

ORDINANCE NO. 4170

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH  
AMENDING THE HUNTINGTON BEACH MUNICIPAL CODE BY ADDING NEW  
CHAPTER 2.65 HARBOR COMMISSION

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

SECTION 1. The Huntington Beach Municipal Code is hereby amended by adding new Chapter 2.65 entitled "Harbor Commission" to read as follows:

**2.65.010 Established**

There is an established advisory Harbor Commission in and for the City with its purpose to advise City Council regarding issues related to the Huntington Harbour.

**2.65.020 Composition**

The Commission shall be comprised of seven (7) members with two (2) City Council Member Liaisons. The Council Member Liaisons will present the chosen applicants to City Council for approval.

**2.65.025 Appointment**

The City Council shall appoint the seven (7) members to the Harbor Commission.

**2.65.030 Removal**

A. Harbor Commissioners shall hold no paid office or employment in the City government while serving on the Harbor Commission. If the City Council determines that a member be retired, or otherwise no longer would like to serve, it may so order and appoint a successor for the unexpired term of office of such retired member. Further, members shall be privileged to retire voluntarily from the Harbor Commission at any time, successors to be appointed in such cases for the unexpired terms of office, and also in the event of other occurring vacancies from whatever cause, by the City Council by a majority of votes.

B. Regular attendance at meetings is required of all Harbor Commissioners to enable the Commission to discharge its duties. A member absent from three meetings in a fiscal year shall be deemed to have resigned from the Harbor Commission, and immediate notification shall be given to the Mayor and City Council of such vacancy. Following expiration of his/her term of office, each member of the Harbor Commission shall continue to serve until his/her successor is appointed and qualified. Members of the Harbor Commission may be removed by the City Council for any reason upon announcement of such removal at a regular City Council meeting; provided, however, that no member of the Harbor Commission may be removed prior to January 1 following any general municipal election.

**2.65.035 Vacancies**

Vacancies in the Harbor Commission shall be filled by appointment by the City Council.

**2.65.040 Service Limitation**

No person shall serve more than two consecutive 4-year terms; provided, however, that persons serving on the effective date of this chapter may complete their current terms and, if reappointed, an additional term thereafter.

**2.65.045 Mayor—Ex Officio Member**

The Mayor shall be an ex officio member of the commission.

**2.65.050 Secretary**

The City Manager and his or her designee, shall serve as secretary to the Harbor Commission without vote and shall keep permanent minutes of the Harbor Commission meetings.

**2.65.055 Duties and Responsibilities**

The Harbor Commission shall act in an advisory capacity to the City Council on matters pertaining to the Huntington Beach Harbour, its beaches, facilities, and parks. The primary role of the Harbor Commission is to advise City Council concerning Waterway Safety, General Infrastructure (e.g. seawalls, pier headlines, bulk heads etc.), Water Quality and Municipal Code Amendments. The Harbor Commission shall cooperate with other governmental agencies and civic groups in the advancement of the Huntington Harbour and recreational planning under the direction of the City Council. Harbor Commissioners may study, report and analyze issues regarding the Huntington Harbour and may assist in securing financial support for the Huntington Harbour, its beaches, parks and recreational needs. The Harbor Commission may advise City Council on current operational needs and long-range plans for City proposed capital improvement in the Huntington Harbour. In addition, the Harbor Commission shall advise the City Council on any other matters concerning the Huntington Harbour when so requested by Council. The Harbor Commission may advise the City Council on proposed Huntington Harbour related improvements; make recommendations to City Council for adoption of regulations and programs necessary for the ongoing implementation of the goals, objectives, and policies of the Huntington Harbour; advise the City Council on implementation of dredging priorities; advise the City Council on matters pertaining to the use, control, and operation of vessels and watercraft within the Huntington Harbour; make recommendations to City Council concerning the acquisition, disposition, or repair of equipment, facilities, materials, and supplies relating the Huntington Harbour.

**2.65.060 Operating Policies**

The Harbor Commission shall conform to the operating policy for boards and commissions as set forth in Chapter 2.100 of this Code. In addition, the Harbor Commission shall establish operating policies and procedures.

**2.65.065 Meetings**

The Harbor Commission shall follow all Ralph M. Brown Act open meeting laws as well as the California Public Records Act. The Harbor Commission shall meet regularly on the 4<sup>th</sup> Thursday of the month at 5:00 p.m. at City Hall unless it should fall on a holiday. In such case, the following Wednesday shall be designated. Special meetings may be called by the chairperson.

**2.65.070 Election of Officers**

The Harbor Commission shall elect from its members a chairperson and vice chairperson at the regularly scheduled July of each year meeting and such officers shall serve for one year and until their successors are elected and qualified. The chairperson and vice chairperson may make and second motions and shall have a voice and vote in all proceedings of the commission.

**2.65.075 Quorum Proceedings**

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

SECTION 2. That this Ordinance shall become effective thirty (30) days after its adoption.

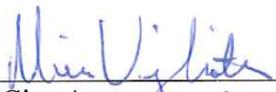
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on December 17, 2018.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
For City Attorney *mv*

INITIATED AND APPROVED:

  
\_\_\_\_\_  
City Manager

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 ordinance was read to said City Council at a **Regular** meeting thereof held on **November 19, 2018**, and was again read to said City Council at a **Regular** meeting thereof held on **December 17, 2018**, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

**AYES:** Brenden, Carr, Semeta, Peterson, Posey, Delgleize, Hardy

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

I, Robin Estanislau, CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Huntington Beach Wave on December 27, 2018.  
In accordance with the City Charter of said City.  
\_\_\_\_\_  
Robin Estanislau, City Clerk  
\_\_\_\_\_  
Deputy City Clerk

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