



City of Huntington Beach

Charter Review Commission

AGENDA

Tues., Jan. 05, 2010, 6:00 PM
City Hall, Room B-8

- I. **Roll Call:** Jerry Bame, Ralph Bauer, Mark Bixby, Patrick Brenden, Shirley Dettloff, Dick Harlow, Gregory Hartnett, Marijo Johnson, Gary Kutscher, Joe Shaw, Ray Silver, Sharie Sneddon, Tim Stuart, Dave Sullivan, Shane Whiteside

II. **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.

- III. **Approval of Minutes from the December 15 Commission meetings.**
- IV. **Discussion on a request to add language regarding General Plan amendment to the Charter similar to that in Newport Beach Municipal Code 423 – Traffic Density.**
- V. **Discussion as requested on Section 607(b) 2 - Retirement Tax**
- VI. **Under Article VII of the Charter - Campaign Finance**
- VII. **Commissioner Requests: Questions, comments, or suggestions for discussion at a subsequent meeting of the Commission**
- **Recommendations from Commissioner Mark Bixby**
- VIII. **Adjourn to the next regular meeting scheduled for Tuesday, Jan 21 at 6 PM in City Hall Room B 8.**

Attachments: *

1. **Letter from Karen Jackle, President of Huntington Beach Tomorrow**
2. **Memo from city staff on the city's General Plan Process**
3. **Memo from city staff on the retirement property tax.**
4. **Newport Beach Municipal Code 423**
5. **H.B. Municipal Codes Section 2.07 – Campaign Reform**
6. **Summary Report on recent amendments on Municipal Code. 2.07**
7. **Sonenshein Memo dated Oct. 31 on Campaign Finance**
8. **Matrix of other cities campaign finance law.**
9. **Recommendations from Commissioner Bixby on Article VII of the City Charter**
10. **Recommendations from Commissioner Bixby on additions to the City Charter**
11. **Letter dated 09-14-09 from Ed Kerins regarding Section 607(b)2 of the Charter**
12. **Information from David Rice on his request regarding the General Plan**
13. **Minutes from the December 15 Meeting**

* 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.

COMMISSIONER MARK BIXBY ITEMS:

1. Add new charter section to require electronic filing & Internet publication of Statements of Economic Interests and campaign finance disclosures from elected city officials
Statement of Issue: Require key disclosure documents to be filed electronically to improve legibility, usability, and timeliness. Require Internet publication of these documents for easy public access.
2. Add new charter section to provide safe harbor for prompt refund of improper campaign contributions
Statement of Issue: Current Huntington Beach Municipal Code (HBMC) 2.07 campaign reform ordinances do not provide any means of “curing” inadvertent violations. This proposed charter amendment creates a “safe harbor” time period whereby improper contributions may be refunded promptly without penalty.
3. Add new charter section to regulate surplus campaign funds.
Statement of Issue: Prevents elected office holders from carrying forward surplus campaign funds that could be used to gain an unfair advantage when running for re-election.
4. Add new charter section to require the city council to determine at least once every 10 years whether charter review is warranted.
Statement of Issue: Over time, current city practice has diverged from strict charter compliance as needs have changed in the decades between major charter revisions. This proposal will require the city council to determine at least once every 10 years whether charter review is warranted.
5. Prohibit the use of eminent domain to transfer propriety from one private owner to another private owner for commercial profit-making purposes.
Statement of Issue: In the past the city has used eminent domain in redevelopment projects to transfer property from one private owner to another for the purposes of furthering community-wide economic growth. In *Kelo v. City of New London*, 125 S. Ct 2655 (2005), the US Supreme Court by a split vote of 5-4 upheld such use of eminent domain. Public backlash was swift, and many states and municipalities reacted by passing laws prohibiting Kelo-style eminent domain.
6. Implement Monterey-style Neighborhood Improvement Program (NIP) to allow residential neighborhoods to share the benefits of tourist-oriented development
Statement of Issue: Monterey and Huntington Beach both share a common history of being transformed from sleepy coastal towns into major tourist destinations in relatively short periods of time. In addition to bringing in money, tourism also brings negative impacts which reduce residential quality of life. Monterey’s solution to restoring balance between tourism and the residential neighborhoods was to implement a Neighborhood Improvement Program that dedicates a portion of the Transient Occupancy Tax (TOT) to funding neighborhood capital improvements selected by residents appointed to a Neighborhood Improvement Program Committee. I propose a similar solution for Huntington Beach.
7. Require park in-lieu fees to be spent on parkland development whenever the per-capita park acreage ratio is below the requirement specified in the General Plan.
Statement of Issue: The city’s General Plan requires 5 acres of parks (including beaches) for every 1,000 residents. In 1992 the city exceeded this requirement by 49 acres, but by 2009 the city fell short of the requirement by 4.2 acres, and the Beach-Edinger Corridor Specific Plan is poised to dramatically worsen the deficit. My proposal would require that whenever the current per capita ratio falls short of the General Plan, park in-lieu fees shall only be spent on parkland development.

8. Add new charter section to require the city council to determine at least once every 10 years whether charter review is warranted.

Statement of Issue: Over time, current city practice has diverged from strict charter compliance as needs have changed in the decades between major charter revisions. This proposal will require the city council to determine at least once every 10 years whether charter review is warranted.

9. City-owned tidelands

Statement of Issue: City-owned tidelands provide important, valuable public benefits and should be subject to protections similar to Measure C.