

**Minutes  
Council/Redevelopment Agency/Public Financing Authority Meeting  
City of Huntington Beach**

Monday, May 3, 2010  
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 4:00 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/)**

CALL TO ORDER - 4:00 PM

ROLL CALL

Present: Carchio, Coerper, Hardy (arrived at 4:03 PM), Green, Bohr, Dwyer, and  
Hansen (arrived at 4:02 PM)

Absent: None

ANNOUNCEMENT OF LATE COMMUNICATION

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Robin Lugar announced receipt of late communications received following distribution of the City Council agenda packet:

*A Notice of Absence* received from City Clerk Joan L. Flynn requesting permission to be absent pursuant to Resolution No. 2001-54.

PowerPoint communication submitted by the Chief of Police dated May 3, 2010, and entitled *Public Safety Staffing*.

PowerPoint communication submitted by the Director of Finance dated May 3, 2010, and entitled *City of Huntington Beach FY 2009/10 Mid-Year Finance Report*.

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

Kreg Muller, representing the Huntington Beach Police Officers' Association (HBPOA) discussed budget cuts not only at the local level, but those occurring at County and State levels as well. Mr. Muller discussed risks associated with eliminating parole and probation programs and public school Police Officers, and how the Huntington Beach Police Department will operate at reduced staff levels.

## STUDY SESSION

1. The Police Chief, working with the Fire Chief and Marine Safety Chief made a presentation to the City Council containing information on a plan to maintain public safety considering current budget constraints and personnel vacancies.

Marine Safety Division Chief Kyle Lindo presented the following titled PowerPoint slides: Public Safety Staffing, Maintaining Marine Safety, Two Topics, Service Elimination between Goldenwest and Seapoint, Training Reduced, Service Level, and Summary.

Fire Chief Patrick McIntosh presented the following titled PowerPoint slides: Huntington Beach Fire Department Maintaining Public Safety, and Huntington Beach Fire Department Staffing and Service Reductions.

Police Chief Ken Small presented the following titled PowerPoint slides: Police Department, Impact of Police Budget Reductions, Staffing and Service Reductions, Service Reduction Strategy, Looking Toward the Future, and Questions.

City Council and staff discussion centered on the following topics:

- Air Support (rotating shifts, training, experience, flight certifications)
- Emergency Operations Center (EOC)
- Emergency Operation Services (EOS)
- Fire Department minimum staffing (overtime budget, liability, shifting resources)
- Fire Department activity/statistics
- Marine Safety seasonal lifeguards
- Mutual aid
- Police Department summer staffing
- Sunset Beach annexation
- Automatic Aide agreement with the County of Orange
- Grant funding
- Marine Safety rescue statistics
- Training (all Public Safety divisions)
- Public Safety morale
- Reduced staffing in Police Department for background check services
- Huntington Beach jail capacity, occupancy rates, and booking reimbursement fees
- Percentage of response calls for Basic Life Support (BLS) and fires
- Marine Safety stingray incidents
- Fully burdened compensation rates for Police Officers and Fire Fighters
- Capital improvement budget (CIP) for Police vehicles
- Summer Ambulance Program
- Cost sharing agreement for Police security at local schools
- Public's assumed risk when entering the ocean without lifeguards present
- Long-term contracts and Memorandum of Understanding (MOU) obligations

2. Presentation by the Finance Department on the Fiscal Year 2009/10 Mid-Year Budget Review and the Comprehensive Annual Financial Report (CAFR) *continued to the Administrative Items portion of the public meeting.*

A motion was made by Hardy, second Coerper to move the Fiscal Year 2009/10 Mid-Year Budget Review and the Comprehensive Annual Financial Report (CAFR) presentation to the Administrative Items portion of the public meeting. The motion carried by the following roll call vote:

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

RECESS TO CLOSED SESSION - 5:38 PM

A motion was made by Coerper, second Carchio to recess to Closed Session. The motion carried by the following roll call vote:

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

CLOSED SESSION

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

4. Pursuant to Government Code Section 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following potential lawsuit: The e-mail and letter received on April 26, 2000, from Boyd Hill, threatening litigation regarding Huntington Shorecliffs Mobile Home conversion.

5. Pursuant to Government Code Section 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following potential lawsuit: The letter received from National Equestrian Centers, Inc. concerning the terms and conditions of the concession agreement.

6:00 PM - COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY MEETING - 6:10 PM

CLOSED SESSION REPORT BY CITY ATTORNEY - None.

ROLL CALL

Present: Carchio, Coerper, Hardy, Green, Bohr, Dwyer, and Hansen  
Absent: None

PLEDGE OF ALLEGIANCE - Led by Boy Scout Pack 101 Den 5

INVOCATION - Led by President Frank Parker, Church of the Latter Day Saints

#### ANNOUNCEMENT OF LATE COMMUNICATION

Pursuant to the Brown "Open Meetings" Act, Assistant City Clerk Robin Lugar announced the following late communications received in the City Clerk's Office following distribution of the Council agenda packet:

PowerPoint communication for Public Hearing Item No. 5 submitted by the Director of Finance, dated May 3, 2010, and entitled *Huntington Beach Public Financing Authority – Lease Refunding Bonds 2010 – Series A*.

Communication submitted for Public Hearing Item No. 8 by Robert S. Coldren of Hart, King & Coldren, on behalf of the Park Owner Applicant/Appellant requesting the public hearing be continued to the May 17, 2010 City Council meeting.

Communications received on Public Hearing Item No. 8 to consider an appeal of the Planning Commission's approval of Tentative Tract Map No. 17296, Huntington Shorecliffs Mobilehome Park Subdivision: Joyce Zeller (2), Martha Danell (2), Merideth Lothrop (2), Madeline Seymour (2), Kenneth & Lana Bennett (2), Beverly Carlson (2), Larry and Pat Hames, Mary Landin (2), Patti McCabe, Mary Jo Casino, Paula and Ron Rennegarbe, Dolores Smith, Mike and Lee Lytle, Chris Turner, Peter Hamel, Frank and Joann Kraftka, Paul G. Cannon, Sharon Dana (2), Deanna Bell, Evelyn Speiser (2), Linda Ford, Constance Liberatore, Judith Harbison, Gail Jordon, Ronald Bastien, Marie Burns, Dreama Baur, Sharon Ewald, Kay Elstad, Charlaire Argirakis, Robert E. Truitt, Mary Cushing, Jim Jordon, Victoria and Harry Cargill, Ron and Vicki Peach, Darlene Rittman, Majel Miller, and Donald Prince.

PowerPoint communication on Administrative Item No. 10 submitted by the Director of Human Resources, dated May 3, 2010, and entitled *PARS Supplementary Retirement Plan*.

Two communications submitted on Administrative Item No. 11 by Pat Dapkus, dated April 29, 2010 entitled *Council Charter Q & A – Updated 4-29-10.Doc* and *Charter Review Commission Final Report*.

Communication submitted on Administrative Item No. 11 by Vincent Latora, dated May 3, 2010 regarding infrastructure maintenance.

Communication submitted on Ordinance for Introduction Item No. 12 by Jennifer McGrath, City Attorney, dated May 3, 2010 replacing page 3 of the Franchise Agreement with Southern California Gas Company due to a clerical error.

PowerPoint communication on Ordinance for Introduction Item No. 12 submitted by the Director of Finance, dated May 3, 2010, and entitled *SoCalGas Franchise Agreement*.

Communications submitted on Councilmember Items No. 14 regarding the drafting of an

ordinance to restrict remote control vehicles from specific areas of any City park: Ron Ulrich, Anonymous, Carol Williams, and Juana Mueller.

#### COMMUNICATIONS RECEIVED DURING THE MEETING

Slide presentation submitted by Stephen Shields, Pepper Tree, Inc. for Public Hearing Item No. 7 - Newland Street Carwash, dated May 3, 2010 and entitled *Construction of An Express Car Wash at 8471 Warner Avenue at Newland Street*.

PowerPoint presentation submitted by Bob Wingenroth, Director of Finance dated May 3, 2010 and entitled *City of Huntington Beach FY 2009/10 Mid-Year Finance Report*.

PowerPoint presentation submitted by Linda Daily on behalf of the Public Works Commission, undated and entitled *Charter Revisions Sections 617 and 614*.

#### AWARDS AND PRESENTATIONS

Announcement - Mayor Green announced May as Asian/Pacific American Heritage Month.

Presentation - Mayor Green called on Public Works Director Travis Hopkins to receive a proclamation for Public Works Week.

Presentation - Mayor Green called on President Frank Parker and President Randall John, and Don Gerich from the Church of Jesus Christ of Latter-day Saints to accept a proclamation for "Mormon Helping Hands" Community Service Day, May 8th.

Presentation - Mayor Green called on Huntington Beach Marketing and Visitors' Bureau Chair Margie Bunten and President Steve Bone to accept a proclamation for National Travel and Tourism Week, May 8 to May 16, 2010.

Mayor Green announced a request to continue Public Hearing Item No. 8 (Huntington Shorecliffs Mobilehome Park Subdivision) to May 17, 2010. Item No. 8 was taken out of its original agenda order.

8. **CONTINUED TO MAY 17, 2010** a request to approve Tentative Tract Map No. 17296 and Deny Appeal of Code Requirements (Appeal of Planning Commission's Approval - Huntington Shorecliffs Mobilehome Park Subdivision).

A motion was made by Coerper, second Carchio to **continue to May 17, 2010** request to approve Tentative Tract Map No. 17296 with findings and suggested conditions of approval (which exclude Beach Blvd. improvements), and deny the appeal of identified code requirements. The motion carried by the following roll call vote:

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

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

(The number following the speaker's comments reflect the approximate point in the archived audio file located at <http://www.surfcity-hb.org/government/agendas>).

Stephanie Deagle spoke regarding the American Cancer Society's *Relay for Life* Fundraising event to be held at Huntington Central Park on May 15-16. (00:24:42)

James M. Thibault requested that Council legalize overnight parking for people who live in recreational vehicles. (00:27:37)

Ray Silver spoke in support of the Charter Review Commission's recommendations for City Charter Section 401 (City Administrator Powers and Duties). (00:30:26)

Michael Siersema provided a PowerPoint presentation regarding the Charter Review Commission's recommendations for City Charter Sections 617 (Infrastructure Fund) and 614 (Contracts on Public Works). (00:33:45)

Tom Herbel continued Michael Siersema's PowerPoint presentation regarding the Charter Review Commission's recommendations for City Charter Sections 617 (Infrastructure Fund) and 614 (Contracts on Public Works). (00:37:18)

John McGovern, Public Works Commission, concluded Michael Siersema's PowerPoint presentation regarding the Charter Review Commission's recommendations for City Charter Sections 617 (Infrastructure Fund) and 614 (Contracts on Public Works). (00:40:40)

Billy O'Connell spoke regarding the Charter Review Commission's recommendations for City Charter Sections 617 (Infrastructure Fund) and 614 (Contracts on Public Works). (00:43:45)

Mary Jo Baretich spoke regarding Public Hearing Item No. 8 - Huntington Shorecliffs Mobile Park (00:44:25)

Norm Westwell presented an idea to Council that in his opinion would prevent a conflict of interest should he be elected to the City Council in November 2010. (00:47:44)

Sharon Dana spoke in opposition to Public Hearing Item No. 8 - Huntington Shorecliffs Mobile Park. (00:52:20)

Councilmember Carchio questioned the percentage of seniors residing in the park over 65 years of age. Ms. Dana could not provide a definitive number, but indicated "many."

Bob Barnett, Attorney spoke in opposition to Councilmember Item No. 14 - Remote Control Cars. (00:56:00)

Candace Bartsch provided information about the month of May being considered as Senior Citizens' Month. (00:57:39)

Ralph Bauer spoke regarding the Charter Review Commission proposal to revise the City Charter, and Council's responsibility to take action on what will be presented to the voters. (01:01:07)

Mark Bixby spoke regarding environmental impacts associated with remote control vehicles in parks (Councilmember Item No. 14). (01:02:37)

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

Councilmember Carchio reported on his election as Chairman of the Policy and Personnel Committee of Vector Control.

Councilmember Bohr submitted a written AB 1234 report that is on file in the City Clerk's Office.

#### CITY ADMINISTRATOR'S REPORT

City Administrator Fred Wilson asked Jack Marshall, Director of Information Systems, and Behzad Zamanian, Business Systems Manager, to demonstrate a new website feature that notifies/alerts City residents of street sweeping activity in their neighborhood.

#### CITY TREASURER'S REPORT

1. Reviewed and Accepted the City Treasurer's March 2010 Investment Summary Report. City Treasurer Shari Freidenrich provided a brief PowerPoint.

A motion was made by Carchio, second Coerper to review and accept the Monthly Investment Report. Following review of the report by motion of Council, accept the Monthly Investment Report for March 2010, pursuant to Section 17.0 of the Investment Policy of the City of Huntington Beach. The motion carried by the following roll call vote:

AYES:	Carchio, Coerper, Hardy, Green, Dwyer, and Hansen
NOES:	None
OUT OF ROOM:	Bohr

#### CONSENT CALENDAR

2. Approved and adopted minutes.

A motion was made by Hardy, second Coerper to approve and adopt the minutes of the City Council/Redevelopment Agency/ Public Financing Authority regular meeting of April 19, 2010, as written and on file in the Office of the City Clerk. The motion carried by the following roll call vote:

AYES:	Carchio, Coerper, Hardy, Green, Dwyer, and Hansen
NOES:	None
OUT OF ROOM:	Bohr

3. Adopted Resolution No. 2010-36 approving the improvements to the Orange County Flood Control District's Edinger Storm Channel from the East Garden Grove-Wintersburg Channel to 1,646 feet upstream of Edinger Avenue.

A motion was made by Hardy, second Coerper to adopt Resolution No. 2010-36, "A Resolution of the City Council of the City of Huntington Beach Approving Plans and Specification for Improvements to the Edinger Storm Channel (Facility No. C05S05), from the East Garden Grove-Wintersburg Channel to 1,646 Feet Upstream of Edinger Avenue, by the County of Orange, OC Public Works and Funded by the Orange County Flood Control District." The motion carried by the following roll call vote:

AYES: Carchio, Coerper, Hardy, Green, Dwyer, and Hansen  
NOES: None  
OUT OF ROOM: Bohr

4. Approved and authorized the Mayor and City Clerk to execute an Agreement with the Central Net Operations Authority (CNOA) for repayment of a \$50,000 loan.

A motion was made by Hardy, second Coerper to approve and authorize the Mayor and City Clerk to execute the *"Agreement with the Central Net Operations Authority for Repayment of Loan"* in the amount of \$50,000. The motion carried by the following roll call vote:

AYES: Carchio, Coerper, Hardy, Green, Dwyer, and Hansen  
NOES: None  
OUT OF ROOM: Bohr

#### PUBLIC HEARING

5. Public Hearing held to adopt Public Financing Authority Resolution No. 20 and City Council Resolution No. 2010-37 authorizing the issuance of Huntington Beach Public Finance Authority 2010 Lease Revenue Refunding Bonds 2010-Series A.

Bob Wingenroth, Director of Finance, was prepared to make a PowerPoint presentation and answer questions, but Council stated their preference to take action on the item.

Mayor Green opened the public hearing. With no one present to speak on the item, the public hearing was closed.

Assistant City Clerk Lugar announced a late communication received following distribution of the Council agenda packet:

PowerPoint communication submitted by the Director of Finance, dated May 3, 2010, and entitled *Huntington Beach Public Financing Authority - Lease Refunding Bonds 2010 - Series A*.

A motion was made by Coerper, second Carchio to adopt Public Finance Authority Resolution No. 20, "A Resolution of the Huntington Beach Public Financing Authority Authorizing the Issuance and Sale of Lease Revenue Bonds to Refund the Outstanding Huntington Beach Public Financing Authority Lease Revenue Bonds, 1997 Series A (Public Facilities Project), and the Outstanding Huntington Beach Public Financing Authority Lease Revenue Bonds, 2000

Series A (Capital Improvement Financing Project), Approving Form and Authorizing Execution of Related Documents and Approving Official Actions;" and, adopt City Council Resolution No. 2010-37, "A Resolution of the City Council of the City of Huntington Beach Approving Proceedings by the Huntington Beach Public Financing Authority for the Issuance and Sale of Lease Revenue Bonds to Refund the Outstanding Huntington Beach Public Financing Authority Lease Revenue Bonds, 1997 Series A (Public Facilities Project), and the Outstanding Huntington Beach Public Financing Authority Lease Revenue Bonds, 2000 Series A (Capital Improvement Financing Project), Approving Form and Authorizing Execution of Related Documents and Approving Official Actions." The motion carried by the following roll call vote:

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

6. Public Hearing held to adopt Fee Resolution No. 2010-33 for revision of the City's FireMed Fee Schedule for Emergency Medical Services.

Jane Cameron, Fire Medical Coordinator, provided a PowerPoint presentation entitled *Revision of the City's FireMed Fee Schedule for Emergency Medical Services* that included the following titled slides: Overview, FireMed Program User Fee Benefits, Staff Recommendations, Summary, and Recommendation.

Discussion centered on the following points: Costs to members, non-members and non-residents for advanced life support services; cost reimbursements based on applicable insurance plans or non-insured service recipients; current and FY 2010/11 staff budget projections/potential for staff reductions; ambulance transportation (City and private); number of Orange County/California cities charging non-resident fees; private versus in-house insurance billing; Medicare; negotiating billing discrepancies/write-offs; marketing the FireMed program; and, ambulance service during peak summer months.

Mayor Green opened the public hearing.

Darrin Witt, President of the Huntington Beach Fire Association (HBFA), spoke in support of the item and discussed the difficult economic climate, urging Council to adopt the Resolution that captures new revenue and lessens the potential for future staff reductions.

With no one else present to speak on the item, the public hearing was closed.

A motion was made by Hansen, second Hardy to adopt Fee Resolution 2010-33, "A Resolution of the City Council of the City of Huntington Beach Setting Advanced Life Support, Basic Life Support, Emergency Ambulance Transportation, Medications and Specialized Supply Fees to be Charged by the Fire Department of the City of Huntington Beach," amending Resolutions No. 2009-80, 'A Resolution of the City Council of the City of Huntington Beach Setting Advanced Life Support, Basic Life Support, Emergency Ambulance Transportation, Medications and Specialized Supply Fees to be Charged by the Fire Department of the City of Huntington Beach,' **excluding non-resident transportation fees**. The motion carried by the following roll call vote:

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

A motion was made by Hardy, second Bohr to institute staff's recommended non-residential transportation fee proposed by Resolution 2010-33. The motion carried by the following roll call vote:

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

7. Public hearing held to approve Conditional Use Permit No. 09-012 (Appeal of Planning Commission's Approval - Newland Carwash).

City Administrator Wilson referred to Associate Planner Ethan Edwards who provided a PowerPoint presentation entitled *Newland Carwash - Appeal of the Planning Commission's approval of CUP 2009-012* that contained the following slide topics: Request, Location and Surroundings, Background, Analysis - Appeal, and Recommendation.

Discussion centered on the following points: onsite traffic circulation, ingress/egress from Warner Avenue, anti-collision equipment located onsite, traffic safety/speed limits, car wash facilities in close proximity to the proposed location, vacuum stations, and sound barriers.

Mayor Green opened the public hearing.

Larry Kennepohl, appellant with Pepper Tree, Inc., provided a PowerPoint presentation dated May 3, 2010 entitled *Public Hearing Regarding Conditional Use Permit No. 09-012, Construction of an Express Car Wash at 8471 Warner*. Mr. Kennepohl focused comments on the express car wash costs, issues with vehicular exits from car wash tunnels, turning radius, and volume of cars serviced at other local sites. (02:42:41)

Stephen Shields, Pepper Tree Inc., continued the PowerPoint presentation, focusing his comments on the potential for traffic impacts and hazardous conditions at Warner and Newland, and the applicant's proposed block wall. (02:48:20)

Councilmember Hansen questioned Pepper Tree's operation of car washes and gas stations in Huntington Beach. Mr. Shields replied, "one car wash at Beach and Warner."

Mayor Pro Tem Hardy questioned volume at the Beach and Warner location. Mr. Shields replied, "volume on Saturday was 692, and is lower during the week - approximately 300."

Councilmember Carchio questioned how the approval of this car wash will affect his business at Beach and Warner, and whether or not Pepper Tree's comments were based on competition, or safety concerns. Mr. Shields answered, "Safety."

Blair Farley, Planning Commission Chair, discussed reasons for continuance and was available for questions. (02:54:05)

Councilmember Carchio asked for clarification on onsite wall construction and turn radius safety. Commissioner Farley explained how the project's wall was redesigned to include a berm behind it.

Richard Hwang, applicant, responded to concerns voiced by the Pepper Tree representatives regarding the car wash exit tunnel by explaining how it can be adjusted for larger vehicles.  
(02:25:51)

Councilmember Bohr and the Mr. Hwang discussed adding bollards at the exit tunnel to guide vehicular progression.

A motion was made by Coerper, second Carchio to approve Conditional Use Permit No. 2009-012 with findings and suggested conditions of approval. The motion carried by the following roll call vote:

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

#### ADMINISTRATIVE PUBLIC HEARING

9. Conducted Administrative Public Hearing pursuant to Resolution No. 2010-17 for the 2010 Annual Weed Abatement Program on public and private property.

Mayor Green opened the public hearing. Assistant City Clerk Lugar indicated that no one signed up to speak, and no written protests were received. Mayor Green closed the public hearing.

A motion was made by Carchio, second Coerper to open public hearing for any objections and protests to the proposed removal of weeds, refuse and rubbish; and, authorize the Superintendent of Streets (Director of Public Works) to proceed with the abatement of said nuisance. The motion carried by the following roll call vote:

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

#### ADMINISTRATIVE ITEMS

10. Adopt Resolution No. 2010-38 authorizing a Public Agency Retirement System (PARS) Supplementary Retirement Plan

Kevin Murphy, CEO, PARS, presented a PowerPoint presentation entitled *PARS Supplementary Retirement Plan - City of Huntington Beach*, dated May 3, 2010 that included titled slides: PARS Background, Sampling of 400 PARS SRP Clients, PARS Supplementary Retirement Plan, SPR Process, PARS Analysis Methodology, Retirement Eligible Demographics, Proposed Plan Design, Sample Benefit Illustration, Proposed Eligibility Requirements, Proposed Plan Design, Miscellaneous Employees Fiscal Projection, Marine Safety Employees Fiscal Projection, and Proposed Timeline,

Discussion centered on salary range time spans, employee enrollment, the City's option to withdraw the offer, PARS' fees, use of annuities to offload risk, Pacific Life's role in the process, cost information that supports the sample benefit illustration, information that supports the identified retirement eligible demographic, and discriminating based on position.

A motion was made by Hansen, second Carchio to adopt Resolution No. 2010-38, "A Resolution of the City Council of the City of Huntington Beach Establishing the Public Agency Retirement System (PARS) Supplementary Retirement Plan (SRP)." The motion carried by the following roll call vote:

AYES: Carchio, Coerper, Green, Bohr, Dwyer, and Hansen  
NOES: None  
OUT OF ROOM: Hardy

THE FOLLOWING ITEMS WERE TAKEN OUT OF ORDER:

Presentation by the Finance Department on the Fiscal Year 2009/10 Mid Year Budget Review and the Comprehensive Annual Financial Report (CAFR) **(CONTINUED FROM STUDY SESSION - NO ACTION TAKEN)**.

Budget Manager Jennifer Lampman provided a PowerPoint presentation entitled *City of Huntington Beach FY 2009/10 Mid-Year Finance Report* that included titled slides: External Factors, FY 2009/10 General Fund, General Fund Revenue Projection, General Fund Expense Projections, Departmental Reduction Impacts, FY 2010/11 Projected Budget, On the Radar ..., Comprehensive Annual Financial Report (CAFR) FY 2008/09, General Fund Reserve Balance, and Conclusion.

Discussion centered on the following: \$4M storm drain fee/average annual household costs; revenue enhancement options, department-driven reductions, PARS retirement supplement, reasonable combinations of cuts/revenue suggestions, top down analysis of entire organization/internal realignment; graffiti and weed abatement (staff reductions, services), Council requests for comprehensive information, tiered decisions, beach restrooms, parking attendants in City structures, and past budget decisions.

ORDINANCES FOR INTRODUCTION

12. Approved for introduction Ordinance No. 3880 and approved and authorized execution of a twenty-five (25) year Franchise Agreement between the City of Huntington Beach and the Southern California Gas Company (SoCalGas).

Finance Director Bob Wingenroth made a PowerPoint presentation entitled *SoCal Gas Franchise Agreement* dated May 3, 2010 that included the following titled slides: SoCal Gas Franchise Former Franchise Agreement, General Fund budget reductions, SoCal Gas Model Franchise, Examples of services that \$650,000 supports, Proposal: Work with SoCal Gas & PUC to preserve revenue, Summary of the Fees, Impact of adding 1% Surcharge on average customer bill, and Tentative timeline.

Discussion ensued regarding the identified deficit and what dollar amounts truly represent in terms of staff or services, and whether or not identified projected earnings are guaranteed.

A motion was made by Hardy, second Bohr to after the City Clerk reads by title, approve for introduction Ordinance No. 3880, "An Ordinance Granting to Southern California Gas Company, Its Successors and Assigns, the Franchise to Construct, Maintain, and Use Pipes and Appurtenances for Transmitting and Distributing Gas for Any and All Purposes In, Along,

Across, Upon, and Under the Public Streets and Places Within the City of Huntington Beach;" and, approve and authorize the Mayor and City Clerk to execute "An Agreement Granting to Southern California Gas Company, Its Successors and Assigns, the Franchise to Construct, Maintain, and Use Pipes and Appurtenances for Transmitting and Distributing Gas for Any and All Purposes In, Along, Across, Upon, and Under the Public Streets and Places Within the City of Huntington Beach," **as amended by late communication to correct a clerical error.** The motion carried by the following roll call vote:

Concerns were expressed about how the request will impact larger tax-paying entities, and objections were heard because the proposal cannot guarantee tax savings projections.

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

#### ORDINANCES FOR ADOPTION

13. Adopted Ordinance No. 3879 extending deferral of certain Development Impact Fees for one year. Approved for introduction April 19, 2010.

A motion was made by Bohr, second Coerper to after the City Clerk reads by title, adopt Ordinance No. 3879, "An Ordinance of the City of Huntington Beach Temporarily Superseding Certain City Municipal and Zoning Code Provisions Relating to the Required Time of Payment of Specific Development Impact Fees" to extend Ordinance No. 3827 for one year deferring payment of certain Development Impact Fees. The motion carried by the following roll call vote:

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

11. Charter Review Commission Chair Dick Harlow, Vice Chair Shirley Dettloff, and the Commission's facilitator, Cal State Fullerton Professor Raphael Sonenshein, responded to questions and discussed with the City Council proposed revisions to the City Charter.

Discussion was held by members of the City Council, Charter Review Commission and City staff on the following sections of the City Charter:

- Section 306 - Mayor Pro Tem
- Section 309 - City Attorney's Qualifications
- Section 310 - City Clerk's Qualifications
- Section 311 - City Treasurer's Qualifications
- Section 401 - City Administrator/Manager - Powers & Duties
- Section 500 and 503 - Publication of Meeting Notices
- Section 612 - Measure C
- Section 617 - Infrastructure Fund
- Section 804 - Ten (10) Year Review of City Charter

COUNCILMEMBER ITEMS

14. Submitted by Mayor Cathy Green - Directed the City Attorney to draft an ordinance to restrict remote control vehicles from specific areas of any City park.

A motion was made by Coerper, second Green to direct the City Attorney to modify Huntington Beach Municipal Code Section 13.48.128 (Parks, Games and Activities) to allow the City to restrict remote control vehicles from specific areas of parks with appropriate signage. The motion carried by the following roll call vote:

Discussion centered on possible locations to specifically designate as legal areas for remote control vehicle activity.

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

COUNCILMEMBER COMMENTS (Not Agendized)

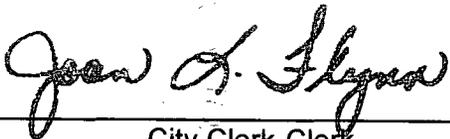
Comments provided by Councilmembers Carchio, Coerper, Dwyer, and Green.

ADJOURNMENT

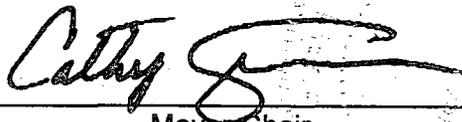


City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:



City Clerk-Clerk



Mayor-Chair

