



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

TO: Honorable Mayor and City Councilmembers
FROM: Joan L. Flynn, City Clerk 
DATE: 6/29/2015
SUBJECT: SUPPLEMENTAL COMMUNICATION FOR THE JUNE 29, 2015, SPECIAL CITY COUNCIL MEETING

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

Study Session

Communication received from Gino J. Bruno, dated June 26, 2015, entitled *COIN Study Session, Monday, June 29th*.

Esparza, Patty

From: Dombo, Johanna
Sent: Friday, June 26, 2015 3:46 PM
To: Agenda Alerts
Subject: FW: COIN - The Study Session Monday, June 29th

From: Gino J. Bruno [<mailto:gbruno@socal.rr.com>]
Sent: Friday, June 26, 2015 3:35 PM
To: CITY COUNCIL
Cc: Wilson, Fred; Gates, Michael
Subject: COIN - The Study Session Monday, June 29th

TO: CITY COUNCIL MEMBERS

When you review the Agenda for the important City Council Study Session set for this Monday evening (televised, Channel 3 at 6:00 pm) [see, <http://records.surfcity-hb.org/sirepub/pubmtgframe.aspx?meetid=479&doctype=agenda>] you will notice off to the right is a link to the a PDF document titled, "Transparency in Negotiations" presumably drafted by staff for whom the City Manager (Fred Wilson) is responsible. [See, <http://records.surfcity-hb.org/sirepub/cache/16/5ymngr32lrnflkzjrzdjhyp/392862406262015023959317.PDF>]

That document reads, in part, "Proposed decision (June 16, 2015) in OCEA vs. County of Orange found the County of Orange violated provisions of MMBA [Meyers-Milias-Brown Act – Government Code Sections 3500 et seq.] and PERB [Public Employment Relations Board] regulations. This action effectively requires the County of Orange to rescind sections of their COIN ordinance related to public disclosure of financial analysis of initial offers and disclosure of offers and counteroffers due to the fact that the County did not Meet and Confer with affected bargaining units prior to imposition."

This paragraph clearly is intended to intimidate and frighten Council members into believing that COIN as adopted by the County of Orange has been FINALLY ADJUDICATED as being in violation of the Government Code Sections cited above. In fact, if true, this reference simply describes a possible finding by an unelected governmental Board, which does NOT have the force or effect of any judgment or decree by any court of law, with jurisdiction, ruling on the merits of any case filed with any court.

I would urge Council members to question carefully those who advocate this PERB tentative ruling (if indeed there is such a ruling – there is no specific matter cited in the Staff report, such that it can be verified or read in context), as being the settled "law" on the subject, or indeed even being persuasive.

The Government Code requirements of "meet and confer" may be totally compatible with COIN if drafted properly. And I am confident that our new City Attorney, Michael Gates, will cause such an ordinance to be crafted and drafted thoughtfully, carefully and in compliance with the applicable provisions of the Government Code.

I urge all Council members to move forward with COIN . . .

Gino J. Bruno
Huntington Beach

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 6/29/2015

Agenda Item No. 55