

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

Monday, December 20, 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/**

4:00 PM - ROOM B-8

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

CALL TO ORDER - 4:35 PM

ROLL CALL - (Councilmember Connie Boardman requested and was granted permission to be absent pursuant to Resolution No. 2001-54)

Present: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer (arrived at 4:56 PM)
Absent: Boardman

ANNOUNCEMENT OF COMMUNICATIONS RECEIVED AFTER AGENDA DISTRIBUTION -
None.

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

Terry Turner, property owner, spoke to Council regarding Study Session Item No. 1 (Potential Amendment to Merged Huntington Beach Project Area). He voiced concerns and asked the Council to sustain their opposition to eminent domain.

STUDY SESSION

1. The Economic Development Department and Rosenow Spevacek Group (RSG) provided a status update on the potential Amendment to the Merged Redevelopment Project Area.

City Manager Fred Wilson introduced Stanley Smalewitz, Director of Economic Development. Director Smalewitz introduced Felise Acosta and Hitta Moseman with Rosenow Spevacek Group (RSG), who made a PowerPoint presentation entitled *Potential Amendment to Merged Huntington Beach Project Area*, with titled slides: Project Goals, Background, Legal Requirements, Conditions that Constitute Blight, Review of Potential Added Area, Findings of Initial Investigation, Recommended Area, Proposed Added Area - Findings, Photos of Physical Conditions in Added Areas, The Process to Add Area, and Next Steps.

Director Smalewitz distributed additional photographs of physical blight, and Ms. Acosta was available for questions.

Councilmember Shaw and Consultant Acosta discussed public outreach efforts. Director Smalewitz described past efforts to educate affected businesses and property owners of future project area activity.

Councilmember Harper and Director Smalewitz discussed the addition of 166 square acres, and Mayor Pro Tem Hansen discussed the concept of partnering with businesses and property owners to create as many different options through the City to improve their properties.

Councilmembers Bohr and Dwyer voiced support for the concept of adding additional area to the Merged Project Area. Mayor Carchio discussed needed improvements in the project area.

Director Smalewitz discussed studies that are available for review on the City's website.

RECESS TO CLOSED SESSION - 4:59 PM

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

AYES:	Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES:	None
ABSENT:	Boardman

CLOSED SESSION

2. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuits: City of Huntington Beach v. Carol Martin, et al., Orange County Superior Court Case No. 30-2009-00333445; and five potential lawsuits to enforce the Affordable Housing Covenant at Brisas del Mar, located at 409 E. Utica.

3. Pursuant to Government Code Section 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Parks Legal Defense Fund v. The City of Huntington Beach; Orange County Superior Court Case No. 30-2008-00051261. This action arises out of allegations of violations of the California Environmental Quality Act ("CEQA"), violations of the City General Plan and the Quimby Act.

4. Pursuant to Government Code Section 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Citizen's Association of Sunset Beach v. The City of Huntington Beach; Orange County Superior Court Case No. 30-2010-00431832. This action involves delaying the annexation pending a vote of the Sunset Beach Residents. *Item added on 12/15/10 via agenda addendum

6:00 PM - COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY MEETING - 6:08 PM

CLOSED SESSION REPORT BY CITY ATTORNEY - None.

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

Present: Shaw, Dwyer, Bohr, Carchio, Hansen, and Harper
Absent: Boardman

PLEDGE OF ALLEGIANCE – Led by Councilmember Harper

INVOCATION – Provided by Pastor Boyd, Saddleback Church

In permitting a nonsectarian invocation, the City does not intend to proselytize or advance any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

AWARDS AND PRESENTATIONS

Presentation - Mayor Carchio called on Management Employees Organization Acting President Kate Hoffman and member Simone Slifman to present a check to Project Self Sufficiency from MEO members.

Presentation - Mayor Carchio called on City Manager Fred Wilson to present proclamations to City Treasurer Shari Freidenrich and Community Services Director Jim Engle for their many years of service to the City of Huntington Beach. Manager Wilson discussed Jim's 37-year tenure, and Director Engle received accolades by former Mayor Norma Gibbs and Mayor Carchio. Director Engle thanked the Council, City staff, and members of his family. Manager Wilson discussed Shari's 15-year tenure, and Treasurer Freidenrich received accolades by former Mayor Norma Gibbs and Mayor Carchio. Treasurer Freidenrich thanked the Council, City staff, County Supervisor John Moorlach, former City Administrator Ray Silver, former members of Council, and her husband Clive.

Mayor's Award - Mayor Carchio called on Fire Chief Patrick McIntosh to present the Mayor's Award to Deputy Fire Marshal Jeff Lopez. Chief McIntosh recognized the exemplary service Marshall Lopez has provided to the City of Huntington Beach, and congratulated him on his dedication to professional growth.

Mayor Pro Tem Hansen presented a ceremonial gavel to newly elected Mayor Joe Carchio.

ANNOUNCEMENT OF COMMUNICATIONS RECEIVED AFTER AGENDA DISTRIBUTION

PowerPoint submitted for Administrative Item No. 21 by Administration entitled *Amendments to the Duties of the City Treasurer - Summary of Changes*.

Communication submitted for Consent Item No. 16 (membership in Association of California Cities, Orange County) by Lacy Kelly, League of California Cities Orange County Division.

Communication submitted by Alan Gandall related to the purchase of Fountain Valley School District Surplus Properties (Lamb and Wardlow Properties).

PUBLIC COMMENTS (3 Minute Time Limit)

(The number (hh:mm:ss) following the speaker's comments indicates their approximate starting time in the archived video located at <http://www.surfcity-hb.org/government/agendas/>)

Don McAlister, outgoing 2010 President of the Huntington Beach Council On Aging (HBCOA), introduced incoming 2011 HBCOA President Judy Ann Morris. He summarized the HBCOA's many accomplishments during 2010, which included over 47,000 volunteer hours at the Rodgers Senior Center. In closing, he stated the HBCOA's support for the new Senior Center in Central Park, thanked the Rodgers Senior Center Staff for their ongoing support, and wished the City Council a Merry Christmas. (00:35:41)

Steve West, speaking on behalf of Dwyer Solar Group (DSG), a group of citizens who support the current solar panel parking lot structures approved for Dwyer Middle School, requested that the community come forward to support the relocation of the structures, and he presented numerous alternative locations. In closing, he stated that DSG does not oppose solar panels per se, but is opposed to placing them where they will impede the view of the Dwyer Campus, which is a 1933 Art Deco facility designated as a Historical Landmark in the Huntington Beach General Plan. (00:38:17)

Councilmember Bohr and Mr. West discussed the single-bidder contract with Chevron for the construction of the two carports, which was signed in April of 2010. Mr. West stated that construction of the carports is already underway, and that it would cost an additional \$150,000 to \$250,000 if the structures needed to be relocated and re-engineered (for bus clearance). Mr. West stated that Chevron forecast the solar panels will save the School District approximately \$75,000 per year for at least the next five years, and that concerned citizens could obtain further information regarding the Dwyer Campus Project at dwyersolar.wordpress.com.

Alan Gandall, a 38-year Huntington Beach Resident speaking on behalf of "Save Our Fields," welcomed new City Councilmembers and stated his intent to periodically address the City Council and Staff to solicit their support for the purchase and preservation of existing recreational open space in Huntington Beach. He stated that the Fountain Valley School District's current sale of the Lamb School and Wardlow School surplus sites is another opportunity to maintain the balance between responsible development and the Huntington Beach quality of living. (00:43:37)

Ralph Bauer, a 46-year Huntington Beach resident, thanked the City Council, especially City Attorney McGrath and Assistant City Attorney Fujii, for their successful appeal of the Court's decision in the Central Park Senior Center case. He thanked the Community Services and Planning Departments for their support of the Senior Center, and rendered his opinion that Huntington Beach's aging demographics is causing its urbanization and the need to modify the City's Plan accordingly. In closing, he stated the Huntington Beach Council On Aging's and his personal support for all such endeavors. (00:45:40)

COUNCIL COMMITTEE - APPOINTMENTS - LIAISON REPORTS AND ALL AB 1234 DISCLOSURE REPORTING

Councilmember Dwyer reported that as the Liaison to the Allied Arts Board he attended their Annual Holiday Potluck dinner at the Art Center on Tuesday, December 14, 2010.

Councilmember Shaw announced his appointment of Blair Farley as Planning Commissioner, Debbie Cook as Public Works Commissioner, and Gerald Chapman as Finance Board Commissioner. On behalf of Councilmember Boardman, he announced that she had appointed Mark Bixby as Planning Commissioner.

Councilmember Harper thanked City Administrator Wilson and Staff, City Clerk Flynn, and City Treasurer Freidenrich for their assistance in his transition to the City Council. He reported attending Supervisor John M. W. Moorlach's Holiday Open House on Friday, December 10, 2010, an Open House at the Newland House, his outgoing meeting with the Huntington Beach Union High School District, the Groundbreaking Holiday Celebration at The Village at Bella Terra on Thursday, December 16, 2010, the Huntington Beach Marketing & Visitors Bureau Annual Holiday Luncheon on Thursday, December 16, 2010, and the Troop 319 Eagle Scout Court of Honor for Christopher Warren at Edison High School on Saturday, December 18, 2010.

Mayor Carchio announced his appointment of Timothy Ryan as Planning Commissioner.

1. Approved the City Council Liaison Assignments List for 2011

A motion was made by Hansen, second Bohr to approve as submitted the "2011 Council Liaison List" for the coming year. The motion carried by the following roll call vote:

AYES:	Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES:	None
ABSENT:	Boardman

CITY ADMINISTRATOR'S REPORT - None.

CITY TREASURER'S REPORT

2. Reviewed and Accepted the City Treasurer's October 2010 Investment Summary Report

City Treasurer Freidenrich provided a brief PowerPoint.

A motion was made by Bohr, second Harper to review and accept the Monthly Investment Report. Following review of the report by motion of Council, accept the Monthly Investment Report for October 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:	Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES:	None
ABSENT:	Boardman

3. Adopted City Council Resolution No. 2010-102 and Redevelopment Agency Resolution No. 385, approving and adopting the Statement of Investment Policy for Fiscal Year 2010/2011

City Treasurer Freidenrich provided a brief PowerPoint.

A motion was made by Hansen, second Harper to City Council Recommended Action: Adopt Resolution No. 2010-102, "A Resolution of the City Council of the City of Huntington Beach

Approving the 2010/2011 Investment Policy and Investment Policy Guidelines;" and, Redevelopment Agency Recommended Action: Adopt Resolution No. 385, "A Resolution of the Redevelopment Agency of the City of Huntington Beach Approving the 2010/2011 Investment Policy and Investment Policy Guidelines." The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

CONSENT CALENDAR

4. Approve and adopt minutes

A motion was made by Hansen, second Bohr to approve and adopt the minutes of the City Council/Redevelopment Agency/Public Financing Authority regular meeting of December 6, 2010 as written and on file in the Office of the City Clerk. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

5. Adopted Resolution No. 2010-103 designating a Redevelopment Survey Area for project study purposes and authorize an appropriation of \$10,904 and Amendment No. 1 to the existing contract between the Redevelopment Agency and Rosenow Spevacek Group, Inc.

A motion was made by Hansen, second Bohr to City Council Recommended Action: Adopt Resolution No. 2010-103, "A Resolution of the City Council of the City of Huntington Beach Designating a Redevelopment Survey Area for Project Study Purposes;" and, Redevelopment Agency Recommended Action: Approve an appropriation of \$10,904 and Amendment No. 1 to the existing contract between the Redevelopment Agency of the City of Huntington Beach and Rosenow Spevacek Group, Inc., for services required under the contract. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

6. Authorized a Memorandum of Understanding between the City of Anaheim and the City of Huntington Beach to participate in the Driving Under the Influence Campaign Project for Orange County, "Avoid the 26."

A motion was made by Hansen, second Bohr to approve a one year agreement with the City of Anaheim by entering into the "Memorandum of Understanding relating to Avoid the 26 - Driving Under the Influence Campaign Project for Orange County." The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

7. Approved project plans and specifications and award Construction Contract in the amount of \$65,775 to T.B.U. Inc., for the Trinidad Lane Bridge Waterline Replacement Project CC-1375; and, authorize the Mayor and City Clerk to execute a contract in a form approved by the City Attorney.

A motion was made by Hansen, second Bohr to approve the project plans and specifications for the Trinidad Lane Bridge Waterline Replacement Project CC-1375; and, accept the lowest responsive bid submitted by T.B.U. Inc., in the amount of \$65,775; 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: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

8. Approved project plans and specifications and award Construction Contract in the amount of \$766,454.50 to Bannaoun Engineers Constructors Corp. for the Garfield Avenue Rehabilitation from Newland Street to Magnolia Street, CC-1372; and, authorized the Mayor and City Clerk to execute a contract in a form approved by the City Attorney.

A motion was made by Hansen, second Bohr to approve the plans and specifications for the Garfield Avenue Rehabilitation Project, CC 1372; and, accept the lowest responsive and responsible bid submitted by Bannaoun Engineers Constructors Corp. in the amount of \$766,454.50; 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: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

9. Approved the third and final lease extension with Dwight's and Jack's, Inc. for Jack's Beach Concession at Huntington City Beach.

A motion was made by Hansen, second Bohr to Approve the third and final five-year extension of the lease agreement with Dwight's and Jack's Inc. for the operation of Jack's Beach Concession, retro-actively from January 1, 2010, to December 31, 2014. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

10. Adopted Resolution No. 2010-104, adopting the Local Traffic Signal Synchronization Plan consistent with the Regional Traffic Signal Synchronization Master Plan developed by the Orange County Transportation Authority (OCTA).

A motion was made by Hansen, second Bohr to adopt Resolution No. 2010-104, "A Resolution of the City Council of the City of Huntington Beach Adopting the Local Traffic Signal Synchronization Plan Consistent with the Regional Traffic Signal Synchronization Master Plan

Developed by the Orange County Transportation Authority." The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

11. Adopted Resolution No. 2010-101 approving the adoption of the "One Water, One Watershed" (OWOW) Plan for the Santa Ana Watershed Project Authority's (SAWPA) Integrated Regional Water Management Plan fulfilling an application requirement for a Proposition 84 Grant from the State of California Department of Water Resources (DWR) for the East Garden Grove Wintersburg Channel Urban Runoff Diversion Project, Phase I (Talbert Lake Project Phase I).

A motion was made by Hansen, second Bohr to adopt Resolution No. 2010-101, "A Resolution of the City Council of the City of Huntington Beach, Adopting the 'One Water, One Watershed' Plan and Authorizing the City Administrator or Designee to Execute an Agreement and Program Documents Required for the Proposition 84 Grant." The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

12. Received and filed the Maddy Act Local Appointments List (terms on City boards, commissions and committees) which expire in 2011. This list informs the public of openings and vacancies based on expirations of current members' terms.

A motion was made by Hansen, second Bohr to receive and file the Maddy Act Local Appointments List showing vacancies which will occur on City boards, commissions and committees in the year 2011, and direct the City Clerk to post the List at official posting locations (Civic Center, Huntington Central Library, Main Street Library). Copies of the Maddy Act Local Appointments List will also be posted at all branch Libraries, and on the City's website. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

13. Approved and authorized execution of a three-year Professional Services Contract with Macias Gini & O'Connell, LLP in the amount of \$113,495 to perform financial audit services.

A motion was made by Hansen, second Bohr to approve and authorize the Mayor and City Clerk to execute the "Professional Service Contract Between the City of Huntington Beach and Macias Gini & O'Connell, LLP for Audit Services." The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

14. Approved agreement between the County of Orange and City of Huntington Beach to accept and transfer funds for the Department of Justice's Federal Fiscal Year 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; approve appropriation and expenditure of up to \$38,690 to be fully reimbursed by grant funds; and, authorized the Mayor and City Clerk to execute the JAG Grant Agreements to transfer funds on the City's behalf.

A motion was made by Hansen, second Bohr to approve and accept the agreement to transfer funds for FY 2010 Edward Memorial Justice Assistance Grant (JAG) program between the County of Orange and the City of Huntington Beach; and, authorize the City Clerk and the Mayor to execute on the City's behalf the agreement to transfer funds for FY 2010 Edward Byrne Memorial (JAG) program between the County of Orange and the City of Huntington Beach; and, approve the appropriation and expenditure up to \$38,690 to be fully reimbursed by the grant from the Department of Justice via the County of Orange. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

15. Approved and authorized execution of the First Amendment to Reinstated Acquisition of Leasehold Interest Agreement between the Redevelopment Agency and C.S.B. Partnership; and, authorized transfer of funds.

A motion was made by Hansen, second Bohr to approve First Amendment to Reinstated Acquisition of Leasehold Interest Agreement between the Redevelopment Agency and C.S.B. Partnership; and, increase Redevelopment Debt Service Fund 407 appropriations by \$1,100,000; and, transfer \$1,100,000 from Redevelopment Debt Service (Fund 407) into a Redevelopment Administrative Fund 305 revenue and corresponding budgetary expenditure accounts; and, authorize the Chairperson, Executive Director, and Agency Secretary to sign and execute the Agreement as approved by the City Attorney's Office; and, authorize the Executive Director or designee to take any action and execute any and all documents and agreements necessary to implement this Agreement. The motion carried by the following roll call vote:

AYES: Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES: None
ABSENT: Boardman

16. Approved and authorized payment of dues for the City's membership in the new Association of California Cities, Orange County

Consent Calendar Item No. 16 was pulled for separate consideration by Councilmember Shaw.

Councilmember Shaw questioned the justification and payback for the membership fee given the City's current financial situation.

Mayor Pro Tem Hansen rendered his opinion that the financial value of an Orange County Association advocating for its participating cities at the California State level outweighs its cost, and that it's a break-even proposition financially because the city was already paying similar membership fees to the previous association.

Lacy Kelly, representing the Association of California Cities, Orange County (ACCOC), stated that 17 Orange County cities have already voted to join the ACCOC, and another 9 cities have agendized their votes to occur before the 3rd week in January of 2011. Mayor Carchio stated that 18 cities was the "magic number" to make this association viable, and Ms. Kelly confirmed that statement.

Councilmember Dwyer and Ms. Kelly discussed the financial feasibility of the ACCOC, especially for smaller cities which could not justify the double set of dues of the previous State and Local associations.

Councilmember Harper stated his support for the ACCOC membership based upon his previous experiences with Local, State, and National School Board Associations.

Mayor Carchio stated his support for the ACCOC membership, citing Huntington Beach's participation in various other Orange County Associations and Boards.

Councilmember Shaw rendered his opinion that the membership fee was better spent on city services, such as opening the Library on Sundays.

A motion was made by Hansen, second Bohr to approve Membership of the City of Huntington Beach in the new Association of California Cities, Orange County and pay what would be Orange County Division League of California Cities dues to the new Association. The motion carried by the following roll call vote:

AYES:	Harper, Hansen, Carchio, Bohr, and Dwyer
NOES:	Shaw
ABSENT:	Boardman

17. Adopted Resolution No. 2010-105 adopting and amending the City of Huntington Beach Flexible Benefit Plan to comply with the Federal Affordable Care Act of 2010.

A motion was made by Hansen, second Bohr to adopt Resolution No. 2010-105, "A Resolution of the City Council of the City of Huntington Beach Adopting Amendment to the City of Huntington Beach Flexible Benefit Plan in Conformance with 2010 Health Care Reform and Other Provisions Contained in the Affordable Care Act of 2010." The motion carried by the following roll call vote:

AYES:	Shaw, Harper, Hansen, Carchio, Bohr, and Dwyer
NOES:	None
ABSENT:	Boardman

PUBLIC HEARING

18. Conducted Public Hearing on the Midterm Review of the Five-Year Implementation Plan (2007-2012) for the Southeast Coastal Redevelopment Project to comply with California Redevelopment Law

Doris Powell, Project Manager Assistant, gave a PowerPoint presentation entitled "Five Year Implementation Plan (2007-2012) Mid Term Review" that included titled slides: Mid Term Review of the Plan, Plan Goals, and Mid Term Accomplishments.

Mayor Carchio opened the Public Hearing.

City Clerk Flynn announced there were no speakers or late communications for Agenda Item No. 18.

Mayor Carchio closed the Public Hearing.

A motion was made by Dwyer, second Hansen to conduct the public hearing as required; and, approve the "Midterm Review of the Five-Year Implementation Plan (2007-2012) for the Southeast Coastal Redevelopment Project." The motion carried by the following roll call vote:

AYES:	Shaw, Dwyer, Bohr, Carchio, Hansen, and Harper
NOES:	None
ABSENT:	Boardman

19. Adopted Resolution No. 386 and authorized execution of the Agreement for Purchase and Sale of Real Property between the Redevelopment Agency and NF Huntington Beach Retail, LP for property located at the intersection of Cypress Avenue and Elm Street

Deputy Economic Development Director Kellee Fritzal gave a PowerPoint entitled "Purchase and Sale of Real Property - Redevelopment Agency and NF Huntington Retail, LP" with titled slides including Subject Property, Site Aerial, Background, Project Description, 33433 Summary Report - Project Financials, and Conclusion.

Mayor Carchio opened the Public Hearing.

City Clerk Flynn announced there were no speakers or late communications for Agenda Item No. 19.

Mayor Carchio closed the Public Hearing.

A motion was made by Hansen, second Bohr to adopt Resolution No. 386, "A Resolution of the Redevelopment Agency of the City of Huntington Beach approving the sale of property located within the Huntington Beach Redevelopment Agency Project Area (Cypress/Elm Parcel)" authorizing the Agency to enter into the "Agreement for Purchase and Sale of Real Property and Escrow Instructions" between the Redevelopment Agency of the City of Huntington Beach and NF Huntington Retail, LP, a California limited partnership; and, authorize the Chairperson, Executive Director, and Agency Secretary to sign all related documents. The motion carried by the following roll call vote:

AYES:	Shaw, Dwyer, Bohr, Carchio, Hansen, and Harper
NOES:	None
ABSENT:	Boardman

20. ~~ITEM REMOVED FROM AGENDA - Conduct Public Hearing to consider approval of Ground Lease and Improvement Agreement with VF Outdoor, Inc., a California Corporation doing~~

~~business as Vans for the development of a skate park on a 2.7 acre Redevelopment Agency owned property located on Center Avenue near Gothard Street.~~

ADMINISTRATIVE ITEMS

21. Approved for introduction Ordinance No. 3907 amending the Huntington Beach Municipal Code by repealing Chapter 2.16 of the Huntington Beach Municipal Code and amending Section 2.15.030 of the Huntington Beach Municipal Code relating to the duties of the Finance Department; adopted Resolution No. 2010-106 establishing the salary and benefits for the part-time City Treasurer; and, authorized the appointment of an Acting City Treasurer.

City Administrator Wilson read a prepared statement of the rationale for Agenda Item No. 21 (Part-Time City Treasurer), which included a study of the practices of nine (9) other cities (Burbank, Carlsbad, Escondido, Glendale, Oceanside, Orange, Oxnard, San Bernardino, and Torrance), three of which employ Part-Time City Treasurers.

Manager Wilson introduced Deputy City Manager Paul Emery, who presented a PowerPoint entitled *Amendments to the Duties of the City Treasurer* that included titled slides: Recommended Actions, Revised Functional Responsibilities of the Impacted Departments, City Treasurer's Department Adopted 2010/2011 Organization Chart, Finance Department Organization Chart, Compensation of New City Treasurer Position, Successor City Treasurer Appointment Process, and Recommended Actions.

Councilmember Dwyer questioned the credibility of the projected cost savings attributed to the Part-Time City Treasurer position, and Mr. Emery responded that they were credible. City Administrator Wilson explained how the compensation and projected cost savings for the Part-Time City Treasurer position were arrived at.

Councilmember Dwyer, Councilmember Harper, Councilmember Shaw, Mayor Carchio, Finance Director Farrell, and City Attorney McGrath discussed the legal implications of a Part-Time City Treasurer position on the upcoming election (i.e. elected versus appointed position) and its impact on the Finance Department in the interim.

City Treasurer Freidenrich read a prepared statement in opposition to Agenda Item No. 21 (Part-Time City Treasurer), which included the facts that prior City Charter reviews and previous elections affirmed that the City Treasurer should remain as a full-time elected position in order to maintain its function as an independent oversight and check-and-balance. She stated that the three cities in City Administrator Wilson's study which employ Part-Time City Treasurers are general law cities with chiefly ceremonial City Treasurer positions that do not encompass the Huntington Beach City Treasurer's range of duties. She rendered her opinion that revenue producing departments are rarely disbanded and that the plan could potentially result in reduced revenues to the city, and could be in conflict with the intent of the City Charter and California State laws.

Councilmember Bohr and City Treasurer Freidenrich discussed the credibility of the projected cost savings attributed to the Part-Time City Treasurer position given the various and sundry duties (e.g. property liens, bankruptcy claims, bond compliance) and responsibilities of the current full-time position (often requiring approximately 60 hours per week) as described by City Treasurer Freidenrich.

Councilmember Bohr asked City Attorney McGrath if the recommended action was in compliance with California State and Huntington Beach Charter requirements, and she responded that it was.

Councilmember Bohr asked if the various and sundry duties and responsibilities described by City Treasurer Freidenrich could be adequately absorbed by the Finance Department, and City Administrator Wilson responded that they could.

Councilmember Shaw and City Manager Wilson discussed the staffing of the new Part-Time City Treasurer's position. Councilmember Shaw stated his desire that the City Treasurer position retain its function of independent oversight and check-and-balance.

Councilmember Harper stated his support for Agenda Item No. 21 (Part-Time City Treasurer).

Councilmember Bohr and City Attorney McGrath discussed the impact of Agenda Item No. 21 (Part-Time City Treasurer) on the 2012 Election process.

Mayor Pro Tem Hansen stated his support for Agenda Item No. 21 (Part-Time City Treasurer) and rendered his opinion that previous attempts to reduce the City Treasurer position to Part-Time City Treasurer may have been unduly influenced by uncomfortable circumstances when an incumbent was in place, and stated his confidence that the proposal was workable.

Mayor Carchio asked if the Part-Time City Treasurer would be an "At-Will" position, and City Administrator Wilson responded that it would not be an "At-Will" position because the appointee would sit as an elected official until the next election in 2012. City Attorney McGrath concurred with City Administrator Wilson's response.

A motion was made by Bohr, second Hansen to approve for introduction Ordinance No. 3907, "An Ordinance of the City of Huntington Beach Amending the Huntington Beach Municipal Code By Deleting Chapter 2.16 and Amending Chapter 2.15 Relating to the Duties of the Finance Department;" and, adopt Resolution No.2010-106, "A Resolution of the City Council of the City of Huntington Beach Repealing Resolution No. 2005-21 and Setting the Salary for the Part-Time City Treasurer;" and, approve the modified Class Specification for the Finance Director; and, appoint Bob Hall, Deputy City Administrator as the Acting City Treasurer effective January 4, 2011. The motion carried by the following roll call vote:

AYES:	Shaw, Dwyer, Bohr, Carchio, Hansen, and Harper
NOES:	None
ABSENT:	Boardman

COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Dwyer reported attending three different luncheons, thanked the involved organizations and wished them a Happy Holiday Season. He congratulated Mayor Carchio for chairing his first City Council Meeting.

Councilmember Harper reported attending the retirement event for outgoing Huntington Beach Union High School District Supervisor Dr. Van Riley.

Councilmember Shaw reported attending the Christmas Tree Lighting and Pier Lighting events of the Downtown Business Improvement District and congratulated them for their decorations. He congratulated City Treasurer Freidenrich on her election as Orange County Treasurer.

Councilmember Bohr reported attending numerous luncheons and wished everyone Happy Holidays. He announced that Ice Skating will begin downtown on December 22, 2010.

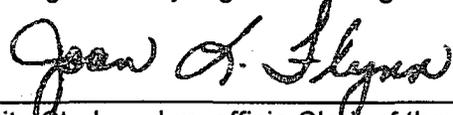
Mayor Carchio reported attending the Management Employees Organization (MEO) Annual Holiday Luncheon on Tuesday, December 7, 2010; Fireman's Fund Event and Community Services Commission Holiday Social on Wednesday, December 8, 2010; MEA Holiday Luncheon; Marine View Middle School "We Love Our Country" Assembly; Annual Tree Lighting Ceremony at City Hall; California League of Cities (Orange County Division) 2010 Holiday Reception on Thursday, December 9, 2010; Supervisor John M. W. Moorlach's Holiday Open House on Friday, December 10, 2010; Huntington Harbour Parade of Lights on Saturday, December 11, 2010; 2010 HBPOA Christmas Gala on Sunday, December 12, 2010; City Treasurer Shari Freidenrich's Bon Voyage Reception; Planning Commission Holiday Celebration; Allied Arts Board Annual Holiday Potluck on Tuesday, December 14, 2010; 4th of July Executive Board Celebration on Wednesday, December 15, 2010; DJM Capital Partners Holiday Luncheon; Rainbow Disposal Holiday Luncheon; Huntington Beach Marketing & Visitors Bureau and Huntington Beach Chamber of Commerce Annual Holiday Luncheon; Public Works Department Holiday Luncheon; Fred's Mexican Café Holiday Bash on Thursday, December 16, 2010; Project Self Sufficiency Holiday Party at the Rodgers Senior Center; and the Troop 319 Eagle Scout Court of Honor at Edison High School on Saturday, December 18, 2010. He wished everyone a very Merry Christmas, and a happy and prosperous New Year.

Mayor Carchio announced that City Hall will be closed from December 24, 2010 through January 3, 2011.

ADJOURNMENT

At 8:05 PM, Mayor Carchio adjourned the meeting to Tuesday, January 18, 2011, at 4:00 PM in Room B-8, Civic Center, 2000 Main Street, Huntington Beach, California.

The City Council, Redevelopment Agency, Public Financing Authority regular meeting of Monday, January 3, 2011, has been cancelled.



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