

**Minutes  
City Council/Redevelopment Agency Meeting  
City of Huntington Beach**

Monday, August 17, 2009  
4:00 PM - Room B-8  
6:00 PM - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

**An audio recording of the 4:30 PM portion of this meeting  
and a video recording of the 6:00 PM portion of this meeting  
is on file in the Office of the City Clerk and is archived at  
[www.surfcity-hb.org/government/agendas/](http://www.surfcity-hb.org/government/agendas/)**

4:30 PM - Room B-8

The Deputy City Clerk recessed the 4:00 PM portion of the meeting to 4:30 PM due to an anticipated lack of quorum.

**CALL TO ORDER**

Mayor Bohr called the regular meeting of the Huntington Beach City Council to order at 4:33 PM.

Mayor Bohr noted for the record that Councilmember Dwyer delivered a notice of absence from tonight's meeting to the City Clerk. Noting no objection by the City Council, Councilmember Dwyer was excused from the meeting pursuant to Resolution No. 2001-54.

Mayor Bohr noted for the record that Councilmember Carchio alerted him of his absence at the Study Session portion of tonight's meeting. Noting no objection by the City Council, Councilmember Carchio was excused from the meeting pursuant to Resolution No. 2001-54.

**ROLL CALL**

Present: Green, Bohr, Coerper, Hardy, and Hansen  
Absent: Carchio, and Dwyer

**ANNOUNCEMENT OF LATE COMMUNICATION**

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced the following late communication that was received by her office following distribution of the Council agenda packet:

Communication submitted by Public Works, entitled *City of Huntington Beach Capital Improvement Program, New Appropriations Fiscal Year 2009/10* replacing pages 236-239 in the 09/10 proposed budget.

**PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (3 Minute Time Limit)**

Kreg Muller, President of the Huntington Beach Police Officers Association (HBPOA), thanked City and Police Department staff for their work during the City's budget process and alerted Council that the HBPOA is considering a program to reduce workers' compensation costs. He also voiced appreciation for the transparency during the process.

Councilmember Green suggested that a staff member contact the OCTA to obtain information about self insurance and shared savings.

## STUDY SESSION

1. (City Council) Study Session #1 - Director of Public Works presented an overview of the fiscal year 2009/10 Proposed Capital Improvement Program.

City Administrator Fred Wilson introduced Travis Hopkins, Director of Public Works, who made a PowerPoint presentation that included the following slide topics: Capital Improvement Program FY 2009/10, Proposed FY 2009/10 CIP (Facilities, Neighborhood, Parks and Beaches, Sewer, Streets and Transportation, and Water), CIP New Project Budgets, CIP Funding History, and the Continuing CIP \$25 Million.

Director Hopkins walked the Council through the PowerPoint highlighting special proposed projects in the following categories: Facilities, Neighborhood, Parks and Beaches, Sewer, Streets and Transportation, and Water.

Director Hopkins gave an overview of areas that have reduced funding by fund type including enterprise, special revenue, grant, CIP reserve and infrastructure. The funding has decreased from \$45.8 million in 2005/06 to \$22 million in 2009/10.

Director Hopkins highlighted CIP projects which are continuing and which include multi-year projects such as Utilities Yard, Downtown Streetlight Replacement; deferred projects due to preliminary analysis and design funding concerns such as Bartlett Park Environmental Assessment, LeBard Park Improvements; and the State Grant Projects on hold -- Edison Sports Complex Phase I, Talbert Lake Diversion, and Irby Park.

Director Hopkins responded to Mayor Bohr's question about the Beach/Warner, Brookhurst/Adams studies related to traffic capacity and improvements.

Councilmember Hansen and Director Hopkins discussed the Warner Avenue gravity line redesign of the Warner Lift Station project.

2. (City Council) Study Session #2 - Director of Finance presented an overview of a Revised Financial Reserve Policy for the City.

City Administrator Fred Wilson introduced Bob Wingenroth, Director of Finance to present revisions to the reserve fund from the previous study session. Director Wingenroth indicated the objective is to strengthen the City's ability to respond to financial emergencies, continue the City's commitment to long-term infrastructure and capital investment, and to clarify the use of the economic uncertainties reserve.

Director Wingenroth discussed the current reserve policy, and the current fund balance. He proposed a change to the second tier which would fold that fund into the economic uncertainties category. The proposed policy would address a long-term goal of two months' of General Fund expenditures reserved for economic uncertainties. The unreserved/undesignated funds at year end would be divided with 50% going towards economic uncertainties, 25% to infrastructure fund, and 25% to the Capital Improvement Reserve. Once the economic uncertainties attain full funding, the undesignated funds would be divided as 25% to the Infrastructure Fund, 25% to Equipment Replacement, and 50% to Capital Improvement Reserve.

Mayor Pro Tem Green and Director Wingenroth discussed obligations related to spending infrastructure funds, and Director Wingenroth also described use and repayment obligations associated with using economic uncertainties reserves.

Councilmember Hardy asked what would happen if there was an unexpected need that was not covered by the reserve fund. Administrator Wilson noted that the need would be brought back to Council for consideration.

Councilmember Hansen asked when we might reach full funding in the economic uncertainties reserve. Director Wingenroth stated this would be a 5-10 year goal and he discussed further how equipment replacement would be funded.

Mayor Bohr asked how much is in the equipment replacement fund at this time. Administrator Wilson responded \$3.2 million. Discussion ensued about balancing the reserves and maximizing the opportunities to be able to make decisions in a timely manner when economy of scale issues raise.

Councilmember Coerper asked for clarification as to what prompted the proposed change to the current reserve policy, to which Director Wingenroth addressed funding reserves for emergency situations.

#### RECESS TO CLOSED SESSION

A motion was made by Hardy, second Green to recess to Closed Session The motion carried by the following roll call vote:

AYES:	Green, Bohr, Coerper, Hardy, and Hansen
NOES:	None
ABSENT:	Carchio, and Dwyer

#### CLOSED SESSION

3. Pursuant to Government Code Section 54957.6, the Council recessed to Closed Session to meet with its designated labor negotiators: Fred Wilson, City Administrator; Paul Emery, Deputy City Administrator; Michele Carr, Director of Human Resources; and Bob Wingenroth, Finance Director, regarding labor discussions with MEO, MEA, PMA, FMA, SCLEA, HBPOA, and HBFA.

6:00 PM - COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Bohr reconvened the regular meeting of the City Council/Redevelopment Agency at 6:03 PM.

Mayor Bohr noted for the record that Councilmember Dwyer delivered a notice of absence from tonight's meeting to the City Clerk. Noting no objection by the City Council, Councilmember Dwyer was excused from the meeting pursuant to Resolution No. 2001-54.

CLOSED SESSION REPORT BY CITY ATTORNEY - None.

ROLL CALL - (Councilmember Devin Dwyer has requested permission to be absent pursuant to Resolution No. 2001-54)

Present: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
Absent: Dwyer

ANNOUNCEMENT OF LATE COMMUNICATION

Pursuant to the Brown "Open Meetings" Act, City Clerk Joan Flynn announced the following late communications that were received by her office following distribution of the Council agenda packet:

Color map submitted by the Economic Development Department, entitled *Huntington Beach Downtown Business Improvement District Boundaries and Benefit Zones 1 and 2* (Agenda Item No. 3).

Communication submitted by the Director of Economic Development, dated August 17, 2009, entitled *Late Communication – Consent Calendar Item #5* which clarifies the monthly assessment of \$785 per dealer will be used to establish the HB Car Store (Exhibit A), and adds the Dodge dealership to the list of BID members (Exhibit B), (Agenda Item No. 5).

Communication submitted by Margaret Carlberg, dated August 17, 2009 regarding Ordinance No. 3839 (Agenda Item No. 21).

Communication submitted by Joseph Santiago, dated August 17, 2009 regarding Ordinance No. 3839 (Agenda Item No. 21).

COMMUNICATION RECEIVED AT THE MEETING

Second Harvest Food Bank advertisement submitted by Linda Lewis, undated and entitled *Would you let your next door neighbor go hungry?*

Photographs of downtown cigarette disposal receptacles submitted by Councilmember Gil Coerper, undated and untitled.

Communication submitted by Joyce Alcocer dated August 17, 2009 entitled *Petition for a public*

*hearing regarding the restarting of industrial operations at the Angus Oil Field located at Springfield, Delaware, Rochester, and California Streets.*

Petition submitted by Mary Jo Baretich, undated and untitled, requesting Council authorize the opening of a bike and pedestrian pathway across the Newland Street Bridge during the widening project.

Announcement submitted by Don MacAllister regarding the 21st Annual Council on Aging Senior Saturday to be held on Saturday, September 12, 2009 at Pier Plaza.

PLEDGE OF ALLEGIANCE - Led by Councilmember Hansen

INVOCATION - Led by Reverend Peggy Price, Huntington Beach Interfaith Council

#### AWARDS AND PRESENTATIONS

Mayor Bohr called on Greg Monfette of the International Society of Arboriculture who presented a Gold Leaf Award to the City for the support of the restoration of Gibbs Park. Mr. Monfette noted that the City was the recipient for their outstanding efforts on Arbor Day. City staff was also recognized by the City Council.

Mayor Bohr called on Larry Taite, Civil Engineer Assistant in the Public Works Department, who received recognition for winning gold in the 2009 Bisley England Rutland Cup title. Mayor Bohr noted the type of shooting that this award involved and Mr. Taite provided detail regarding the specifics of this event.

Mayor Bohr called on Steve Bone, President of the Huntington Beach Marketing and Visitors Bureau who announced the 10,000 "Boards in the Sand" centennial event. Mr. Bone encouraged as many people as possible to visit the beach that day in order to support the event.

Mayor Bohr invited Bob Hurley and the Hurley U.S. Open winners to come forward and receive hearty congratulations for the outstanding U.S Open of Surfing competition held July 18 - 26th. Hurley US Open Men's winner Brett Simpson and Women's winner Courtney Conlogue were introduced by Aaron Pai, Huntington Surf and Sport and Bob Hurley, representing his company, Hurley, which sponsored the event.

#### PUBLIC COMMENTS (3 Minute Time Limit)

(The numbers following speakers' comments reflect the approximately point in time in the archived video the speaker appears at <http://www.surfcity-hb.org/government/agendas>).

Christine Bennett, 25 year resident, thanked the City Council and residents for their support of Project Self-Sufficiency. (00:19:54)

Dave Sullivan, former Mayor, spoke in support of staff's recommendation on Agenda Item No. 17 and to uphold the decision of the Planning Commission regarding Agenda Item No. 18 and deny the appeal.

Don MacAllister, former Mayor, encouraged residents to participate in the *Senior Saturday* fundraiser on September 12. Mr. MacAllister also noted his support for the Planning Commission's decision regarding Agenda Item No. 18 and for approval of the \$48,000 for the Senior Center. (00:23:50)

Michele Hart, Project Self Sufficiency, thanked the City Council for their continued support. (00:25:15)

Mark Bixby, representing the Parks Legal Defense Fund, spoke in opposition to the proposed Central Park Senior Center. Mr. Bixby stated that the project size is non-compliant as it exceeds the limit approved by the voters. (00:26:15)

John Sehrer, resident, requested that the entire downtown area be given consideration for permitted parking. (00:28:25)

Joyce Alcocer, homeowner and resident, provided a petition to the City Council from over 65 neighbors regarding the Angus Petroleum oil field. Ms. Alcocer listed several negative impacts of the oil fields and questioned the environmental impact report's compliance with current standards. (00:30:20)

Jack Clapp, Dwight's Beach Concession, spoke regarding the positive business conducted during the Hurley U.S. Open. (00:36:22)

Linda Lewis, Second Harvest Food Bank, promoted the Ninth Annual Beach Food Drive. Ms. Lewis spoke about the food distribution services and those who benefit from the program. (00:39:04)

Mary Jo Baretich, Cabrillo Mobile Home Park, spoke in support of a bike and pedestrian pathway during the upcoming Newland Street widening project. Ms. Baretich referenced a petition signed by several residents which noted the negative safety impacts and lack of access to the beach, schools and parks during the project. (00:40:44)

John McGregor, Cabrillo Mobile Home Park, expressed concerns about the lack of beach access and negative safety impacts associated with the upcoming Newland Street widening project. (00:43:58)

Dan Kalmick, Huntington Beach Downtown Residents Association (HBDRA), expressed concerns with late night activities in the downtown area. (00:45:57)

Tracy Maxwell, speaking on behalf of Project Self-Sufficiency, noted her experience with the program and encouraged Council's continued financial support. (00:49:20)

Stephen Stemmer, resident, expressed concerns regarding the continued safety of surfers who are impacted by the fishing lines near the pier. (00:51:30)

Tim Geddes, resident, expressed concerns regarding vehicular traffic and pedestrian safety associated with the Newland Street widening project. He expressed support for a bike or pedestrian pathway during construction, and also expressed support for Councilmember Hardy's appeal (Agenda Item No. 18). (00:54:33)

Joe Santiago, Historic Resources Board, expressed concerns that the Historic Resources Board has not had sufficient time to appropriately review Agenda Item No. 21, particularly the proposed exclusion of section 2.107.080 of the Huntington Beach Municipal Code (HBMC). (00:59:02)

John Frazier, resident, expressed concerns regarding the condition of the vacant lot at 7th and Pacific Coast Highway. Mr. Frazier also noted the illegal and homeless activity going on at that location. (01:00:41)

#### COUNCIL COMMITTEE / APPOINTMENTS / LIAISON REPORTS AND ALL AB 1234 DISCLOSURE REPORTING

Councilmember Coerper noted that he will be resigning from the 3rd Battalion 1st Marines Board and spoke about his attendance at the recent carwash fundraiser.

CITY ADMINISTRATOR'S REPORT - None.

#### CONSENT CALENDAR (Items #1 through #16)

Councilmember Carchio pulled Item No. 3 for separate consideration.

Councilmember Hansen pulled Item No. 14 for separate consideration.

1. (City Council/Redevelopment Agency) Approved and adopted the Minutes.

A motion was made by Coerper, second Green to approve and adopt the minutes of the City Council/Redevelopment Agency regular meeting of July 20, 2009, special meeting of July 31, 2009, and regular meeting of August 3, 2009 as written and on file in the Office of the City Clerk. The motion carried by the following roll call vote:

AYES:	Carchio, Green, Bohr, Coerper, Hardy, and Hansen
NOES:	None
ABSENT:	Dwyer

2. (City Council/Redevelopment Agency) Adopted Resolution No. 2009-44 designating Shari L. Freidenrich, Joyce M. Zacks, Bob Wingenroth, and Jennifer Lampman as persons authorized to execute financial transactions in the name of the City of Huntington Beach.

A motion was made by Coerper, second Green to adopt Resolution No. 2009-44, "A Resolution of the City Council of the City of Huntington Beach Authorizing the Manual and/or Facsimile Signatures of Shari L. Freidenrich, Bob Wingenroth, Joyce M. Zacks, and Jennifer Lampman" as persons authorized to execute financial transactions in the name of the City of Huntington Beach. The motion carried by the following roll call vote:

AYES:	Carchio, Green, Bohr, Coerper, Hardy, and Hansen
NOES:	None
ABSENT:	Dwyer

3. (City Council) Approved the 2008-2009 Annual Report and 2009/2010 Fiscal Year Budget of the Huntington Beach Downtown Business Improvement District (BID); adopted Resolution No. 2009-45 declaring the City's intention to levy an annual assessment for 2009/2010 within the Downtown Business Improvement District; and, scheduled a public hearing for September 21, 2009 to provide an opportunity for affected businesses to protest.

In response to Councilmember Carchio, representatives from the BID noted that the Independent Contractor items are for services such as management and administration, and provided specifics for various line items.

A motion was made by Carchio, second Green to approve the Annual Report and Fiscal Year 2009-2010 Budget of the Huntington Beach Downtown Business Improvement District; and, adopt City Council Resolution No. 2009-45, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2009-2010 Within the Huntington Beach Downtown Business Improvement District;" and, direct the City Clerk to schedule a public hearing to be held on September 21, 2009, and send copies of the Resolution of Intention, including the BID Boundary Map and assessment formula to each business to be assessed, and publish same in a newspaper of general circulation as required. The motion carried by the following roll call vote:

AYES:	Carchio, Green, Bohr, Coerper, Hardy, and Hansen
NOES:	None
ABSENT:	Dwyer

4. (City Council) Approved the 2008-2009 Annual Report and 2009/2010 Fiscal Year Budget of the Huntington Beach Hotel/Motel Business Improvement District (BID); adopted Resolution No. 2009-46 declaring the City's intention to levy an annual assessment for 2009/2010 within the Huntington Beach Hotel/Motel Business Improvement District; and, schedule a public hearing for September 21, 2009 to provide an opportunity for affected businesses to protest.

A motion was made by Coerper, second Green to approve the Annual Report and Fiscal Year 2009-2010 Budget of the Huntington Beach Hotel/Motel Business Improvement District; and, adopt City Council Resolution No. 2009-46, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2009-2010 Within the Huntington Beach Hotel/Motel Business Improvement District;" and direct the City Clerk to schedule a public hearing to be held on September 21, 2009, and send copies of the Resolution of Intention and assessment formula to each business to be assessed and publish same in a newspaper of general circulation as required. The motion carried by the following roll call vote:

AYES:	Carchio, Green, Bohr, Coerper, Hardy, and Hansen
NOES:	None
ABSENT:	Dwyer

5. (City Council) Approved the 2008-2009 Annual Report and 2009/2010 Fiscal Year Budget of the Huntington Beach Auto Dealers Business Improvement District (BID); adopted Resolution No. 2009-47 declaring the City's intention to levy an annual assessment for 2009/2010 within the Huntington Beach Auto Dealers Business Improvement District; and, scheduled a public hearing for September 21, 2009 to provide an opportunity for affected businesses to protest.

A motion was made by Coerper, second Green to approve the Annual Report and Fiscal Year 2009-2010 Budget of the Huntington Beach Auto Dealers Business Improvement District; and, adopt City Council Resolution No. 2009-47, "A Resolution of the City Council of the City of Huntington Beach Declaring the City's Intention to Levy an Annual Assessment for Fiscal Year 2009-2010 Within the Huntington Beach Auto Dealers Business Improvement District;" and, direct the City Clerk to schedule a public hearing to be held on September 21, 2009, and send copies of the Resolution of Intention and assessment formula to each business to be assessed and publish same in a newspaper of general circulation as required, **amended by late communication which clarifies monthly assessment of \$785 per dealer will be used to establish the HB Car Store and adds the Dodge dealership to the list of BID members.** The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

6. (City Council) Approved Lease Agreement and First Addendum with Pedigo South, Inc., for the temporary relocation of the Utility Yard staff and vehicle storage to a facility located at 7280 Edinger Avenue for an approximate 18-month term and monthly lease rate of \$14,850.

A motion was made by Coerper, second Green to authorize the City Administrator to execute the "AIR Commercial Real Estate Association Standard Industrial/ Commercial Single-Tenant Lease - Net," and "First Addendum to AIR Commercial Real Estate Association Standard Industrial/Commercial Single-Tenant Lease" between the City of Huntington Beach and Pedigo South Inc., along with any other related documents during the term of the lease. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

7. (City Council) Approved a Memorandum of Understanding (MOU) between the City of Huntington Beach and Project Self-Sufficiency (PS-S) Foundation for a five-year term to continue PS-S program assistance designed to assist highly motivated, low-income, single parents achieve economic independence from governmental assistance.

A motion was made by Coerper, second Green to approve the "Memorandum of Understanding Between the City of Huntington Beach and Project Self-Sufficiency Foundation," and authorize the Mayor and City Clerk to sign the Memorandum of Understanding. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

8. (City Council) Approved and authorized execution of a five-year license agreement between the City of Huntington Beach and National Link for ATM services at Pier Plaza, City Hall, Central Library and Meadowlark Golf Course.

A motion was made by Coerper, second Green to approve and authorize the Mayor and City Clerk to execute the "License Agreement between the City of Huntington Beach and National Link for ATM(s) Services at Various Locations in the City;" and, delegate authority to City Administrator to increase or decrease locations for future ATM services. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

9. (City Council) Accepted grant award of \$199,000 for Fiscal Year 2009-2010 from the County of Orange Supplemental Law Enforcement Service Fund (SLESF); established a separate business unit for this funding; and, authorized the Chief of Police to appropriate and expend funds plus interest accrued on technology associated with patrol-related equipment.

A motion was made by Coerper, second Green to accept the grant award of \$199,000 from the County of Orange SLESF for funding cycle year 2009-2010; and, authorize the Chief of Police to expend \$199,000, plus any accrued interest on technology associated with patrol related equipment as described; and, establish a separate business unit for this funding; and, appropriate \$199,000, plus any accrued interest, to be expended on patrol-related equipment. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

10. (City Council) Approved plans and specifications, authorized execution and awarded construction contract in the amount of \$299,961.45 with Elite Bobcat Services, Inc., for reconstruction of various residential streets from the Street Tree Petition List, MSC 455 Project II.

A motion was made by Coerper, second Green to approve the project plans and specifications for the Reconstruction of Various Residential Streets, MSC 455, Project II; and, accept the lowest responsive and responsible bid submitted by Elite Bobcat Services, Inc. in the amount of \$299,961.45; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

11. (City Council) Approved plans and specifications, authorized execution and award construction contract in the amount of \$591,505.00 with D. P. Mangan, Inc. (dba Pave West) for the Downtown Street and Alley Improvements Project, CC-1340.

A motion was made by Coerper, second Green to approve the project plans and specifications for the Downtown Street and Alley Improvements Project, CC-1340; and, accept the lowest responsive and responsible bid, including the additive alternate project bid items for two

additional alley segments submitted by D. P. Mangan, Inc. (dba Pave West) in the amount of \$591,505.00; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

12. (City Council) Approved plans and specifications and authorized execution and awarded construction contract in the amount of \$152,843.75 with B&T Works, Inc. for the City Yard Slope Repair, CC-1336.

A motion was made by Coerper, second Green to approve the plans and specifications for the City Yard Slope Repair, CC-1336; and, accept the lowest responsive and responsible base bid submitted by B&T Works, Inc. in the amount of \$152,843.75; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

13. (City Council) Approved plans and specifications, authorized contract execution and change order approvals of up to fifteen percent (15%), and awarded construction contract in the amount of \$658,066 to Garcia Juarez Construction, Inc. for the Bayview Drive Water Main Replacement Project, CC-1239.

A motion was made by Coerper, second Green to approve the project plans and specifications for Bayview Drive Water Main Replacement Project, CC-1239; and, accept the lowest responsive and responsible bid submitted by Garcia Juarez Construction, Inc., in the amount of \$658,066; and, authorize the Mayor and City Clerk to execute a construction contract in a form approved by the City Attorney; and, authorize the Director of Public Works to approve up to fifteen percent (15%) in construction change orders. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

14. (City Council) Approved recommendations made by the Downtown Image Committee related to public safety, business variety and attraction/nightlife, maintenance and cultural to improve the environment in the downtown area during the summer months and on holidays and weekend nights.

Councilmember Hansen recognized the work of the ad hoc committee on this item.

A motion was made by Hansen, second Coerper to direct the City Attorney and Chief of Police to make necessary amendments to the Entertainment Permit and modify the Fee Resolution regarding penalties; and, direct Planning, Community Services, Public Works and Economic

Development to review existing policies and activities as recommended by Council. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

15. (City Council) Received and Filed the City of Huntington Beach Strategic Plan Status Update

A motion was made by Coerper, second Green to receive and file the updated status of the Huntington Beach Six-Month Strategic Objectives. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

16. (City Council) Reviewed the City Code of Ethics.

A motion was made by Coerper, second Green to direct the City Clerk to record in the official minutes that the Code of Ethics was presented to the City Council, the City Administrator, Chairpersons, and City Department Directors for their review and distribution as required. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

ADMINISTRATIVE ITEMS

17. (City Council) Approved recommendation to allocate Homelessness Prevention and Rapid Re-Housing Program (HPRP) subgrantee funds in the amount of \$566,611, and authorized the City Administrator to execute subgrantee and HUD grantee agreements approved by the City Attorney.

A motion was made by Coerper, second Green to approve staff HPRP subgrantee recommendations; and, authorize the City Administrator to execute the City Attorney approved subgrantee agreements and sign the HUD grantee agreement by September 30, 2009 and receive the allocation of \$566,611 in HPRP funds. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

18. (City Council) Considered appeal by Councilmember Hardy of the Planning Commission's approval of final project design and landscape plans for the proposed Huntington Beach Senior

Center to be located at 18041 Goldenwest Street (Conditional Use Permit No. 07-039) - including reviewing the acreage of the project.

Staff presentation was given by Associate Planner Jennifer Villasenor. A PowerPoint Presentation included slides entitled 1) Request, 2) Conditions of Approval, 3) Conceptually Approved Elevations, 4) Proposed Elevations, 5) Appeal, and 6) Recommendation.

Councilmember Carchio expressed support for the project. Councilmember Hardy noted that the voters approved a five (5) acre project and the proposal exceeded this amount.

A motion was made by Coerper, second Green to approve the final project design and landscape plans for the Huntington Beach Senior Center. The motion carried by the following roll call vote:

AYES:	Carchio, Green, Bohr, Coerper, and Hansen
NOES:	Hardy
ABSENT:	Dwyer

19. (City Council) Adopted Resolution No. 2009-48 to levy a retirement property tax for Fiscal Year 2009/2010 to pay for pre-1978 public employee retirement benefits.

Councilmember Hansen expressed his opposition to this item.

In response to Mayor Pro Tem Green, the City Administrator noted that the City has an obligation to meet this funding requirement.

A motion was made by Coerper, second Green to adopt Resolution No. 2009-48, "A Resolution of the City Council of the City of Huntington Beach Levying a Retirement Property Tax for Fiscal Year 2009/2010 to pay for Pre-1978 Public Employee Retirement Benefits," of \$.01500 per \$100 of assessed valuation. The tax rate of \$.01500 would increase general fund revenue approximately \$1,525,000. The motion carried by the following roll call vote:

AYES:	Carchio, Green, Bohr, Coerper, and Hardy
NOES:	Hansen
ABSENT:	Dwyer

#### ORDINANCES FOR INTRODUCTION

20. (City Council) Accepted the City of Huntington Beach Public Works Department Sewer Service Fund Performance Audit Review of Fiscal Year 2008/09 and approved for introduction Ordinance No. 3840 Amending Chapter 14.55 of the Huntington Beach Municipal Code Relating to the Sewer Services Rates Methodology. (Five affirmative votes are required to adopt this ordinance per Health and Safety Code Section 5471.)

A motion was made by Coerper, second Green to accept the "City of Huntington Beach Public Works Department Sewer Service Fund Performance Audit Review of Fiscal Year 2009/09" as presented; and, after the City Clerk reads by title, approve for introduction Ordinance No. 3840, "An Ordinance of the City of Huntington Beach Amending Chapter 14.55 of the Huntington

Beach Municipal Code Relating to the Sewer Service Rates Methodology." The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

21. (City Council) Continued to a date uncertain the introduction of Ordinance No. 3839 amending Huntington Beach Municipal Code (HBMC) Chapters 2.102, 2.107, and 2.111 relating to duties and powers of the Sustainability Committee, the Historic Resources Board and the Public Works Commission.

Councilmember Hardy expressed concerns regarding the proposed changes to the Historic Resources Board (HRB) and requested that the Board be given an opportunity to review the changes prior to adoption. Councilmember Hardy requested to remove the HRB portion of the Ordinance prior to approval. She also requested that the change in Committee name should be reflected as "Environmental Sustainability Board."

Mayor Pro Tem Green read a letter into the record from Margaret Calberg. Ms. Calberg stated that she is not in favor of the name change from "Environmental" to "Sustainability" Board. Mayor Pro Tem Green also expressed concerns with the name change.

A motion was made by Hardy, second Coerper to continue the item to a date uncertain for review by affected Commission/  
Boards: Public Works Commission, Environmental Board and Historic Resources Board, before it is brought back for reintroduction. The motion carried by the following roll call vote:

AYES: Carchio, Green, Bohr, Coerper, Hardy, and Hansen  
NOES: None  
ABSENT: Dwyer

#### COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Hansen attended the Junior Lifeguard Graduation.

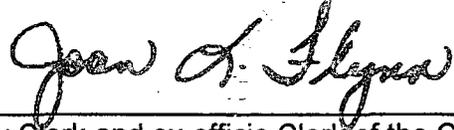
Councilmember Coerper attended the Surf City Cowboy Challenge at the Huntington Central Park Equestrian Center. He also noted the Council will be given an opportunity to participate in a firing range demonstration on August 30th.

Mayor Pro Tem Green attended the Golden West Health Center Ribbon Cutting.

Councilmember Carchio commented on his recent trip to Philadelphia and visits to many historical sites.

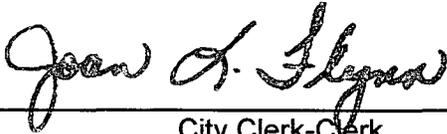
Mayor Bohr attended the Subway Lounge Ribbon Cutting, Grand Reopening of the Ralph's Seacliff Supermarket, and the Children's Summer Reading Program.

ADJOURNMENT - Council/Agency adjourned at 8:06 PM to the next regularly scheduled meeting on Tuesday, September 8, 2009, at 4:00 PM, Civic Center, 2000 Main Street, Huntington Beach, California.



City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:

  
City Clerk-Clerk  
Mayor-Chair