

**CITY OF HERMOSA BEACH
ORDINANCE NO. 24-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA AMENDING VARIOUS SECTIONS OF THE HERMOSA BEACH MUNICIPAL CODE TO UPDATE THE TITLE AND ROLE OF CERTAIN CITY PERSONNEL AND DETERMINING THE ORDINANCE IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA").

THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council desires to update the title of the "Director of Finance" to the "Administrative Services Director" and update all provisions of the Hermosa Beach Municipal Code that refer to the Director of Finance to Administrative Services Director.

SECTION 2. The City Council finds the proposed code amendments are necessary to reflect the most recent changes to the title and role of certain City personnel.

SECTION 3. The Hermosa Beach Municipal Code is hereby amended as provided for in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 4. Environmental Review. This Ordinance is not a project under the California Environmental Quality Act pursuant to CEQA Guidelines section 15378 (b)(5) as an organization or administrative activity of the City that will not result in direct or indirect physical changes in the environment.

SECTION 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this ordinance are severable. The City Council declares that it would have adopted this ordinance irrespective of the invalidity of any portion thereof.

SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 7. Certification. The City Clerk is directed to certify the passage and adoption of this ordinance; cause it to be entered into the City's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this ordinance, cause it to be published or posted in accordance with California law.

PASSED, APPROVED and ADOPTED on this 24th day of September, 2024.

Dean Francois

PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, CA

ATTEST:

APPROVED AS TO FORM:

Myra Maravilla
City Clerk

Patrick Donegan
City Attorney

EXHIBIT A

Chapter 2.16 (Director of Finance) of Title 2 (Administration and Personnel) of the Hermosa Beach Municipal Code is hereby amended, with additions in underline and deletions in ~~striketrough~~, to read as follows:

Chapter 2.16 ~~Director of Finance~~ Administrative Services Director

In order to establish a central area for the uniform processing and development of all fiscal and budgetary functions, there is hereby created the office of ~~director of finance~~ administrative services director for the city.

2.16.020 Duties Generally.

The ~~director of finance~~ administrative services director shall be charged with all of the financing and accounting duties of the city, and shall be subject to all of the powers granted and imposed upon the city clerk by the provisions of Article I, Chapter 4, Part 2, Division 3, Title IV of the Government Code of the state of California, and Sections 40802, 40803, 40804 and 40805 of said Government Code. The ~~director of finance~~ administrative services director shall perform such other duties as may be delegated from time to time by the city council or the city manager of the city.

2.16.030 Transfer of duties from city clerk.

In accordance with Section 40805.5 of the Government Code of the state of California, all of the financing and accounting duties imposed upon the city clerk under Sections 40802 through 40805 of said Government Code are transferred to the ~~director of finance~~ administrative services director and the city clerk is relieved of all said duties.

2.16.040 Bond required.

Pursuant to Sections 36518 and 36519 of the State Government Code, the ~~director of finance~~ administrative services director shall execute and deposit with the city a fidelity bond. The penal amount of the bond shall be established by a resolution of the city council.

2.16.050 Authority to combine position with other office.

The position of ~~director of finance~~ administrative services director may be combined with that of any other office in the city by resolution of the city council.

Sections 3.04.110 (Filing and copies of adopted budget) and 3.04.120 of Chapter 3.04 (Budget Procedure) of Title 3 (Revenue and Finance) of the Hermosa Beach Municipal Code is hereby amended, with additions in underline and deletions in ~~striketrough~~, to read as follows:

3.04.110 Filing and copies of adopted budget.

A copy of the budget, as adopted, shall be filed in the office of the city clerk. The ~~director of finance~~ administrative services director shall cause the budget to be duplicated in order that copies thereof shall be available for the use of all departments and for inspection by interested persons.

3.04.120 Budget administration.

The ~~director of finance~~ administrative services director shall supervise and be responsible for the disbursement of all monies and have control over all expenditures and insure that all appropriations are not exceeded. The ~~director of finance~~ administrative services director shall exercise budgetary control over the appropriations. No expenditure or encumbrance may be made unless the ~~director of finance~~ administrative services director has certified that there is a sufficient unencumbered balance in the proper appropriation.

Section 3.32.020 (Definitions) of Chapter 3.32 (Transient Occupancy Tax) of Title 3 (Revenue and Finance) of the Hermosa Beach Municipal Code is hereby amended, with additions in underline and deletions in ~~striketrough~~, to read as follows:

3.32.030 Definitions.

...

Tax administrator means the ~~director of finance~~ administrative services director of the city.

Sections 3.36.020 (Definitions) and 3.36.090 (Senior citizen exemption) of Chapter 3.36 (Utilities Tax) of Title 3 (Revenue and Finance) of the Hermosa Beach Municipal Code is hereby amended, with additions in underline and deletions in ~~striketrough~~, to read as follows:

3.36.020 Definitions.

...

Tax administrator means the ~~director of finance~~ administrative services director of the city.

3.36.090 Senior citizens exemption.

...

B. Any service user exempt from the taxes imposed by this chapter because of the provisions of subsection A of this section, may file an application with the ~~director of finance~~ administrative services director for an exemption. Such application shall be made upon forms supplied by the city and shall recite facts under oath which qualify the applicant for an exemption. The city shall review all such applications and certify as exempt those applications determined to qualify therefore and shall notify all service suppliers affected that such exemption has been approved, stating the name of the applicant, the address to which such exempt service is being supplied, the account number, if any, and such other information as may be necessary for the service supplier to remove the exempt user for its tax billing procedure. Upon receipt of such notice, the service supplier shall not be required to continue to bill any further tax imposed by this chapter from such exempt service user until further notice by the city is given. The service supplier shall eliminate such exempt service user from its tax billing procedure no later than sixty (60) days after receipt of such notice from the city.

...

Section 3.44.040 (Definitions) of Chapter 3.44 (Cannabis Business Tax) of Title 3 (Revenue and Finance) of the Hermosa Beach Municipal Code is hereby amended, with additions in underline and deletions in ~~striketrough~~, to read as follows:

3.44.040 Definitions

...

Tax administrator means the ~~director of finance~~ administrative services director of the city.

Section 8.08.150 (Charges for responding to false alarms–billings–exceptions) of Chapter 8.08 (Alarm Systems) of Title 8 (Health and Safety) of the Hermosa Beach Municipal Code is hereby amended, with additions in underline and deletions in ~~striketrough~~, to read as follows:

8.08.150 Charges for responding to false alarms–billings–exceptions.

...

B. The ~~director of finance~~ administrative services director shall cause to be issued a monthly bill for the unpaid service charges accrued during the billing period and any prior periods. Such bill shall be due and payable within fifteen days after billing date.

...

Section 8.20.020 (Definitions) of Chapter 8.20 (Mobile Source Air Pollution Reduction Program) of Title 8 (Health and Safety) of the Hermosa Beach Municipal Code is hereby amended, with additions in underline and deletions in ~~striketrough~~, to read as follows:

8.22.020 Definitions.

...

Fee administrator means the ~~finance director~~ administrative services director of the city or ~~his~~ their designee.

Section 13.12.040 (Use of funds) of Chapter 13.12 (Sewer Service Charge) of Title 13 (Public Services) of the Hermosa Beach Municipal Code is hereby amended, with additions in underline and deletions in ~~striketrough~~, to read as follows:

13.12.040 Use of funds.

The sewer service charge funds collected shall be used to cover the expenses for the overall operation, maintenance and servicing of the city-owned sewer system as well as to pay for capital improvements and reserves. The Hermosa Beach ~~finance director~~ administrative services director, or designee, shall deposit all moneys representing charges collected by the county to the credit of the city's sewer fund.