohol.

Indeed, the ordinance requires that any such adult take "reasonable steps" to discover and prevent alcohol use by minors on property over which they have control. That gives the officer expansive powers to issue a citation to any adult present or who allowed the gathering if the officer decides the adult was not sufficiently conscientious or vigilant. That is a very subjective standard, and the idea that police want or need that kind of discretion in a social conduct criminal law context is an exercise in social experimentation for which cops are not trained.

This law does not outlaw an inherently criminal act. It outlaws an event and failure of any adult present to know what a cop decides they should know about what transpired at that event. In that context, it is not implausible that a landlord or parent or other adult social invitee who was present at a gathering and left or who arrives at a gathering and is present when police arrive could be charged. Any adult present, especially an owner, could be identified as an adult with sufficient control to be held responsible for the gathering that may have been legal but retroactively is declared illegal.

The statute may define the adult in control more specifically, but as Councilwoman Hardy noted, it is not hard to imagine scenarios where this sloppy ordinance will be applied in a highly subjective and even selective manner at the whim of an officer who should be enforcing state law instead of an untested ad hoc municipal criminal law. If there are high profile cases arising under this statute, including lawsuits against HB for botched arrests, possibly including landlords, all of that might affect investors and landlords who have a choice between HB and neighboring towns without a SHO. The impact on property values may be indirect, but the image of HB as a place where teen drinking puts adults at greater risk of criminal liability under ambiguous laws is not an issue to be dismissed lightly.

Contrary to what the Police Chief told the Council, the state law against contributing to the delinquency of a minor is not vague or difficult for police to apply. Police and prosecutors have years of experience with enforcement and prosecution of adults who let drinking occur in their presence which results in a drunken and disorderly condition, or which impairs a minor and encourages or enables abuse of alcohol. In that context, the Police Chief's testimony was particularly disturbing in that he indicated the police need "another tool" because state law makes serving to a minor a misdemeanor, while this ordinance allows police to treat adult conduct that allows teens to drink as an infraction.

This constitutes cognitive disconnect with the statements of the Police Chief and the sponsor of the ordinance. While the stated purpose is to give police "an additional tool" to "keep kids safe" in reality what this does is lower the penalty for adults who host gathering and are proven to "know or should have known" kids were drinking. How does this additional tool deter teen drinking? If anything, it dumbs down the enforcement standard so that instead of outlawing a specific act of serving minors or allowing minors to drink and thereby contributing to delinquency it outlaws events that adults may or may not be able to control or of which they do not have knowledge. But if it is proven they had knowledge or should have had it, then they face a reduced level of punishment. So the local law has the effect of being more lenient than state law.

Supporters will defend the reduction of violations from misdemeanors to infractions by arguing it gives police additional enforcement options. The reality is that it reduces consequences of an arrest for violators and police who do not have to justify their enforcement practices under stricter state law standards. That reduced accountability for enforcement practices supervised and acted upon by city rather than county or state officials invites selective enforcement and undue local political influence. As a consequence, prominent citizens hosting gatherings will be less likely to be arrested or cited, while parents without influence will be penalized to satisfy those clamoring for this new law giving local officials an "additional tool" to make an example of adults they deem irresponsible.

Finally, the testimony of supporters confirmed precisely what has been heard in every OC town that has adopted a SHO. Supporters describe meetings in which parents who have lost children to alcohol and drug abuse, perhaps in a car accident. There were references to four teen deaths, without indicating whether alcohol was involved, but one would assume from remarks made that was the case. It also is argued that alcohol is the real problem, not other drugs. It even is stated that other drugs do not need to be included because when other drugs are present it is easy to detect.

This emotionalism is understandable, all parents who have raised children in OC know the challenges faced by parents. But these arguments are anecdotal at best. There is no statistical evidence that cities that adopt SHO's reduce drunken driving by teens or deaths. And the fact is that alcohol is the easiest abused substance to detect both because of its volume and the manner in which it is consumed as well, as the effect it has on the appearance and outward behavior of minors who are under the influence of liquor, makes an alcohol only SHO seem logical. Pot, coke, acid, ecstasy, prescription pain medication and other mood altering prescription drugs are harder to detect, especially at a party, with the result that police require more rather than less training and skills to prevent adults from getting away with supplying drugs to minors. But the people involved in this problem who will benefit most from an alcohol only SHO are the adults and minors who traffic in non-alcoholic illegal substances.

All concerned are saddened to hear it when kids die in any community, but that does not address the issue of whether this ordinance will deter teen drinking. It is more likely to be symbolic for those impacted by teen drinking but lull most people into complacency. That may make some people feel good while actually lowering awareness of parental and teen rights and responsibilities to take care of their kids themselves and their friends and keep each other safe. The police can't do that, police are not nannies or a substitute for parents, schools, the community in managing these problems. Adults who refuse to support safe kids programs and practices should be subject to misdemeanor penalties,

not infractions. That is why the state legislature has not enacted a state SHO, even though the state PTA supports such legislation.

The pervasive use of arguments employing the very same phrases heard in other cities is ominous. "This ordinance will give police an additional tool to address teen drinking." "How can anyone oppose a way to keep our kids safe?" "The state law is vague and unclear, hard to enforce, this ordinance is more specific." These carefully scripted arguments are repeated over and over, just as we have seen in other cities.

Many cities have rejected the SHO, but those which have adopted it city council members who are persuaded to support the model ordinance have ordered the city staff to draft a SHO based on generic documents provided by its supporters. In each case passionate arguments of supporters are heard, including the same phrases about "an additional tool," "keeping kids safe," and we need something "more specific" than state law. These are the tell-tale signs of indoctrination, a case of enough people embracing the symbolism of a political trophy as if that were more important than the substance of the proposed law.

* Howard Hills was born and raised in OC, and is a third generation OC resident. He and his wife Lura, shown in his profile photo, and five kids and six grandchildren. He formerly served as a legal advisor in the National Security Council and the U.S. Department of State, but he has been involved in public policy issues in OC since 1967, and in civil rights and constitutional aspects of local, state and federal policy since 1977.

All views expressed are private and personal opinions of the writer, and do not express the views of any other person or organization.

Expected Close Date: 03/04/2013

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Amendment to 5.24 HBMC Massage Establishments



City Council Meeting
March 4, 2013

Background

Senate Bill 731 (2008)

- ✓ Created California Massage Therapy Council (CAMTC)
- ✓ Reduced local government regulatory authority over massage establishments

2009 Huntington Beach Amendments

- ✓ Modified Huntington Beach Zoning and Subdivision Ordinance and Municipal Code to comply with state law

Impact of Changes

- ✓ Number of massage establishments increased significantly
- ✓ Overwhelmingly, the increase has been illicit massage establishments
- ✓ The number of massage establishments is continuing to grow
- ✓ Oversight by the CAMTC has proven to be inadequate and ineffective

What is an “Illicit Massage Establishment”

- ✓ Disclaimers
 - Massage is a legitimate profession with many professional therapist working in the field
 - Presentation is rated “PG”
- ✓ Illicit Massage Establishment – massage therapists perform sexual services for money
- ✓ Huntington Beach currently has about 65 massage establishments (56 new since law changed – almost all illicit massage establishments)

Sweetest asian girls , take your stress away ...come and find out more ... - 26

Posted: Monday, February 4, 2013 12:10 AM

Reply: [click here](#)

We are located in a very safe , secluded area , come and join us for the best touch in town. Our girls are professional, licensed & has the sweetest personality. When you are here, you're the king. **Nothing but sexy erotic rub-downs!** guaranteed you will have the best relax and enjoyable times. Ask for your \$10 dollars off on first 1 hour massage

[Redacted]

Huntington Beach, CA 92648

Tel: 714 [Redacted]

7 days a week : 10:00am - 9:00 pm

Poster's age: 26

- Location: Orange County, Huntington Beach
- Post ID: 26024623 orangecounty

[Email this ad](#)



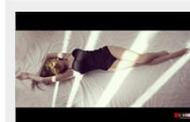
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Grand Opening \$15 off,Nice,Clean and Beautiful Place for Relax Come ,Sexy lady want make DREAMS, - 23

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Posted: Thursday, February 21, 2013 12:33 PM

Reply: [click here](#)

Try Heavenly Side Of Oriental Sensual Relaxation so wonderful that you will feel as if you have just soared to heaven!
Wonderful touch by ATTRACTIVE Asian Girls, soothing

[CLICK HERE](#)

★Swedish★Deep Tissue★Oil Pressure★

██████████
(NO blocked calls or texts)

Add: ██████████ Huntington Beach CA, 92646

Poster's age: 23

- Location: Orange County, ██████████ Huntington Beach
- Post ID: 27945435 orangecounty

[Email this ad](#)



[Enlarge Picture](#)



[Enlarge Picture](#)



[Enlarge Picture](#)



[Enlarge Picture](#)

Massage Parlors
Huntington Beach

Erotic massage near Huntington Beach

-  **Sunset Beach** (2)
Massage Parlors
-  **Midway City** (3)
Massage Parlors
-  **Westminster** (23)
Massage Parlors
-  **Cypress** (10)
Massage Parlors
-  **Stanton** (15)
Massage Parlors
-  **Fountain Valley** (14)
Massage Parlors
-  **Los Alamitos** (3)
Massage Parlors
-  **Garden Grove** (80)
Massage Parlors
-  **Hawaiian Gardens** (3)
Massage Parlors
-  **Buena Park** (6)
Massage Parlors

All California massage parlors
Huntington Beach (33) 

Newest Forum Posts

Tantra Massage? Any in Georgia?

Huntington Beach erotic massage parlors with reviews found 35

[Add massage parlor](#)

1 2 3 » »		 	Photos only: <input type="checkbox"/>	Sort by: Newest review 
	 14 reviews ★★★★☆	\$ 60 per hour	Asian, Vietnamese massage	Cash Only Newest Review  4 days ago
	 6 reviews ★★★★☆	\$ 50 per hour	Asian, Ebony massage	Visa, Mastercard Newest Review  1 week ago
	 4 reviews ★★★★☆	\$ 49.99 per hour	Asian massage	Cash Only Newest Review  1 week ago
	 5 reviews ★★★★☆	\$ 50 per hour	Chinese massage	 Newest Review  2 weeks ago

Other locations

Huntington Beach massage parlors:



All Huntington Beach massage parlors
-Select-

Newest Forum Posts

- Tantra Massage? Any in Georgia?
- Non amp
- Success at Gold River Massage in Carmichael, California?
- Souccass at Gold River Massage in Carmichael, California?
- Do you tell your friends about your hobby?

Newest Blog Posts

- Valentines Day? Just another day??
- Do you prefer young provider or mature provider?
- Happy New Years to ALL!!!
- Survey: Real Tits or Implants? What do most Mongers Prefer?
- Top 10 Pornstar Girls to be Thankful For...

Newest Blog Comments

- Hooker vs Masseuse
I have to agree with most every one here. Years ag... [read more](#)
- Hooker vs Masseuse
I evolved with time from street walkers to AMP's L... [read more](#)
- Hooker vs Masseuse
I don't know about Hookers being

in Huntington Beach, California

Distance to this massage parlor center: 5.3 m

14 reviews
★ ★ ★ ★ ★

[LEAVE A REVIEW](#)

[ADD TO FAVORITES](#)

Masseuse Style:
Asian, Vietnamese

Hours of Operation:
9am - 9pm

Cards Accepted:
Cash Only

Privacy For Shower: Yes
Sauna: No
Jacuzzi: No
Semi-Truck Parking: No

30 min: \$40
45 min: \$50
60 min: \$60

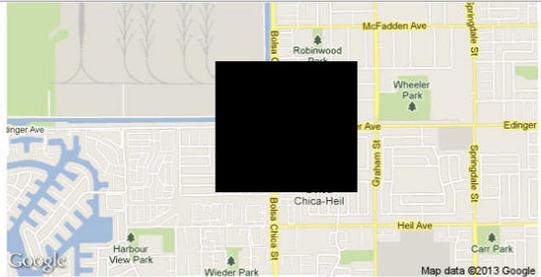


Address:
[Redacted]

[SELECT OTHER OPERATIONS](#)

Phone Number:
[Redacted] [REPORT](#)

[Tweet](#)



Message parlor reviews (14) Message parlor comments (2) Order: Review Date

- | Profile | Name | Rating | Review ID | Date | Comments | Action |
|---------|-----------------|-----------|-----------|------------|----------|-----------------------------|
| | thecowboy | ★ ★ ★ ★ ★ | #69293 | 02.18 2013 | | Read Review |
| | Mimi | ★ ★ ★ ★ ★ | #67728 | 02.06 2013 | | Read Review |
| | thecowboy | ★ ★ ★ ★ ★ | #61491 | 12.18 2012 | | Read Review |
| | Mimi | ★ ★ ★ ★ ★ | #59491 | 11.27 2012 | 1 | Read Review |
| | palms_up | ★ ★ ★ ★ ★ | #52189 | 09.22 2012 | | Read Review |
| | Not sure | ★ ★ ★ ★ ★ | #51478 | 09.17 2012 | 5 | Read Review |
| | gofastwhitey | ★ ★ ★ ★ ★ | #48558 | 08.20 2012 | | Read Review |
| | Vicki | ★ ★ ★ ★ ★ | #47345 | 08.07 2012 | | Read Review |
| | hansoulah | ★ ★ ★ ★ ★ | #45889 | 07.23 2012 | | Read Review |
| | Vicki | ★ ★ ★ ★ ★ | #41408 | 05.21 2012 | | Read Review |
| | herbzap | ★ ★ ★ ★ ★ | #39457 | 04.13 2012 | 1 | Read Review |
| | Lynn or Lindsey | ★ ★ ★ ★ ★ | #38585 | 03.22 2012 | 2 | Read Review |
| | bassmaster | ★ ★ ★ ★ ★ | #37987 | 03.10 2012 | 4 | Read Review |
| | Vicki | ★ ★ ★ ★ ★ | | | | Read Review |
| | max_p | ★ ★ ★ ★ ★ | | | | Read Review |
| | herbzap | ★ ★ ★ ★ ★ | | | | Read Review |
| | hbdog | ★ ★ ★ ★ ★ | | | | Read Review |
| | Not sure | ★ ★ ★ ★ ★ | | | | Read Review |
| | jj92649 | ★ ★ ★ ★ ★ | | | | Read Review |
| | Not sure | ★ ★ ★ ★ ★ | | | | Read Review |
| | hbdog | ★ ★ ★ ★ ★ | | | | Read Review |
| | Jenny | ★ ★ ★ ★ ★ | | | | Read Review |

A “Victimless” Crime

- ✓ Public health concerns
- ✓ Related and associated crime concerns
- ✓ Neighboring business owner concerns
- ✓ Who are the real victims?
 - Human Trafficking

5.24 HBMC Amendment

How does amendment improve our regulatory authority over massage establishments?

- ✓ 5.24.020 Massage Certification/Establishment Certificate required (157)
- ✓ 5.24.050 Massage Establishment operation (163)
- ✓ 5.24.060 Massage Establishment – Prohibited Conduct (165)

✓ 5.24.085 Revocation or Suspension of Establishment Registration Certificate (168)

- (b) No massage establishment shall be established at a location where a massage establishment was closed due to conduct which violated any provision of this Chapter for 1 year

✓ 5.24.040 Exemptions (161)

Questions?