



DOWNTOWN TASK FORCE MINUTES

An Advisory Group to the City Council

Thursday, January 9, 2014
5:30 PM, Main Street Library

Council Members: Mayor Connie Boardman (Chair) and Council Member Joe Carchio

Task Force Members: Meg Bernardo, Kim Kramer, Ron Newman, Ralph Palomares, Dave Shenkman, Susie Smith, Michael Wentworth, Cathy Werblin, Stephanie Wilson

Absent: Council Member Jim Katapodis, Cesar Pena

City Staff: Fred Wilson, Ken Domer, Jennifer McGrath, Chief Robert Handy, Capt. Russell Reinhart, Lt. Kelly Rodriguez, Scott Hess, Kellee Fritzal, Teri Baker, Julie Toledo, Chris Cole, Simone Slifman

Mayor Connie Boardman called the meeting to order at 5:32 PM and welcomed new Task Force Member Dave Shenkman.

1. Public Comments

Richardson Gray urged support of a deemed approved ordinance. Mike Posey spoke in opposition to a deemed approved ordinance due to its redundancy with existing codes, and that he lives on Main Street and sees over service as the problem. Steve Daniel detailed good things happening in the city that he has seen as a longtime business owner and resident. Steve West stated that he would like to see meter enforcement in the downtown as a future discussion, and recommended that enforcement end at 6 PM so as to encourage parking in the garage and discourage bar patron parking in residential neighborhoods. Dick Harlow recommended dwelling on the positive things in the city and that the BID work with the City's new public information officer to do so.

2. Approval of December 5, 2013 Minutes

The minutes were approved as submitted. Members Domenic Iorfino and Dave Shenkman abstained.

3. General Discussion of Public Safety

a. Deemed Approved Ordinance Discussion

Captain Reinhart presented an overview of conditional use permits with alcohol from 2009 to present. He indicated that there is a redundancy between a deemed approved ordinance and those businesses which already have a CUP and/or entertainment permit. Any proposed change to the CUP by the business would trigger compliance with the new regulations approved in Resolution 2013-24. Entertainment permits are reviewed and approved annually, and the process was modified in 2012, so new requirements will begin with the next approval period.

Capt. Reinhart stated that there are approximately 17-19 cities or counties in California with a deemed approved ordinance, which primarily focus on off-sale establishments and that a deemed approved ordinance would primarily affect identified nuisance issues for which businesses could be cited. Chief Handy indicated that the Department is not in support of a deemed approved ordinance, as it paints with a very broad brush, whereas the entertainment permit process is far more specific. He indicated that the Department does have tools and ways to address the current issues, and that he would like the time to let the new conditions go into effect, and if they do not work, then the topic can again be explored.

Jennifer McGrath indicated that our existing regulations are sufficient to cover the ability to enforce CUPs and entertainment permits, and a deemed approved ordinance would require associating the behavior back to a specific business.

Task force members asked questions and received clarification about the enforcement and process of entertainment permits, CUPs and deemed approved ordinance structure. Member Kramer disagreed that it would not be effective, and distributed a copy of, and provided an explanation, of a Deemed Approved Ordinance Questionnaire prepared by the Huntington Beach Downtown Residents Association. As there was no consensus to take the deemed approved ordinance further, it will not be recommended by the Task Force to the City Council.

b. Prohibition of sale of 1-ounce alcohol bottles

Jennifer McGrath explained that that the city is pre-empted by the Department of Alcoholic Beverage Control on this issue, and that there is no history of success with prohibitions in cities that tried. Instead, success has been found in nuisance ordinances which must be tied to specific businesses. This item will not be recommended by the Task Force to the City Council.

4. Review of Prioritization List from September 26, 2013 to be considered

The Task Force reviewed and discussed the following items from the prioritization list:

Public Safety:

- Cameras have been installed and have already assisted with addressing crimes.
- Lighting will be considered within the next 2 months at the City Council. Member Smith inquired about installing lighting on Walnut from 6th to Main. Kellee Fritzel indicated that it will be another 9-12 months before this may be possible and that staff will look at installing a light on the side of the Police Substation as suggested by Iorfino.
- Police Department staffing is improving, and should be at 212 by summer.
- Panhandling/loitering: Member Shenkman indicated he has seen a big improvement since tickets have begun to be issued, but that this issue is a deterrent to those who want to walk the Pier and that Pier Plaza is overlooked. McGrath indicated that there is a limitation to what can be regulated and enforced. Member Wilson inquired as to the

status of the public/private ownership of the fountain and planters on Main Street. Fritzal indicated that issue is being discussed.

- Bicycle safety: Unless PD sees a violation, they cannot enforce speeding, but Chief Handy indicated they will make an effort to address it more often on the beach bike path.
- Drugs: Chief Handy indicated that the lack of medical marijuana use enforcement by the District Attorney presents a challenge to local enforcement, and that they are doing surveillance to try and catch other drug violations. Member Smith asked about e-Cigarette violations in restaurants and bars. Chief Handy indicated it is not currently illegal, but that it is being dealt with in the legislature at the moment. Member Wentworth indicated he has seen many people alleys on drugs. Chief Handy stated that much of this is due to transient activity. Lt. Rodriguez encouraged people to call when they see drug activity or other illegal behaviors. She also indicated that the graveyard sergeant is heading the Homeless Task Force.
- Skateboard prohibition: already in place on Main and 5th Streets.
- Motorcycle noise: this is difficult to control. Capt. Reinhart indicated that 171 violations have been written in the past year, but because they are a fix-it ticket and not a moving violation in the state vehicle code, it doesn't deter the problem.
- Curfew: Capt. Reinhart explained that the HB Municipal Code does mandate that those under 18 – with limited exceptions for work or school – have a 10 PM curfew. There are two school resource officers to assist with the active enforcement of curfew.

The remaining items from the Prioritization list - Maintenance, Events, and Zoning - will be discussed at the next meeting. Mayor Boardman recommended that the Task Force conclude by the second meeting in February. Member Wilson inquired as to how many late night businesses are providing validated parking for customers and staff agreed to research this issue.

5. Public Comments

Gloria Alvarez described hearing screams outside her home on December 27th at 2:15 AM. Mike Heh stated his belief that it is shameful for ABC licenses to be granted in perpetuity, and that they should be regulated more closely. He also stated that he doesn't want to end the Task Force without progress being seen. James Torres thanked the Police Department and the Task Force, and said that he is inspired to be involved with MADD and Neighborhood Watch. Suzanne Hart inquired as to whether PD could also spread their focus to other streets, perhaps on bikes, as there are problems nightly.

6. Future Agenda Items

Member Kramer would like a discussion of valet parking, beach and meter parking. He also requested that the Task Force be given a copy of the new permit. Member Iorfino would like the Task Force to look at late night beach parking once again.

7. Adjournment – Next Meeting January 23, 2014 at 5:30 PM.

The meeting was adjourned at 7:13 PM.