

ORDINANCE NO. 4241

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH REPEALING THE HUNTINGTON BEACH MUNICIPAL CODE CHAPTERS 2.64 AND 2.84 AND ADDING A NEW CHAPTER 2.64 TITLED "COMMUNITY AND LIBRARY SERVICES COMMISSION"

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 desires to create a new "Community and Library Services Commission" by consolidating the following two entities:

1. Community Services Commission;
2. Library Board of Trustees.

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

SECTION 1. Chapter 2.64 is hereby repealed in its entirety and replaced with a new Chapter 2.64 as follows:

Title: Community and Library Services Commission

2.64.010 Established

There is hereby established a new Community & Library Services Commission which shall be advisory to City Council.

2.64.020 Authority/Non-Interference

It is intended that the Community and Library Services Commission act only in an advisory capacity with no final decision making authority.

No member of the Community and Library Services Commission shall order, directly or indirectly, the Director of Community and Library Services or his/her staff in the administration or execution of the Director's Powers and Duties.

2.64.030 Duties

The Commission shall act in an advisory capacity to the City Council, and the Director of Community and Library Services, in matters pertaining to the acquisition and development of Community and Library Services facilities, parks, libraries, and beaches except those dealing with administrative functions. The Commission shall cooperate with other governmental agencies and civic groups in the advancement of sound parks, library planning, and recreational planning under the direction of the City Council.

Commissioners may study, report and interpret the needs of the public for beaches, parks, library, and recreational needs and may assist in obtaining financial support. The Commission may review the annual budget for Community and Library Services' proposed capital improvement projects presented to the City Council and advise it on the park, recreational, and library planning needs. The Commission shall perform such other functions as the City Council may direct and require from time to time.

2.64.040 Composition

Members of the Community Services Commission in good standing are hereby appointed to the Community and Library Services Commission. Any vacancies created by these members will be filled per Sections 2.64.050 and 2.64.060.

All current members of the Library Board of Trustees in good standing are hereby appointed to the Community and Library Services Commission until their current terms sunset, from the time of the adoption of the ordinance. Vacancies created by members of the Library Board of Trustees will permanently remain unfilled. Following the sunset of all Library Board of Trustee's current terms, the Community and Library Services Commission shall solely consist of seven (7) members individually appointed by City Council.

2.64.050 Appointment

Each City Councilmember shall appoint one member of the Community and Library Services Commission to serve the same term as the City Councilmember. The term shall coincide with the term of the City Councilmember making the appointment.

2.64.060 Vacancies

Vacancies in the Community and Library Services Commission shall be filled by appointment by the City Councilmember or his/her successor, who made the appointment that was vacated. The term of such appointment shall be for the remainder of the term of the appointment Councilmember.

2.64.070 Election of Officers

The Commission shall elect from its members a chairperson and vice chairperson at the first regular meeting of the calendar year and such officers shall serve for one year and until their successor are elected and qualified. The chairperson and vice chairperson may make and second motions and shall have a voice and vote in all proceedings of the Commission.

2.64.080 Secretary

The Director of Community and Library Services, or his/her designee, shall serve as secretary to the Commission without vote and shall retain permanent minutes of the Committee meetings approved by the Commission per the City's Records Retention Policy. Roberts' Rules of Order (current edition) shall govern the procedure of the meetings of the Commission unless inconsistent with other provisions of this Chapter.

2.64.090 Operative Policy

Except as otherwise provided in this Chapter, the Commission shall conform to the policy for boards and commissions as set forth in Chapter 2.100 of the Huntington Beach Municipal Code.

2.64.100 Meetings

A Commission shall meet regularly once a month at a time and place determined by the Commission. Special meetings may be called by the Chairperson.

SECTION 2. Chapter 2.84 of the Huntington Beach Municipal Code is hereby repealed in its entirety.

SECTION 3. 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 *mv*

INITIATED AND APPROVED:



City Manager

LEGISLATIVE DRAFT

HBMC CHAPTER 2.64

2.64.010 Established

There is established an advisory Community Services Commission in and for the City. (1113-7/65, 2383-9/79, 2399-11/79, 3983-1/14)

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2.64.020 Composition

The commission shall be composed of 13 members. (803-12/60, 1113-7/65, 1300-3/67, 3983-1/14)

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2.64.025 Appointment

Each member of the City Council shall appoint one member to the Community Services Commission for a four-year term. (3983-1/14)

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2.64.027 Term

Each member of the Community Services Commission shall serve a four-year term commencing on January 1 following a general municipal election at which the appointing Councilmember was elected. In the event the office of any appointing Councilmember becomes vacant during the term thereof, the term of the Community Services Commissioner appointed by such Councilmember shall terminate 30 days after such vacancy occurs. Following expiration of his/her term of office, each member of the Community Services Commission shall continue to serve until his/her successor is appointed and qualified. Members of the Community Services Commission may be removed by the Councilmember of which he/she is the appointee, upon announcement of such removal at a regular City Council meeting; provided, however, that no member of the Community Services Commission may be removed prior to January 1 following any general municipal election. (3983-1/14)

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2.64.028 Vacancies

Vacancies in the Community Services Commission shall be filled by appointment by the City Councilmember or his/her successor, who made the appointment which is vacated. (3983-1/14)

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2.64.040 One-Year Members

The City Council shall appoint six members for terms of one year. Each elementary, high school and public community college district having facilities within the City may recommend to the Council, on or before the third Monday in June of each year, two or more persons, residents of the City of Huntington Beach, to represent their district. One of said persons shall be appointed by the Council for a one-year term which will terminate on July 1 the following year. In the event that any district shall not make such recommendations to the Council by the first day of July, then the Council may appoint some qualified person to a one-year term to represent such school district on the commission. (1113-7/65, 1300-3/67, 2383-7/79, 2389-9/79, 3723-12/05, 3983-1/14)

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2.64.045 Service Limitation

No person shall serve more than two consecutive four-year terms; provided, however, that persons serving on the effective date of this chapter may complete their current terms and, if reappointed, an additional term thereafter. No person shall serve more than eight consecutive one-year terms. (2918-12/87)

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2.64.050 Mayor—Ex Officio Member

The Mayor shall be an ex-officio member of the commission. (1113-7/65)

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2.64.060 Secretary

The Director of Community Services, or his/her designee, shall serve as secretary to the commission without vote and shall keep permanent minutes of the commission meetings. (1113-7/65, 2383-7/79, 2389-9/79, 2399-11/79)

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2.64.100 Duties and Responsibilities

The commission shall act in an advisory capacity to the City Council, the boards of trustees of the school districts and the Director of Community Services in all matters pertaining to harbors and beaches facilities, park acquisition, development and maintenance, and recreational programming or facilities. Also the commission shall cooperate with other governmental agencies and civic groups in the advancement of sound parks and recreational planning under the direction of the City Council. Commissioners may study, report and interpret the needs of the public to the City Council and may assist in securing financial support from the community for harbors, beaches, parks and recreational needs. The commission may review the annual budget as presented to the City Council and advise them on the current operational needs and long-range plans for capital improvement. (1113-7/65, 2383-7/79, 2399-11/79)

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2.64.105 Operating Policies

Except as otherwise provided in this chapter, the board shall conform to the operating policy for boards and commissions as set forth in Chapter 2.100 of this Code. (2918-12/87)

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2.64.110 Meetings

The commission shall meet regularly on the second Wednesday of each month at 6:00 p.m. in the Council Chambers unless it should fall on a holiday. In such case, the following Wednesday shall be designated. Special meetings may be called by the chairperson. (1113-7/65, 2383-7/79, 2389-9/79, 3983-1/14)

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2.64.120 Election of Officers

The commission shall elect from its members a chairperson and vice chairperson at the regular July meeting and such officers shall serve for one year and until their successors are elected and qualified. The

chairperson and vice chairperson may make and second motions and shall have a voice and vote in all proceedings of the commission. (1434 9/68, 2383-7/79)

2.64.130 Quorum Proceedings

A majority of the members of the commission in office shall constitute a quorum. A majority vote of the members present and voting, where a quorum is present at any regular or special meeting, is required to carry a motion, proposal or resolution. Upon demand of any member, the roll call shall be called for yeas and nays upon any question before the commission. Absence from three consecutive meetings without formal consent of the commission chairperson shall be deemed to constitute the retirement of such member and the position shall become vacant. Roberts' Rules of Order Revised shall govern the procedure of meetings of the commission unless inconsistent with other provisions of this chapter.

Title Community and Library Services Commission

2.64.010 Established

There is hereby established a new Community & Library Services Commission which shall be advisory to City Council.

2.64.020 Authority/Non-Interference

It is intended that the Community and Library Services Commission act only in an advisory capacity with no final decision making authority.

No member of the Community and Library Services Commission shall order, directly or indirectly, the Director of Community and Library Services or his/her staff in the administration or execution of the Director's Powers and Duties.

2.64.030 Duties

The Commission shall act in an advisory capacity to the City Council, and the Director of Community and Library Services, in matters pertaining to the acquisition and development of Community and Library Services facilities, parks, libraries, and beaches except those dealing with administrative functions. The Commission shall cooperate with other governmental agencies and civic groups in the advancement of sound parks, library planning, and recreational planning under the direction of the City Council.

Commissioners may study, report and interpret the needs of the public for beaches, parks, library, and recreational needs and may assist in obtaining financial support. The Commission may review the annual budget for Community and Library Services' proposed capital improvement projects presented to the City Council and advise it on the park, recreational, and library planning needs. The Commission shall perform such other functions as the City Council may direct and require from time to time.

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Members of the Community Services Commission in good standing are hereby appointed to the Community and Library Services Commission. Any vacancies created by these members will be filled per Sections 2.64.050 and 2.64.060.

All current members of the Library Board of Trustees in good standing are hereby appointed to the Community and Library Services Commission until their current terms sunset, from the time of the adoption of the ordinance. Vacancies created by members of the Library Board of Trustees will permanently remain unfilled. Following the sunset of all Library Board of Trustee's current terms, the Community and Library Services Commission shall solely consist of seven (7) members individually appointed by City Council.

2.64.050 Appointment

Each City Councilmember shall appoint one member of the Community and Library Services Commission to serve the same term as the City Councilmember. The term shall coincide with the term of the City Councilmember making the appointment.

2.64.060 Vacancies

Vacancies in the Community and Library Services Commission shall be filled by appointment by the City Councilmember or his/her successor, who made the appointment that was vacated. The term of such appointment shall be for the remainder of the term of the appointing Councilmember.

2.64.070 Election of Officers

The Commission shall elect from its members a chairperson and vice chairperson at the first regular meeting of the calendar year and such officers shall serve for one year and until their successor are elected and qualified. The chairperson and vice chairperson may make and second motions and shall have a voice and vote in all proceedings of the Commission.

2.64.080 Secretary

The Director of Community and Library Services, or his/her designee, shall serve as secretary to the Commission without vote and shall retain permanent minutes of the Committee meetings approved by the Commission per the City's Records Retention Policy. Roberts' Rules of Order (current edition) shall govern the procedure of the meetings of the Commission unless inconsistent with other provisions of this Chapter.

2.64.090 Operative Policy

Except as otherwise provided in this Chapter, the Commission shall conform to the policy for boards and commissions as set forth in Chapter 2.100 of the Huntington Beach Municipal Code.

2.64.100 Meetings

A Commission shall meet regularly once a month at a time and place determined by the Commission. Special meetings may be called by the Chairperson.

LEGISLATIVE DRAFT

HBMC CHAPTER 2.84

Chapter 2.84 PUBLIC LIBRARY—GENERAL PROVISIONS

2.84.010 Library and Library Board Established

A. — A public library is established in and for this City, the inhabitants thereof, and nonresident taxpayers.

B. — An advisory library board is established in and for the City composed of seven members who shall be appointed, from the electors of the City, by the Mayor with the approval of the City Council. Members shall serve without compensation, and shall hold no paid office or employment in the City government while serving on such board. (2625-7/83, 3924-12/11)

2.84.020 Board—Terms

A. — The members of the board shall serve for four years. Any vacancy occurring on such board shall be filled by appointment for the unexpired term or until such time as a successor is regularly appointed and qualified.

B. — Regular attendance at meetings is required of all members to enable the board to discharge its duties. A member absent from three consecutive meetings without consent of the chairperson shall be deemed to have resigned from the board, and immediate notification shall be given to the Mayor and City Council of such vacancy. (2625-7/83, 2925-2/88)

2.84.030 Mayor—Ex Officio Member

The Mayor shall be an ex officio member of the board. (2625-7/83)

2.84.040 Secretary

The Director of Library Services, or his/her designee, shall serve as secretary to the board without vote, and shall keep permanent minutes of the board meetings. Roberts' Rules of Order Revised shall govern the procedure of the meetings of the board unless inconsistent with other provisions of this chapter. (2625-7/83, 3076-10/90)

2.84.050 Duties and Responsibilities

The board shall act in an advisory capacity to the City Council in all matters pertaining to the library except those dealing with administrative functions. Also the board shall cooperate with other civic groups in the advancement of library planning under the direction of the City Council. The board may study, report and interpret the needs of the public to the City Council and may assist in securing financial support from the community for library needs. The board may review the annual budget as presented to the City Council and advise it on the current operational needs and long-range plans for capital improvement. The board shall perform such other functions as the City Council may direct and require from time to time. (2625-7/83)

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2.84.060 Meetings—Quorum

The board shall meet at such time and place as it may fix by resolution. All meetings shall be open to the public. A majority of the board shall constitute a quorum for the transaction of business. (2625-7/83)

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2.84.070 Election of Officers

The board shall elect from its members a chairperson and vice chairperson at the regular January meeting. Such officers shall serve for one year or until their successors are elected. The chairperson and vice chairperson may make and second motions and shall have a voice and vote in all proceedings. (2625-7/83)

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2.84.080 Library Privileges Regulated

Upon receipt of a report from the Director of Library Services that any person has abused his or her library card privileges, the library board may apply the following rules and regulations:

- A.— The board may determine, upon investigation, to suspend, revoke, or refuse to issue or renew library card privileges of any person. Notice and opportunity to be heard shall be given before taking such action.
 - B.— Whenever the board suspends or revokes the library card privileges of any person, such suspension or revocation shall apply to all library cards held by such person, and all such cards shall be surrendered to the board unless previously surrendered to a court. Revoked or suspended library cards shall be retained by the board.
 - C.— Upon the expiration of a suspension or revocation period, the board shall return the library card(s) to the person or may order new cards to be issued. Suspension of library cards shall not exceed six months unless a longer period has been recommended by a court.
 - D.— Upon recommendation of a court of competent jurisdiction, the board shall suspend or revoke the library privileges of any person who has been found guilty of a violation of California [Penal Code](#) Section 490.5 pertaining to theft of property from a public library. The board shall not grant a hearing to any person whose library card privileges have been suspended or revoked pursuant to the provisions of this subsection. (2652-11/83, 3076-10/90)
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2.84.090 Operative Policy