

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE 3

This proposed Charter amendment, if adopted, would amend the Charter both substantively and non-substantively. The first substantive amendment by this ballot measure changes several sections of the Charter to require the City to adopt a biennial (two-year) budget, instead of an annual (one-year) budget.

The second substantive amendment is to Charter Section 303(a) which currently requires City Council to hold regular meetings at least twice a month. If adopted, the Charter would be amended to allow for the Mayor or a majority of Council to cancel regular City Council meetings, but in no event will the City Council meet less than once per month.

The third substantive amendment is to Charter Section 312, related to City Council vacancies. Currently, a person appointed by the City Council to fill a Council vacancy serves the remainder of the unexpired term. If adopted, this measure would require that the appointee hold office only until an election to fill the remainder of the unexpired term, at the next general municipal election.

Additional proposed amendments to several Charter Sections are non-substantive, meaning amendments to clarify or update language in the Charter regarding outdated phrases, syntax, dates, pronouns and titles. For example, changes to Section 300 would update the election years for elected officials and makes clear that in the event of a tie vote during an election, a random drawing will occur. Changes to Section 303 would update the Charter to allow the use of "current technology" to distribute notices, change the words "executive session" to "closed session" because closed session is the current statutory term, as well as clarify the process of adjourning City Council meetings. Changes to Sections 303(c), 312(c), 400(d), and 801(e) would replace pronouns "he" or "it" with "person" or the title being referred to, and changes to Sections 311(d), 601, and 604 would replace "Director of Finance" with the updated title of "Chief Financial Officer." An amendment to Section 804 would clarify when the City Council must determine whether to convene a citizen's Charter Review Commission.

A "yes" vote on this measure would approve these changes to the City Charter. A "no" vote on this measure would not approve them.

This Measure was placed on the ballot by the City Council.

CITY CLERK
CITY OF
HUNTINGTON BEACH, CA

2023 NOV 28 AM 10:35

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