

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

Monday, October 19, 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 4:00 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/)**

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 study session to order at 4:35 p.m., and announced receipt of a Notice of Absence from Councilmember Jill Hardy requesting permission to be absent pursuant to Resolution No. 2001-54.

**ROLL CALL**

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

**ANNOUNCEMENT OF LATE COMMUNICATION**

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

PowerPoint submitted by Aaron Klemm, Energy Project Manager, undated and entitled *Large Scale Municipal Solar*.

**PUBLIC COMMENTS PERTAINING TO STUDY SESSION/CLOSED SESSION ITEMS - None.**

**STUDY SESSION**

1. (City Council) Study Session - Aaron Klemm, Energy Project Manager presented the concepts for a potential large scale municipal solar project. This project supports the Mayor's declared goal of 2.5 megawatts of public sector solar installed in HB by 2014. The first phase of the project will evaluate each of the 10 sites' feasibility, aesthetic, planning, environmental and economic impacts from large solar installations. This phase is projected to be funded entirely from Federal energy grants.

City Administrator Fred Wilson introduced Aaron Klemm, City of Huntington Beach Energy Project Manager who presented a PowerPoint which included slides on the Mayor's goal (Proclamation), HB-Sharp Hometown Rebate, Solar Power Purchase Agreement (PPA) Background, PPA Overview, Examples of Public Sector Solar, Phase 1 of Municipal Solar, HB Proposed Sites, Examples of Solar Carports, and Questions.

Mr. Klemm has prepared an RFP for Processional Services for ten sites: Proposed solar carports including top floor of downtown parking structure, and three park sites which would require a Measure C vote. Rooftop proposed sites include rooftops at the City Yard, Police Department building, Peck and Springdale Reservoirs, Central Library, Edwards Reservoir and Utility Yard Warehouse.

Mr. Klemm responded to Councilmember Dwyer's questions about the City of Costa Mesa's solar theft ratio with signs and thoughts of potential for inhibiting vandalism, and also provided information in response to Councilmember Dwyer's request for an update on tax rebates for a County program.

Councilmember Carchio and Mr. Klemm discussed the life expectancy of solar panels, identifying a 20-year warranty and the fact that panels lose 1% of power each year, so they will technically operate for 100 years. Discussion then ensued regarding panel replacement at the end of the program.

Councilmember Dwyer and Mr. Klemm discussed the vendor's responsibility to install, clean and maintain the panels.

In response to Councilmember Coerper's inquiry, Mr. Klemm identified ten participating residents in Huntington Beach who are in the process of utilizing the program.

Councilmember Hansen asked what percentage of City electricity would be covered with the program. Mr. Klemm indicated the City would be 50% renewable for municipal consumption.

Mayor Bohr and Mr. Klemm discussed tentative installation dates and the criteria for selection of sites.

Councilmember Dwyer asked about creating a list of approved contractors. Mr. Klemm indicated that to participate, the City's website must be utilized for signing up and the list would be provided at that time.

#### RECESS TO CLOSED SESSION - 4:58 PM

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

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

## CLOSED SESSION

2. Pursuant to Government Code Section 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: Paula LeMons v. Archer, et al., Orange County Superior Court Case No. 30-2008-00107199. This suit concerns a police all-terrain vehicle and pedestrian accident.

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-CU-PT-CXC. 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 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 MEO, MEA, PMA, HBPOA, HBFA, FMA, MSOA, SCLEA, and Non-Associated.

5. Pursuant to Government Code Section 54957, the City Council recessed to Closed Session to discuss the following personnel matter: City Administrator's Evaluation.

6:00 PM - COUNCIL CHAMBERS

## RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Bohr reconvened the regular meeting of the City Council/Redevelopment meeting to order at 6:07 PM, and read into the record that pursuant to Resolution No. 2001-54, Councilmember Jill Hardy has requested to be absent from tonight's meeting.

CLOSED SESSION REPORT BY CITY ATTORNEY - None.

## ROLL CALL

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

PLEDGE OF ALLEGIANCE - Led by Councilmember Carchio.

INVOCATION - Led by Councilmember Coerper.

## ANNOUNCEMENT OF LATE COMMUNICATION

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

Communication submitted on Agenda Item No. 4 by Bob Wingenroth, Director of Finance dated October 19, 2009, entitled *Late Communication for the City Council Meeting of October 19, 2009 - Item 4.*

PowerPoint communication submitted on Agenda Item No. 14 by Stanley Smalewitz, Director of Economic Development dated October 15, 2009, and entitled *Surf City Savings*.

Communication submitted on Agenda Item No. 15 by Stanley Smalewitz, Director of Economic Development, dated October 15, 2009, clarifying the lease agreement dates for the Huntington Beach Playhouse.

Communication submitted on Agenda Item No. 17 by Michele Carr, Director of Human Resources, dated October 16, 2009, and entitled *Late Communication – Amendment to City's Classification Plan*.

#### AWARDS AND PRESENTATIONS

Mayor's Award - Mayor Bohr called on Library Director Stephanie Beverage to present the Mayor's Award to Children's and Branch Services Coordinator Nanci Williams. Ms. Beverage relayed several details of Ms. Williams' outstanding contributions to the Children's Library Program.

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

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

Dianne Larson, spoke in opposition to the proposed T-Mobile cell tower near the Methodist Church. Ms. Larson noted three areas of concern: 1) the coverage objective area, 2) alternate site locations, and 3) verification of an actual need. (00:08:35)

Blanca Evans, resident, spoke in opposition to the proposed T-Mobile cell tower, noting that the character and property values of her neighborhood would decline if the tower is constructed. She voiced concerns regarding the potential harmful effects to children who play in close proximity to cell towers, and requested that the City place a moratorium on the construction. (00:11:50)

Kay Goddard, Shipley Nature Center, thanked the City for its support. She detailed the new projects, including a water recapture and recirculation system, which was donated to illustrate water conservation methodologies available for residents. Ms. Goddard also commented on a new book which will be sold at the Center and the author's book signing event. (00:14:55)

Linda Lewis, Second Harvest Food Bank, spoke about the upcoming "Scouting for Food" program, a partnership between the Food Bank and the Boys and Girls Scouts in Huntington Beach. (00:18:10)

John Briscoe, School Board Trustee in Huntington Beach, spoke in opposition stating his perception of inappropriate reading material presented to students in Huntington Beach, in particular, the book, "I Know Why the Caged Bird Sings." (00:20:55)

Judy Ahrens, read an excerpt from "I Know Why the Caged Bird Sings," in order to demonstrate the stated inappropriateness of the book's content. (00:24:20)

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

Councilmember Coerper indicated a correction from the September meeting. He noted that the phrase, "In God We Trust," does actually appear on the new coin issued by the Federal government.

Councilmember Dwyer read a statement regarding his comments at a previous Council meeting directed at the parking citations appeals process.

## CITY ADMINISTRATOR'S REPORT

City Administrator Fred Wilson commented on the City's response to community concerns surrounding the lighting situation at Brethren Christian Church. Staff did attend a recent football game to observe the lighting at the game and noted that Code Enforcement will be available at future games to receive any community input.

## CITY TREASURER'S REPORT

1. (City Council) Reviewed and accepted Shari L. Freidenrich, City Treasurer's, Investment Summary Report of City Investment Portfolio, Bond Proceeds, Deferred Compensation, and Retiree Medical Trust Activity for August 2009.

Sheri Freidenrich, City Treasurer, made a PowerPoint Presentation which detailed the City's investment portfolio and tax receipts.

A motion was made by Coerper, second Carchio to Review and accept the Monthly Investment Report. The motion carried by the following roll call vote:

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

## PUBLIC HEARING

2. (City Council) Public hearing held to consider Zoning Text Amendment (ZTA) No. 09-001 and approve for introduction Ordinance No. 3845 amending Chapter 222 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) relating to the Floodplain Overlay District, bringing the City's flood ordinance into compliance with Federal Emergency Management Agency (FEMA) requirements.

Ricky Ramos, Senior Planner presented the staff report via PowerPoint. Slides presented were entitled: Background, Amendment, and Recommendation.

In response to Councilmember Dwyer, staff noted that the new Ordinance would have new requirements for the amount of demolition allowed on a home.

Mayor Bohr opened the public hearing. City Clerk Joan Flynn noted there were no late communications or public speakers for this item. Mayor Bohr closed the public hearing.

A motion was made by Coerper, second Green to approve Zoning Text Amendment No. 09-001 with Findings for Approval, and after the City Clerk reads by title, approve for introduction Ordinance No. 3845, "An Ordinance of the City of Huntington Beach Amending Chapter 222 of the Huntington Beach Zoning and Subdivision Ordinance Relating to the Floodplain Overlay District (-FP1, -FP2, -FP3)." The motion carried by the following roll call vote:

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

#### CONSENT CALENDAR - (Items #3 through #19)

Mayor Bohr asked to be recorded as an abstention on Consent Item No. 7 due to owning property in the area.

Councilmember Dwyer pulled Consent Item No. 9 for further discussion; Councilmember Carchio pulled Consent Item No. 14 for further discussion.

#### 3. (City Council/Redevelopment Agency) Approved and adopted minutes.

A motion was made by Green, second Coerper to approve and adopt the minutes of the City Council/Redevelopment Agency regular meeting of September 21, 2009, and the regular meeting of October 5, 2009 as written and on file in the Office of the City Clerk. The motion carried by the following roll call vote:

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

#### 4. (City Council/Redevelopment Agency) Adopted Redevelopment Agency Resolution No. 378 amending the Agency debt pursuant to the Operative Agreement between the City of Huntington Beach and the Redevelopment Agency of the City of Huntington Beach for the Huntington Beach Redevelopment Project (HBRP) and the Cooperation Agreement between the City of Huntington Beach and the Redevelopment Agency of the City of Huntington Beach regarding Capital Improvements related to the Southeast Coastal Project (SCRP) Area.

A motion was made by Green, second Coerper to adopt Resolution No. 378, "A Resolution of the Redevelopment Agency of the City of Huntington Beach Amending the Agency Debt Pursuant to the Operative Agreement Between the City of Huntington Beach and the Redevelopment Agency of the City of Huntington Beach for the Huntington Beach Redevelopment Project, and the Cooperation Agreement Between the City of Huntington Beach and the Redevelopment Agency of the City of Huntington Beach Regarding Certain Capital Improvements Within, or of Benefit to, the Southeast Coastal Redevelopment Project." The motion carried by the following roll call vote:

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

ABSENT: Hardy

5. (City Council) Approved and authorized the Mayor and City Clerk to approve, accept and execute an Easement Deed from the County of Orange for permanent access rights, future street construction, and maintenance purposes on property that stretches from the Old Gothard Landfill Site to the former gun range.

A motion was made by Green, second Coerper to approve and authorize the Mayor and City Clerk to execute and accept the Easement Deed from the County of Orange. The motion carried by the following roll call vote:

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

6. (City Council) City of Huntington Beach Strategic Plan Objectives Update.

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

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

7. (City Council) Approved project plans and specifications and award construction contract in the amount of \$352,057.40 to Rock Bottom, Inc. for the Edinger Avenue Parkway Improvements Project (Phase 2), CC-1321; and, authorized the Mayor and City Clerk to execute contract in a form approved by the City Attorney.

A motion was made by Green, second Coerper to approve the plans and specifications for Edinger Avenue Parkway Improvements Project (Phase 2), CC-1321; and, approve withdrawal of bid from Diversified Landscape Management, Inc.; and, approve withdrawal of bid from Marina Landscape, Inc.; and, accept the lowest responsive and responsible bid submitted by Rock Bottom, Inc. in the amount of \$352,057.40; 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, Dwyer, Green, Coerper, and Hansen  
NOES: None  
ABSTAIN: Bohr  
ABSENT: Hardy

8. (City Council) Approved project plans and specifications and awarded construction contract in the amount of \$37,790 to HYM Engineering, Inc. for the Downtown Bollard Project, CC-1358; and, authorized the Mayor and City Clerk to execute contract in a form approved by the City Attorney.

This item was moved for separate consideration by Councilmember Dwyer, who thanked staff for their assistance in explaining and negotiating this item to the City's benefit.

A motion was made by Dwyer, second Coerper to approve the plans and specifications for Downtown Bollard Project, CC-1358; and, accept the lowest responsive and responsible bid submitted by HYM Engineering, in the amount of \$37,790; 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, Dwyer, Green, Bohr, Coerper, and Hansen  
NOES: None  
ABSENT: Hardy

9. (City Council) Accepted five (5) resignations, approved five (5) appointments, and three (3) reappointments to the Children's Needs Task Force (CNTF), as recommended by Council Liaisons Councilmembers Gil Coerper and Don Hansen.

A motion was made by Green, second Coerper to reappoint Robert Dettloff and Jim Hayden to the Children's Need Task Force, with terms to expire August 30, 2013, as recommended by Council liaisons Coerper and Hansen; and, accept the resignation of general members Robert Hart and Tim Liggett and approve the appointment of Ian Collins and Marlene McIlroy to the Children's Needs Task Force, with terms to expire August 30, 2013, as recommended by Council liaisons Coerper and Hansen; and, reappoint Stephanie Smallshaw to a second student representative term on the Children's Needs Task Force, of September 1, 2009, through June 30, 2010, as recommended by Council liaisons Coerper and Hansen; and, appoint Craig Bartlett, Jacob Evan and Amy Le as student representatives on the Children's Needs Task Force, to a term each of September 1, 2009, through June 30, 2010, as recommended by Council liaisons Coerper and Hansen; and, accept the resignation of general members Keisha Van Mechelen, Martin Rodriguez, and Molly Thompson with term expirations to August 30, 2011. The motion carried by the following roll call vote:

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

10. (City Council) Approved five (5) appointments and two (2) reappointments to the Historic Resources Board as recommended by Council Liaisons Councilmembers Joe Carchio and Jill Hardy.

A motion was made by Green, second Coerper to approve the reappointments of Kathie Schey for her first full term and Debra Watkins for her second full term to expire June 30, 2013, as recommended by Council liaisons Councilmembers Carchio and Hardy; and, approve the appointment of Gloria Alvarez for a term to expire June 30, 2013, to fill the term expiration of Arlene Howard, as recommended by Council liaisons Councilmembers Carchio and Hardy; and, approve the appointment of Amanda Bloom for a term to expire June 30, 2013, to fill the term expiration of Billie Kennedy, as recommended by Council liaisons Councilmembers Carchio and Hardy; and, approve the appointment of Kathy Bryant for a term to expire June 30, 2013, to fill the term expiration of Nuanna Robison, as recommended by Council liaisons Councilmembers Carchio and Hardy; and, approve the appointment of Samuel Heritage for a partial term to expire June 30, 2011, to fill the resignation of Roz Essner, as recommended by Council liaisons Councilmembers Carchio and Hardy; and, approve the appointment of Chris Jepsen for a partial

term to expire June 30, 2011, to fill the resignation of Randy Smith, as recommended by Council liaisons Councilmembers Carchio and Hardy. The motion carried by the following roll call vote:

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

11. (City Council) Approved the appointment of Renato E. Haug as an at-large member to the Design Review Board (DRB), with a term to expire on December 31, 2013, as recommended by City Council Liaisons Mayor Keith Bohr and Councilmember Joe Carchio.

A motion was made by Green, second Coerper to approve the appointment of Mr. Renato E. Haug to the Design Review Board for a term to expire on December 31, 2013, as an at-large member. The motion carried by the following roll call vote:

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

12. (City Council) Approved Sole Source Procurement with BKM Technology Partners, Inc. for water facility security system maintenance and repairs at three (3) groundwater wells and the Peck/Springdale reservoir complex.

A motion was made by Green, second Coerper to approve sole source procurement with BKM Technology Partners, Inc., for water facility security system maintenance and repairs. The motion carried by the following roll call vote:

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

13. (City Council) Approved Sole Source Procurement from Diversified Waterscapes, Inc. and authorized the purchase in an amount not to exceed \$150,000 for natural lake restoration services at Greer Lake and Chris Carr Lake.

A motion was made by Green, second Coerper to waive the formal bidding requirement per Municipal Code Section 3.02.080 (b)(4), Sole Source Goods and Services exemption; and, authorize the purchase of lake restoration services from Diversified Waterscapes, Inc. in an amount not to exceed \$150,000. The motion carried by the following roll call vote:

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

14. (City Council) Approved and authorized the Mayor and City Clerk to execute the Memorandum of Understanding (MOU) with Victoria Alberty-deGoede for marketing and website operation promoting the Surf City Savings Program; and, approved and authorized the Mayor and City Clerk to execute a Three (3) Party License Agreement between the City of Huntington Beach, Domenic Iorfino and Victoria Alberty-deGoede for use of the City of Huntington Beach Logo.

This item was pulled by Councilmember Carchio, who made a slideshow presentation. Slides were entitled: Surf City Savings Program, What is Surf City Savings?, Why is this important to Huntington Beach?, Shoppers, and Merchants. Mr. Carchio encouraged all to spend their money in Huntington Beach and participate in the Surf City Savings Program.

A motion was made by Carchio, second Green to approve the "Memorandum of Understanding Between the City of Huntington Beach and Victoria Alberty-DeGoede for Marketing and Website Operation;" and, approve the "License Agreement Between the City of Huntington Beach, Domenic Iorfino, and Victoria Alberty-deGoede for use of the City of Huntington Beach Logo" for the Surf City Savings Program. The motion carried by the following roll call vote:

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

15. (City Council) Approved and authorized the Mayor and City Clerk to execute a three-year Lease Agreement in the amount of \$36,056.64 per year, between the City of Huntington Beach and the Huntington Beach Playhouse, for the nonexclusive use of the City's Public Library Theater.

A motion was made by Green, second Coerper to approve and authorize the Mayor and City Clerk to execute the Lease Agreement Between the City of Huntington Beach and the Huntington Beach Playhouse for Nonexclusive Use of the Public Library Theater. The motion carried by the following roll call vote:

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

16. (Redevelopment Agency) Approved and authorized the Chairman and Agency Clerk to execute a loan agreement in the amount of \$226,893 between the Redevelopment Agency of the City of Huntington Beach and the Huntington Beach Automobile Dealers Association; appropriated \$226,893 from unreserved/undesignated Fund Balance in the Merged Project Area Debt Service Fund; and, approved a grant request in the amount of \$30,304.30 and appropriated same funds from the Merged Redevelopment Agency Capital Projects Fund Balance.

A motion was made by Green, second Coerper to approve the "Loan Agreement" between the Huntington Beach Automobile Dealers Association and the Redevelopment Agency of the City of Huntington Beach in the amount of \$226,893; and, authorize Chairman and Agency Clerk to sign and execute the Loan Agreement; and, appropriate \$226,893 from unreserved/undesignated Fund Balance in the Merged Project Area Debt Service Fund (407); and, approve payment of a grant and appropriate \$30,304.30 from the Merged Redevelopment Agency Capital Projects Fund Balance. The motion carried by the following roll call vote:

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

17. (City Council) Adopted Resolution No. 2009-59 amending the City's Classification Plan by adopting a Side Letter of Agreement to the Memorandum of Understanding (MOU) between the City of Huntington Beach and the Huntington Beach Municipal Employees Association (MEA) by adding the job specification of Fire Prevention Inspector, considered and approved by the Personnel Commission on September 16, 2009, as amended by late communication.

A motion was made by Green, second Coerper to adopt Resolution No. 2009-59, "A Resolution of the City Council of the City of Huntington Beach Amending City's Classification Plan and the Memorandum of Understanding Between the City and the Municipal Employees' Association (MEA) by Adopting the Side Letter of Agreement," as amended by late communication to replace **Attachment 1**. The motion carried by the following roll call vote:

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

18. (City Council) Approved amendment to Rule No. 9 of the Planning Commission rules directing Commission protocol when there is a financial interest in a decision as determined by the Political Reform Act (PRA).

A motion was made by Green, second Coerper to approve the Planning Commission Rules as amended by the Planning Commission. The motion carried by the following roll call vote:

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

19. (City Council) Approved and adopted Resolution No 2009-58 authorizing the execution of a Purchase and Sale Agreement enabling the City to participate in the California Statewide Communities Development Authority (California Communities) Proposition 1A Securitization Program replacing monies borrowed by the State.

A motion was made by Green, second Coerper to adopt Resolution No. 2009-58, "A Resolution of the City Council of the City of Huntington Beach approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents With Respect to the Sale of the Seller's Proposition 1A Receivable From the State; and Directing and Authorizing Certain Other Actions in Connection Therewith;" and, Authorize the Mayor, City Clerk, City Administrator, and the City Treasurer to execute the documents provided and any additional documents needed to complete this transaction. The motion carried by the following roll call vote:

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

ORDINANCES FOR ADOPTION

20. (City Council) Adopted Ordinance No. 3842 amending Zoning Text Amendment (ZTA) No. 09-003 Chapter 204 "Use Classifications" and Chapter 212 "Industrial Districts" of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to reclassify massage businesses as a Personal Services use pursuant to recent changes in State law. (Approved for introduction October 5, 2009).

A motion was made by Green, second Coerper to after the City Clerk reads by title, adopt Ordinance No. 3842, "An Ordinance of the City of Huntington Beach Amending Chapter 204 of the Huntington Beach Zoning and Subdivision Ordinance Relating to Use Classifications." The motion carried by the following roll call vote:

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

21. (City Council) Adopted Ordinance No. 3843 amending Zoning Text Amendment (ZTA) No. 09-003 Chapter 204 "Use Classifications" and Chapter 212 "Industrial Districts" of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to reclassify massage businesses as a Personal Services use pursuant to recent changes in State law. (Approved for introduction October 5, 2009).

A motion was made by Green, second Coerper to after the City Clerk reads by title, adopt Ordinance No. 3843, "An Ordinance of the City of Huntington Beach Amending Chapter 212 of the Huntington Beach Zoning and Subdivision Ordinance Relating to Industrial Districts." The motion carried by the following roll call vote:

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

22. (City Council) Adopted Ordinance No. 3844 amending chapter 5.24 of the Huntington Beach Municipal Code (HBMC) relating to Massage Establishments. (Approved for Introduction October 5, 2009).

A motion was made by Green, second Coerper to after the City Clerk reads by title, adopt Ordinance No. 3844, "An Ordinance of the City of Huntington Beach Amending Chapter 5.24 of the Huntington Beach Municipal Code Relating to Massage Establishments." The motion carried by the following roll call vote:

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

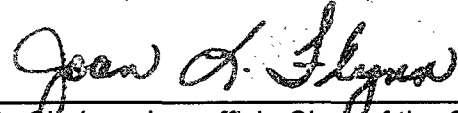
COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Hansen wished a Happy Birthday to Eric Pendergraft.

Mayor Pro Tem Green announced her attendance at the Public Safety Awards Luncheon and the names of those who received awards. She also attended the "100 Years of Lights" event.

Councilmember Dwyer and Councilmember Carchio attended a benefit dinner for the Boys and Girls Club and noted the efforts of the staff who provide programming at the Club.

ADJOURNMENT - Council/Agency adjourned at 7:00 PM to the next regularly scheduled meeting on Monday, November 5, 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