



City of Huntington Beach

Charter Review Commission

ACTION MINUTES

Tues., Oct. 6, 2009, 6:00 PM

- **Roll Call:** Bame, Bauer, Bixby, Brenden, Dettloff, Harlow, Hartnett, Johnson, Kutscher, Shaw, Silver, Sneddon, Stuart, Sullivan, Whiteside

(All present except for Harnett, Stuart, and Whiteside)

- **Public Comments:**

An opportunity for the public to comment on any item of interest, either in general or specific to this agenda, that is within the subject matter or jurisdiction of the Commission. Comments will be limited to no more than 3 minutes. Speakers are encouraged to submit their comments in writing. Each Commission Member will receive a copy of all the submitted comments.

Public Comments were received as follows:

- **Derek Spalding spoke on including language in the City Charter on the prevailing wage. (He submitted his comments in writing.)**
- **David Rice spoke in support of including a section in the Charter requiring voter approval for any major amendment in the City's General Plan that would significantly increase the amount of traffic. (He submitted a copy of Newport Beach's Charter provision.)**
- **Linda Moon spoke in support of appointing the City Attorney. (She submitted her comments in writing.)**
- **Clem Dominquez spoke in opposition of directly electing the Mayor.**
- **Shari Freidenrich spoke in favor of maintaining an elected City Treasurer. (She submitted an "Overview of the Position.")**
- **Doug Mangione requested information regarding the venue for the public meeting to discuss a prevailing wage provision in the City Charter. [The meeting on this issue is scheduled for Jan. 21, 2010 in the City Council Chambers.]**
- **Keith Bohr spoke in support of directly electing the Mayor. (He submitted a written copy of his comments.)**

Written comments in support of an elected City Attorney were submitted by Jennifer McGrath.

There were also other late communications as follows:

- **Written comments in support of an elected City Attorney were submitted by Jennifer McGrath**
- **An Email from a citizen, Drew Kovacs, in support of a directly elected Mayor.**
- **A memo from Commissioner Silver providing his recommendations on Charter Sections 200, 307, and 400.**
- **A revised version of Raphe Sonenshein's PowerPoint presentation.**

- **PowerPoint presentation on Elected Official and the City Charter – Raphe Sonenshein**

Raphe made a presentation on the various relationships between the Mayor, Council and the City Manager/Administrator.

- **Discussion and possible Sections 300, 302, 304, 305, 306, 309, 310, 311, & 800 of the City Charter which relate to the city's elected offices. Potential action on the following:**
 - **Review Section 300 to consider changing the office of Mayor to directly elected**

Following a lengthy discussion on the proposal to directly elect the Mayor, a motion was made by Commissioner Silver and seconded by Commissioner Dettloff to direct staff to return to the Commission at the Oct. 20 meeting with language for a directly elected Mayor as follows:

1. The Mayor shall serve a 2-year term.
2. There shall be a maximum of 4 terms.
3. The Mayor shall serve as the official, primary representative and spokesperson for the city consistent with the adopted positions of the City Council.
4. The Mayor shall server as presiding officer of the City Council
5. The Mayor shall have no authority to interfere or inappropriately pressure the City Administrator to pursue or take any action.
6. The Mayor shall be automatically removed if he or she violates the above provision.
7. The Mayor shall lead discussions of the City Council on policy issues.

Commission Sneddon offered a substitute motion, seconded by Commission Shaw to take a strawvote of the Commission to determine whether to continue to consider the concept of a directly elected Mayor. On a vote of 7-5 3 (Shaw, Sneddon, Sullivan, Bauer, Bixby No) the Commission approved continuing consideration of directly electing the Mayor. (

The Commission then voted to approve the original motion 7-5-3 (Shaw, Bixby, Sullivan, Bauer, Sneddon No)

- **Review Section 302 to consider changing the compensation for the Mayor and Council**

Commissioner Bixby made a motion to add a provision to the City Charter to say that the annual changes in total compensation to the City Council not exceed the current \$175 monthly stipend plus the current expense allowance [set in the Municipal Code] with a maximum increase each year that is no more than the Consumer Price Index. The motion was seconded by Commissioner Dettloff. Following general discussion a substitute motion was made by Commissioner Bixby and seconded by Commissioner Silver to add a provision to the City Charter limiting the compensation for the Mayor and City Council. The motion failed 1-11-3 (Bixby Aye)

* Material Related to the Charter Sections to be discussed and submitted prior to the posting of the agenda will be included in the Agenda Packet. Items received after posting of the agenda will be distributed at the Commission meeting as late communications.

Chairman Harlow asked that staff bring back samples to the next meeting of language from other city charters regarding compensation for the Mayor and Council.

- **Review Sections 304-305 for possible changes in the proceedings of the Council or the duties of the Presiding Officer**
- **Review Section 306 for any potential changes in the designation or duties of the Mayor Pro Tempore**
- **Review section 300 to consider changing the office of City Clerk from elected to appointed**
- **Review Section 310 for potential changes in the qualifications, powers, and duties of the City Clerk**
- **Review section 300 to consider changing the office of City Treasurer from elected to appointed**
- **Review Section 311 for potential changes in the qualifications, powers, and duties of the City Treasurer**
- **Review section 300 to consider changing the office of City Attorney from elected to appointed**
- **Review Section 309 for potential changes in the qualifications, powers, and duties of the City Attorney.**
- **Review Section 800 for potential changes that may be needed in transitioning the elective offices.**
- **Commissioner Requests: Questions, comments, or suggestions for discussion at a subsequent meeting of the Commission**
- **Adjourn to the next regular meeting scheduled for Tuesday, October 20 at 6 PM in Room B-8 of City Hall.**

* Material Related to the Charter Sections to be discussed and submitted prior to the posting of the agenda will be included in the Agenda Packet. Items received after posting of the agenda will be distributed at the Commission meeting as late communications.