

ORDINANCE NO. 4244

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING THE HUNTINGTON BEACH MUNICIPAL CODE CHAPTER 2.100

WHEREAS, the City Council established an Ad-hoc Committee in March 2021 to perform an assessment of the duties, priorities, current relevancy, and overall framework of the City's Boards, Commissions, and Committees, as well as providing recommendations to streamline any overlapping functions for consideration by the City Council.

WHEREAS, the City Council wishes to modify provisions applicable to the City's Boards, Commissions and Committees.

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Chapter 2.100.010 is hereby amended as follows:

2.100.010 Establishment

All advisory boards and commissions shall be established or dissolved by ordinance. Committees may be established or dissolved by resolution or Council action.

SECTION 2. Section 2.100.020 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.020 Definitions

Board. A body of members appointed pursuant to Huntington Beach Charter Section 405 to serve in a continuing advisory capacity to the City Council in a specific area, except for such boards which have decision making authority pursuant to the particular establishing ordinance creating such a board;

Commission. A body of members appointed pursuant to Huntington Beach Charter Section 405 which may have decision making authority in those activities delegated to them by the City Council

Committee. A body of members appointed pursuant to the Huntington Beach Charter Section 405 to advise City Council on a particular subject for a limited amount of time.

Standing Council Committee. A standing committee created by Council action in response to an ongoing issue. Standing Council Committees are made up of Council members only (three or less) with support from a staff liaison. This Committee is subject to the Ralph M. Brown Act.

Ad Hoc Council Committee. A temporary committee created by Council action in response to an issue that is limited in scope and duration. Ad hoc Council Committees are made up of Council members only (three or less) with staff support.

Council Liaison. Council members assigned by the Mayor to serve as the liaison to a specific advisory board.

SECTION 3. Section 2.100.040 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.040 Staff Liaison

The City shall assign a staff liaison to each board and commission.

SECTION 4. Section 2.100.050 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.050 Eligibility

Unless otherwise specified, all members of boards and commissions shall be residents and electors of the City of Huntington Beach.

SECTION 5. Section 2.100.065 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.065 Duration of Terms

Unless otherwise specified, or removed, members shall serve until their respective successors are appointed and qualified. The City Council shall have the power to fill any vacancies. Unless otherwise specified, terms of members of boards and commissions shall be four years, staggered so that the majority of terms shall end in odd-numbered years following the election of four council members and remainder of the term shall end in odd-numbered years following the election of three council members.

SECTION 6. Section 2.100.070 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.070 Statements of Economic Interests

Every person appointed to a Board, Commission or Committee listed in the City's Conflict of Interest Code shall file a statement of economic interests with the City Clerk. Statements of economic interests shall be filed within 30 days of taking office and annually thereafter, and upon leaving office. Any such person who fails to file a statement of economic interests as provided in this section may be required to vacate the office.

SECTION 7. Section 2.100.080 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.080 Employment Limitation

No person serving on any board or commission shall hold any full or part-time paid office or employment in the Huntington Beach personnel system while so serving, unless otherwise specified.

SECTION 8. Section 2.100.85 of the Huntington Beach Municipal Code is hereby deleted in its entirety.

SECTION 9. Section 2.100.090 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.090 Attendance

Persons appointed to any City Board, Commission or Committee are required to attend regular and/or special meetings. Upon request to be absent, in writing, each advisory body shall have the authority to determine whether an absence is excused.

Members with unexcused absences greater than one third of the scheduled meetings during a calendar year or miss more than two consecutive unexcused absences shall automatically vacate the office.

The appointing authority shall appoint a successor to fill the vacancy for the unexpired remaining term.

SECTION 10. Section 2.100.100 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.100 Removal of Members

Members may be appointed and positions maintained by individual or majority of City Council.

SECTION 11. Section 2.100.110 of the Huntington Beach Municipal Code is hereby amended to read as follows:

2.100.110 Open Meetings

All meetings of Boards, Commissions and Committees shall be subject to the public per the Ralph M. Brown Act (Government Code Section 54950) including requirement that meeting be open to the public.

SECTION 12. Section 2.100.120 of the Huntington Beach Municipal Code is hereby added to read as follows:

2.100.120 Records

Records (e.g. meeting agendas, minutes, and staff reports) of the boards and commissions, and committees shall be retained per the City's Records Retention Guideline.

SECTION 13. Section 2.100.130 of the Huntington Beach Municipal Code is hereby added to read as follows:

2.100.130 Rules

Each board and commission may adopt such bylaws and rules as may be necessary or convenient for the conduct of its business, subject to approval of the City Council.

SECTION 14. Section 2.100.140 of the Huntington Beach Municipal Code is hereby added to read as follows:

2.100.140 Applicability

This chapter shall apply to all boards and commissions.

SECTION 15. This Ordinance shall become effective immediately 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the ____ day of _____, 2021.

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:



City Attorney

INITIATED AND APPROVED:



City Manager

LEGISLATIVE DRAFT
HBMC CHAPTER 2.100

Chapter 2.100 Establishment

2.100.010 Established

All advisory boards and commissions shall be established or dissolved by ordinance. Committees may be established or resolved by resolution or Council action. ~~The enabling document may establish the duration, manner of appointment, term of office, and powers and duties.~~

2.102.020 Composition Definitions

Board. A body of members appointed pursuant to Huntington Beach Charter Section 405 to serve in a continuing advisory capacity to the City Council, in a specific area, except for such boards which have decision making authority pursuant to the particular establishing ordinance creating such board;

Commission. A body of members appointed pursuant to Huntington Beach Charter Section 405 which may have decision making authority in those activities delegated to them by the City Council;

Committee. A body of members appointed pursuant to Huntington Beach Charter Section 405 ~~on an ad hoc basis to advise the City Council on particular matters.~~ To advise City Council on particular subject for a limited amount of time.

Standing Council Committee. A standing committee created by Council action in response to an ongoing issue. Standing Council Committees are made up of Council members only (three or less) with support from a staff liaison. This Committee is subject to the Ralph M. Brown Act.

Ad Hoc Council Committee. A temporary committee created by Council action in response to an issue that is limited in scope and duration. Ad hoc Council Committees are made up of Council members only (three or less) with staff support.

Council Liaison. Council members assigned by the Mayor to serve as the liaison to a specific advisory board.

2.100.040-Staff Liaison

The City shall assign a staff liaison to each board and commission.

2.100.050 Staff Liaison and Residency Eligibility

~~Unless otherwise specified, each board or commission is to be assigned one staff liaison specified by the City Council. All members of boards and commissions shall be residents and electors of the City of Huntington Beach.~~ all members of boards and commissions shall be residents and electors of the City of Huntington Beach.

2.100.065 Statements of Economic Interests Duration of Terms

~~Every person appointed to a board, commission, or committee designated by the City Council resolution adopting the City's Conflict of Interest Code, shall file a statement of economic interests with the City Clerk on forms provided by the City Clerk. Statements of economic interests shall be filed upon taking office, annually no later than 30 days after the date specified by law, and upon leaving office. Any such person who fails to file a statement of economic interests as provided in this section shall automatically vacate the office. Unless otherwise specified, or removed, members shall serve until their respective successors are appointed and qualified. The City Council shall have the power to fill any vacancies.~~

Unless otherwise specified, terms of members of boards and commissions shall be four years, staggered so that the majority of terms shall end in odd-numbered years following the election of four council members and remainder of the term shall end in odd-numbered years following the election of three council members.

2.100.070 Employment Limitation Statements of Economic Interests

No person serving on any board or commission shall hold any full or part-time paid office or employment in the Huntington Beach personnel system while so serving, unless otherwise specified. Every person appointed to a Board, Commission or Committee listed in the City's Conflict of Interest Code shall file a statement of economic interests with the City Clerk. Statements of economic interests shall be filed within 30 days of taking office and annually thereafter, and upon leaving office. Any such person who fails to file a statement of economic interests as provided in this section may be required to vacate the office.

2.100.080 Duration of Terms Employment Limitation

Members shall serve until their respective successors are appointed and qualified. The City Council shall have the power to fill any vacancies. Unless otherwise specified, terms of members of boards and commissions shall be four years, staggered so that the majority of terms shall end in odd-numbered years following the election of four councilmembers and remainder of the terms shall end in odd-numbered years following the election of three councilmembers. No person serving on any board or commission shall hold any full or part-time paid office or employment in the Huntington Beach personnel system while so serving, unless otherwise specified.

2.100.085 Attendance

Any person appointed to any City board, commission, or committee shall automatically vacate the office upon a fifth unexcused absence during a calendar year or upon more than three consecutive unexcused absences at any time during the term of office. Upon request of the absent member, each board, commission, or committee shall have the authority to determine whether an absence is excused. The appointing authority shall appoint a successor to fill the vacancy.

2.100.090 Opening Meetings Attendance

All meetings of boards and commissions shall be open to the public unless subject to the closed-session exceptions contained in the Ralph M. Brown Act (Government Code Section 54950).

Persons appointed to any City Board, Commission or Committee are required to attend regular and/or special meetings. Upon request to be absent, in writing, each advisory body shall have the authority to determine whether an absence is excused.

Members with unexcused absences greater than one third of the scheduled meetings during a calendar year or miss more than two consecutive unexcused absences shall automatically vacate the office.

The appointing authority shall appoint a successor to fill the vacancy for the unexpired remaining term.

2.100.100 Rules Removal of Members

Each board and commission may adopt such bylaws and rules as may be necessary or convenient for the conduct of its business, subject to approval of the City Council. Members may be appointed and positions maintained by individual or majority of City Council.

2.100.110 Applicability Open Meetings

This chapter shall apply to all boards and commissions, unless an ordinance enacted after the date of this section establishes different requirements. All meetings of Boards, Commissions and Committees shall be subject to the public per the Ralph M. Brown Act (Government Code Section 54950) including requirement that meeting be open to the public.

2.100.120 Records

Records (e.g. meeting agendas, minutes, and staff reports) of the boards and commissions, and committees shall be retained per the City's Records Retention Guideline.

2.100.130 Rules

Each board and commission may adopt such bylaws and rules as may be necessary or convenient for the conduct of its business, subject to approval of the City Council.

2.100.140 Applicability

This chapter shall apply to all boards and commissions.