



## Legislation Details (With Text)

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**File created:** 9/1/2021      **In control:** City Council/Public Financing Authority

**On agenda:** 9/7/2021      **Final action:** 9/7/2021

**Title:** Approve the formation of a 2021 Charter Revision Committee to conduct a review of the Huntington Beach City Charter

**Attachments:** 1. Att#1 Charter Review Committee History

Date	Ver.	Action By	Action	Result
9/7/2021	1	City Council/Public Financing Authority	approved as amended	Pass

## REQUEST FOR CITY COUNCIL ACTION

**SUBMITTED TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Oliver Chi, City Manager

**PREPARED BY:** Travis K. Hopkins, Assistant City Manager

**Subject:**

**Approve the formation of a 2021 Charter Revision Committee to conduct a review of the Huntington Beach City Charter**

**Statement of Issue:**

Per Section 804 of the Huntington Beach City Charter, the City Council must determine - at least once every ten years - if there is a need to convene a citizen's Charter Revision Commission to review the Charter and recommend proposed revisions. A review may allow the City to identify sections of the Charter that might benefit from clarifications and revisions, as community priorities, systems, and legislation evolve over time. The last Charter Revision Commission convened in 2010.

On August 3, 2021, the City Council directed that staff work to coordinate the development of a Charter Revision Committee, and details related to the formation of the proposed committee are outlined in this report.

**Financial Impact:**

Should the City Council decide to form a citizen's Charter Revision Committee, staff recommends appointing a consultant to provide subject matter expertise and guidance throughout the revision process. Services may cost up to \$50,000, which can be absorbed in the current Fiscal Year 2021-22 City's General Fund Budget.

**Recommended Action:**

Approve the formation of a 2021 Charter Revision Committee comprised of seven residents,

individually appointed by each City Council Member, and one Charter review consultant to provide subject matter expertise and guidance throughout the process; direct the City Manager to enter into an agreement with a qualified consultant.

### **Alternative Action(s):**

Do not approve the recommendation and direct staff accordingly.

### **Analysis:**

The Huntington Beach City Charter (Charter) establishes the fundamental laws, regulations, and procedures pertaining to the City's governance and operations. However, as community priorities, legislation, and systems evolve over time, the City of Huntington Beach, as well as other local governments, intermittently revisit their Charter and identify areas that would benefit from amendments and revisions to better serve the community. Per the Constitution of the State of California, City Charter revisions may be proposed by the City Council or a citizen commission; however, those revisions are not in effect unless approved by the majority of the local electorate in an official election and filed with the Secretary of State.

While a majority of Charter Amendments had been initiated by the City Council, citizen Committees present an opportunity for residents to also become involved in the process. Section 804 of the Huntington Beach City Charter directs the City Council to determine - at least every ten years - if there is a need to convene a citizen Charter Revision Committee. The last citizen Committee that successfully completed this effort was formed by the City Council in December 2008 and submitted several recommended revisions that were placed as ballot measures in the November 2010 Election (see Attachment A - History of Charter Review Committees).

A detailed history of all Huntington Beach Charter Revision Committees and actions taken are available under [Attachment A](#). However, an abbreviated list that includes the Committee's formation dates and structure is available below:

<b>Date Range:</b> From Formation to Ballot Measure	<b>Name</b>	<b>Committee Structure</b>
1/2019 to 8/2019 <i>Duration: 6.5 months</i>	Charter Revision <b><u>Ad-Hoc</u></b> Committee	Ad-Hoc Committee: 3 Council Members, City Manager, and City Attorney
12/2008 to 11/2010 <i>Duration: 23 months</i>	Charter Review Commission	15 Appointees: (7 Individual Council Appointees and 8 At-Large Appointees) & 1 Consultant
4/2002 to 5/2002 <i>Committee not formed</i>	Citizen's Committee to Study Councilman Districts via Charter Amendment	7 Individual Council Appointees & 1 Consultant
11/1981 to 2/1982 <i>Duration: 3 months</i>	Charter Revision Committee	7 Appointees ( <i>comprised of Former Mayors</i> )
9/1976 to 6/1978 <i>Duration: 21 months</i>	City Charter Revision Committee	9 Appointees & 1 Consultant
4/1973 to 11/1973 <i>Duration: 6-7 months</i>	Charter Revision Advisory Committee	7 At Large Appointees

2/1971 to 6/1972 <i>Duration: 16 months</i>	Charter Revision Committee	6 Appointees and 4 Alternates
11/1969 <i>Committee not formed</i>	Charter Revision Committee	N/A
3/1965 to 8/1965 <i>Duration: 5 months</i>	Citizens' Charter Revision Committee	15 At Large Appointees & 1 Legal Consultant

Since 1965, City Council has considered the formation of a citizen Committee on nine different occasions, with seven resulting in the formation of a citizen or ad-hoc committee. The table also shows that the duration of the Charter Revision process undertaken by a Committee varies widely with a rough average of 11.5 months across all instances. Lastly, past Committees have been formed under varying structures as well, with a small majority represented by 7 at-large or individual City Council appointees, as well as an outside consultant with the expertise to inform and guide the Committee throughout the revision process and help draft ballot measure language.

#### Recommendation

Should the City Council decide to form a 2021 Charter Revision Committee, staff recommends a Committee structure that can be formed efficiently and can undergo the Charter review process with few barriers. As such, staff recommends selecting seven residents, each of whom are appointed by one City Council Member who are certain of their availability, willingness to serve, and skills that can be beneficial to Committee discussions and deliberations. Staff also recommends hiring an outside consultant with extensive experience guiding government bodies through the review process in an organized and efficient manner. Staff will oversee the consultant and ensure that all milestones are met in order to meet the Committee's timeline.

#### Environmental Status:

None

#### Strategic Plan Goal:

Non Applicable - Administrative Item

#### Attachment(s):

1. History of Charter Revision Committees