

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

Tuesday, February 16, 2010  
4:00 PM - Room B-8  
6:00 PM - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

4:00 PM - ROOM B-8

CALL TO ORDER

Mayor Green called the Study Session portion of the City Council/Redevelopment Agency meeting to order at 4:02 PM.

ROLL CALL

Present: Carchio, Dwyer (arrived at 4:38 PM), Green, Bohr, Coerper, Hardy, and Hansen  
Absent: None

ANNOUNCEMENT OF LATE COMMUNICATION

Communication submitted for Study Session Item No. 1 by Rebecca Dmytryk of Humane Wildlife Management Services, a project of WildRescue, dated February 16, 2010, regarding coyotes in the community.

Communication submitted for Study Session Item No. 2 by Bob Wingenroth, Director of Finance, undated and entitled *FY 2009/10 General Fund Reduction Summary*, and a PowerPoint entitled *FY 2001/10 Budget Update* dated February 16, 2010.

COMMUNICATION SUBMITTED DURING THE MEETING

Pamphlet by the Project Coyote - Fostering Coexistence entitled *Coexisting with Coyotes*.

Pamphlet by the Department of Fish and Game entitled *Keep Me Wild - Feeding Wildlife is Dead Wrong*.

Pamphlet by the Department of Fish and Game entitled *Living with California Coyotes*.

Coyote incident reports dated February 16, 2010 provided by Stephani Waterman, OC Animal Care.

Informational communications received by Beatrice J. Simpson undated and untitled regarding coyotes.

**PUBLIC COMMENTS PERTAINING TO STUDY SESSION / CLOSED SESSION ITEMS (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>).

Jacki King voiced concerns about potential methods being considered to control the coyote population in Huntington Beach. She provided her opinion that coyotes don't pose a threat to people, describing a personal incident where she and her dog confronted a coyote at the Bolsa Chica Wetlands, and the coyote fled. (00:02:05)

Jennifer Robins, President, Amigos de Bolsa Chica, spoke in support of balance among wildlife and not eliminating the coyote population because they help control the feral cat population. She expressed concerns for the future of the coyote and stressed the importance for people to bring their pets in at night, stating that responsible actions lead to good solutions. (00:04:23)

Dave Carlberg, Amigos de Bolsa Chica, spoke in support of coyotes that play a key part in the ecosystem. He expressed sympathy for pet owners, but also discussed how preventative actions can be taken to inhibit coyote aggressiveness. He encouraged people to read the book *Coyote at the Kitchen Door*. (00:06:04)

Julie Bixby, Bolsa Chica Land Trust, discussed recent news stories about rabies outbreaks, and books reviewed in the Los Angeles Times including *Coyote at the Kitchen Door*, and *Rewilding the World*. She read excerpts from both books, and stated her opinion that coyotes are not the problem; rather, people who leave pet food and other food resources outside. She stressed the importance of public education to keep coyotes in the ecosystem. (00:07:38)

Jamie Pavlat, Wetland and Wildlife Care Center, spoke in support of the coyote population and her hopes to educate everyone on how the coyote population can exist with the domestic pet population and people. (00:10:21)

Jessica Montoya spoke regarding eradicating the coyote population, describing incidents when she witnessed coyotes in her back yard during daylight hours. She expressed concerns for her children's safety and described confronting a coyote that did not back down. While she doesn't wish to harm coyotes in the wetland areas, she wants protection on her property, stating that she does not do anything to attract coyotes. (00:11:31)

Dena Hawes spoke regarding the coyote population in Huntington Beach. She described herself as a naturalist for the Bolsa Chica Conservancy, described coyotes as opportunistic predators that will go where the food is. She encouraged the public not to feed their animals outside because it invites coyotes in. She discussed the need for public education, not execution. (00:14:50)

Beatrice J. Simpson, resident of South Pasadena, discussed coyote incidents in her area that prompted public education about over population and rabies. She described how human habits such as garbage cans with food attract the coyote, and how coyotes will eat just about anything, including rodents, lizards, berries, and dead animals. She distributed educational pamphlets published in Los Angeles County. (00:18:10)

Lisa Camacho informed Council that coyotes are responsible for the death of seven neighborhood pets within the past week. She voiced concerns for small children at home or daycare facilities, and aggressive coyotes harming them. She described how her neighbors fear walking with their children in the neighborhood, and stated that she would like to live comfortably in her home and have a domestic pet. (00:21:33)

Carrie Thomas spoke in support of humane treatment for coyotes, discussing how she and her husband built a home on Edwards Hill in 1987, and her experiences with wild animals (rabbits, hawks, and coyotes). She stated her opinion that people should respect surrounding wildlife when they purchase property near it, and recommended that people watch their children and animals, stating that an abundance of coyote food (squirrels, rabbits, gophers) exists, and that people need to cohabit with coyotes. (00:24:17)

Dana Powell, 32-year resident, described how her dog was killed by a coyote in her back yard two weeks ago in broad daylight. She is a licensed day care provider with a backyard completely safety proof. She stated that coyotes came in over a tall wall, and now she fears for her children's safety. She also discussed coyotes witnessed on the ground of the Grace Lutheran School property, and spoke in support of exterminating coyotes that have lost their fear of human beings. (00:27:02)

Lesley Cook, Sparrow Drive resident, described losing her cat to a coyote two years ago, and how her neighbor's dog was found gutted. She expressed fears for small children no longer safe in their back yards, and how it has become commonplace to see coyotes in broad daylight. (00:30:08)

Eric Lundberg, retired Police Officer, expressed concerns regarding coyote over population and the public's cries for help due to the loss of a significant number of domestic pets. He described his fiancé's fears of going into their back yard, how he witnessed three coyotes during daylight this week, and his opinion that the public needs protection from these predators. (00:33:16)

Teresa Pieper, Huntington Harbour resident, voiced concerns about the alarming coyote population in Huntington Beach, describing how cats go missing and coyotes follow people without fear. She stated her opinion that locking up every animal or food source will not solve the problem, and asked for a balanced approach to solve the problem. (00:35:23)

## STUDY SESSION

(City Council) Study Session #1 Held - Orange County Animal Services and California Department of Fish and Game made a presentation to Council on the coyote issues in Huntington Beach.

City Administrator Fred Wilson referred to Police Chief Ken Small who described the recent installation of traps, and discussed the number of coyote complaints received by year between 2006 and 2010. Chief Small introduced Lt. Kent Smirl with the Department of Fish and Game (DFG), Lt. Dan Sforza, DFG, Stephani Waterman, Chief of Field Services, Orange County Animal Care, and DFG volunteers George Raymond, Barry Gaffney and Linda Gottlieb. Lt. Smith acknowledged the coyote problem, stating that the County needs to step up. He made a PowerPoint presentation entitled *Campaign Coexistence (Human and Coyote)* that

included the following title slides: Objective, Resource Potential, What Can Fish and Game Do?, and Recommended Action.

Lt. Smirl discussed DFG policies and the need for public participation to document coyote activity.

Stephani Waterman, Orange County Animals Services made a PowerPoint presentation entitled *OC Plan Assist (OC Animal Care)* that included the following title slides: Feral Cat Organizations, Citizens, Recommendations, Coyote Basics, and Coyote Precautions.

Councilmember Carchio and Lt. Sforza discussed possible alternatives that will protect both the coyote population, and the people who feel threatened by aggressive coyotes who are increasingly present in pedestrian and residential areas. The coyote problem was declared a public safety issue, and Lt. Sforza commended public speakers for their level of knowledge about coyotes.

Lt. Smirl discussed possible actions that may begin to protect people from aggressive coyotes. Chief Small stated that the Police Department will work with DFG to build an educational program for coyote abatement. Councilmembers Coerper and Carchio spoke in support of forming a committee comprised of Police Department staff, the DFG, OC Animal Care, citizens, and members from wildlife organizations such as the Bolsa Chica Land Trust or Amigos de Bolsa Chica.

Councilmember Hardy stressed finding a solution, recommending that incidents be tracked. She asked if residents could report past incidents, and Stephani Waterman responded that a report is available that tracks sightings and also identifies people who violate safety recommendations such as removing pet food from the outdoors, keeping garbage containers free from food objects that attract coyotes, etc.

Councilmember Hansen asked if City Council action was necessary. Chief Small answered "No," stating that people should not be afraid to utilize their backyard, and informing the public to dial 911 if they experience a coyote sighting. Discussion ensued on the City's contract for animal control services with the County, community outreach and education efforts.

(City Council) Study Session #2 Held - Director of Finance presented an overview of the City's Quarterly Budget Status.

Jennifer Lampman, Budget Manager, presented a PowerPoint dated February 16, 2010 and entitled *FY 2009/10 Budget Updated* that included the following title slides: Steps Already Taken, Staffing Impact, Where We Started in FY 2009/2010, What Happened?, Where Are We Now?, What We're Doing This Year, Five Year Implementation, Unknown Concerns, and Where We Go From Here.

#### RECESS TO CLOSED SESSION

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

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

NOES: None

CLOSED SESSION

1. Pursuant to Government Code § 54956.9, the City Council recessed into Closed Session to confer with the City Attorney regarding the following lawsuit: *Beeles v. City of Huntington Beach*; Orange County Superior Court Case No. 30-2008 00109160. Plaintiff, a State beach lifeguard, was injured during joint City/State lifeguard helicopter jump training at Bolsa Chica State Beach.

2. 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.

6:00 PM - COUNCIL CHAMBERS

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Green reconvened the City Council/Redevelopment Agency meeting at 6:20 PM.

ROLL CALL

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

CLOSED SESSION REPORT BY CITY ATTORNEY - None.

ANNOUNCEMENT: Mayor Green announced that the Centennial Time Capsule will be buried at 5:00 PM on Wednesday, February 17, 2010 near the Veteran's Memorial at the Huntington Beach Civic Center.

PLEDGE OF ALLEGIANCE - Led by Tiger Den Pack 287.

INVOCATION - Led by Father Christian Mondor, Sts. Simon and Jude Catholic Church.

ANNOUNCEMENT OF LATE COMMUNICATION

Communication submitted for Public Hearing Item No. 2 (Zoning Text Amendment No. 07-001/Design Review Board Composition) from Diane Ryan, Chair of the Historic Resources Board of Huntington Beach, dated February 16, 2010, and entitled *Zoning Text Amendment No. 07-001 Amending Design Review Board*.

PowerPoint communication submitted for Administrative Item No. 14 dated February 16, 2010, and entitled *Bay Delta Water Policy Legislation and the 2010 Water Bond*.

ANNOUNCEMENT - Mayor Green announced that the City's first Disaster Preparedness Expo will be held on February 20, 2010 at the Central Library.

## AWARDS AND PRESENTATIONS

PRESENTATION - Mayor Green called on the Director of Government and Public Affairs Brian Williams from the Southern California Association of Governments (SCAG) to make a presentation and update to the City Council.

Mr. Williams presented a brief PowerPoint slide show.

PRESENTATION - Mayor Green called on Pam Alagata to introduce the newly crowned Miss Huntington Beach and her court.

Mayor Green and Councilmember Coerper presented proclamations to Miss Huntington Beach Cassy Cotarelo, and her court Lana Leigh Brewster and Chelsea Short.

MAYOR'S AWARD - Mayor Green called on Police Chief Ken Small to present the Mayor's Award to Nilda Patiño de Berndt - Community Relations Specialist for the Police Department.

Chief Small described Nilda's dedicated service in coordinating the Reserve Senior and Police Service Volunteer Programs in the Police Department. He discussed the Neighborhood Watch Program and the number of service hours donated by volunteers, and stated that twenty new volunteers recently graduated from the Academy for Reserve Senior Volunteers Program.

Nilda recognized volunteers present, and expressed honor for receiving the Mayor's Award.

## 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>).

Diane Ryan, Historic Resources Board Chair, spoke regarding ZTA 07-001 (Design Review Board composition). Ms. Ryan read a letter that addressed the importance of integrating a member of the Historic Resource Board (HRB) into the composition of the Design Review Board (DRB), and discussed the HRB's experience, transparency, and proposed contribution to future development. (00:22:07)

Monique Hachigian spoke in support of the Huntington Beach Central Park Equestrian Center (HBCPEC), describing how her son has taken riding lessons through the Therapeutic Riding Center for six years. Her son Stephen shared a photo of himself on his horse Rhythm, and Monique urged Council to continue their support of the Center. (00:25:45)

Councilmember Hansen questioned if the City foresees action in the future that would negatively affect the Equestrian Center. City Administrator Wilson responded, "No."

Ken Deagle announced the American Cancer Society's (ACS) *Relay For Life* kick off event at the Waterfront Hilton on February 26, and its theme *Stay Well, Get Well, Find Cures, Fight Back*. He discussed cancer statistics, the *Gift of Hope* and *Look Good, Feel Better* programs, and stated that the Relay will accept new teams through February 26. (00:28:28)

Betsy Snare, Chairman of the Boarder's Committee, HBCPEC, discussed how HBCPEC supporters are wearing purple ribbons, and described the successful fundraising efforts of the Red Bucket Equine Rescue. She also discussed how the HBCPEC boards 407 horses and offers safety and happiness for those who use the facility. (00:31:56)

Dale Dunn, 34-year resident and member of Rotary International, spoke regarding raising funds to support the maintenance and storage of the portable band shell in Huntington Central Park. He discussed the importance of keeping the Summer Concert Series in the park active to meet community entertainment needs. He requested those interested in making contributions do so through Rotary Club of Huntington Beach. (00:33:50)

Joseph Santiago requested that Council integrate parking and traffic flow pattern information back into Section 244.06 (Design Review Board) of the City's Zoning and Subdivision Ordinance (HBZSO), stating that the information is necessary when considering compatibility and aesthetics. (00:36:05)

Dale Winters, 40-year resident, voiced concerns about rumors involving horses being removed from facilities in Orange County. He read quotes that support horsemanship, and described how the HBCPEC employs many and brings money into the City through shows, boarding, and the Therapeutic Riding Center. Ms. Winters described an automobile accident that left her with a brain injury, and how she feels that having a horse has saved her life. (00:37:42)

Pamela Berryhill stated she has boarded a horse at the HBCPEC for 26 years, describing the facility as a place to go and de-stress. She stated she has volunteered the use of her horse Bob for programs through the Starlight Foundation that grants the wishes of dying children. (00:42:02)

Merle Moshiri, Residents for Responsible Desalination (R4RD) spoke regarding California's drought cycle, snow pack and rainfall, and the state's \$20 billion dollar deficit, and encouraged Council to continue to work on a water reclamation project. (00:45:22)

Dave Sullivan voiced concerns about how faulty journalism was responsible for the largest investigation in Naval Criminal Investigative Services (NCIS) history, and caused great personal harm to U.S. Marines who were wrongfully accused of terrorists' acts following a bombing attack that prompted their defensive actions. He stated his opinion that United States Congressman John Murtha and others owe public apologies to those Marines who were found innocent on all charges. (00:47:01)

Kendall Smith spoke in support of the HBCPEC and discussed how horses have taught her about courage and patience, and offer opportunities for kids with disabilities. (00:52:50)

Kim Kramer, spoke in support of a properly qualified Historic Resource Board member being included as a member of the DRB. He encouraged Council to support the staff recommendation for Agenda Item No. 2. (00:53:44)

Renee Maas with the Food and Water Watch Organization, urged Council not to endorse the Water Bond included as part of Agenda Item No. 14. She voiced concerns related to lack of

guaranteed funding and described how \$6.6 billion dollars in approved water-related bonds have not been issued. She also discussed bonds frozen for inadequate cash flow, debt repayment figures, and called for solutions that will help us now, not those predicted to help us in the future. (00:54:40)

Conner Everts, Southern California Watershed Alliance, voiced concerns regarding Proposition 84 (Water Bond) and his opinion that it will not move in today's market. He also credited the Metropolitan Water District of Orange County as a leader in groundwater replenishment. (00:57:48)

Steve Stafford expressed concerns about a nuisance neighbor, claiming verbal threats made to neighbors and City employees, and money stolen from his HOA. He also voiced concerns about a member of the nuisance neighbor's family vandalizing Huntington Beach High School, and asked Council for help. (00:59:10)

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

Councilmember Coerper discussed the 3/1 5K Run Event on March 13, 2010 at 8:30 a.m. at Pier Plaza, and thanked members of the Council and Mike Ali for sponsoring members from the Explorer Post. He also discussed his son's return from Afghanistan.

Council took the following item out of order:

#### ADMINISTRATIVE ITEMS

14. (City Council) Mr. Kevin Hunt, General Manager of the Municipal Water District of Orange County (MWDOC) updated the Council on issues surrounding the Sacramento-San Joaquin Bay Delta and imported water supply. MWDOC is a member of the Metropolitan Water District of Southern California, which supplies imported water to Southern California. Huntington Beach is a client agency of MWDOC and receives approximately 1/3 of its drinking water from imported supplies.

Councilmember Coerper and Water Operations Manager Howard Johnson discussed educating the public on water conservation through public outreach including advertisements, flyers to top water users, Huntington Beach Sands and Orange County Register ads, and landscape classes at the Huntington Central Library.

Councilmember Carchio and Mayor Green discussed presenting a video on the Delta at a future meeting or on HBTV Channel 3, and statistical data on how much water comes from Delta.

CITY ADMINISTRATOR'S REPORT - None.

#### PUBLIC HEARING

1. (City Council) Public Hearing held to consider adoption of Resolution No. 2010-12 approving General Plan Amendment (GPA) 09-001 (Commercial Office Floor Area Ratio (FAR) Amendment) on an approximately 2.71-acre lot at the east side of Goldenwest Street, between Warner Avenue and Betty Drive (former location of Patti's Preschool and Kindergarten).

Ethan Edwards, Associate Planner, made a PowerPoint presentation that included the following topic slides: Request, Aerial Map, Planning Commission Action, Analysis - GPA, and Staff Recommendation.

Mayor Green opened the public hearing.

Paul Freeman, applicant, described the request for an assisted living facility at the site as a quiet use. He introduced Douglas Pancake who provided information on facility security including the staff/patient ratio, available activities that keep patients busy, and traffic patterns at that location. (01:32:27)

Councilmember Coerper discussed traffic ingress/egress with the applicant's engineer Kyle Mayberry.

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

Councilmember Dwyer expressed support, and in response to Councilmember Carchio's inquiry, staff confirmed the number of units at 124, with 144 beds.

A motion was made by Coerper, second Bohr to approve General Plan Amendment No. 09-001 by adopting Resolution No. 2010-12, "A Resolution of the City Council of the City of Huntington Beach, California, Approving General Plan Amendment No. 09-001." The motion carried by the following roll call vote:

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

2. (City Council) Public Hearing continued from February 1, 2010 with public hearing closed - approved Zoning Text Amendment (ZTA) No. 07-001 modifying the composition and scope of the Design Review Board (DRB) by amending Chapter 244 Design Review and associated chapters of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO); approved for introduction Ordinance No. 3873 (Staff Recommendation) as amended; and, approved for introduction Ordinance Nos. 3867 through 3872 (Planning Commission and Staff Recommendation).

City Clerk Joan Flynn announced receipt of the following late communication:

Communication submitted for Public Hearing Item No. 2 from Diane Ryan, Chair of the Historic Resources Board of Huntington Beach, dated February 12, 2010 and titled *Zoning Text Amendment No. 07-001 Amending Design Review Board*.

Councilmember Hardy moved the staff recommended action. A second was received by Councilmember Hansen. Councilmember Bohr asked that the first and second consider revising language that would direct Council liaisons on the DRB to interview perspective Historic Resource Board (HRB) members. The first and second agreed to the amendment.

A motion was made by Hardy, second Hansen to approve Zoning Text Amendment No. 07-001 for four At-Large members and one Planning Commission member with findings for approval: and, after City Clerk reads by title, approve for introduction Ordinance No. 3873, "An Ordinance of the City of Huntington Beach Amending Chapter 244 of the Huntington Beach Zoning and Subdivision Ordinance Titled Design Review," with amended language in 244.04 A.

Organization as: "The Board shall consist of five members ***interviewed by Council Liaisons and approved*** by the City Council;" and, after City Clerk reads by title, approve for introduction Ordinance No. 3867, "An Ordinance of the City of Huntington Beach Amending Chapter 210 of the Huntington Beach Zoning and Subdivision Ordinance Titled Residential Districts;" and, after City Clerk reads by title, approve for introduction Ordinance No. 3868, "An Ordinance of the City of Huntington Beach Amending Chapter 211 of the Huntington Beach Zoning and Subdivision Ordinance Titled Commercial Districts;" and, after City Clerk reads by title, approve for introduction Ordinance No. 3869, "An Ordinance of the City of Huntington Beach Amending Chapter 212 of the Huntington Beach Zoning and Subdivision Ordinance Titled Industrial Districts;" and, after City Clerk reads by title, approve for introduction Ordinance No. 3870, "An Ordinance of the City of Huntington Beach Amending Chapter 213 of the Huntington Beach Zoning and Subdivision Ordinance Titled Open Space District;" and, after City Clerk reads by title, approve for introduction Ordinance No. 3871, "An Ordinance of the City of Huntington Beach Amending Chapter 214 of the Huntington Beach Zoning and Subdivision Ordinance Titled Public-Semipublic District;" and, after City Clerk reads by title, approve for introduction Ordinance No. 3872, "An Ordinance of the City of Huntington Beach Amending Chapter 233 of the Huntington Beach Zoning and Subdivision Ordinance Titled Signs." Vote to follow. The motion carried by the following roll call vote:

A substitute motion was made by Councilmember Carchio, recommending that language be added to Section 244.04 B 3 stating the DRB "can" choose to appoint a member from the HRB, but in order words, is not obligated too.

Discussion ensued. Councilmember Hardy voiced opposition to the substitute motion, and Mayor Green explained why using the word "can" allows members to serve on two boards. Councilmember Hardy discussed her support of the Planning Commission, and the importance of appointing qualified candidates with professional certifications. Planning and Building Director Hess referenced Section 244.04 A 3 that speaks to training, education and work experience. City Attorney McGrath proposed language to amend Section 244.04 A - Organization.

Councilmember Carchio withdrew his substitute motion.

The original motion carried by the following roll call vote:

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

### CONSENT CALENDAR

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

A motion was made by Coerper, second Bohr to approve and adopt the minutes of the City Council/Redevelopment Agency special meeting of January 29, 2010, and the City

Council/Redevelopment Agency regular meeting of February 1, 2010, 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, Hardy, and Hansen  
NOES: None

4. (City Council) Approved amendments to the City's Code of Ethics and changes in the process for its acknowledgement by elected and appointed City officials, as recommended by the City Council Intergovernmental Relations Committee (IRC).

Councilmember Coerper pulled the item to question if changes to the code of ethics were drastic. City Attorney McGrath explained the request for change would make the City's Municipal Code consistent with regulations involving gifts and Statement of Economic Interest at the state level.

A motion was made by Coerper, second Hardy to approve the amended "City of Huntington Beach Code of Ethics;" and, approve the form, "Acknowledgement Process for the City of Huntington Beach Code of Ethics." The motion carried by the following roll call vote:

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

5. (City Council) Adopted Resolution No. 2010-07 calling a Public Hearing regarding the formation of an Underground Utility District on Edison Drive from Newland Street Easterly Terminus and Newland Street between Hamilton Avenue and Pacific Coast Highway.

Councilmember Dwyer pulled the item to discuss undergrounding utility lines citywide.

A motion was made by Dwyer, second Coerper to adopt Resolution No. 2010-07, "A Resolution of the City Council of the City of Huntington Beach Calling a Public Hearing to Determine Whether Public Necessity, Health, Safety, or Welfare Require the Formation of an Underground Utility District on Edison Drive from Newland Street Easterly Terminus and Newland Street Between Hamilton Avenue and Pacific Coast Highway;" and, fixing March 15, 2010 at 6:00 PM in City Council Chambers as the time for hearing protests and objections to the Underground Utility District formation. (Per HBMC 17.64.100, affirmative vote of at least five (5) members of City Council is required.) The motion carried by the following roll call vote:

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

6. (City Council) Adopted Resolution No. 2010-08 for the Summary Vacation of a Water Line Easement located at 19101 Magnolia.

A motion was made by Coerper, second Bohr to adopt Resolution No. 2010-08, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of a Water Line Easement on Property Located at 19101 Magnolia Street;" and, direct the City Clerk to record the resolution and attached exhibits with the Orange County Recorder. The motion carried by the following roll call vote:

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

7. (City Council) Adopted Resolution No. 2010-09 for the Summary Vacation of a Water Line Easement located at 7887 Center Avenue.

A motion was made by Coerper, second Bohr to adopt Resolution No. 2010-09, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of a Water Line Easement on Property Located at 7887 Center Avenue;" and, direct the City Clerk to record the resolution and attached exhibits with the Orange County Recorder. The motion carried by the following roll call vote:

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

8. (City Council) Approved and authorized the City Administrator to enter into agreements with Verizon and Time Warner to transfer ownership of Utility Substructures.

A motion was made by Coerper, second Bohr to approve the transfer of ownership of utility substructures to Verizon and Time Warner; and, authorize the City Administrator to enter into agreement(s) with Verizon and Time Warner to transfer ownership of utility substructures. The motion carried by the following roll call vote:

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

9. (City Council) Adopted Resolution No. 2010-10 approving and implementing a Side Letter Agreement to the Memorandum of Understanding (MOU) between the City and the Huntington Beach Firefighters' Association (HBFA) regarding the Firefighters' procedural Bill of Rights.

A motion was made by Coerper, second Bohr to adopt Resolution No. 2010-10, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Huntington Beach Firefighters' Association, by Adopting a Side Letter of Agreement Regarding the Firefighters' Procedural Bill of Rights." The motion carried by the following roll call vote:

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

10. (City Council) Adopted Resolution No. 2010-11 regarding access to summary criminal history information that allows the City to conduct required background checks for all Emergency Medical Technicians (EMTs).

Councilmember Coerper pulled the item for clarification on background checks for Emergency Medical Technicians (EMTs). Staff responded.

A motion was made by Coerper, second Bohr to Adopt Resolution No. 2010-11, "A Resolution of the City Council of the City of Huntington Beach Regarding Access to Summary Criminal History Information." The motion carried by the following roll call vote:

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

11. (City Council) Received and filed the City of Huntington Beach Strategic Objectives Update.

A motion was made by Coerper, second Bohr 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, Hardy, and Hansen  
NOES: None

12. (City Council) Adopted Resolution No. 2010-14 approving and implementing a Side Letter Agreement to the Memorandum of Understanding (MOU) between the City and the Police Management Association (PMA) increasing the employee-paid portion of CalPERS by 2% (two percent) effective April 3, 2010.

Councilmember Bohr pulled the item and #13 to thank employee bargaining groups for helping to alleviate the City's current general fund shortfall.

A motion was made by Bohr, second Coerper to adopt Resolution No. 2010-14, "A Resolution of the City Council of the City of Huntington Beach Amending the Memorandum of Understanding Between the City and the Huntington Beach Police Management Association, by Adopting a Side Letter of Agreement." The motion carried by the following roll call vote:

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

13. (City Council) Adopted Resolution No. 2010-15 modifying salary and benefits for Non-Associated employees by increasing the employee-paid portion of CalPERS by 2% (two-percent) effective April 3, 2010 through September 30, 2011.

A motion was made by Bohr, second Coerper to adopt Resolution No. 2010-15, "A Resolution of the City Council of the City of Huntington Beach Modifying Salary and Benefits for Non-Represented Employees." The motion carried by the following roll call vote:

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

#### ADMINISTRATIVE ITEMS, continued

15. (City Council) Approved a City Council position on legislation, a regulation or budget issues pending before a federal, state, or regional government as recommended by the City Council Intergovernmental Relations Committee (IRC); and, adopted Resolution No. 2010-16 supporting the Local Taxpayer, Public Safety, and Transportation Protection Act initiative.

Councilmember Coerper questioned the fee received by the City's federal lobbyist. Discussion ensued on what lobby efforts deliver, how direct resources to the City of Huntington Beach have been fruitful, and how they support enterprise funds that pay employee salaries.

A motion was made by Coerper, second Hardy to approve the 2011 Federal Funding Agenda establishing those items on which our Washington lobbyist will focus attention during the current Congressional session; and, adopt Resolution No. 2010-16, "A Resolution of the City Council of the City of Huntington Beach in Support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010;" and, authorize the Mayor to send a letter of support for implementation of SB 827 to the California Environmental Protection Agency. The motion carried by the following roll call vote:

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

#### ORDINANCES FOR ADOPTION

16. (City Council) Adopted Ordinance No. 3864 amending Chapter 17.56 of the Huntington Beach Municipal Code (HBMC) regarding fire access roads and mobile home park hydrant requirements. Approved for introduction February 1, 2010.

Councilmember Dwyer noted that he would vote to approve, but wanted the record to show he opposes removing speed bumps.

A motion was made by Hardy, second Coerper to after City Clerk reads by title, adopt Ordinance No. 3864, "An Ordinance of the City of Huntington Beach Amending Chapter 17.56 of the Huntington Beach Municipal Code Relating to the Fire Code" regarding fire access roads and mobile home park hydrant requirements. The motion carried by the following roll call vote:

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

17. (City Council) Adopted Ordinance No. 3865 amending chapter 9.68 of the Huntington Beach Municipal Code (HBMC) relating to curfew, in order to provide consistency with current enforcement practices. Approved for introduction February 1, 2010.

A motion was made by Bohr, second Hansen to After City Clerk reads by title, adopt Ordinance No. 3865, "An Ordinance of the City of Huntington Beach Amending Chapter 9.68 of the Huntington Beach Municipal Code Relating to Curfew." The motion carried by the following roll call vote:

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

#### COUNCILMEMBER COMMENTS (Not Agendized)

Councilmember Carchio thanked all who participated in putting on the Surfcity Marathon.

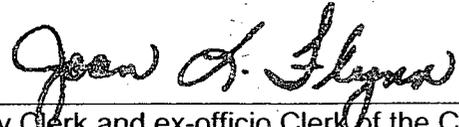
Councilmember Dwyer discussed his pleasure in starting the 5K and kids races at the Surfcity

Marathon, and apologized for missing Fire Chief McIntosh's swearing in ceremony.

Councilmember Coerper congratulated Fire Chief Patrick McIntosh and discussed attending the 3/1 change of command ceremony with Councilmembers Carchio and Dwyer.

Mayor Green expressed excitement for starting the full and half marathons at the Surf City Marathon, reminded the public of the City's first Disaster Preparedness event at the Central Library on February 20, and the burial of the Centennial Time Capsule on February 17 at 5:00 p.m., Huntington Beach Civic Center.

ADJOURNMENT - The meeting adjourned at 8:59 p.m. to the next regularly scheduled meeting of Monday, March 1, 2010, at 4:00 p.m. in Room B-8, Huntington Beach Civic Center.



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:



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City Clerk-Clerk



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Mayor Chair