Huntington Beach City Council Manual 2020

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City of Huntington Beach

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Forward

February 18, 2020

Honorable Mayor and City Council,

On September 20, 1976, the Huntington Beach City Council adopted Resolution No. 4330, adopting a Council Manual that provided resource information on a number of processes, duties and responsibilities related to local government service. Significant updates to the Council Manual occurred in 1989 and 2019.

In a continued effort to enhance the experience of our elected officials and provide a wealth of solid, relevant, easily accessible information, staff is pleased to present a revised Council Manual. The Council Manual begins with items germane to Huntington Beach, and then incorporates a variety of webpage links to public domain offerings by the Institute for Local Government (ILG). ILG is a nonprofit research and education affiliate of the League of California Cities and the California State Association of Counties, whose mission is to promote good government at the local level throughout California. In addition to the linked publications provided in the Council Manual, videos covering basic Government 101 topics are accessible at www.ca-ilg.org/post/local-government-basics-videos.

By resolution, the City Council is bound by the rules and processes established hereto. Any information contained in the Council Manual that conflicts with Federal, State or Huntington Beach law is superseded by the conflicting law.

The Council Manual is a living document, updated as necessary to ensure its contents remain current and relative. Council may request to revise the Council Manual at any time, and staff will present such requests in the form of a Resolution for Council approval.

The Council Manual will be loaded on City-issued iPads or personal devices used by Council to review agenda-related material. Staff will make efforts to keep the Council Manual a convenient size, but realizes that Councilmembers will define its depth and breadth. Any electronic updates made by staff to City-issued iPads or personal devices used by Council to review agenda-related material will incorporate any and all annual or Council-directed revisions made to the Council Manual.

It is our hope that this living document will assist Council to successfully conduct business in a prescribed, qualified and ethical manner while representing the citizens of Huntington Beach.

Oliver Chi, City Manager

Robin Estanislau, CMC, City Clerk

Sister City: Anjo, Japan

Section 1

City Charter

City Charter

Formatting of the original Council Manual adopted in 1976 and revised versions thereafter outlined language taken directly from the City Charter and referenced section numbers.

This revised Council Manual includes the City Charter in its entirety (attached) as a complete reference guide that includes the topics outlined in prevision versions:

- ✓ Rules of Office of Councilpersons (Charter § 300)
- ✓ Duties and Limitations of the City Council (Charter § 301, 303, 304, 307, 308, 311, 313, 400, 401, 403, 405, 500, 602, 603, 604, 608, 610, 615, 616)
- ✓ Duties of the Mayor (Charter § 303, 305, 613)
- ✓ Duties of the Mayor Pro Tempore (Charter § 306)
- ✓ Compensation of Councilpersons (Charter § 302; HBMC § 2.28.010)

CITY *of* HUNTINGTON BEACH

City Charter

Incorporated February 17, 1909

CITY OF HUNTINGTON BEACH
CITY CHARTER

Incorporated, February 17, 1909

(Election February 9, 1909; 94 votes cast for incorporation and 25 votes against)

CHARTER AMENDMENTS
Effective Dates

Charter Election Certified - Res. 773 Results 5/3/37.....……5/17/37
Amendments……..…..2/2/40
Amendments…….…1/29/47
Amendments……..…1/27/49
Amendments……..…..5/9/49
Revised.....…….....……..….5/1/50
New Charter…….….….2/10/66
Amendments…….….…1/18/71
Amendments…….….…..6/5/75
Amendments……....12/10/76
Amendments……..…7/17/78
Amendments..(Consolidation November)……..…...12/9/82
Amendments……..……12/7/84
Amendments……..…12/7/90
Amendments…….....4/22/02
Revised……..(*Certified by the Secretary of State 1/6/11*).…….….12/6/10

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CHARTER

We, the people of the City of Huntington Beach, State of California believe fiscal responsibility and the prudent stewardship of public funds is essential for confidence in government, that ethics and integrity are the foundation of public trust and that just governance is built upon these values. Through the enactment of this Charter as the fundamental law of the City of Huntington Beach under the Constitution of the State of California, we do hereby exercise the privilege of retaining for ourselves, the benefits of local government, by enacting the laws, rules, regulations and procedures set forth herein pertaining to the governance and operation of our City.

It is incumbent upon those who govern and make decisions for and on behalf of the City of Huntington Beach to legally, as well as morally, abide by the provisions of this Charter, in its strictest sense, to assure the continued success and well-being of our fair City.

ARTICLE I
INCORPORATION AND POWERS OF THE CITY

Section 100. NAME. The municipal corporation now existing and known as the City of Huntington Beach shall remain and continue to exist as a municipal corporation under its present name of "City of Huntington Beach."

Section 101. SEAL. The City shall have an official seal which may be changed from time to time by ordinance. The present official seal shall continue to be the official seal of the City until changed in the manner stated.

Section 102. BOUNDARIES. The boundaries of the City shall continue as now established until changed in the manner authorized by law.

Section 103. POWERS OF CITY. The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter or in the Constitution of the State of California.

Section 104. CONSTRUCTION. The general grant of power to the City under this Charter shall be construed broadly in favor of the City. The specific provisions enumerated in this Charter are intended to be and shall be interpreted as limitations upon the general grant of power and shall be construed narrowly. If any provisions of this Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter and the application of such provision to other persons or circumstances, shall not be affected thereby.

Section 105. INTERGOVERNMENTAL RELATIONS. The City may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or civil divisions or agencies thereof, or the United States or any agency thereof.

ARTICLE II
FORM OF GOVERNMENT

Section 200. COUNCIL-MANAGER FORM OF GOVERNMENT. The municipal government provided by this Charter shall be known as the Council-Manager form of government.

ARTICLE III
ELECTIVE OFFICES

Section 300. CITY COUNCIL, ATTORNEY, CLERK AND TREASURER. TERMS. The elective officers of the City shall consist of a City Council of seven members, a City Clerk, a City Treasurer and a City Attorney, all to be elected from the City at large at the times and in the manner provided in this Charter and who shall serve for terms of four years and until their respective successors qualify. Subject to the provisions of this Charter, the members of the City Council in office at the time this Charter takes effect shall continue in office until the expiration of their respective terms and until their successors are elected and qualified. Four members of the City Council shall be elected at the general municipal election held in 1966, and each fourth year thereafter. Three members of the City Council shall be elected at the general municipal election held in 1968, and each fourth year thereafter. No person shall be elected as a member of the City Council for more than two consecutive terms and no person who has been a member for more than two years of a term to which some other person was elected a member shall be elected to the City Council more than one further consecutive term. Subject to the provisions of this Charter, the City Clerk, City Treasurer and City Attorney in office at the time this Charter takes effect shall continue in office until the expiration of their respective terms and the qualification of their successors. A City Clerk and City Treasurer shall be elected at the general municipal election held in 1968, and each fourth year thereafter. A City Attorney shall be elected in 1966, and each fourth year thereafter.

The term of each member of the City Council, the City Clerk, the City Treasurer and the City Attorney shall commence on the first Monday following the certification of the election. Ties in voting among candidates for office shall be settled by the casting of lots.

If no candidate meets the qualifications for office of the City Clerk, City Treasurer, or City Attorney, the City Council shall fill that position by appointment until the next municipal general election in which a qualified candidate is elected.

Section 301. POWERS VESTED IN CITY COUNCIL. All powers of the City shall be vested in the City Council except as otherwise provided in this Charter.

Section 302. COMPENSATION. The members of the City Council including the Mayor shall receive as compensation for their services as such a monthly salary in the sum of One Hundred Seventy-five Dollars per month. In addition, each member of the City Council shall receive reimbursement on order of the City Council for Council authorized traveling and other expenses when on official duty upon submission of itemized expense accounts therefor. In addition, members shall receive such reasonable and adequate amounts as may be established by ordinance, which amounts shall be deemed to be reimbursement to them of other routine and ordinary expenses, losses and costs imposed upon them by virtue of their serving as City Councilpersons.

Section 303. MEETINGS AND LOCATION.

(a) **Regular Meetings**. The City Council shall hold regular meetings at least twice each month at such time as it shall fix by ordinance or resolution and may adjourn or re-adjourn any regular meeting to a date and hour certain which shall be specified in the order of adjournment and when so adjourned each adjourned meeting shall be a regular meeting for all purposes. If the hour to which a meeting is adjourned is not stated in the order of adjournment, such meeting shall be held at the hour for holding regular meetings. If at any time any regular meeting falls on a holiday such regular meeting shall be held on the next business day.

(b) **Special Meetings**. A special meeting may be called at any time by the Mayor, or by a majority of the members of the City Council, by written notice to each member of the City Council and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such

notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice.

The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting. If any person entitled to such written notice files a written waiver of notice with the City Clerk, it may be dispensed with. This notice requirement shall be considered fulfilled as to any person who is actually present at the meeting at the time it convenes. In the event of an emergency affecting the public peace, health or safety, a special meeting may be called as provided in this section with less than twenty-four hours written notice by the Mayor Pro Tem in the Mayor's absence or by any member of the City Council in the absence of both the Mayor and Mayor Pro Tem provided that the nature of the emergency is set forth in the minutes of the meeting.

(c) **Place of Meetings**. All regular meetings shall be held in the Council Chambers of the City or in such place within the City to which any such meeting may be adjourned. If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place within the City as is designated by the Mayor, or, if he should fail to act, by a majority of the members of the City Council.

(d) **Open Meetings**. All regular and special meetings of the City Council shall be open and public, and all persons shall be permitted to attend such meetings, except that the provisions of this section shall not apply to executive sessions. Subject to the rules governing the conduct of City Council meetings, no person shall be denied the right to be heard by the City Council.

(e) **Dissemination of Information**. The City Council shall adopt rules to ensure thorough and timely dissemination of information via current technology by resolution.

Section 304. QUORUMS, PROCEEDINGS AND RULES OF ORDER.

(a) **Quorum**. A majority of the members of the City Council shall constitute a quorum to do business but a lesser number may adjourn from time to time. In the absence of all the members of the City Council from any regular meeting or adjourned regular meeting, the City Clerk may declare the same adjourned to a stated day and hour. The City Clerk shall cause written notice of a meeting adjourned by less than a quorum or by the City Clerk to be delivered personally or by mail to each Council member at least twenty-four hours before the time to which the meeting is adjourned, or such notice may be dispensed with in the same manner as specified in this Charter for dispensing with notice of special meetings of the City Council.

(b) **Proceedings**. The City Council shall judge the qualification of its members as set forth by the Charter. It shall judge all election returns. Each member of the City Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the City Council. The City Council shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas shall be issued in the name of the City and be attested by the City Clerk. They shall be served and complied with in the same manner as subpoenas in civil actions. Disobedience of such subpoenas, or the refusal to testify (upon other than constitutional grounds), shall constitute a misdemeanor, and shall be punishable in the same manner as violations of this Charter are punishable. The City Council shall have control of all legal business and proceedings and all property of the legal department, and may employ other attorneys to take charge of or may contract for any prosecution, litigation or other legal matter or business.

(c) **Rules of Order**. The City Council shall establish rules for the conduct of its proceedings and evict or prosecute any member or other person for disorderly conduct at any of its meetings. Upon adoption of any ordinance, resolution, or order for payment of money, or upon the demand of any

member, the City Clerk shall call the roll and shall cause the ayes and noes taken on the question to be entered in the minutes of the meeting.

Section 305. PRESIDING OFFICER. At the Council meeting at which any Council member is installed following any general or special municipal election, and at any time when there is a vacancy in the office of Mayor, the City Council shall meet and shall elect one of its members as its presiding officer, who shall have the title of Mayor. The Mayor may make and second motions and shall have a voice and vote in all its proceedings. The Mayor shall be the official head of the City for all ceremonial purposes; shall have the primary but not the exclusive responsibility for interpreting the policies, programs and needs of the City government to the people, and as occasion requires, may inform the people of any major change in policy or program; and shall perform such other duties consistent with the office as may be prescribed by this Charter or as may be imposed by the City Council. The Mayor shall serve in such capacity at the pleasure of the City Council.

Section 306. MAYOR PRO TEMPORE. The City Council shall also designate one of its members as Mayor Pro Tempore, who shall serve in such capacity at the pleasure of the City Council. The Mayor Pro Tempore shall perform the duties of the Mayor during the Mayor's absence or disability or at the Mayor's request.

Section 307. NON-INTERFERENCE WITH ADMINISTRATION. Except as otherwise provided in this Charter, no member of the City Council shall order, directly or indirectly, the appointment by the City Manager, or by any of the department heads in administrative service of the City, of any person to any office or employment, or removal therefrom. Except for the purpose of investigation and inquiry, the members of the City Council shall deal with the administrative service under the jurisdiction of the City Manager solely through the City Manager, and no member of the City Council shall give orders to any subordinate of the City Manager, either publicly or privately.

No elected department head or staff of the Office of the elected department head shall be a member of the management negotiation team for the purposes of negotiations of memorandums of understanding with the employee bargaining units.

Section 308. OFFICIAL BONDS. The City Council shall fix by ordinance or resolution the amounts and terms of the official bonds of all officials or employees who are required by this Charter or by ordinance to give such bonds. All bonds shall be executed by responsible corporate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City. A blanket bond may be used if it provides the same protection as the required separate bond would provide.

In all cases wherein an employee of the City is required to furnish a faithful performance bond, there shall be no personal liability upon, or any right to recover against, the employee's superior officer or other officer or employee or the bond of the latter, unless such superior officer, or other officer or employee is a party to the act or omission, or has conspired in the wrongful act directly or indirectly causing the loss.

Section 309. CITY ATTORNEY. POWERS AND DUTIES. To become and remain eligible for City Attorney the person elected or appointed shall have graduated from a law school accredited by the American Bar Association, be an attorney at law, duly licensed as such under the laws of the State of California, shall have been engaged in the practice of law in this State for at least five years prior to their election or appointment. The City Attorney shall have the power and may be required to:

(a) Represent and advise the City Council and all City officers in all matters of law pertaining to their offices.

(b) Prosecute on behalf of the people any or all criminal cases arising from violation of the provisions of this Charter or of City ordinances and such state misdemeanors as the City has the power to prosecute, unless otherwise provided by the City Council.

(c) Represent and appear for the City in any or all actions or proceedings in which the City is concerned or is a party, and represent and appear for any City officer or employee, or former City officer or employee, in any or all civil actions or proceedings in which such officer or employee is concerned or is a party for any act arising out of their employment or by reason of their official capacity.

(d) Attend all regular meetings of the City Council, unless excused, and give their advice or opinion orally or in writing whenever requested to do so by the City Council or by any of the boards or officers of the City.

(e) Approve in writing the form of all contracts made by and all bonds and insurance given to the City.

(f) Prepare any and all proposed ordinances and City Council resolutions and amendments thereto.

(g) Devote such time to the duties of their office and at such place as may be specified by the City Council.

(h) Perform such legal functions and duties incident to the execution of the foregoing powers as may be necessary.

(i) Surrender to their successor all books, papers, files, and documents pertaining to the City's affairs.

(j) Assist and cooperate with the City Manager consistent with Section 403 of the City Charter.

(k) Provide advice related to compliance with the City Charter to all elected and appointed officials of the City.

Section 310. CITY CLERK. POWERS AND DUTIES. To become and remain eligible for City Clerk, the person elected or appointed shall have a Bachelor's Degree in business, public administration, or a related field, and hold a certification as a Municipal Clerk or obtain such certification within the first three years in office. The City Clerk shall have the power and shall be required to:

(a) Attend all meetings of the City Council, unless excused, and be responsible for the recording and maintaining of a full and true record of all of the proceedings of the City Council in records that shall bear appropriate titles and be devoted to such purpose.

(b) Maintain separate records, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the Clerk annexed to each thereof stating the same to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter.

(c) Maintain separate records of all written contracts and official bonds.

(d) Keep all records in their possession properly indexed and open to public inspection when not in actual use.

(e) Be the custodian of the seal of the City.

(f) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records.

(g) Be ex officio Assessor, unless the City Council, has availed itself, or does in the future avail itself, of the provisions of the general laws of the State relative to the assessment of property and the collection of City taxes by county officers, or unless the City Council by ordinance provides otherwise.

(h) Have charge of all City elections.

(i) Perform such other duties consistent with this Charter as may be required by ordinance or resolution of the City Council.

(j) Assist and cooperate with the City Manager consistent with Section 403 of the City Charter.

The City Clerk may, subject to the approval of the City Council, appoint such deputy or deputies to assist them or act for them, at such salaries or compensation as the Council may by ordinance or resolution prescribe.

Section 311. CITY TREASURER. POWERS AND DUTIES. To become and remain eligible for City Treasurer, the person elected or appointed shall have a minimum of five years of financial and/or treasury experience, and have either:

A Master's Degree in accounting, finance, business, or public administration; or

A Bachelor's Degree in accounting, finance, business, or public administration with certification by the California Municipal Treasurer's Association, or their successor, within three years of election or appointment.

The City Treasurer shall have the power and shall be required to:

(a) Receive on behalf of the City all taxes, assessments, license fees and other revenues of the City, or for the collection of which the City is responsible, and receive all taxes or other money receivable by the City from the County, State or Federal governments, or from any court, or from any office, department or agency of the City.

(b) Have and keep custody of all public funds belonging to or under control of the City or any office, department or agency of the City government and deposit or cause to be deposited all funds coming into their hands in such depository as may be designated by resolution of the City Council, or, if no such resolution be adopted, then in such depository designated in writing by the City Manager, and in compliance with all of the provisions of the State Constitution and laws of the State governing the handling, depositing and securing of public funds.

(c) Pay out moneys only on proper orders or warrants in the manner provided for in this Charter.

(d) Prepare and submit to the Director of Finance monthly written reports of all receipts, disbursements and fund balances, and shall file copies of such reports with the City Manager and City Council.

(e) Perform such other duties consistent with this Charter as may be required by ordinance or resolution of the City Council.

(f) Assist and cooperate with the City Manager consistent with Section 403 of the City Charter.

The City Treasurer may, subject to the approval of the City Council, appoint such deputy or deputies to assist them or act for them, at such salaries or compensation as the Council may by ordinance or resolution prescribe.

Section 312. VACANCIES, FORFEITURES AND REPLACEMENT.

(a) **Vacancies**. A vacancy in the City Council or in any other office designated as elective by this Charter, from whatever cause arising, shall be filled by appointment by the City Council.

(b) **Forfeiture**. If a member of the City Council is absent from all regular meetings of the City Council for a period of thirty consecutive days from and after the last regular City Council meeting attended by such member, unless by permission of the City Council expressed in its official minutes, the office shall become vacant. If an elected City officer pleads guilty or no contest to or is convicted of a felony or any crime of moral turpitude, or ceases to be an elector of the City, the office shall become vacant. The City Council shall declare the existence of such vacancy. Any elective officer of the City who shall accept or retain any other elective public office, except as provided in this Charter, shall be deemed thereby to have vacated the office under the City Government.

(c) **Replacement**. In the event it shall fail to fill a vacancy by appointment within sixty days after such office shall become vacant, the City Council shall forthwith cause an election to be held to fill such vacancy for the remainder of the unexpired term.

Section 313. CONFLICT OF INTEREST, NEPOTISM.

(a) **Conflict of Interest**. The City Council shall adopt or approve rules and regulations regulating conflicts of interest and promoting fair dealing in all City business.

(b) **Nepotism**. The City Council shall not appoint to a salaried position under the City government any person who is a relative by blood or marriage within the third degree of any one or more of the members of such City Council, nor shall the City Manager or any department head or other officer having appointive power appoint any relative of such person or of any Council member within such degree to any such position.

This provision shall not affect the employment or promotional status of a person who has attained a salaried position with the City prior to the existence of a situation contemplated by this provision; however, Council members or officers with appointive powers in such a situation shall disqualify themselves from all decisions affecting the employment and promotional status of such person.

ARTICLE IV
APPOINTIVE OFFICES AND PERSONNEL

Section 400. CITY MANAGER. COMPOSITION, TERM, ELIGIBILITY, REMOVAL.

(a) **Composition**. There shall be a City Manager who shall be the chief administrative officer of the City.

(b) **Term**. The City Manager shall be appointed by the affirmative vote of at least a majority of the members of the City Council and shall serve at the pleasure of the City Council; provided, however, that the person occupying the office shall not be removed from office except as herein provided.

(c) **Eligibility**. The City Manager shall be chosen on the basis of executive and administrative qualifications, with special reference to actual experience in and knowledge of accepted practice as regards the duties of the office as herein set forth. No person shall be eligible to be appointed City Manager or Acting City Manager while serving as a member of the City Council nor within one year following the termination of membership on the City Council.

(d) **Removal**. The City Manager shall not be removed from office during or within a period of ninety days next succeeding any municipal election at which a member of the City Council is elected. At any other time the City Manager may be removed only at a regular meeting of the City Council and upon the affirmative vote of a majority of the members of the City Council. At least thirty days prior to the effective date of removal, the City Manager shall be furnished with a written notice stating the Council's intentions and, if requested by the City Manager, the reasons therefor. Within seven days after receipt of such notice, the City Manager may by written notification to the City Clerk request a public hearing before the City Council, in which event the Council shall fix a time for a public hearing which shall be held at its regular meeting place before the expiration of the thirty-day period above referred to. The City Manager shall appear and be heard at such hearing. After furnishing the City Manager with written notice of the intended removal, the City Council may suspend the City Manager from duty, but his compensation shall continue until removal as herein provided. In removing the City Manager, the City Council shall use its uncontrolled discretion and its action shall be final and shall not depend upon any particular showing or degree of proof at the hearing, the purpose of which is to allow the City Council and the City Manager to present to each other and to the public all pertinent facts prior to the final action of removal.

Section 401. POWERS AND DUTIES. Except as otherwise provided in this Charter, the City Manager shall be responsible to the City Council for the proper administration of all affairs of the City. Without limiting this general grant of powers and responsibilities, the City Manager shall have the power and be required to:

(a) Appoint, promote, demote, suspend or remove department heads, officers and employees of the City except elective officers and the Chief of Police. The Chief of Police shall not be appointed or removed until the City Manager shall first have reviewed such appointment or removal with the City Council and have received approval for such appointment or removal by a majority vote of the full City Council.

(b) Prepare the budget annually, submit it to the City Council, and be responsible for its administration upon adoption.

(c) Prepare and submit to the City Council as of the end of each fiscal year, a complete report on the finances of the City, and annually or more frequently, a current report of the principal administrative activities of the City.

(d) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem desirable.

(e) Maintain a centralized purchasing system for all City offices, departments and agencies.

(f) Prepare, administer and enforce rules and regulations recommended to and adopted by the City Council governing the contracting for, purchase, inspection, storage, inventory, distribution and disposal of all supplies, materials and equipment required by any office, department or agency of the City government.

(g) Be responsible for the compliance by the City with the laws of the State pertaining to the City, the provisions of this Charter and the ordinances, franchises and rights of the City.

Subject to policy established by the City Council, exercise control of all administrative offices and departments of the City and of all appointive officers and employees, and prescribe such general rules and regulations as deemed necessary or proper for the general conduct of the administrative offices and departments of the City under their jurisdiction.

(h) Perform such other duties consistent with this Charter as may be required by the City Council.

Section 402. ACTING CITY MANAGER. During any temporary absence or disability of the City Manager, the City Manager shall appoint one of the other officers or department heads of the City to serve as Acting City Manager. In the event the City Manager fails to make such appointment, such appointment may be made by the City Council.

Section 403. PERSONNEL. In addition to the City Council, a City Clerk, a City Treasurer, a City Attorney and City Manager, the officers and employees of the City shall consist of such other officers, assistants, deputies and employees as the City Council may provide by ordinance or resolution. The City Council shall establish such reasonable compensation and fringe benefits as are appropriate by ordinance or resolution for such offices, officials and employees except as herein provided.

The City Council shall maintain by ordinance a comprehensive personnel system for the City. The City Manager and any officers designated as elective by the Charter shall be exempt. The system shall consist of the establishment of minimum standards of employment and qualifications for the various classes of employment and procedures to be followed in advancement, demotion, suspension and discharge of employees included within the system, as the City Council shall determine to be for the best interest of the public service. The ordinance shall designate the appointive officers and employees who shall be included within the system. By subsequent ordinances the City Council may amend the system or the list of appointive officers and employees included within the system. The system shall comply with all other provisions of this Charter.

It shall be the duty of all department heads, whether appointed or elected, to assist and cooperate with the City Manager in administering the affairs of the City in the most efficient, fiscally responsible, and harmonious manner consistent with the duties as prescribed by law, City Charter, or by ordinance.

Section 404. RETIREMENT SYSTEM. The City shall participate in a retirement system.

Section 405. BOARDS, COMMISSIONS AND COMMITTEES. The City Council shall establish such boards, commissions and committees as are deemed necessary for the orderly functioning of the City. All such boards, commissions and committees shall report directly to the City Council.

ARTICLE V
ORDINANCES AND RESOLUTIONS

Section 500. REGULAR ORDINANCES. ENACTMENT, ADOPTION, PUBLICATION, AMENDMENT, WHEN EFFECTIVE AND CODIFICATION.

(a) **Enactment**. In addition to such other acts of the City Council as are required by this Charter to be taken by ordinance, every act of the City Council establishing a fine or other penalty, or granting a franchise, shall be by ordinance. The enacting clause of all ordinances shall be substantially as follows: "The City Council of the City of Huntington Beach does ordain as follows:" No order for the payment of money shall be adopted or made at other than a regular or adjourned regular meeting. Upon introduction, an ordinance shall be read by title only. Unless a higher vote is required by other provisions of this Charter, the affirmative vote of at least four of the City Council shall be required for the enactment of any ordinance or for the making or approving of any order for the payment of money. All ordinances shall be signed by the Mayor and attested by the City Clerk.

(b) **Adoption**. A regular ordinance shall be adopted only at a regular or adjourned regular meeting held no less than five days after its introduction. In the event that any ordinance is altered after its introduction, it shall be finally adopted only at a regular or adjourned regular meeting held no less than five days after the date it was so altered. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

(c) **Publication**. The City Clerk shall cause each ordinance to be posted in three places designated by the City Council within the City and to be published by title with a brief summary at least once within fifteen days after its adoption in a daily, semiweekly or weekly newspaper, published in the County or the City and circulated in the City, which is selected by the City Council for that purpose. Current technology shall be used to ensure the widest possible dissemination.

(d) **Amendment**. The amendment of any section or subsection of an ordinance may be accomplished solely by the re-enactment of such section or subsection at length, as amended.

(e) **When Effective**. Every ordinance shall become effective thirty days from and after the date of its adoption, except the following, which shall take effect upon adoption:

(1) An ordinance calling or otherwise relating to an election;

(2) An improvement proceeding ordinance adopted under some special law or procedural ordinance relating thereto;

(3) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of property taxation, or levying the annual tax upon property.

(4) An emergency ordinance adopted in the manner provided in this Charter.

(f) **Codification**. Detailed regulations pertaining to any subject and comprehensive codifications of valid ordinances may be adopted by reference, with the same effect as an ordinance, in the manner set forth herein; however, such regulations and codifications need not be published in the manner required for other ordinances, but not less than three copies thereof shall be filed for use and examination by the public in the office of the City Clerk prior to adoption. Ordinances codified shall be repealed as of the effective date of the codification. Amendments to the code shall be enacted by ordinance.

Section 501. EMERGENCY ORDINANCES. Any ordinance declared by the City Council to be necessary as an emergency measure for the immediate preservation of the public peace, health, or safety, and containing a statement of the reasons for its urgency, may be adopted in the manner provided in Section 500 except that such emergency ordinance may be introduced, enacted and adopted at one and the same regular or special meeting and shall take effect immediately upon adoption if passed by at least five affirmative votes. An emergency ordinance shall expire automatically after 120 days.

Section 502. RESOLUTIONS. The City Council may act by resolution or minute order in all actions not required by this Charter to be taken by ordinance.

Section 503. PUBLISHING OF LEGAL NOTICES. The City Council shall cause to be published all legal notices and other matters required to be published by law in a daily, semiweekly or weekly newspaper published in the County or the City and circulated in the City which is selected by the City Council for that purpose and using current technology. No defect or irregularity in proceedings taken under this section shall invalidate any publication where it is otherwise in conformity with this Charter or law or ordinance.

ARTICLE VI
FISCAL ADMINISTRATION

Section 600. FISCAL YEAR. The fiscal year of the City shall be as set forth by resolution of the City Council.

Section 601. ANNUAL BUDGET, PREPARATION BY THE CITY MANAGER. At such date as the City Manager shall determine, each board or commission and each department head shall furnish to the City Manager, personally, or through the Director of Finance, estimates of the department's, board's or commission's revenue and expenditures for the ensuing fiscal year, detailed in such manner as may be prescribed by the City Manager. In preparing the proposed budget, the City Manager shall review the estimates, hold conferences thereon with the respective department heads, boards or commissions as necessary, and may revise the estimates as may be deemed advisable.

Section 602. ANNUAL BUDGET. SUBMISSION TO THE CITY COUNCIL. The City Manager shall submit the proposed budget to the City Council at least thirty days prior to the beginning of each fiscal year. After reviewing the proposed budget and making such revisions as it may deem advisable, the City Council shall hold a public hearing thereon at least fifteen days prior to the beginning of each fiscal year and shall cause to be published a notice thereof not less than ten days prior to said hearing. Copies of the proposed budget shall be available for inspection by the public in the office of the City Clerk at least ten days prior to said hearing.

Section 603. ANNUAL BUDGET. PUBLIC HEARING. At the time so advertised or at any time to which such public hearing shall from time to time be adjourned, the City Council shall hold a public hearing on the proposed budget, at which interested persons desiring to be heard shall be given such opportunity.

Section 604. ANNUAL BUDGET. FURTHER CONSIDERATION AND ADOPTION. At the conclusion of the public hearing the City Council shall further consider the proposed budget and make any revisions thereof that it may deem advisable and on or before the last day of the fiscal year it shall adopt the budget with revisions, if any, by the affirmative vote of at least a majority of the total members of the Council. Upon final adoption, the budget shall be in effect for the ensuing fiscal year. Copies thereof, certified by the City Clerk, shall be filed with the City Manager, Director of Finance, City Treasurer and the person retained by the City Council to perform the post audit function, and a further copy shall be placed, and shall remain on file in the office of the City Clerk where it shall be available for public inspection. The budget so certified shall be reproduced and copies made available for the use of the public and of departments, offices and agencies of the City.

Section 605. ANNUAL BUDGET APPROPRIATIONS. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several departments, offices and agencies for the respective objects and purposes therein named; provided, however, that the City Manager may transfer funds from one object or purpose to another within the same department, office or agency. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

At any public meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the affirmative vote of at least a majority of the total members of the City Council.

Section 606. DETERMINATION OF CITY TAX RATE. The City Council shall prescribe by ordinance for the assessment, levy and collection of taxes upon property which is taxable for municipal purposes. If the City Council fails to fix the rate and levy taxes on or before August 31 in any year, the rate for the next preceding fiscal year shall thereupon be automatically adopted and a tax at such rate shall be deemed to have been levied on all taxable property in the City for the current fiscal year.

Section 607. TAX LIMITS.

(a) The City Council shall not levy a property tax for municipal purposes in excess of One Dollar annually on each One Hundred Dollars of the assessed value of taxable property in the City, except as otherwise provided in this section, unless authorized by the affirmative vote of a majority of the electors voting on a proposition to increase such levy at any election at which the question of such additional levy for municipal purposes is submitted to the electors. The number of years that such additional levy is to be made shall be specified in such proposition.

(b) There shall be levied and collected at the same time and in the same manner as other property taxes for municipal purposes are levied and collected, as additional taxes not subject to the above limitation, if no other provision for payment thereof is made:

1. A tax sufficient to meet all liabilities of the City of principal and interest of all bonds and judgments due and unpaid, or to become due during the ensuing fiscal year, which constitute general obligations of the City; and

2. A tax sufficient to meet all obligations of the City for the retirement system in which the City participates, due and unpaid or to become due during the ensuing fiscal year.

(c) Special levies, in addition to the above and not subject to the above limitation, may be made annually, based on City Council approved estimates, for the following specific purposes, but not to exceed the following respective limits for those purposes for which limits are herein set forth, to wit: parks and recreation and human services not to exceed $0.20 per One Hundred Dollars; Libraries not to exceed $0.15 per One Hundred Dollars; promotional interests and cultural affairs not to exceed $0.07 per One Hundred Dollars; and civil defense and disaster preparedness not to exceed $0.03 per One Hundred Dollars. The proceeds of any special levy shall be used for no other purpose than that specified.

Section 608. VOTE REQUIRED FOR TAX MEASURES. No tax, property tax, or other measure whose principal purpose is the raising of revenue, or any increase in the amount thereof, shall be levied, enacted or established except by ordinance adopted by the affirmative vote of at least five (5) members of the City Council; provided, however, that any tax levied or collected pursuant to Section 607(b) of this Charter shall be exempt from the minimum voting requirement of this section.

This section shall not apply to any license, permit, or any other fee or charge whose principal purpose is to pay or reimburse the City for the cost of performing any regulatory function of the City under its police power in connection with the City's duty to preserve or maintain the public peace, health, safety and welfare.

This section shall not apply to any user or service fee or charge provided such fee or charge is directly related to such use or service, is charged to the user or person receiving such service, and is to pay or reimburse the City for the costs of providing such use or service.

This section shall not apply to any fee or charge relating to any franchise or proprietary function of the City.

Section 609. REAL ESTATE TRANSFER TAX. The City Council shall not levy a tax on the transfer or conveyance of any interest in real property unless authorized by the affirmative vote of a majority of the electors voting on a proposition submitted to the electors to authorize such tax at a general or special election.

Section 610. BONDED DEBT LIMIT. The City shall not incur an indebtedness evidenced by general obligation bonds which shall in the aggregate exceed the sum of 12 percent of the total assessed valuation, for purposes of City taxation, of all the real and personal property within the City.

No bonded indebtedness which shall constitute a general obligation of the City may be created unless authorized by the affirmative vote of the majority required by law of the electors voting on such proposition at any election at which the question is submitted to the electors.

Section 611. REVENUE BONDS. Bonds which are payable only out of such revenues, other than taxes, as may be specified in such bonds, may be issued when the City Council by ordinance shall have established a procedure for the issuance of such bonds. Such bonds, payable only out of revenues, shall not constitute an indebtedness or general obligation of the City. No such bonds payable out of revenues shall be issued without the assent of the majority of the voters voting upon the proposition for issuing the same at an election at which such proposition shall have been duly submitted to the registered voters of the City.

It shall be competent for the City to make contracts and covenants for the benefit of the holders of any such bonds payable only from revenues and which shall not constitute a general obligation of the City for the establishment of a fund or funds, for the maintaining of adequate rates or charges, for restrictions upon further indebtedness payable out of the same fund or revenues, for restrictions upon transfer out of such fund, and other appropriate covenants. Money placed in any such special fund for the payment of principal and/or interest on any issue of such bonds or to assure the application thereof to a specific purpose shall not be expended for any other purpose whatever except for the purpose for which such special funds were established and shall be deemed segregated from all other funds of the City and reserved exclusively for the purpose for which such special fund was established until the purpose of its establishment shall have been fully accomplished.

Section 612. PUBLIC UTILITIES AND PARKS AND BEACHES.

(a) No public utility or park or beach or portion thereof now or hereafter owned or operated by the City shall be sold, leased, exchanged or otherwise transferred or disposed of unless authorized by the affirmative votes of at least a majority of the total membership of the City Council and by the affirmative vote of at least a majority of the electors voting on such proposition at a general or special election at which such proposition is submitted.

(b) No golf course, driving range, road, building over three thousand square feet in floor area nor structure costing more than $161,000.00 may be built on or in any park or beach or portion thereof now or hereafter owned or operated by the City unless authorized by the affirmative votes of at least a majority of the total membership of the City Council and by the affirmative vote of at least a majority of the electors voting on such proposition at a general or special election at which such proposition is submitted after the appropriate environmental assessment, conceptual cost estimate, and reasonable project description has been completed and widely disseminated to the public. Effective January 1, 2011, and each year thereafter, the maximum cost will be adjusted by the Consumer Price Index for the Los Angeles-Riverside-Orange County area.

(c) Section 612(a) and 612(b) shall not apply;

(1) to libraries or piers;

(2) to any lease, franchise, concession agreement or other contract where;
- the contract is to perform an act or provide a service in a public park or beach AND
- such act was being performed or service provided at the same location prior to January 1, 1989 AND

- the proposed lease, franchise, concession agreement or other contract would not increase the amount of parkland or beach dedicated to or used by the party performing such act or providing such service.

(3) to above ground public works utility structures under 3,000 square feet;

(4) to underground public works utility structures if park or beach use is not impeded;

(5) to any public works construction, maintenance or repair mandated by state or federal law that does not negatively impact recreational opportunities; or

(6) to renewable energy projects that do not negatively impact recreational opportunities.

(d) If any section, subsection, part, subpart, paragraph, clause or phrase of this amendment, or any amendment or revision of this amendment, is for any reason held to be invalid or unconstitutional, the remaining sections, subsections, parts, subparts, paragraphs, clauses or phrases shall not be affected but shall remain in full force and effect.

Section 613. EXECUTION OF CONTRACTS. Except as hereinafter provided, the City shall be bound by a contract only if it is made in writing, approved by the City Council and signed on behalf of the City by the Mayor and City Clerk or by a City officer designated by the City Council and only upon the direction of the City Council. Exceptions to this procedure are as follows:

(a) By ordinance or resolution the City Council may authorize the City Manager or other officer to bind the City, with or without a written contract, for the acquisition of equipment, materials, supplies, labor, services or other items included within the budget approved by the City Council, and may impose a monetary limit upon such authority.

(b) By ordinance or resolution, the City Council may provide a method for the sale or exchange of personal property not needed in the City service or not fit for the purpose for which intended, and for the conveyance of title thereto.

(c) Contracts for the sale of the products, commodities or services of any public utility owned, controlled or operated by the City may be made by the manager of such utility or by the head of the department or City Manager upon forms approved by the City Manager and at rates fixed by the City Council.

Section 614. CONTRACTS ON PUBLIC WORKS. Except as hereinafter expressly provided, every contract involving an expenditure as set forth by ordinance of the City Council for the construction or improvement (excluding maintenance and repair) of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds, and each separate purchase of materials or supplies for the same, where the expenditure required for such purchase shall exceed the amount set by ordinance, shall be let to the lowest responsible bidder after notice by publication in accordance with Section 503 by two or more insertions, the first of which shall be at least ten days before the time for opening bids.

The City Council may reject any and all bids presented and may readvertise in its discretion. After rejecting bids, or if no bids are received, or without advertising for bids if the total amount of the contract or project is below the amount set by ordinance, the City Council may declare and determine that in its opinion, the work in question may be performed better or more economically by the City with its own employees, or that the materials or supplies may be purchased at lower price in the open market, and after the adoption of a resolution to this effect by the affirmative vote of a majority of the total members of the

City Council, it may proceed to have said work done or such materials or supplies purchased in the manner stated without further observance of the provisions of this section.

All public works contracts exceeding the amount set by ordinance may be let and purchases exceeding the amount set by ordinance may be made without advertising for bids if such work or the purchase of such materials or supplies shall be deemed by the City Council to be of urgent necessity for the preservation of life, health, or property and shall be authorized by at least five affirmative votes of the City Council.

Projects for the extension, replacement or expansion of the transmission or distribution system of any existing public utility operated by the City or for the purchase of supplies or equipment for any such project or any such utility may be excepted from the requirements of this section by the affirmative vote of a majority of the total members of the City Council.

Section 615. GRANTING OF FRANCHISES. The City Council shall by ordinance regulate the granting of franchises for the City.

Section 616. INDEPENDENT AUDIT. The City Council shall provide for an independent annual audit of all City accounts and may provide for such more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the City government or any of its officers. The Council may, without requiring competitive bids, designate such accountant or firm annually provided that the designation for any particular fiscal year shall be made no later than thirty days after the beginning of such fiscal year. As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such accountant to the City Council, one copy thereof to be distributed to each member. Additional copies of the audit shall be placed on file in the office of the City Clerk where they shall be available for inspection by the general public, and a copy of the financial statement as of the close of the fiscal year shall be published in the official newspaper.

Section 617. INFRASTRUCTURE FUND.

(a) All revenue raised by vote of the electors or imposed by vote of the City Council on or after March 5, 2002, by a measure which states that the revenue to be raised is for the purpose of infrastructure, as said term is defined in this paragraph, shall be placed in a separate fund entitled "Infrastructure Fund." The term "Infrastructure" shall mean long-lived capital assets that normally are stationary in nature and normally can be preserved for significantly greater number of years. They include storm drains, storm water pump stations, alleys, streets, highways, curbs and gutters, sidewalks, bridges, street trees, landscaped medians, parks, beach facilities, playgrounds, traffic signals, streetlights, block walls along arterial highways, and all public buildings and public ways. Interest earned on monies in the Infrastructure Fund shall accrue to that account. Monies in said Fund shall be utilized only for direct costs relating to infrastructure improvements or maintenance, including construction, design, engineering, project management, inspection, contract administration and property acquisition. Monies in said Fund shall not be transferred, loaned or otherwise encumbered for any other purpose.

(b) Revenues placed in the Infrastructure Fund shall not supplant existing infrastructure funding. The average percentage of general fund revenues utilized for infrastructure improvements and maintenance, for the five- (5) year period of 1996 to 2001, is and was 14.95%. Expenditures for infrastructure improvements and maintenance, subsequent to 2001, shall not be reduced below 15% of general fund revenues based on a five- (5) year rolling average.

(c) The City Council shall by ordinance establish a Citizens Infrastructure Advisory Board to conduct an annual review and performance audit of the Infrastructure Fund and report its findings to the City Council prior to adoption of the following fiscal-year budget.

ARTICLE VII
ELECTIONS

Section 700. GENERAL MUNICIPAL ELECTIONS. General municipal elections shall be held in the city on the first Tuesday after the first Monday in November in each even-numbered year.

Section 701. SPECIAL MUNICIPAL ELECTIONS. All other municipal elections that may be held by authority of this Charter, or of any law, shall be known as special municipal elections.

Section 702. PROCEDURE FOR HOLDING ELECTIONS. All elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exists or hereafter may be amended, for the holding of municipal elections, so far as the same are not in conflict with this Charter.

Section 703. INITIATIVE, REFERENDUM AND RECALL. There are hereby reserved to the electors of the City the powers of the initiative and referendum and of the recall of municipal elective officers. The provisions of the Elections Code of the State of California, as the same now exists or hereafter may be amended, governing the initiative and referendum and the recall of municipal officers, shall apply to the use thereof in the City so far as such provisions of the Elections Code are not in conflict with the provisions of this Charter.

Section 704. NOMINATION PAPERS. Nomination papers for candidates for elective municipal office must be signed by not less than twenty nor more than thirty electors of the City.

ARTICLE VIII
MISCELLANEOUS

Section 800. TRANSITION. Elective officers and elective officers whose offices are made appointive of the City shall continue to hold such offices until the completion of their current terms and the election or appointment and qualification of their respective successors under this Charter. All boards, commissions and committees presently in existence shall continue to act in accordance with their original grant of authority until such time as the City Council adopts appropriate ordinances pertaining to their activities or for one year, whichever occurs first. All lawful ordinances, resolutions, rules and regulations, and portions thereof, in force at the time this Charter takes effect and not in conflict or inconsistent herewith, are hereby continued in force until the same shall have been duly repealed, amended, changed or superseded by proper authority.

Section 801. DEFINITIONS. Unless the provisions or the context otherwise requires, as used in this Charter:

(a) "Shall" is mandatory, and "may" is permissive.

(b) "City" is the City of Huntington Beach and "department," "board," "commission," "agency," "officer," or "employee" is a department, board, commission, agency, officer or employee, as the case may be, of the City of Huntington Beach.

(c) "County" is the County of Orange.

(d) "State" is the State of California.

(e) The masculine includes the feminine and the feminine includes the masculine.

(f) The singular includes the plural and the plural the singular.

(g) "Person" includes firm and corporation.

Section 802. VIOLATIONS. The violation of any provision of this Charter shall be a misdemeanor.

Section 803. PROPERTY RIGHTS PROTECTION MEASURE.

(a) The City shall not enact or enforce any measure which mandates the price or other consideration payable to the owner in connection with the sale, lease, rent, exchange or other transfer by the owner of real property. Any such measure is hereby repealed.

(b) The word "mandates" as used in subsection (a) includes any measure taken by ordinance, resolution, administrative regulation or other action of the City to establish, continue, implement or enforce any control or system of controls on the price or other terms on which real property in the city may be offered, sold, leased, rented, exchanged or otherwise transferred by its owner. The words "real property" as used in subsection (a) refer to any parcel of land or site, either improved or unimproved, on which a dwelling unit or residential accommodation is or may be situated for use as a home, residence or sleeping place.

(c) This Section 803 shall not apply to:

(1) any real property which contains serious health, safety, fire or building code violations, excluding those caused by disasters, for which a civil or criminal citation has been issued by the City and remains unabated for six months or longer;

(2) any real property owned by a public entity, and real property where the owner has agreed by contract with the public entity, including the City and any of its related agencies, to accept a financial contribution or other tangible benefit including without limitation, assistance under the Community Redevelopment Law;

(3) any planning or zoning power of the City as relates to the use, occupancy or improvement of real property and to any real property which the City or any of its related agencies may acquire by eminent domain, purchase, grant or donation;

(4) any power of the City to require a business license for the sale or rental of real property, whether for regulation or general revenue purposes;

(5) any dwelling unit or accommodation in any hotel, motel or other facility when the transient occupancy of that dwelling unit or accommodation is subject to a transient occupancy tax; or

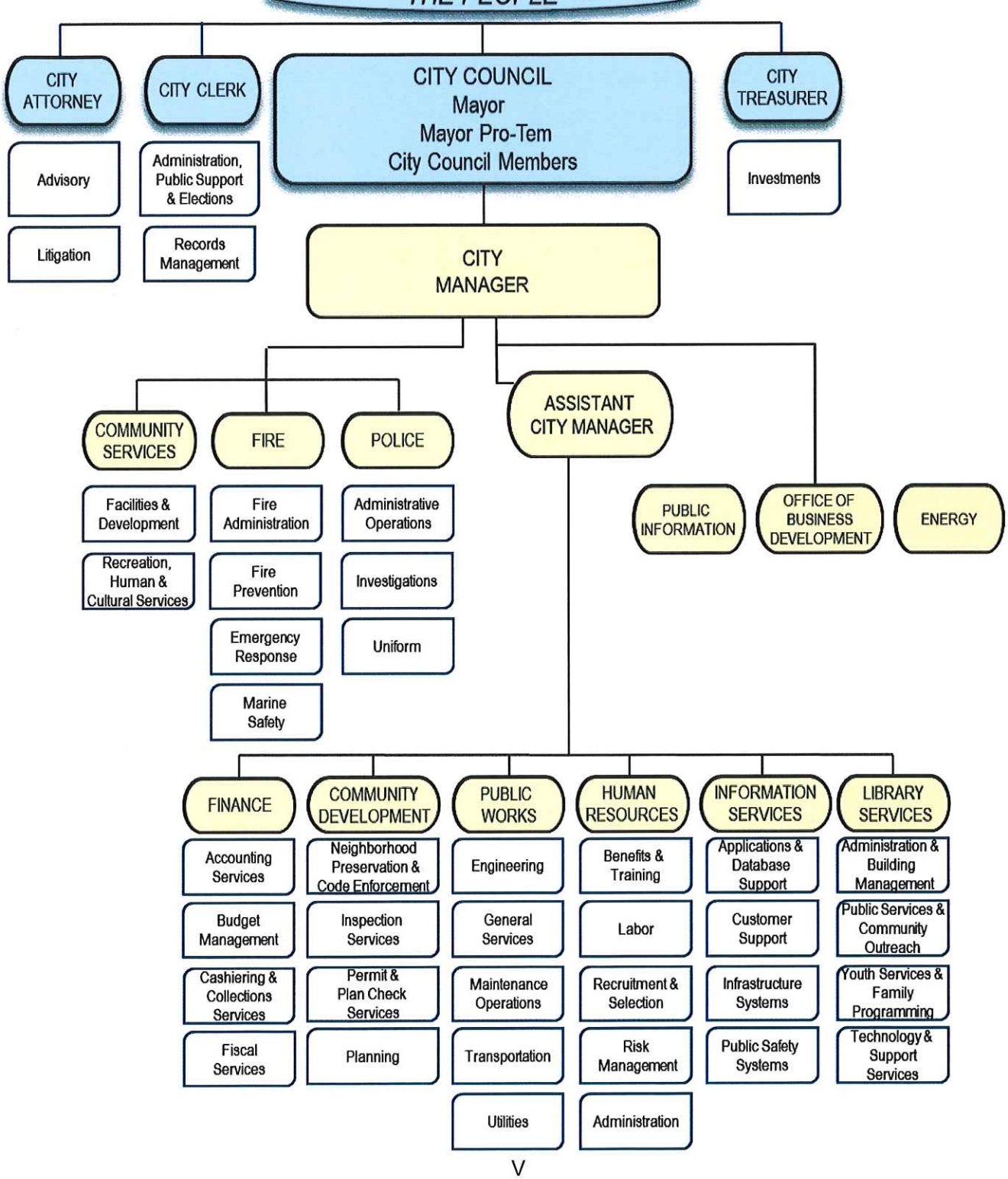
(6) to impair the obligation of any contract entered into prior to the enactment of this Section 803 or otherwise required by State law.

Section 804. CHARTER REVIEW. The City Council shall determine if there is a need to convene a citizen's Charter Review Commission to conduct a review of the City Charter no less frequently than every ten years.

Section 2

Organization Chart

City of Huntington Beach Organizational Chart Adopted Budget – FY 2019/20



Section 3

Council Meetings/ Parliamentary Procedure

Council Meetings
(All meetings are subject to the Brown Act)

Regular Council Meetings. Regular meetings of the City Council/Public Financing Authority are held on the first and third Mondays of each month, and typically begin on or preceding the hour of 4:00 P.M in the Council Chambers. A Study Session used to present information to Council for discussion purposes only with no objection being taken or Closed Session may be convened subject to the Brown Act, and may be scheduled prior to the main, public meeting that convenes at 6:00 P.M. in the Council Chambers. If a regularly scheduled meeting falls on a holiday, the meeting will be held on the next business day.

Special Council Meetings. Special meetings including meetings to adjourn to Closed Session may be called by the Mayor or a majority of the members of the Council, and noticed accordingly to identify the time and place of the special meeting.

Public Input. Each regular meeting shall provide an opportunity for members of the public to address the Council on items that are within the subject matter jurisdiction of the Council. The Mayor, subject to appeal as a decision of the chair, may establish time limits for particular issues and individual speakers. Members of the public wishing to speak shall fill out a form provided by the City Clerk, and will be called to the podium at the appropriate time to provide comments within a 3-minute time limit. No person may donate his or her time to another speaker.

Parliamentary Procedure

Roberts Rules of Order. In all matters of parliamentary procedure not expressly provided for in the City Charter or the ordinances or resolutions of the City of Huntington Beach, the procedure contained in the current edition of Roberts Rules of Order, as it now exists or future revisions thereof, shall control. Failure to comply with technical procedural rules shall not effect the Council's ultimate decision except to the extent the failure violates due process.

Parliamentarian. The City Attorney is parliamentarian for the City Council, and upon the request of the Mayor or upon his own initiative, shall make rulings on points of parliamentary procedure.

Motions. Motions may be made by any member of the Council and require a second, except when a second is not required by Roberts Rules of Order. A motion may be withdrawn by the mover with the consent of the second and in the absence of objection from any other member of the Council.

The Vote. The vote on all motions shall be by roll call, and recorded by electronic or other means necessary to record the vote.

Division of Question ("Split Vote"). If the question contains two (2) or more divisible propositions, the Mayor may, and at the request of any Councilperson shall, divide the question (also called "split vote"). Example:

1. Waive further reading of ordinance/resolution (requires unanimous vote)
2. Adopt

Tie votes. If a vote results in a tie, the motion fails except that on appellate matters a tie vote on a motion to sustain the lower body's decision has the effect of sustaining the decision of the lower body. A tie vote on a negative motion does not approve the affirmative side of the motion. Thus, a tie vote on a motion to disapprove or not to do something does not automatically adopt the opposite. After such tie vote, the question should be made in the affirmative mode.

Rights of Mayor. Each member of Council including the Mayor may make motions, second motions and vote on motions. The practice of some deliberative bodies where the Chairman does not vote except to break a tie does not apply to the Council.

Other Actions. Actions which are not required by the City Charter or City ordinances to be in the form of ordinances or resolutions may be effectuated by minute action.

Minute Actions. In all situations where an action of the Council under the express provisions of the City Charter or ordinances shall or may be by resolution, a "minute action" of the Council adopted by at least four (4) affirmative votes shall be deemed a resolution for all purposes, and such action shall not fail merely because it lacks the form or title of a resolution.

Minute actions require the affirmative votes of a majority of Councilpersons present and voting, but not less than three (3), except when less than a quorum is present, the lesser number may adjourn from time to time.

Motion to Reconsider. A motion to reconsider, when appropriate under the Brown Act and Roberts Rules of Order, may be made at the same meeting or no later than the next regular meeting if the item is placed on the agenda of the City Council by a Councilperson who voted on the prevailing side of the motion to which it applies.

- The vote required to adopt a motion to reconsider shall be a simple majority of Councilpersons present and voting, except that such motion shall require four (4) affirmative votes in order to reconsider any motion which required four (4) affirmative votes for adoption.

- A motion to reconsider may be made only once with respect to any motion to which it applies. However, a motion to reconsider a main motion does not preclude the making of a motion to which it applies.

- A motion to reconsider a main motion does not preclude the making of a motion to reconsider the main motion as amended.

- A motion to amend may be reconsidered.

- A motion to reconsider a motion to reconsider is not permitted. The vote on the motion to reconsider shall be taken at the time the motion to reconsider is made except that the vote on a motion "to reconsider and enter upon the minutes" shall be taken at the next regular meeting of the City Council if said minutes are on the agenda.

- The effect of the adoption of a motion to reconsider is to vacate the vote taken on the motion to which it applies and to present the motion to which it applies to the body for action as if no vote had been taken on it. The new vote on the motion to which it applies neither sustains nor overrules such motion because the old vote is vacated, and the new vote is taken as though no previous vote had been taken.

Vote Required on Appellate Matters. Where action has been taken by a lower body that would be final if not appealed, such as decisions by the Zoning Administrator or the Planning Commission, and is subsequently appealed to the higher body, the following procedure applies:

1. If the motion is to sustain the lower body's decision, a majority of those present and voting is sufficient (four (4) affirmative votes not required). It is not necessary to make a motion to overrule. When there is a tie vote, the lower body is sustained. However, if the motion to sustain gets less than a tie vote, a motion to overrule must be made.

2. If the motion is to overrule the decision of the lower body, four (4) affirmative votes are required. If there are less than four (4) affirmative votes, the decision of the lower body is deemed sustained and no further vote is required.

3. If a motion is made to modify the decision of the lower body, two separate steps must be taken:

   a) First, the motion to modify requires four (4) affirmative votes.

   b) Second, if the motion to modify is adopted, a motion to sustain the decision of the lower body as modified requires the same vote as the motion to sustain.

   c) A motion to overrule the decision of the lower body, as modified, requires four (4) affirmative votes. If there are less than four affirmative votes, the decision of the lower body, as modified, is deemed sustained without further vote.

   d) If a motion to modify fails, the next motion is either to sustain or to overrule the

subordinate body.

Doing Business After 11:00 P.M. No meeting shall continue beyond 11:00 P.M. without a majority vote of the Council (Resolution No. 2015-46).

Section 4

The Agenda Process

The Agenda Process

The *Agenda Process* is a schedule of activities that occur prior to placing an item on the City Council/Public Financing Authority agenda. In March 2003, Council approved a *policy* that provided a timeline for agenda-related activities to facilitate timely compilation and delivery of the agenda packet to Council, staff, and the public. Agenda activities include creation of a Request for Council Action (RCA/staff report), and depending upon the type of request, may require scheduling a public hearing, submitting a Request for Legal Service (RLS) to the City Attorney (legal review of a document or request to prepare a resolution or ordinance), review of fiscal impact information by the Finance Department, and others.

All RCAs must be submitted to the City Manager for review and approval. The City Manager may request department modifications to the RCA, and once approved, the RCA is forwarded to the City Clerk for additional review for complete materials and final placement on a future agenda.

The City Clerk prepares a draft agenda and presents it to the City Manager, City Attorney, department heads and select Councilmembers at *Agenda Review*, a meeting held each Monday afternoon the week preceding a regularly scheduled City Council meeting. This meeting is designed to provide staff and the Mayor an opportunity to share information, ask questions or make recommendations to the agendized items. ***Agenda Review* is also the last day a Councilmember can place an item on the agenda. Exceptions can be made for a time-sensitive item that cannot be delayed to a future Council meeting. Items placed on the agenda by individual Councilmembers will be agendized for future action by the City Manager.**

Following *Agenda Review*, agenda packet material is finalized and electronically compiled into iLegislate, the application used by Council and staff to review agenda-related materials on City-issued iPads or personal e-devices. At 5:00 p.m. on the Wednesday preceding a regularly scheduled City Council meeting, Council is advised by email communication that the e-packet is accessible and ready for downloading onto their City-issued iPads or personal e-devices. Following release to Council, agenda material is made visible to staff and the public at https://huntingtonbeach.legistar.com/Calendar.aspx. If a holiday occurs on the Monday or Tuesday prior to Wednesday's scheduled agenda packet release, delivery of packet material to Council and the public may delayed by one additional day.

Please refer to 2020 *Agenda Deadline Schedule* (attached) as an outline of the agenda process schedule for staff and Councilmembers.

MEETING DATE	PUBLIC HEARING NOTICES TO CITY CLERK 19 Days Prior* WED. 5 PM	ITEMS DUE TO ADMIN 14 Days Prior MON. 5 PM	ITEMS DUE TO CLERK WED. 5 PM	CITY MANAGER'S REVIEW (COUNCILMEMBER ITEMS DUE) MON. 4 PM	PACKET RELEASE WED. 5PM
	3 WEEKS BEFORE	2 WEEKS BEFORE		WEEK BEFORE	
01/21/20	12/23/19	01/06	01/08	01/13	01/15
02/03/20	01/15	01/21	01/22	01/27	01/29
02/18/20	01/29	02/03	02/05	02/10	02/12
03/02/20	02/12	02/18	02/19	02/24	02/26
03/16/20	02/26	03/02	03/04	03/09	03/11
04/06/20	03/18	03/23	03/25	03/30	04/01
04/20/20	04/01	04/06	04/08	04/13	04/15
05/04/20	04/15	04/20	04/22	04/27	04/29
05/18/20	04/29	05/04	05/06	05/11	05/13
06/01/20	05/13	05/18	05/20	05/26	05/27
06/15/20	05/27	06/01	06/03	06/08	06/10
07/06/20	06/17	06/22	06/24	06/29	07/01
07/20/20	07/01	07/06	07/08	07/13	07/15
08/03/20	07/15	07/20	07/22	07/27	07/29
08/17/20	07/29	08/03	08/05	08/10	08/12
09/08/20	08/19	08/24	08/26	08/31	09/02
09/21/20	09/02	09/08	09/09	09/14	09/16
10/05/20	09/16	09/21	09/23	09/28	09/30
10/19/20	09/30	10/05	10/07	10/12	10/14
11/02/20	10/14	10/19	10/21	10/26	10/28
11/16/20	10/28	11/02	11/04	11/09	11/11
12/07/20	11/18	11/23	11/25	11/30	12/2
12/21/20	12/02	12/07	12/09	12/14	12/16

Section 5

Procedure for Selection of Mayor Pro Tem

Procedure for Selection of Mayor Pro Tem

The procedure for selection of the Mayor Pro Tem, pursuant to Resolution No. 6320, Charter Sections 305 and 306, shall be as follows:

1. At the City Council meeting following any general or special municipal election at which any Councilmember is installed, or as soon thereafter as the results of the election are certified, the Council shall elect a Mayor and a Mayor Pro Tem. In non-election years, the selection of Mayor and Mayor Pro Tem shall be made at the first regular meeting held in December.

2. The Mayor and Mayor Pro Tem shall serve terms of one year.

3. The member of the Council serving as Mayor Pro Tem shall become the Mayor upon the expiration of the seated Mayor's term.

4. The member of the Council having the longest consecutive City Council service shall become the Mayor Pro Tem.

    a) In the event that two Councilmembers have the same length of service, then the member who received the greatest number of votes in the last Council election in which such member was elected shall become Mayor Pro Tem.

    b) If any member declines his/her term as it arises in rotation, that member shall remain in the same place in the rotation cycle as if he/she had served.

    c) Any Councilmember who has served as Mayor within the last four years will not be eligible for election as Mayor Pro Tem.

Section 6

Code of Ethics

Code of Ethics

In October 1993, the City Council adopted a City Code of Ethics by ordinance and resolution that would set a standard of conduct for all elected officials, officers, employees, and members of advisory boards, commissions, and committees of the City of Huntington Beach.

The most recent revision to the Code of Ethics was approved in November 2016. Resolution No. 2016-73 requires that the City Council, City Departments, and all boards, commissions and committees are to formally review the Code of Ethics with their members on an annual basis. In January of each year, the Mayor presents the Code of Ethics to the City Council, and "*directs the City Clerk to record in the official minutes that the City Code of Ethics was presented to the City Council, City Manager, Chairpersons, and City Department Directors for their review and distribution as required by Resolution No. 2016-73.*"[(1)]

The Council also finds that "*Any official found to be in violation of the Code of Ethics may be subject to censure by the City Council. Any member of an advisory board, commission or committee found to be in violation may be subject to dismissal. In the case of an employee, appropriate action shall be taken by the City Manager or by an authorized designee.*"[(2)]

[(1)]Resolution 2016-73
[(2)]Resolution Nos. 6524 (10/93); 6540 (11/93)

City of Huntington Beach
Code of Ethics

Preamble

The citizens of the City of Huntington Beach are entitled to responsible, fair and honest city government that operates in an atmosphere of respect and civility. Accordingly, the Huntington Beach City Council, adopts this code to:

1. Describe the standards of behavior to which its leaders and staff aspire.
2. Provide an ongoing source of guidance to elected leaders, city officials and staff in their day-to-day service to the city.
3. Promote and maintain a culture of ethics.

Pledge

On_____, the City Council of the City of Huntington Beach adopted a Code of Ethics, which applies to all City elected or appointed officials, city employees, and members of its boards, commissions, committees, and task forces and requires the following pledge:

Code of Ethics

Responsibility

- I understand that the community expects me to serve with dignity and respect, as well as be an agent of the democratic process.
- I avoid actions that might cause the public to question my independent judgment.
- I do not use my office or the resources of the city for personal or political gain.
- I am a prudent steward of public resources and actively consider the impact of my decisions on the financial and social stability of the city and its citizens.

Fairness

- I promote consistency, equity and non-discrimination in public agency decision-making.
- I make decisions based on the merits of an issue, including research and facts.
- I encourage diverse public engagement in our decision-making processes and support the public's right to know.

Respect

- I treat my fellow city officials, staff, commission members and the public with patience, courtesy, civility, and respect, even when we disagree on what is best for the community and its citizens.

Honesty

- I am honest with all elected officials, staff, commission members, boards, the public and others.
- I am prepared to make decisions when necessary for the public's best interest, whether those decisions are popular or not.
- I take responsibility for my actions, even when it is uncomfortable to do so.

ACKNOWLEDGEMENT PROCESS FOR THE CITY OF HUNTINGTON BEACH CODE OF ETHICS

- All current elected and appointed city officials including current members of all city boards, commissions, committees, and task forces, and all current city employees will be given a copy of the newly adopted City Code of Ethics following its adoption on_____and asked to sign an acknowledgement form at that time.

THEREAFTER:

- All elected officials of the city will be given a copy of the City Code of Ethics and asked to sign an acknowledgement form at the time of their swearing in.

- All new employees of the city will be given a copy of the City Code of Ethics and asked to sign an acknowledgement form as part of their new employee orientation.

- Each new member of a city board, commission, committee, or task force will be given a copy of the City Code of Ethics and asked to sign an acknowledgement form at their first meeting.

CITY OF HUNTINGTON BEACH
CODE OF ETHICS

ACKNOWLEDGEMENT OF RECEIPT FORM

Name _____

Title _____

Board/Department _____

Date _____

Signature _____

Section 7

Required Trainings

Required Trainings for Council Members
AB 1234 – Ethics; AB 1661 – Sexual Harassment Prevention

Ethics Training

In addition to the City Code of Ethics, effective January 1, 2016, each local official of cities, counties, and special districts in California are mandated by state law to receive at least two hours of training in general ethics principles and ethics laws relevant to his or her public service every two years.

The City Attorney's Office runs training sessions in compliance with the requirements of AB 1234 approximately every six months. An online training program by FPPC on a cost-free basis can be accessed via their website (*http://www.fppc.ca.gov/learn/public-officials-and- employees-rules-/ethics-training.html*). The Institute of Local Government (ILG) also offers two, one-hour self-study exercises as an option for local officials to satisfy AB 1234 requirements.

Sexual Harassment Prevention Training and Education

State law requires all city officials in California to complete at least 2-hours of sexual harassment prevention training and education if the local agency provides any type of compensation, salary, or stipend to those officials. This training content includes federal and state statutes outlawing sexual harassment, solutions available to victims, and "practical examples" to teach officials how to prevent sexual harassment, discrimination, and retaliation in the workplace.

Thus, City Council member must receive training within the first six months of taking office **and renew at least once every two years**. Attendance to this training is aligned with the City's commitment to preventing inappropriate conduct at all times and creating a work environment that is safe, respectful, and free of any types of harassment, discrimination and retaliation.
See Administrative Regulation 412 (attached) for more details.

Training and/or education may be offered internally through the City Attorney's Office, or by ILG, nonprofits, or commercial organizations -- please consult with the City Clerk's office. Costs related to attend such trainings can be reimbursed by the City.

NOTE: When these trainings are finished, *you must print* the Certification of Completion (both) provided at the end of such trainings and submit a copy of the certificate to the City Clerk in a timely manner.

These laws require the City Clerk to retain training records for five (5) years minimum as these public records are subject to disclosure under the California Public Records Act, as specified.

ADMINISTRATIVE REGULATION

Office of the City Administrator

Number:	**412**
Sections:	**1-8**
Effective Date:	**March 1, 1991**
Revised Date:	**October 5, 1999**
	March 21, 2005

SUBJECT: Harassment in Employment Policy

1. Purpose:

   1.1 To establish a City policy regarding the prohibition of harassment in the workplace and/or while engaged in any activity on behalf of the City of Huntington Beach.

   1.2 To fully inform all elected officials, officers, members of advisory boards, commissions and committees of the City of Huntington Beach, employees, department heads, managers, supervisors of the City, that any form of harassment in the workplace will not be tolerated or condoned.

   1.3 To inform elected officials, officers, members of advisory boards, commissions and committees of the City of Huntington Beach and all City employees of their rights if they believe they have been a victim of harassment and,

   1.4 To provide a means for prompt reporting and a full and effective investigation of all complaints <u>and</u> provide for remedial action against those who engage in harassment as prohibited by this regulation.

2. Authority:

   Section 401, Huntington Beach Charter. City of Huntington Beach Code of Ethics. Title VII of the United States Civil Rights Act. Guidelines of the Equal Employment Opportunity Commission and the California Fair Employment and Housing Act Commission (Government Code subsection 12900-12940 et. seq. Fair Employment and Housing Act).

   State of California Department of Fair Employment and Housing Commission
   28 Civic Center Plaza, Room 538
   Santa Ana, CA 92701-4010
   (714) 558-4159

3. Application:

   This regulation applies to all elected officials, members of advisory boards, commissions and committees of the City of Huntington Beach and all departments, and employees of the City of Huntington Beach.

4. Definition of Harassment. Harassment includes, but is not limited to:

   4.1 Verbal Harassment – Epithets, derogatory comments, slurs and lewd propositioning on the basis of race, religious creed, color, national origin, ancestry, disability, medical conditions, marital status, sex, sexual orientation, or age. Examples include, but are not limited to, inappropriate sexually-oriented comments on appearance, including dress or physical features, or race-oriented stories and jokes.

   4.2 Physical Harassment - Assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, disability, medical conditions, marital status, sex, sexual orientation, or age. Examples include, but are not limited to, pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

   4.3 Visual Forms of Harassment – Derogatory posters, notices, bulletins, cartoons or drawings on the basis of race, religious creed, color, national origin, ancestry, disability, medical conditions, marital status, sex, sexual orientation, or age.

   4.4 Sexual Favors – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which is conditioned upon an employment benefit, unreasonably interferes with an individual's work performance or creates an offensive work environment. By definition, sexual harassment is not within the course and scope of an individual's appointment and/or employment with the City of Huntington Beach.

   4.5 Definition of Employee - An employee shall be defined as any individual, regardless of classification, employed by the City of Huntington Beach, person providing services pursuant to a contract, or volunteers working under the supervision of the City.

5. Policy:

   Harassment of an applicant or employee by an elected official, officer, member of advisory boards, commissions and committees of the City of Huntington Beach, management employee, supervisor or co-worker on the basis of race, religious creed, color, national origin, ancestry, disability, medical conditions, marital status, sex, sexual orientation, or age is prohibited and will not be tolerated.

   This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation. The policy also applies to outside contractors, customers, and constituents.

Employees who violate this Policy will be subject to disciplinary action, up to and including termination from employment. Any official found to be in violation of this Policy may be subject to censure by the City Council. Any member of an advisory board, commission, or committee found to be in violation of this Policy may be subject to dismissal from appointment.

6. Responsibility:

The City Administrator, department heads and their designated representatives shall be responsible for implementation of this policy against harassment in the workplace.

A copy of this Policy shall be provided to all elected officials, officers, members of advisory boards, commissions and committees of the City of Huntington Beach and all City employees.

A copy of the information sheet on sexual harassment prepared by the Department of Fair Employment and Housing is available to all elected officials, officers, members of advisory boards, commissions and committees of the City of Huntington Beach and all City employees upon request.

The Human Resources Manager shall make available upon request information from the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission about filing claims of discriminatory harassment with these entities.

A copy of this Policy shall appear in any publication, which sets forth the comprehensive rules, regulations, procedures, and standard of conduct for employees.

All City officials, officers, members of advisory boards, commissions and committees of the City of Huntington Beach and all City employees shall receive periodic training on this Policy.

Supervisors and manager shall take corrective action up to and including recommending termination from employment, if they learn of a subordinate employee who is violating this Policy.

7. Complaint Procedure:

An employee who has been harassed on the job should inform his/her employer, its agents or supervisors or the Human Resources Manager of the alleged harassment. The employee may first notify any of the following persons: his/her supervisor, his/her department head, the City Administrator. These officials will treat the complaint confidentially and immediately forward any written complaint to the Human Resources Manager for investigation and action.

To accommodate the unique nature of harassment complaints, a process is provided for the primary purpose of resolution of a complaint at the earliest possible date. Elements of this process are as listed below.

Upon notification of a complaint, the Human Resources Manager will:

7.1 Inform the complainant of his/her right to initiate a complaint.

7.2 Notify the appropriate department head of the complainant and authorize the investigation of the complaint and supervise and/or investigate the complaint. All investigations should be conducted as confidentially as possible and will include interviews with:

A. The complainant.

B. The alleged harasser.

C. Any other persons the Human Resources Manager has reason to believe have relevant knowledge concerning the complainant, such as witnesses and victims of similar conduct.

D. Review factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, giving consideration to all factual information including the nature of the verbal, physical, visual or sexual circumstances surrounding the conduct and the circumstances in which the alleged incidents occurred.

7.3 Report the results of the investigation and the determination, as to whether harassment occurred to appropriate persons including the complainant, the alleged harasser, the supervisor, department head, and the City Administrator.

7.4 If it is determined that harassment occurred, recommend to the appointing authority the appropriate disciplinary and remedial action to be taken. The appropriate action will be commensurate with the severity of the offense and will be communicated to the complainant/victim.

7.5 Reasonable steps will be taken to protect the victim and other potential victims from further harassment.

7.6 Reasonable steps will be taken to protect the victim from any retaliation, as a result of communicating the complainant.

7.7 Appropriate action will be taken to remedy the victim's loss, if any, which resulted from the harassment.

8. Dissemination of Policy: This Policy will be disseminated to all elected officials, officers, members of advisory boards, commissions and committees of the City of Huntington Beach and all managers, supervisors, and employees.

I have read and understand the Harassment in Employment Policy, AR 412. I understand that harassment in the workplace on the basis of race, religious creed, color, national origin, ancestry, disability, medical conditions, marital status, sex, sexual orientation, or age will not be tolerated by the City of Huntington Beach.

_____ Date:_____
(Signed)

Printed Name: _____

Penelope Culbreth-Graft, City Administrator

Section 8

Statewide Ballot Props

Planning Commission Appeals

City Conference Representation

Statewide Ballot Propositions

The City Council shall take no stand, either pro or con, with respect to any statewide ballot proposition. (Resolution 4344 – 10/76)

Appeal of Planning Decisions

A City Council member may appeal a decision of the director, Design Review Board, Environmental Assessment Committee, Subdivision Committee, Planning Commission or Zoning Administrator. The appeal shall be processed in the same manner as an appeal by any other person but need not be accompanied by the fee prescribed for an appeal. (HBZSO §248.28)

The City Council member appealing the decision is not disqualified by that action from participating in the appeal hearing and the deliberations nor from voting as a member of the reviewing body. (HBZSO §248.28)

The time limit for filing the appeal is ten (10) calendar days after the decision. The appeal must specify in detail the reasons for the appeal, and the hearing is limited to the specific reasons.

Guidelines for Councilpersons representing the City at conferences or other such meetings

At any conference or other such meeting where the City is represented by one or more members of the City Council, the following guidelines shall be followed per Resolution 4366-12/76:

1. Whenever possible, Councilpersons shall represent the City as "instructed delegates by majority vote of the City Council."

2. In the event no prior instructions or directions have been given, a poll shall be taken of the delegates attending such conference, or other such meeting, so that any vote or action taken by such Councilpersons shall reflect the wishes of a majority of delegates.

3. In the event no prior instructions or directions have been given delegates, or in the event that the City of Huntington Beach is not represented at a conference or other such meeting, but the matter at issue is one on which the Orange County League of Cities has taken a stand concurred in by the City of Huntington Beach, the City Council shall be bound by the action taken on such issue by the Orange County League of Cities.

Additional guidelines include:

4. Members of the Council should avoid discussion or comment on the City matters at conferences or other such meetings or on social media, other than as part of the scheduled program. Discussions where 4 or more City Councilmembers are present could

inadvertently create a “serial meeting” of a majority of the members of the Council in violation of the Brown Act.

5. Each Councilmember has a travel budget used for expenses when attending conferences or training. The Council’s Administrative Assistant can verify each year the amount budgeted for travel, and guidelines for use of funds can be found in Resolution No. 2006-79 (attached). A per diem allowance is available for each full day of out-of-town travel to a conference or training, and/or on official business authorized by the Council. If/when a Councilmember depletes allocated travel funds, additional travel may be funded by another Councilmember who still has travel funds available.

6. If any more than 3 Councilmembers want to attend the same conference, then seniority would determine who attends. Seniority is determined by the Councilmember position with the Mayor having first right of refusal and the immediate past Mayor placed at the bottom of the list.

RESOLUTION NO. 2006-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ESTABLISHING A BUSINESS EXPENSE POLICY FOR ELECTED AND APPOINTED OFFICIALS

WHEREAS, AB 1234 mandates the adoption of a business expense policy for elected and appointed officials; and

The City Council desires to establish an expense policy, as authorized by City Charter Section 401 and Minute Action of the City Council, for all elected and appointed officials of the City who attend approved meetings, schools, conferences, training programs, and seminars,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntington Beach that the Business Expense Policy shall be as follows:

BUSINESS EXPENSE POLICY:

1. POLICY

1.a. This policy shall apply to all elected and appointed officials of the City.

1.b. The City Administrator and / or the Director of Finance shall be responsible for the proper administration of this policy for all elected / appointed officials.

1.c. Any exceptions from this policy must have prior written approval of the City Council.

2. ALLOWED EXPENSES. Whenever possible, group rates shall be used.

2.1 Registration

2.1.a. Approved schools and training exercises specifically related to the functions and responsibilities of the elected / appointed official in his/her present job classification.

2.1.b. Approved participation in meetings that provide specific job-related information or input for City programs.

2.1.c. Approved participation in meetings that affect department or City programs so that the value to the City warrants attendance.

2.1.d. Attendance at non-budgeted meetings may be granted at the expense of the elected / appointed official provided the above criteria are met.

2.1.e. Registration fees normally payable in advance shall be obtained through the regular requisition and purchasing process.

2.2 Travel

2.2.a. Expense for local transportation shall be allowed when necessary to conduct City business.

2.2.b. Air travel at coach fare by the most direct route. Air transportation costs normally payable in advance shall be obtained through the regular requisition and purchasing process.

2.2.c. Car rental shall have prior approval by Administration and a City discount credit card shall be used.

2.2.d. Personal cars may be used, with prior approval of Administration, at the amount per mile as allowed by the most recent Internal Revenue Service Allowance, or the equivalent amount of round trip air coach by the most direct route for one passenger, whichever is the lesser amount.

2.2.e. Travel time, when allowed, will be based on the most cost-effective mode of travel. The approving authority shall make such determination.

2.3 Lodging

2.3.a. Lodging shall be obtained at the single room rate or at government rates when available. Government rates shall be requested on all lodging reservations.

2.3.b. Rates shall not be higher than any special rate offered for the meeting location.

2.3.c. Whenever practical, lodging shall be arranged and paid for by the City.

2.4. Miscellaneous Allowable Fees and Costs

2.4.a. Telephone expense shall be allowed for City business only.

2.4.b. Costs necessary for school or meeting supplies which cannot be obtained by the City prior to such school or meeting.

2.4.c. Costs of miscellaneous items may be allowed when it is specifically shown that such items were necessary to conduct City business.

2.4.d. All additional charges incurred shall be at the expense of the attending elected / appointed official.

3. PER DIEM ALLOWANCE

3.1.a. Per Diem will be allowed in lieu of A detailed accounting of expenses. This will ordinarily be forty-five dollars ($45) for each full day during the travel period. On official business authorized by the City Council, Councilmembers shall be allowed, in lieu of detailed accounting, a per diem of fifty dollars ($50). It is recognized that certain cities (e.g. New York) are "high cost" areas. Accordingly, a supplemental allowance of up to twenty dollars ($20) per

day for a total of sixty-five dollars ($65) may be allowed if approved by the City Administrator in advance. Per diem for the following cities shall be as indicated: New York $65; Washington D.C. $65; San Francisco $65; Monterey $55, Palm Springs $55.

3.1.b. The per diem requirements shall be 1) for days actually spent on City business; 2) for programmed days of a conference meeting, and 3) for time spent in travel (limited to the shortest travel time available).

3.1.c. Separate reimbursement will not be made for items identified as being covered by the per diem allowance. Per diem expense will include, but not be limited to, the following items:

1) Meals purchased during the inclusive dates of the trip.

2) Tips and gratuities of reasonable amounts for meals, hotels and transportation purposes.

3) Miscellaneous items of expense otherwise unclassified will be included in this category. Personal items and entertainment, unless such entertainment is necessary to conduct City business, will be included under this category and will not be reimbursed if in excess of per diem allowance.

4) Exceptions: Per diem allowance will not apply to official travel for meetings, conferences and conventions which: a) do not require an overnight or out-of-town attendance; b) takes place within the County of Orange limits; and c) one day meetings, conferences and conventions which are within commuting distance will not be allowed per diem allowance but will be subject to reimbursement based on reasonable, actual and itemized expenses for purposes listed in this paragraph.

4. ADVANCES.

Request for advances should be submitted for approval at least ten (10) days prior to departure. The approving authority may grant one hundred percent (100%) of the approved estimate of expenses. Advances shall be paid in accordance with procedures established by the Finance Director. In no case shall any money be advanced for expenses to be incurred by any person other than the authorized elected / appointed official.

5. RECORDS

Records of expenses as outlined above shall be maintained on a City form. The elected / appointed official shall provide itemized expense receipts on prescribed forms for the following:

5.1.a. All travel for which tickets must be purchased, lodging, parking; all meals; all other expenses for which receipts can be obtained.

5.1.b. Date, amount, purpose and reason for failure to furnish receipt(s) shall itemize all expenses for which receipts cannot be obtained.

5.1.c. All expenses, with or without accompanying receipt, shall be reported on the appropriate City form, approved for such purposes. Expense reports shall be submitted to the approving authority within ten (10) working days upon return. Any elected / appointed official who fails to comply with this provision shall forfeit his/her right to future advances.

5.1.d. The elected / appointed officials shall be responsible for all personal record keeping which may be necessary to meet Internal Revenue Service requirements relative to his or her taxes.

5.1.e. Elected / appointed officials shall comply with this policy and insure that all requests are approved in advance and proper reports and receipts are submitted.

6. BROWN ACT MEETINGS

Elected / appointed officials shall report on any Brown Act meeting attended at the expense of the City / Agency at the next regular meeting of the legislative body.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 18th day of December, 20 06.

Mayor

REVIEWED AND APPROVED:

City Administrator

APPROVED AS TO FORM:

City Attorney 12/4/06

INITIATED AND APPROVED:

City Attorney 12/4/06

Res. No. 2006-79

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at an **regular** meeting thereof held on the **18th day of December, 2006** by the following vote:

AYES: Bohr, Carchio, Cook, Coerper, Green, Hansen, Hardy
NOES: None
ABSENT: None
ABSTAIN: None

Joan L. Flynn

City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California

Section 9

Appointments to Boards, Commissions and Committees

Appointments to Boards, Commissions and Committees

When a vacancy occurs for any reason on any board or agency over which Council has power to fill by appointment, subject to the provisions of the Maddy Act (Government Code § 54970), the following procedure shall be used to fill such vacancy:

1. On or before December 31 of each year, the City Clerk shall prepare and bring before Council for approval the *Maddy Act Local Appointments List* (attached), that alerts citizens of vacancies scheduled to occur on regular and ongoing boards, commissions and committees appointed by Council in the following year.

2. The Local Appointments List will be published and remain on the City's website for the entire year, and shall also be posted at bulletin board locations accessible to the public.

3. When an unscheduled vacancy occurs, a special Notice of Vacancy (NOV) shall be published and posted not earlier than twenty (20) days before, or not later than twenty (20) days after, the vacancy occurs. A final appointment shall not be made for at least ten (10) working days after a posting of vacancy. If Council finds that an emergency exists, it may fill the vacancy immediately provided that the person appointed shall serve only on an acting basis until the final appointment is made.

4. The Council shall, as soon as is reasonably possible, fill any such vacancies, but nothing herein shall be construed to limit its choice to a person who has submitted an application, as outlined above.

Based on applications received per each board, commission or committee, Council and staff liaisons will work together to evaluate each applicant's qualifications, and put forth a recommendation to the City Council for approval.

City of Huntington Beach

MADDY ACT
LOCAL APPOINTMENTS LIST – 2020

Opportunity for Public Service on City Boards and Commissions

CITY BOARDS, COMMISSIONS AND COMMITTEES TERMS WHICH HAVE EXPIRATION DATES OCCURING IN CALENDAR YEAR 2020

This list is prepared to inform members of the community of opportunities to serve on City boards and commissions and to invite applications from interested parties.

Please note that the following information pertains to openings that will be available in 2020 because of expiration of members' terms. Very often during the year there will be openings on boards, commissions and committees because members resign. These openings are posted separately at the Civic Center and Huntington Central Library, and are listed on the city's website at: http://www.surfcity-hb.org/Government/boards_commissions/notice_of_vacancies.cfm.

ROBIN ESTANISLAU, CITY CLERK
Office of the City Clerk
2000 Main Street, 2nd Floor
714-536-5227

MADDY ACT LOCAL APPOINTMENTS LIST - 2020

(Chapter 10, Section 54970, Part 1, Division 2, Title 5 of the Government Code)

The following information provides notification of membership terms on City boards, commissions and committees due to expire in 2020:

CHILDREN'S NEEDS TASK FORCE

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration
Dominique Sardinas*	9/1/2017	8/30/2020

**Youth Member*

CHILDREN'S NEEDS TASK FORCE was established in 2000,by Resolution 2000-78 and the CNTF bylaws, which develops and implements plans for youth and children that will ensure the best possible environment for raising children to become successful members of our community. The Task Force meets the fourth Thursday every other month at 4:00 p.m. in Room B-8 of the Civic Center. Staff support is provided through the Community Services Department at (714) 374-1583.

Necessary Requirements: Residents or work within the City. Task Force members are recommended by the City Council liaisons.

Members and Appointments: The Children's Needs Task Force is made up of thirteen (13) members and shall consist of a minimum of one student representative and not more than one-third of the 13 member total allowable membership. Adult members serve a 4-year term up to two terms. Student members serve a 1-year term up to four terms.

CITIZENS INFRASTRUCTURE ADVISORY BOARD

(Term Limits Not Applicable; See Notices of Vacancies for Potential Openings)

The Charter directs that the City Council establish a **CITIZENS INFRASTRUCTURE ADVISORY BOARD** (CIAB) for the oversight of infrastructure. In 2002, the Public Works Commission became the auditing body. In 2015, an Ordinance was created to establish the CIAB as required by Charter section 617. Staff support is provided by the Public Works Department at (714) 375-5070.

Members and Appointments: The CIAB shall be comprised of seven members, to be directly appointed by members of the City Council.

Note: Appointments to this board must file California Form 700 - "Statement of Economic Interests."

Necessary Requirements: The Board shall act in an advisory capacity to the City council in matters pertaining to infrastructure. The Board should meet monthly in the quarter prior to release of the annual budget.

CITIZENS PARTICIPATION ADVISORY BOARD

(Term Limits Not Applicable; See Notices of Vacancies for Potential Openings)

CITIZEN PARTICIPATION ADVISORY BOARD (CPAB) makes recommendations to the City Council on eligible activities for the Community Development Block Grant (CDBG) program and other Housing and Urban Development (HUD) programs annually. Meetings are held on the 1st Thursday of the month beginning at 6:00 p.m. in Room B-8 of the Civic Center; additional meetings may be required depending on the number of grant applications received or as other issues arise. Staff support is provided by the Office of Business Development at (714) 536-5470.

Members and Appointments: CPAB includes seven, individual appointments by the City Council.

Necessary Requirements: As an advisory board of seven Council-appointed citizens, members shall have an interest in providing citizen participation and coordination in the City's planning processes for the City's Housing and Urban Development (HUD) programs. Members shall have an interest in assessing the needs of the community, particularly that of low and moderate income households, evaluate and prioritize projects pertaining to the required plans, and provide recommendations to the City Council. Low-income and disadvantaged persons are encouraged to apply.

COMMUNITY SERVICES COMMISSION

(Term Limits Not Applicable; See Notices of Vacancies for Potential Openings)

COMMUNITY SERVICES COMMISSION was established in 1965, by MC 2.64.010, which reviews and provides recommendations relating to the city's parks, beaches, and recreational facilities. The Commission meets the second Wednesday of each month at 6:00 p.m. in the Council Chambers. Staff support is provided by the Community Services Department at (714) 536-5434.

Necessary Requirements: City resident, interested in recreational programming and development of parks.

Members and appointments: The Commission consists of 13 members - seven direct appointments by individual Council Members to serve a consecutive 4-year term; six direct school-district appointments to a one-year term. 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.

DESIGN REVIEW BOARD

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration
Mariana Morris	12/31/2016	12/31/2020
Lilli Cutler	12/31/2016	12/31/2020

The **DESIGN REVIEW BOARD** reviews design, colors and materials for projects located within Specific Plan Areas, and areas designated by City Council, City facilities or projects abutting or adjoining City facilities, projects in or abutting or adjoining OS-PR and OS-S districts, and General Plan primary and secondary entry nodes. This process ensures that the aesthetic values of the adopted Urban Design Guidelines are implemented through high quality architectural style, superior landscaping and compatibility of design with surrounding properties.

The Design Review Board assists the Community Development Director, Zoning Administrator, and Planning Commission in reviewing development plans and architectural drawings within designated geographic areas of the City. The Board makes recommendations to the Community Development Director, Zoning Administrator, and Planning Commission and may impose conditions or modifications on projects reviewed. The Board meets on the second Thursday of each month at 3:30 P.M. in Room B-8 located at the Lower Level of City Hall. Staff support is provided through the Community Development Department at (714) 536-5271.

Note: Appointments to this board must file California Form 700 - "Statement of Economic Interests."

Necessary Requirements: City resident, at least 18 years of age and interested in guiding, encouraging and promoting the maintenance of harmonious, compatible, attractive and aesthetic developments within special and unique areas of the City. Members must have training, education or work experience in design-related fields including, but not limited to, architecture, landscaping, art, urban/environmental design and aesthetics.

ENVIRONMENTAL BOARD

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration

There are no Environmental Board term expirations in 2020

ENVIRONMENTAL BOARD studies and reports on issues related to the environment of the City of Huntington Beach and investigate all actual and potential threats to a clean environment for the city and its inhabitants. It is made up of nine members who meet on the 3rd Wednesday of each month at 6:00 p.m. at the Central Library, Room B. Staff support is provided through the City Manager's Office at (714) 536-5265.

Necessary Requirements: City resident and preferably the following: 1) A general interest in the environment and protecting its quality; 2) An interest in local government and becoming involved in its operation; 3) Preferably a specific interest in the activities of the Environmental Board which relate to (a) long range local and regional planning, (b) state and federal environmental legislation and its impact upon the community, (c) energy conservation, and (d) solid waste disposal.

FINANCE COMMISSION

(Term Limits Not Applicable; See Notices of Vacancies for Potential Openings)

FINANCE COMMISSION acts in an advisory capacity to the City Council in matters pertaining to financial planning.

The Finance Commission consists of seven members individually appointed by a member of the City Council, and serves a concurrent Council term.

The Finance Commission holds regular monthly meetings on the fourth Wednesday of each month at 5:00 PM in Room B-7 of City Hall. All meetings are open to the public and special meetings may be called in conformance with the Ralph M. Brown Act. In the event a member retires or is unable to complete his term, an appointment shall be made to fill the remainder of the unexpired term. Staff support is provided through the Finance Department at (714) 536-5630.

Note: Appointments to this board must file California Form 700 - "Statement of Economic Interests."

Necessary Requirements: City resident of the City of Huntington Beach. Commissioners are appointed by Council.

FOURTH OF JULY EXECUTIVE BOARD

(Term Limits Not Applicable; See Notices of Vacancies for Potential Openings)

FOURTH OF JULY EXECUTIVE BOARD was established in 1983, by MC 2.106.010 which is responsible for the fundraising, coordination and presentation of the City's annual Fourth of July Celebration, including a parade, fireworks, 5K run and related entertainment. The board meets monthly on the 1st Wednesday at 6:00 pm year-round, with two meetings in May and weekly or as-needed meetings in June. The meetings are held in B-8 on the Lower Level of the Civic Center, 2000 Main Street. Appointments are made on an as-needed basis. Staff support is provided through the Community Services Department at (714) 374-5312.

Necessary Requirements: Resident of the City of Huntington Beach.

HARBOR COMMISSION

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration
Renee Hunter	3/4/2019	12/31/2020
John Ochs	3/4/2019	12/31/2020
Michael VanVoorhis	3/4/2019	12/31/2020

HARBOR COMMISSION was established in 2019, by MC 2.65.010, which shall act in an advisory capacity to the City Council on matters pertaining to the Huntington Beach harbor its beaches, facilities, and parks. The Board is made up of seven (7) members. The Board meets as needed on the fourth Thursday of each month at 5:00 P.M. at City Hall, Room B-7 (lower level). Staff support is provided by the Community Services Department at (714) 536-5292.

Necessary Requirements: Resident of the City of Huntington Beach. Commissioners are appointed by Council.

HISTORIC RESOURCES BOARD

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration

There are no Historic Resources Board term expirations in 2020

HISTORIC RESOURCES BOARD provides information to the City Council pertinent to the conservation and preservation of the City's historic resources. The Board is made up of 9 members. The Board meets as needed on the 3rd Wednesday of each month at 5:00 P.M. at City Hall, Room B-7 (lower level). Staff support is provided by the Community Development Department at (714) 536-5271.

Necessary Requirements: City resident and preferably the following: 1) A general interest in local history; and, 2) An interest in becoming involved in local government.

HUMAN RELATIONS TASK FORCE

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration

There are no Human Relations Task Force term expirations in 2020

HUMAN RELATIONS TASK FORCE was initially formed by the City Council in February 1997. The mission of the Task Force is to promote and celebrate the diversity of our community through education and understanding. In order to achieve these goals, the Task Force sponsors community events through the year and serves as a resource to the community in promoting human dignity and cooperation.

The Task Force is comprised of nine members. The Human Relations Task Force meets on the 1st Tuesday of each month at 6:45 p.m. at the Central Library, Room B. Staff support is provided by the Huntington Beach Police Department at (714) 536-5903.

Necessary Requirements: Interested in promoting cultural diversity efforts within the community. Fundraising and public information work experience is beneficial.

INVESTMENT ADVISORY BOARD

(Term Limits Not Applicable; See Notices of Vacancies for Potential Openings)

INVESTMENT ADVISORY BOARD currently consists of seven members. Each City Council Member shall appoint one member of the Board to serve the same term as the City Council Member.

The purpose of the Board is to act in an advisory capacity to the City Treasurer and the City Council in matters pertaining to the financial planning and the City's investments as per Municipal Code Chapter 2.109.

The IAB meets on a quarterly basis (January, April, July, October) on the third Thursday of the month at 6:30 PM in Room B-7 of the Huntington Beach Civic Center.

Vacancies: In the event a member retires or is unable to complete his term, an appointment shall be made to fill the remainder of the unexpired term. Staff support is provided by the City Treasurer's Department at (714) 536-5200.

JET NOISE COMMISSION

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration

There are no Jet Noice Commission term expirations in 2020

JET NOISE COMMISSION (JNC) was formed to monitor issues related to jet noise from commercial aviation traffic flying over the City, to act as an advisory body to the Council on matters pertaining to jet noise from commercial aviation traffic over the City, and to engage with neighboring cities, regulatory bodies, airlines, and staff regarding the impact of air traffic activities on the quality of life in Huntington Beach.

The Commission shall consist of seven at-large members recommended by two Council liaisons, and appointed by a majority of the City Council. The Commission shall meet at such time and place as fixed by resolution. Staff support is provided by City Manager's Office at (714) 536-5537.

Necessary Requirements: Members shall hold no paid office or employment in the City government while serving on the JNC.

LIBRARY BOARD

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration

There are no Library Board term expirations in 2020

LIBRARY BOARD makes recommendations to the City Council on matters related to the City's libraries and library services in areas as deemed necessary by the City Council. It is a seven-member board that meets on the 3rd Tuesday of each month at 5:00 p.m. in the Central Library Administrative Conference Room. Staff support is provided by the Library Services Department at (714) 960-8836.

Necessary Requirements: City resident 30 days prior to appointment and 18 years of age with an interest in the operation and conduct of city libraries.

MOBILE HOME ADVISORY BOARD

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration
Sharon Dana	2/21/2012	8/5/2020
Manuel Vizinho	5/20/2013	8/5/2020

MOBILE HOME ADVISORY BOARD ensures the quality of life in mobile home parks and reviews matters concerning mobile home parks in the City of Huntington Beach through healthy communication with park owners, manufactured home owners, and the City Council. Nine members, three each as follows: Park representatives, Resident/Owner representatives, and citizens at-large who have no affiliation or relationship with mobile home parks. They meet quarterly at 6:00 p.m. on the 4th Monday of the month in January, April, July, and October at a City Hall (see Agenda for location changes) with special meetings scheduled as needed. Staff support is provided by the Office of Business Development at (714) 536-5470.

Necessary Requirements: The board consists of nine members: three Huntington Beach mobile home park owners; three Huntington Beach mobile home resident owners; and, three Huntington Beach independent citizens at-large who have no affiliation or relationship with mobile home parks.

PERSONNEL COMMISSION

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration
David Ellis	09/04/18	06/30/20
William Blair	09/04/18	06/30/20

PERSONNEL COMMISSION acts in an advisory capacity to the City Council and City Manager on personnel administration, hears appeals on grievance matters and appeals from decisions related to the employer-employee relations resolution, reviews impasse matters, and performs other personnel duties and functions as may be requested by the City Council or prescribed by ordinance or resolution. There are five commission members and meetings take place at 5:30 p.m. on the 3rd Wednesday of each month in Room B-8 of the Civic Center. Staff support is provided by the Human Resources Department at (714) 960-8828.

Necessary Requirements: City resident for 30 days prior to appointment. Desirable qualifications are education and work experience in private or public personnel administration.

PLANNING COMMISSION

(Term Limits Not Applicable; See Notices of Vacancies for Potential Openings)

Members and Appointments: The **PLANNING COMMISSION** includes seven members who are appointed by the City Council members. Each City Council member appoints one commissioner to this quasi-judicial body that is empowered by State law and the City Council.

Meeting Times and Dates: The Planning Commission meets on the second and fourth Tuesday of each month at 7:00 p.m. in the Council Chambers. Study sessions are frequently

held at 5:15 p.m. prior to the meeting in Council Chambers. Agendas are available to the public the Thursday prior to the meeting.

Note: Appointments to this board must file California Form 700 - "Statement of Economic Interests."

Vacancies: In the event a member retires or is unable to complete his term, an appointment shall be made to fill the remainder of the unexpired term. Staff support is provided by the Community Development Department at (714) 536-5276.

PUBLIC WORKS COMMISSION

(Term Limits Not Applicable; See Notices of Vacancies for Potential Openings)

Members and Appointments: The **PUBLIC WORKS COMMISSION** consists of seven (7) members who are residents of the City of Huntington Beach. Each City Councilmember appoints a member of the Commission to a term that coincides with the City Councilmember's term. No member may have interest in any contract with the city either during his or her terms or for a period of one year after cessation of Commission service. All members serve without compensation, may hold no other office or employment in city government and no other employment that is incompatible with Commission service.

Meeting Times and Dates: The Public Works Commission holds regular monthly meetings, on the third Wednesday of each month at 5:00 PM at the Utilities Yard located on 19021 Huntington Street. All meetings are open to the public and special meetings may be called in conformance with the Ralph M. Brown Act.

Vacancies: In the event a member retires or is unable to compete his term, an appointment shall be made to fill the remainder of the unexpired term. Staff support is provided by the Public Works Department at (714) 375-5055.

YOUTH BOARD

(Resignations Occur; See Notices of Vacancies for Potential Openings)

Current Appointee	Date of Appointment	Date of Expiration
REPRESENTATIVES:		
Samuel Dater – EHS	6/1/2019	5/31/2020
Amy Zang – HBHS	6/1/2019	5/31/2020
Tatum Osborne – MHS	6/1/2019	5/31/2020
Natalie Blazquez – OVHS	6/1/2019	5/31/2020
AT LARGE MEMBERS:		
Caitlin Sheetz – EHS	6/1/2019	5/31/2020
Jenna Ali – HBHS	6/1/2019	5/31/2020
Andre Mai – HBHS	6/1/2019	5/31/2020
Kathryn Robinson – MHS	6/1/2019	5/31/2020
Bella Brannon – OVHS	6/1/2019	5/31/2020

YOUTH BOARD was established in 1987, by MC 2.108, which is a voluntary advisory board to the City Council regarding youth achievement, problems, and needs. The board represents, involves, and promotes youth participation in community affairs. The board meets on the second Monday of each month at 3:30 p.m. public meeting rooms. Note: A separate application is required for review by the City Council Liaisons. Staff support is provided by the Community Services Department at (714) 374-5312.

Necessary Requirements: All members shall be enrolled in high school and shall be residents of this city during their service on the board. The Youth Board was formed to promote Council, city staff and public understanding of the achievements, problems and needs of the city's young people and under Council direction, to enable young people to participate in various city activities and make recommendations to the Council, and further to promote and encourage increased interest and participation among young people in community affairs.

Section 10

Statement of Economic Interests – Form 700 Reporting

Statements of Economic Interests - Form 700 Reporting

[1]The Political Reform Act (Act) prohibits a public official from using his or her official position to influence a governmental decision in which he or she has a financial interest. Every state and local agency must adopt a conflict of interest code that identifies all officials and employees within the agency who make governmental decisions based on the positions they hold. The individuals in the designed positions must disclose their financial interests as specified in the agency's conflict of interest code.

To help identify potential conflicts of interest, the law requires public officials and employees in designated positions in a conflict of interest code to report their financial interests on a form called ***Statement of Economic Interests – Form 700****. The conflict of interest codes and the Form 700s are fundamental tools in ensuring that officials are acting in the public's best interest and not their own.*

The Fair Political Practices Commission (FPPC) is the agency responsible to provide public officials with answers to questions related to the content they report on their Form 700. Frequently asked questions and other resource information including an online advice system can be accessed at http://www.fppc.ca.gov/Form700.html.

The City's Conflict of Interest Code (Resolution No. 2018-58, attached), details provisions, filing of statements, designation of positions, exclusions, and level of disclosure by category.

All designated filers must file Form 700 information electronically through NetFile, the City's online portal certified by the FPPC to accept Form 700 and FPPC campaign disclosure documents. The City Clerk's office administers the NetFile application, and keeps in contact with all new and existing filers to provide account information, alert filers of deadlines, and assist them with navigational issues. The filer portal is located at https://netfile.com/Filer/. Form 700 information is also used by City staff to create a conflict of interest map for each public official who is responsible to make policy decisions for the City.

[1]http://www.fppc.ca.gov/learn/rules-on-conflict-of-interest-codes.html

RESOLUTION NO. 2018-58

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH AMENDING
ITS CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act (Government Code Section 81000 *et seq.*) requires State and local government agencies to adopt and promulgate conflict of interest codes; and

The City of Huntington Beach has adopted a Conflict of Interest Code which has been amended by various Resolutions; and

The City desires to amend the Code which was most recently amended by Resolution 2014-64; and

The Fair Political Practices Commission has adopted a regulation [2 Cal. Code of Regs. 18730] which contains the terms of a standard Conflict of Interest code, which may be adopted by local agencies and constitutes the agency's Conflict of Interest Code,

NOW, THEREFORE, the City Council of the City of Huntington Beach hereby resolves as follows:

SECTION 1. Regulation Section 18730. The terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and attached hereto as Exhibit A. This regulation, and the attached Exhibit B designating officials and employees and their respective disclosure categories, and the attached Exhibit C establishing Disclosure Categories, shall constitute the conflict of interest code of the City of Huntington Beach.

SECTION 2. Filing of Statements. Designated officials and employees shall file their statements with the City Clerk which will make the statements available for public inspection and reproduction. [Gov. Code Section 81008.] Statements for all designated officials and employees will be retained by the City Clerk.

SECTION 3. Designation of Positions. The persons holding the position set forth in Exhibit B are designated officials and employees. The Council determines that such persons make or participate in the making of decisions which may foreseeably have a material effect on any financial interest as defined in Government Code Section 87103.

SECTION 4. Exclusions. This Code shall not apply to:

(a) Public officials specified in Government Code Section 87200, as is or may be amended, including, but not limited to, members of the City Council, Planning Commissioners, the City Manager, City Attorney, City Treasurer, and other public officials who manage public investments who are required to file Statements of Economic Interests pursuant to State law;

(b) Persons required to file Statements of Economic Interests pursuant to regulations which have been or may be adopted by the Fair Political Practices Commission;

(c) Clerical, secretarial, manual, and ministerial employees.

SECTION 5. Disclosure Required. Designated officials and employees as set forth in Exhibit B shall file conflict of interest statements listing financial interests as required by the applicable Disclosure Category for their position set forth in the attached Exhibit "C."

SECTION 6. Disqualification. Designated officials and employees must disqualify themselves from making or participating in the making of any decisions which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on any reportable interest of that employee. No designated employee shall be prevented from making or participating in the making of a decision to the extent his or her participating is legally required for the decision to be made.

SECTION 7. Manner of Disqualification. A designated employee required to disqualify himself or herself shall notify his or her supervisor in writing. This notice shall be forwarded to the City Clerk who shall record the employee's disqualification. Upon receipt of such statement, the supervisor shall immediately reassign the matter to another employee.

In the case of a designated employee who is a member of a City Board, Commission or Committee, notice of disqualification shall be given at the meeting during which consideration of the decision takes place and shall be made part of the official record of said Board, Commission, or Committee. The member shall then refrain from participating and shall attempt in no way to use his or her official position to influence any other person with respect to the matter.

SECTION 8. Previous Resolutions Repealed. City Council Resolution 2014-64, 2016-44 and any other Resolution or provision thereof in conflict herewith is hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 15th day of October, 2018.

Mayor

REVIEWED AND APPROVED:

City Manager

INITIATED AND APPROVED:

Assistant City Manager

APPROVED AS TO FORM:

For City Attorney

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq . The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic erests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq .

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.1

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to

which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.2

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to

represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6: Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property3 is required to be reported,4 the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds $2,000, exceeds $10,000, exceeds $100,000, or exceeds $1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,5 the statement shall contain:

1. The name and address of each source of income aggregating $500 or more in value, or $50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was $1,000 or less, greater than $1,000, greater than $10,000, or greater than $100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,6 the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than $10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of $440.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $440 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual..

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall,

while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars ($500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date

he or she vacates office, receive a personal loan of $500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of $100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than $250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable

material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth $2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth $2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating $500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $440 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value $1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

1 Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

2 See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3 For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4 Investments and interests in real property which have a fair market value of less than $2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in

which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5 A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14). Certificate of Compliance included.

2. Editorial correction (Register 80, No. 29).

3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).

4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).

5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).

6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).

7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).

8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).

10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).

11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.

12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).

13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).

14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).

15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court

of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

EXHIBIT B
DESIGNATED OFFICIALS AND EMPLOYEES WITH DISCLOSURE CATEGORIES

Job Type	Description	Category
0089	Admin Analyst Senior	3
0025	Administrative Analyst	5
0078	Assistant City Attorney	1
0132	Assistant City Clerk	1
0592	Assistant City Manager	1
0595	Assistant Fire Marshal	4
0057	Assistant to the City Manager	1
0044	Beach Operations Supervisor	3, 4
0064	Budget Analyst Senior	3
0598	Building Manager	1
0112	Buyer	2
0593	Chief Asst City Attorney	1
0518	Chief Financial Officer	1
0479	Chief Information Officer	1
0016	City Attorney	1
0017	City Clerk	1
0024	City Engineer	1
0591	City Manager	1
0018	City Treasurer	1
0125	Code Enforcement Supervisor	2
0589	Community Development Director	1
0471	Community Relations Officer	2, 3
0353	Community Services Manager	1
0258	Community Srvcs Rec Supv	3
0097	Construction Manager	2
0085	Contract Administrator	3, 4, 5, 6
0081	Deputy City Attorney I	3, 5, 6
0080	Deputy City Attorney II	3, 5, 6
0079	Deputy City Attorney III	3, 5, 6
0699	Deputy Community Prosecutor	3,5,6
0840	Deputy Dir of Community Development	1
0571	Deputy Dir of Econ Development	1
0486	Detention Administrator	3, 4
0014	Director of Community Services	1
0574	Director of Human Resources	1
0007	Director of Library Services	1
0010	Director of Public Works	1
0039	Econ Development Proj Mgr	4, 5
0580	Energy Project Manager	4, 5
0050	Facilities Maint Supervisor	3, 4
0879	Finance Manager - Accounting	1
0889	Finance Manager - Budget	1

0899	Finance Manager - Fiscal Services	1
0869	Finance Manager - Treasury	1
0031	Fire Battalion Chief	4
0015	Fire Chief	1
0026	Fire Division Chief	1
0131	Fire Medical Coordinator	2
0590	Fleet Operations Supervisor	3, 4
0581	General Services Manager	1
0006	Human Resources Manager	1
0499	Senior Information Technology Analyst	3, 4
0489	Information Tech Manager-Infrastructure	1
0200	Information Tech Manager-Operations	1
0500	Information Tech Manager-Systems	1
0075	Inspection Manager	1
0073	Inspection Supervisor	3, 4
0049	Landscape Maint Supervisor	3, 4
0572	Liability Claims Coordinator	6
0030	Maintenance Operations Mgr	1
0032	Marine Safety Division Chief	1
0105	Marine Safety Lieutenant	3, 4
0490	Network Systems Administrator	2
0209	Permit & Plan Check Supervisor	3, 4
0453	Personnel Analyst	3, 6
0060	Personnel Analyst Principal	3, 6
0464	Personnel Analyst Senior	3, 6
0444	Planning Manager	1
0625	Police Admin Div Srvcs Manager	1
0233	Police Captain	1
0011	Police Chief	1
0022	Police Communications Manager	3, 4
0234	Police Lieutenant	3, 4
0094	Police Records Administrator	3, 4
0096	Principal Civil Engineer	3, 4
0072	Principal Electrical Inspector	3, 4
0076	Principal Inspector Plb/Mech	3, 4
0482	Principal Librarian	3
0579	Project Manager	3
0839	Real Estate & Project Manager	2, 5
0054	Risk Manager	1
0110	Senior Accountant	3
0069	Senior Civil Engineer	2, 4
0484	Senior Deputy City Attorney	2
0868	Senior Finance Analyst	3
0036	Senior Planner	2, 4
0579	Senior Risk Management Analyst	3,6
0575	Senior Supv Cultural Affairs	3, 4
0578	Senior Supv Human Services	3, 4
0034	Senior Traffic Engineer	2, 4

0457	Special Events Coordinator	2
0488	Street Maint Supervisor	3, 4
0133	Supv Parking/Camping Facility	3, 4
0333	Senior Trial Counsel	3
0033	Transportation Manager	1
0051	Tree Maintenance Supervisor	3, 4
0483	Utilities Manager	1
0487	Wastewater Supervisor	3, 4
0052	Water Distribution Supervisor	3, 4
0053	Water Production Supervisor	3, 4
0056	Water Quality Supervisor	3, 4

BOARDS, COMMISSIONS, AND COMMITTEES

City Council	1
Visit Huntington Beach	1
Design Review Board	1
Planning Commission	1
Citizens Infrastructure Board	1
Finance Commission	1

CONSULTANTS

Consultants shall be included in the list of designated officials and employees in Disclosure Category 1 and shall disclose such interests subject to the following limitation: The City Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described above. Such written determination shall include a description of Consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT C

City of Huntington Beach
Conflict of Interest Code
Disclosure Categories

Disclosure Category 1: Broad responsibilities. Full Disclosure

Persons in this category shall disclose all applicable investments, business positions, and sources of income, including gifts, loans and travel payments. Persons in this category shall further disclose applicable interests in real property located in the City, including property located within a two mile radius of the City or of any property owned or used by the City. *

Disclosure Category 2: City-wide Purchasing Responsibilities

Persons in this category shall disclose all applicable investments, business positions, and income, including loans and gifts, from sources which provide services, supplies, materials, machinery, or equipment of the type utilized by the City.*

Disclosure Category 3: Department/Division Purchasing Responsibilities

Persons in this category shall disclose all applicable investments, business positions, and income, including loans and gifts, from sources which provide services, supplies, materials, machinery, or equipment of the type utilized by the designated employee's department or division. *

Disclosure Category 4: Regulatory Power

Persons in this category shall disclose all applicable investments, business positions, and income, including loans and gifts, from any source which is subject to the regulatory, permit, or licensing authority of the designated employee's department or division. *

Disclosure Category 5: Decision-Making Authority Affecting Real Property

Persons in this category shall disclose all applicable investments, business positions, and income, including loans and gifts, from sources which engage in land development, construction, or the acquisition or sale of real property. Persons in this category shall further disclose all interests in real property located in the City, and within a two mile radius of the City or of any property owned or used by the City. *

Disclosure Category 6: Decision-Making Authority Affecting Claims and/or Insurance

Persons in this category shall disclose all applicable investments, business positions, and income, including loans and gifts, from:

A) Persons or entities which provide services, supplies, materials, machinery or equipment of the type utilized by the City. Business positions in business entities that manufacture, sell, supply, or promote personnel training materials or that offer personnel consulting services, and that do business, or expect to do business, within the City.

B) Entities which are engaged in the business of insurance including, but not limited to, insurance companies, carriers, holding companies, underwriters, brokers, solicitors, agents, adjusters, claims managers and actuaries.

C) Financial institutions including, but not limited to, banks, savings and loan associations and credit unions.

D) Entities or persons who have filed a claim, or have a claim pending, against the City which is reviewed by the designated employee's department or division.

E) Income received from investments in, and business positions in business entities that offer, sell, or service group medical insurance, group life insurance, group dental insurance, pension plans, or that make investments or any way manage funds relating thereto, and that do business, or expect to do business, within the City.*

<u>Disclosure Category 7:</u> Investment Responsibilities

Persons in this category shall disclose all applicable investments, business positions, and income, including loans and gifts, from financial institutions doing business with or eligible to do business with the City. *

*Definitions

"Applicable investments" relates to investments held by the designated employee, spouse and dependent children with an aggregate value of $2,000 or more located or doing business in the jurisdiction. It includes investments held by a business entity or trust in which the designated employee, spouse and dependent children have an aggregate interest of 10% or greater.

"Applicable business positions" relates to positions in which the designated employee was a director, officer, partner, trustee, employee or held any position of management during the period covered by the report, even if the designated employee received no income from the business entity during the period.

"Applicable income" includes the designated employee's gross income (including loans) and the employee's community property interest in his or her spouse's gross income aggregating $500 or more received from any source located in or doing business in the jurisdiction. Please note that loans are reported on a separate schedule.

"Applicable gift" includes anything of value for which the designated employee has not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is $50 or more. In addition, multiple gifts aggregating $50 or more received during the reporting period from a single source must be reported. Unless otherwise expressly limited in the Disclosure Categories, gifts are reportable without regard to where the donor is located.

"Applicable interest in real property" includes those located in the jurisdiction in which the employee, spouse, or dependent children had a direct, indirect, or beneficial interest aggregating $2,000 or more any time during the reporting period. The employee is not required to report a residence used exclusively as a personal residence.

"Jurisdiction" means the City of Huntington Beach. Real property is deemed to be "within the jurisdiction" if the property or any part of it is located in or within two miles of the boundaries of the City or any property owned or used by the City, unless a smaller area is specified in the Disclosure Category.

Res. No. 2018-58

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **Regular** meeting thereof held on **October 15, 2018** by the following vote:

AYES: O'Connell, Semeta, Peterson, Posey, Delgleize, Hardy, Brenden
NOES: None
ABSENT: None
RECUSE: None

Robin Estanislau

City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California

Section 11

Conflict of Interest Map

CONFLICT OF INTEREST MAP

CREATED FOR EACH MEMBER OF THE CITY COUNCIL BY THE CITY'S GIS ANALYST

Section 12

General Rules for Gifts and Honoraria

General Rules for Gifts and Honoraria[1]

$10 Lobbyist Gift Limit: Elected officials, including members of the legislature, and legislative employees may not accept a gift or gifts totaling more than $10 in a calendar month from any individual who is registered as a lobbyist under state law. The $10 limit also applies to gifts received by officials and employees of state agencies if their agency is listed on the registration statement of the lobbyist's employer or firm.

$500 Gift Limit (Effective January 1, 2019 - December 31, 2020): State and local officials and employees are prohibited from receiving a gift or gifts totaling more than $500 in a calendar year from certain sources. For elected state officials and many others, the prohibition is applicable to gifts from any source, although there are exceptions (for example, gifts from family members). For state and local officials and employees who file Statements of Economic Interests (Form 700s) under an agency's conflict of interest code, the gift limit is applicable only to individuals and entities that would have to be disclosed on the Form 700. This gift limit is adjusted for inflation every odd-numbered year. (Note: Judges are not subject to the Act's gift prohibitions, but are covered by the Code of Civil Procedure.)

Honoraria: An honorarium is a payment received for making a speech, publishing an article or attending any public or private conference, convention, meeting, social event, meal or similar gathering. State and local elected officers and candidates for those offices and all officials holding positions listed in Government Code Section 87200 are prohibited from receiving honoraria payments. Likewise, an employee designated under a state or local government agency's conflict of interest code is prohibited from receiving honoraria payments from any source of gifts or income the employee is required to report on his or her Statement of Economic Interests (Form 700). Some limited exceptions apply, such as income earned from a bona fide business or profession.

Exceptions for Travel: Certain payments for travel are excluded from the gift limits and honoraria prohibition. Refer to the City's travel reimbursement policy guidelines.

Loan Restrictions: Public officials who are required to file Statements of Economic Interests (Form 700s) or who are exempt employees may not receive any personal loan aggregating more than $250 from an official, employee, or consultant of, or from anyone who contracts with, their governmental agencies. In addition, elected officials may not receive any personal loan aggregating more than $500 from a single lender unless certain terms of the loan are specified in writing. Under certain circumstances, a personal loan that is not being repaid or is being repaid below certain amounts may become a gift to the official who received it.

[1] Retrieved from California Fair Political Practices Commission *http://www.fppc.ca.gov/learn/public-officials-and-employees-rules-/gifts-and-honoraria.html*. For more information, please refer to California Government Code Section 89503.

Section 13

New Mayor Protocal Handbook

New Mayor Protocol Handbook

- ☆ The Mayor is the Presiding Officer of the City Council.
- ☆ The Mayor may make and second motions and shall have both voice and vote in all Council proceedings.
- ☆ The Mayor is the ceremonial head of the city and shall have the primary, but not exclusive, duty to interpret the policies, programs, and needs of city government to the people.
- ☆ The Mayor may inform the people of any major change in policy or program, as necessary.
- ☆ The Mayor may call special meetings of the City Council.
- ☆ The Mayor may execute contracts on behalf of the city when the contracts have been approved by the City Council.
- ☆ The Mayor shall serve in such capacity at the pleasure of the City Council.*

**City Charter Sections 303, 305, & 613*

IMMEDIATE ITEMS FOR ACTION

DAIS SEATING ASSIGNMENTS – Mid November

1. Mayor develops seating chart (based on input from other City Council Members)

2. Protocol has been the Mayor Pro Tem sits to the right of the Mayor and the Past Mayor sits to the left. The other seats are up to the Mayor and Councilmembers.

3. Final dais seating assignments will be relayed to the City Council Administrative Assistant and City Clerk.

ARRANGEMENTS FOR OATH OF OFFICE MEETING - 1st Meeting in December

1. **Meeting Festivities - Planned by Mayor**
   a) Refreshments – Cake, punch, and coffee will be ordered by Administration in recognition of the incoming and outgoing Mayors (Mayor may provide their own cakes)
   b) Dinner - Usually a light meal is provided by Administration in Caucus Room (may not need)
   c) Guest Invitations - Handled by Mayor, as desired
   d) Meeting Time – Regular session begins at 6:00 PM (no study session)
   e) Council Agenda – may include closed sessions, objective is a light agenda

2. **Meeting Agenda Order**
   a) Meet with Community Relations Officer, City Council Administrative Assistant and City Clerk with outgoing Mayor to review specific agenda order of events for first meeting in December.
      - Incoming Mayor presents a special surfer statue (or other award) to the outgoing Mayor in appreciation of service
      - Outgoing Mayor presents a gavel and wooden box to the new Mayor
      - Gifts if the Mayor so chooses are presented by the outgoing Mayor, Council Members, elected officials (Clerk, Attorney & Treasurer) and City Manager
      - Outgoing Council Members given the opportunity to speak
      - Outgoing Mayor gives an end of term speech
   b) Incoming Mayor's Speech
   c) Meet with City Clerk regarding Robert's Rules, meeting protocol, etc. (optional)

OFFICE ASSIGNMENTS

1. **Relocation to Mayor's Office**
   a) Personal items to be moved by Mayor
   b) Staff will assist in moving other items
   c) Notify City Council Administrative Assistant if furniture is to be moved

2. **Assignment of City Council Offices**
   a) Mayor coordinates office move with incoming Mayor
   b) Incoming Mayor coordinates office assignments with new City Council (as required). Historically, the Mayor is at the far end on the south side of the fourth floor; the Mayor Pro Tem is next to the Mayor (#6) and offices #4 & 5 are for councilmembers with more seniority. The offices on the north side of the floor (#1, 2, & 3) are for the newer Council Members.
   c) Notify City Council Administrative Assistant of new office assignments

PARKING SPACE

Public Works staff will change parking signs following the swearing-in ceremony, moving the immediate past Mayor to the end of the row of City Council parking spaces. This protocol is for the Mayor to have the first space, the Mayor Pro Tem the second and the remainder of the parking spaces to be assigned based on the anticipated succession to Mayor and Mayor Pro Tem as described in Resolution #6320.

ASSIGNMENT OF CITY COUNCIL LIAISONS TO ADVISORY BODIES

1. The assignment of City Council Liaisons is conducted annually by the Mayor and is governed by Resolution 99-83 (adopted 10/4/99). A summary of the process is described below:
   a) In early November, the incoming Mayor distributes a memo asking that each City Council Member advise him/her on the Council liaison assignments that are of interest to them and for which they will be available.
   b) Council responses are to be submitted to the incoming Mayor about mid-November.
   c) Based on the requests received, the incoming Mayor will prepare a preliminary list of assignment.
   d) The Mayor's preliminary list of assignments will be distributed to all the City Council Members and the City Clerk at least one week prior to the City Council meeting at which the appointments are made.
   e) Appointments are approved at the 2nd City Council Meeting in December (see current **Council Liaison List**, attached).

2. In considering these assignments, it should be noted that the Mayor and Mayor Pro Tem are assigned to the following bodies as prescribed by originating documents:
   a) The Mayor or their designee represents the city at the Orange County City Selection Committee meetings.
   b) The Mayor, Mayor Pro Tem, and most recent Past Mayor are the prescribed members of the Economic Development Committee and Downtown EDC.

Additionally, the Mayor traditionally participates in the following bodies:
   c) Visit Huntington Beach
   d) League of California Cities – Orange County City Selection Committee

MAYORAL FUNCTIONS

CITY COUNCIL MEETINGS

1. Presentation of Mayor's HB Excellence Award

The purpose of the Mayor's HB Excellence Award is to recognize outstanding employee performance.

The award is presented on a monthly basis, typically at the 2nd regular City Council meeting of month. The only exception is the month of December when the outgoing Mayor recognizes staff members of their choice.

2. Presentations at City Council Meetings

- Requests: All requests should be submitted to the Mayor in writing with a copy to the Community Relations Officer. Presentations may be requested by department heads, members of the community, or other City Council Members. All requests must be approved by the Mayor.

- Schedule: Requests should be made a minimum of two weeks prior to the date of the City Council meeting and should include contact information for the recipient.

- Confirmation of Presentation(s): The final review of presentations is conducted at Agenda Review (the Monday preceding the City Council meeting at 4:00 PM).

- Presentation: The Mayor is responsible for presenting and receiving all awards at City Council meetings. The Mayor may invite other City Council Members and/or staff to participate with him/her as desired

ONGOING MEETINGS

1. Attendance of Mayor/Mayor Pro Tem at Agenda Review Meeting

The purpose of this meeting is to allow the City Manager to review the items scheduled for the next City Council meeting with the department heads prior to the printing of the final agenda. Questions regarding specific items or the order of the items may be discussed here. The Mayor and/or Mayor Pro Tem attend at their discretion.

Schedule: The Monday prior to each City Council Meeting, B-8, 4:00 pm.

2. City Council Meeting Preparation with the City Manager

The purpose of this meeting is to review the agenda packet materials with the City Manager prior to the City Council meeting.

Schedule: Occurs sometime between Agenda Packet Delivery and the City Council Meeting depending on the Mayor's schedule (to be arranged with City Manager).

LEGISLATIVE POSITIONS

The Intergovernmental Relations Committee (IRC) reviews recommendations from staff and other agencies on the need for the city to take a position on legislation pending before either the State or Federal governments. Recommendations of the IRC are taken to the City Council for approval. The Mayor is authorized to send letters stating the city position on the specified legislation on behalf of the city to the legislators.

When legislation is moving quickly and requires decisive action, the chair of the IRC, with approval from the Mayor and the City Manager can take a position on behalf of the city. If the Mayor is unavailable, the Mayor Pro Tem can act on the Mayor's behalf. If the Mayor is a member of the IRC then the chair of the IRC and the Mayor Pro Tem, and the City Manager would make the decision. When neither the Mayor nor Mayor Pro Tem is available, the senior most member of the Council can act on their behalf. This position will subsequently be brought to the IRC and the City Council.

The IRC is also responsible for preliminary review of the city's funding priorities and for working with State and Federal legislators and the city's lobbyists in seeking funding. To that end, the Mayor and/or the IRC chair may travel to Washington D.C. and Sacramento each year.

CEREMONIAL FUNCTIONS

Throughout the year, there are a number of ceremonial functions to attend. While the entire City Council is usually invited to most of these events, the public often anticipates the Mayor's presence as the ceremonial head of the city. Generally, there are three types of functions:

- City Functions (i.e. opening of new city facilities and employee or volunteer award lunches, etc.)
- Community Events (i.e. Miss. Huntington Beach Pageant, Chamber of Commerce Ribbon Cuttings, Boy Scout Eagle meetings, etc.)
- Other Local, County, and Regional Agencies (Functions of the County or special district i.e. OCTA, etc.)

1. Mayoral Ceremonial Acceptance Protocol

According to the City Charter, the Mayor is the ceremonial head of the city. Therefore, the Mayor traditionally represents the city at community events and functions. If the Mayor is not able to attend a particular function, the City Council's Administrative Assistant will utilize the following order in accepting the invitation:

a) Mayor Pro Tem
b) Immediate Past Mayor
c) Remaining City Council Members as directed by the Mayor according to interest

2. Mayoral Ceremonial Absence Protocol

If the Mayor accepts an invitation to any of these events, and later finds that he/she is unable to attend due to sickness or other reasons, staff will utilize the above protocol for identifying a replacement. The City Council Administrative Assistant will contact the organization hosting the event and notify them that the Mayor will be unable to attend due to extenuating circumstances.

3. Proclamations, Certificates of Recognition, & Commendations

a) Purpose of Proclamations, Commendations, Recognitions: To recognize citizens, individuals, or organizations that have provided outstanding service to the community as leaders of charitable or business associations or are recognized in the community for outstanding achievements (i.e. Little League champions)
b) Presentation of: Presented by the Mayor at a City Council Meeting, an off-site ceremony, or mailed
c) Final Draft: Prepared by the Community Relations Officer prior to signature
d) Signature: Mayor typically signs on behalf of the City Council. At times, the Mayor may request that the document be signed by the full City Council.

RECOMMENDED INTERGOVERNMENTAL PARTICIPATION

- League of California Cities – The Orange County Division of the Leagues holds monthly general membership (dinner) meetings. The Mayor and other Council Members have traditionally been active participants in these meetings as well as the League's committee structure.

- The City Selection Committee (A Committee of the 34 Orange County Mayors) meets monthly in conjunction with the League dinners. This committee has responsibility for decisions relating to the county as a whole and makes appointments to powerful boards such as the South Coast Air Quality Management District (SCAQMD), the Orange County Transportation Authority (OCTA), and the Orange County Local Agency Formation Commission (LAFCO). It is **very important** for the Mayor or their designee to attend these meetings.

TERM EXPIRATION ACTIVITIES

- At Mayor's discretion, provide gifts to fellow City Council Members, City Treasurer, City Clerk, City Attorney, City Manager
- Prepare outgoing "Accomplishments" Speech
- Outgoing Mayor presents gavel to incoming Mayor

Staff Contact: Community Relations Officer

MAYORAL ACTIVITIES FOR UPCOMING YEAR

APPROVED BY CITY COUNCIL

1. Code of Ethics

In January of each year, the City Council affirms the Council approved Code of Ethics (Code) for all elected officials, officers, employees and members of advisory boards, commissions, and committees. The current code requests that all employees and board/commission members sign an acknowledgement indicating that they received a copy. Specifically, the code states that it should be reviewed annually by the City Council, as well as by all employees, boards, commissions, and committees. The Mayor, City Manager, and chairpersons shall be responsible for accomplishing this review.

Copies of the code, along with the acknowledgement form, will be sent to all department heads, and board/commission staff liaisons requesting that they review the code with their employees/members.

EXISTING PRACTICES

1. Board Appreciation or Mayor's Reception

An appreciation reception for the members of the City Council appointed board and commission members has been held in the past. If it is an informational meeting, staff will prepare the appropriate notices and publicize the meeting via a press release and directed mailings. This is optional and has been funded in the past by the City.

2. Meetings with Chairs of Advisory Boards (optional)

Also at the discretion of the Mayor, meetings may be scheduled between the Mayor and the chairs of each of the city's advisory bodies. Some Mayors have opted to schedule individual/small group meetings with chairs and/or attend a regular meeting of each of the different citizen boards. If preferable, a round-table meeting can be scheduled with the chairs as a group.

3. Master Calendar of Events

The calendar shown below highlights many of the annual events the Mayor and the City Council are invited to. The events denoted with an asterisk (*) mark some of the events in which the Mayor is often invited to address the audience. Other events may only require the Mayor to give an award or read a proclamation. The purpose of this draft calendar is to alert the Mayor to the number of events during the upcoming year.

Jan: HB Chamber of Commerce Annual Dinner
Annual Police Department Employee Awards Presentation Ceremony

Feb: Miss Huntington Beach Scholarship Pageant
Surf City USA Marathon
Washington DC trip to meet with Lobbyists

Mar: Southeast Huntington Beach Neighborhood Association Annual General Meeting
Chamber of Commerce Planning Conference
Lifeguard Tryouts
C.E.R.T. Training Class
Sister City trip to Anjo, Japan (Not City funded)

April: Council on Aging Senior Team (C.O.A.S.T) Volunteer Luncheon Youth in Government Day
Annual Easter Egg Hunt/Kiwanis

May: Library Volunteers Luncheon
Annual Duck-A-Thon
Memorial Day Service
Soroptimist Awards Dinner

June: Project Self-Sufficiency June Recognition Awards
Literacy Volunteers of America Annual Meeting and Ice Cream Social Concours d'Elegance
Annual Pier Swim; Junior Lifeguard Program opening day

July: Fourth of July Parade & Activities
Junior Lifeguard Annual Hot Dog BBQ
Friends of Junior Lifeguard Annual Pancake Breakfast

Aug: U.S. Open of Surfing

Sept: Opening of Oktoberfest at Old World Village
Council on Aging Senior Saturday
League of Cities Annual Conference
Patriot's Day Ceremony
City's Green Expo
OC Division of the League - Installation

Oct: HB Chamber of Commerce Public Safety Awards Luncheon
Annual Distance Derby
Public Safety Awards Luncheon
Interfaith Council Annual Procession of Lights

Nov: Veteran's Day Ceremony

Dec: Changing of the Mayor Annual
Economic Conference

Holiday Tree Trimming Festivities

In addition to these, there are other ongoing events. Some of these are also listed below. The Mayor should decide how he/she would like to respond to these invitations and advise the City Council Administrative Assistant.

Other Ongoing Activities of Interest

- Citizen's Police Academy Graduations (As needed – No regular schedule)
- Cub Scouts Blue and Gold Dinners
- Eagle Scouts Courts of Honor
- Kiwanis Meetings
- Rotary Meetings
- Requests for Lunch with the Mayor as a Raffle Prize for Charitable Organizations (Mayor should advise City Council Administrative Assistant on the number of guests they will pay for)

OFFICE HOURS

It is recommended that regular office hours be established. This assists staff in scheduling meetings without the need to contact the Mayor each time a meeting is required. Consideration should also be given to scheduling a weekly block of time that may be used to meet with the public or review documents.

RESPONDING TO CITIZEN INQUIRIES

Citizen inquiries are processed through the MyHB online content management system.

RESPONDING TO REQUESTS FOR MEETINGS BY CITIZENS

The following process is currently followed when citizens request meetings with the Mayor and City Council.

1. Before scheduling a meeting, Administrative staff advises citizen of other available options, such as:
   a) Sending a letter explaining the nature of the issue
   b) Speaking directly to the appropriate department staff

   If this is not satisfactory to the resident, a meeting is scheduled. The City Council's Administrative Assistant is directed to notify the department head of the meeting and schedule the appropriate staff to meet with the resident.

Note: Meetings are not scheduled if the issue involves matters in litigation, when a claim has been filed against the city, or when a traffic citation has been issued.

SIGNATURE PROTOCOL

1. **The Mayor is *required* to sign the following documents *in person*:**
   a) All County, State, and Federal agreements or documents
   b) Documents which must be notarized

2. **A signature stamp is currently used for the following items: (per City Council Resolution)**
   a) All other local documents/agreements approved by City Council

3. **Other documents *signed* by the Mayor:**
   a) Proclamations, etc. - signed by Mayor and/or full City Council
   b) Letters to citizens applying for and receiving a board/commission appointment
   c) Specific letters relating to Citizen Inquires
   d) Letters on Legislative Positions as directed by City Council/Intergovernmental Relations

2020 COUNCIL LIAISON LIST

CITIZEN BOARDS, COMMISSIONS, COMMITTEES, AND TASK FORCES

(Citizen Members Appointed to Four-Year Terms)

	Citizen Group	Council Liaisons	Meeting Date/Place
1.	Children's Needs Task Force	Posey, Delgleize	4th Thurs., B-8, 4:00 PM, Bi-Monthly (Aug, Oct, Dec, Feb, Apr, June)
2.	Citizen Infrastructure Advisory Board	**Individual Appointments**	5:00 PM, Utilities Yard, 19021 Huntington St.; meets twice per year
3.	Citizen Participation Advisory Board	**Individual Appointments**	1st Thurs., B-8, 6:00 PM
4.	Community Services Commission	**Individual Appointments**	2nd Wed, Chambers, 6:00 PM
5.	Design Review Board	Peterson, Semeta	2nd Thurs, B-8, 3:30 PM
6.	Environmental Board	Carr, Hardy	3rd Wed., 6:00 PM, Central Library, Room B
7.	Finance Commission	**Individual Appointments**	4th Wed., 5:00 PM (Location varies month to month: B-7, B-8, Caucus Room, or Finance CR #2)
8.	Fourth of July Executive Board	Peterson, Semeta	1st Wed., B-8, 6:00 PM
9.	Harbor Commission	Peterson, Semeta	4th Thurs., Monthly, B-7, 5:00 PM
10.	Historic Resources Board	Peterson, Hardy	3rd Wed. Monthly, B-7, 5:00 PM
11.	Human Relations Task Force	Hardy, Posey	1st Tues, Central Library, Room B, 6:45 PM
12.	Investment Advisory Board	**Individual Appointments**	3rd Thursday (January, April, July, October), Room B-7 6:30 PM
13.	Jet Noise Commission	Brenden, Delgleize	4th Monday, 5:30 p.m., Central Library
14.	Library Board	Hardy, Carr	3rd Tues, Central Library, 5:00 PM
15.	Mobile Home Advisory Board	Carr, Posey	4th Mon, B-8, 6:00 PM –Quarterly (January, April, July, October)
16.	Personnel Commission	Peterson, Semeta	3rd Wed, B-8, 5:30 PM
17.	Planning Commission	**Individual Appointments**	2nd & 4th Tues; 5:15 PM (B-8); 7:00 PM (Chambers)
18.	Public Works Commission	**Individual Appointments**	3rd Wednesday, Utilities Yard, 5:00 PM
19.	Youth Board	Carr, Hardy	2nd Mon, 3:30 PM, 5th Floor Conf. Room (No Meetings – June, July, August)

CITY OF HUNTINGTON BEACH
Other City and Citizen Committees
(Created by City Council Action)

	Citizen Group	Council Liaisons	Meeting Date/Place
1.	Specific Events Committee (governed by MC 13.54) and Executive Events Committee	Brenden, Delgleize	Weekly, Wednesday, City Hall-Room B-8, 11:00 AM (Effective November 28, 2018)

COMMUNITY GROUPS
(Citizen Members Not Appointed by City Council)

	Citizen Group	Council Liaisons	Meeting Date/Place
1.	Central Park Council Subcommittee	Brenden, Delgleize	2nd Wednesday, Room B-8, 4:00 – 6:00 PM
2.	Huntington Beach Council on Aging	Brenden, Carr	1st Thurs, Senior Center (EMG, Room 1), 9:00 AM
3.	Huntington Beach Downtown Business Improvement District (BID) Board Meeting	Peterson, Semeta	2nd Thursday, Art Center, 9:00 AM
4.	Neighborhood Watch	Carr, Posey	2nd Tues, Police Dept, 2nd Flr. Investigation Conf. Room, 6:30 PM (No meeting July, Aug, Dec)
5.	Oak View Task Force	Carr, Delgleize	3rd Thursday of March, June, September, December @ 4:00 PM, Oak View Elementary
6.	Sister City Association	Peterson, Semeta	2nd Wednesday, Central Library (Room TBD), 6:00 PM

CITY OF HUNTINGTON BEACH
COUNCIL COMMITTEES

	Council Committee	Council Committee Members	Meeting Date/Place
1.	Beautification, Landscape, & Tree	Delgleize, Brenden, Hardy	4th Tues, Public Works Conf. Rm, 4:30 PM
2.	Communications Committee	Brenden, Semeta, Peterson	4th Monday, 3:00 PM, Quarterly: January, April, July, October
3.	Downtown Task Force	Semeta, Carr, Hardy	As needed
4.	Economic Development Committee	*(Mayor, Mayor Pro Tem, Immediate Past Mayor –prescribed)* Semeta, Hardy, Peterson Downtown -Same as above	2nd Wed., B-8, 2:00 PM (EDC) Quarterly (Jan., Apr., July, Oct.) 4th Wednesday, B-8, 2:00 PM (Downtown Issues)
5.	Homeless Task Force (Ad Hoc)	Brenden, Semeta, Delgleize	As needed
6.	Intergovernmental Relations	Semeta, Peterson, Brenden	4th Wednesday, 4th Floor, CR #2, 3:30 PM
7.	Oversight Board	*Peterson (Mayor's appointee & OCSD rep.)*	As needed
8.	Santa Ana River & Parkway Comm.	Carr, Posey	As needed
9.	School District/City Meeting	Peterson, Hardy	2nd Monday, Quarterly (March, June, September, December), 5:00 PM, Room B-8
10.	Southeast Area	Hardy, Peterson, Semeta	4th Wednesday, every two months (January, March, May, July, September, November) at 4:30 PM
11.	Strategic Plan Committee (Ad Hoc)	Delgleize, Semeta, Brenden	As needed
12.	Sunset Beach Area	Hardy, Brenden, Peterson	As needed (Room B-8)

COMMUNITY & REGIONAL AGENCIES AND COMMITTEES (Appointed by Mayor)

	Name of Agency/Committee	Appointee	Meeting Times
1.	California Coastal Coalition Board	Posey, Brenden	2-3 meetings/year, various places
2.	HB Chamber Legislative Affairs Committee	Posey, Brenden	4th Wed. 8:00 AM, Chamber of Commerce office, 2134 Main St., Suite 100
3.	Visit Huntington Beach Board Meeting	Semeta, Delgleize (Alternate)	4th Tuesday of Month, 3:30 PM, VHB Board Room, 155 Fifth Street, Suite 111
4.	League of California Cities, Coastal Cities Group	Hardy	Monthly as scheduled by the State League. May go to bi-monthly
5.	Orange County Coastal Coalition	Brenden, Posey	(Day & Month – TBD), 9:00 AM, Newport Beach Library, 1000 Avocado Ave.
6.	**O.C. Council of Governments OCCOG**	****Semeta; Peterson (Alternate)**	4th Thurs, 10:30 AM, Monthly, Irvine City Hall, City Council Chambers, 1 Civic Center Plaza, Irvine
7.	**O.C. Sanitation District** $212.50 per meeting	****Peterson; Semeta (Alternate)**	4th Wed, 6:00 PM, Sanitation District, Fountain Valley, (Plus Committee assigned by Chair) 10844 Ellis Ave., FV
8.	O.C. Vector Control District $100 per meeting	Posey	3rd Thurs, 3:00 PM.,13001 Garden Grove Blvd.
9.	OCTA Board of Directors Meeting $100 per meeting	Delgleize (as elected by City Selection)	2nd & 4th Monday, 9:00 AM, OCTA Headquarters, 550 S. Main St., Orange – Conf. Room 07-08
10.	Santa Ana River Flood Protection Agency (SARFPA)	Delgleize, Posey (Alternate)	4th Thurs, 4:00 PM, O.C. Water District Office, 18700 Ward St., Fountain Valley - Executive Committee Meetings: January, March, May, July, September; Full Agency Meetings: June, November
11.	**Southern California Association of Governments (SCAG) District 64 Delegate*** $120 per meeting	****Semeta**	1st Thurs, SCAG Offices, Downtown L.A., 9:00 AM – 2:00 PM
12.	West O.C. Water Board (WOCWB) $100 per quarterly meeting	Hardy, Carr	3rd Wednesday, 4:00 PM, (January, April, July and October), Utilities Operations Building, 19001 Huntington St.

**Change

CITY COUNCIL APPOINTMENTS BY STATE & REGIONAL AGENCIES
(FOR INFORMATIONAL PURPOSES ONLY)

	Name of Agency/Committee	Appointments
1.	City Selection Committee-- Held with League of Cities O.C. Division Meeting	Mayor or Council Member designee (prescribed)
2.	League of California Cities – Executive Steering Committee, Orange County Division	
3.	League of California Cities – Housing, Community and Economic Development Policy Committee (Meetings occur quarterly Jan, Apr, June, & Sept. Thurs.	
4.	League of California Cities – Public Safety Policy Committee (Meetings occur quarterly: Jan, Apr, June, & Sept. Thurs.	
5.	League of California Cities – Community Services Policy Committee (Meetings occur quarterly: Jan, Apr, June, & Sept. Thurs.	
6.	League of California Cities –Administrative Services Policy Committee	
7.	Orange County Transportation Authority Board (2 & 4 Monday each month at 9:00 AM) Contact: Wendy Knowles at 560-5676	
8.	OCTA Citizen Advisory Committee	
9.	SCAG –Transportation & Communications Committee 1st Thurs, 10 am, SCAG Offices, Downtown L.A.	
10.	SCAG –Community, Economic, & Human Development 1st Thurs, 10 am, SCAG Offices, Downtown L.A.	
11.	Orange County Waste Management Commission Meets quarterly-2nd Thursday in March, June, September & December	

Annual Appointment to the City of Huntington Beach Agencies/Authorities/Corporations
December 2019-December 2020

There is no remuneration for serving or attending meetings

Huntington Beach Housing Authority
Chairperson: Lyn Semeta
Vice Chairperson: Jill Hardy
Commissioners: Patrick Brenden, Kim Carr, Barbara Delgleize, Erik Peterson, Mike Posey
Executive Officer: Oliver Chi
Authority Treasurer: Alisa Backstrom
Authority Clerk: Robin Estanislau
Authority Attorney: Michael E. Gates

Public Financing Authority
Chair: Lyn Semeta
Vice Chair: Jill Hardy
Directors: Patrick Brenden, Kim Carr, Barbara Delgleize, Erik Peterson, Mike Posey
Executive Director: Oliver Chi
Authority Treasurer: Alisa Backstrom
Authority Secretary: Robin Estanislau
Authority Attorney: Michael E. Gates

Parking Authority
President: Lyn Semeta
Vice President: Jill Hardy
Directors: Patrick Brenden, Kim Carr, Barbara Delgleize, Erik Peterson, Mike Posey
Chief Executive Director: Oliver Chi
Authority Treasurer: Alisa Backstrom
Authority Secretary: Robin Estanislau
Legal Advisor: Michael E. Gates

Successor Agency to the Former Redevelopment Agency of the City of Huntington Beach
Chairperson: Lyn Semeta
Vice Chairperson: Jill Hardy
Commissioners: Patrick Brenden, Kim Carr, Barbara Delgleize, Erik Peterson, Mike Posey
Executive Director: Oliver Chi
Agency Treasurer: Alisa Backstrom
Agency Clerk: Robin Estanislau
General Legal Counsel: Michael E. Gates