

MEETING DATE: April 5, 2010

AGENDA ITEM : A Report from the City Manager Related to the Council/Commission Subcommittee.

ATTACHMENTS

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Attachment 1
Discussion Topics - Parks, Recreation &
Community Services Commission
March, 2010

Assumptions

Assumptions implicit in the recommended language:

- Statement of duties in the Municipal Code needs to be made consistent with the City Charter.
- Under the Charter, the City Manager is uniquely accountable to the City Council for the implementation of all City Council policy.
- With few exceptions, City Commissions are appointed as advisory bodies to assist the City Council and City Manager.
- The management and oversight of the paid staff is the function of the City Manager.
- Each Commission is entitled to enthusiastic staff support from the City Manager's departmental staff, the extent of which needs to be realistic in scope and scale.
- While the system will work best when participants maintain their proper roles, all of us have the same goals of serving the needs of our citizens, doing so as efficiently as possible, and in as even-handed a manner as possible.
- We all deserve to have some fun in this endeavor!

Recommended Language

"The Commission shall have the following powers and duties:

- A. To act in an advisory capacity to the City Council and City Manager relating to parks, recreation, recreation/community center, playground, open space and tree programs.
- B. To assist staff assigned to investigate the requirements of the City for facilities relating to the above functions, and to make recommendations relating to the adoption and updating of City master plans relating to parks, recreation and open space.
- C. To recommend programs and plans designed to promote the full acceptance of all citizens in all aspects of community life without regard to race, religion, gender, sexual orientation, age, or national origin.
- D. To recommend and support program policy relating to various "community service" functions of the City, including but not limited to programs for youth, teens, seniors and people with special needs.
- E. To balance program and project recommendations by applying realistic expectations of budgetary and staffing resources, environmental sustainability, neighborhood compatibility and other relevant factors."

Possible addition:

- F. To assist staff assigned to select varieties of trees and other plantings along any streets and public right-of-way.

Attachment 2
Discussion Topics — Civil Service
Commission (March, 2010)

Assumptions

- For all City Commissions, the statement of duties in the Municipal Code needs to be made consistent with the City Charter to reflect change to the Council-Manager form of government.
- Under the Charter, the City Council adopts policy. The City Manager is uniquely accountable to the City Council for the implementation of all City Council policy and for administration of the personnel system, purchasing system, election administration, etc.
- The City Manager is responsible for the hiring, management and oversight of all City employees except the City Attorney, Police Chief and Fire Chief.
- Role of any City Council-appointed City Advisory Commission should be limited to items within the proper scope of the City Council.
- Within its proper role, each Commission is entitled to enthusiastic staff support from the City Manager's departmental staff, the extent of which needs to be realistic in scope and scale.
- While the system will work best when participants maintain their proper roles, all of us have the same goals of serving the needs of our citizens, doing so as efficiently as possible, and in as even-handed a manner as possible.
- We all deserve to have some fun in this endeavor!

Council-Manager Form of Government

- Evolved during the Progressive Movement, borne of the same concerns (patronage, favoritism, abuse in the workplace) that led to creation of Civil Service systems and the labor movement.
- During the decades since that time, many protections have been established for employees, and the profession of City Manager has also advanced to support high standards of behavior.
- Members of the International City Management Association (ICMA) are pledged to follow an explicit code of ethics in the conduct of their work, requiring professionalism, non-partisanship, and even-handed administration of personnel and purchasing systems.
- Under the Council-Manager form of government, the Culver City Charter prohibits the City Council (or any of its members) from "interfering" with the City Manager's administration of personnel, purchasing, elections, etc. It is inconsistent that a City Council appointed citizen commission would be charged by the City Council with authority to direct, evaluate or otherwise participate in the day-to-day administration of the City's personnel system.
- Civil Service systems are common in Council-Manager governments. Civil Service Commission roles, if any, typically are limited to employee appeal cases.
- City Managers are typically held accountable for administering Civil Service rules.

Implications for Civil Service Commission Duties

- Commission would be advisory to the City Council and City Manager
- Existing Civil Service Rules reference role of Civil Service Commission, some of which are inconsistent with the new Charter definitions of role.
- Some changes may require consultation with bargaining units.
- Staff wishes to retain Civil Service Commission role regarding employee disciplinary appeals. Staff would prefer that the threshold for appeal to the Commission be (a) suspensions of more than 3 days, (b) demotions, or (c) terminations.
- Commission role would not include routine personnel administrative practices (job classifications, recruitment flyers, merit recognitions, etc.) that relate to administration/implementation of City Council policy.
- Subject of employee grievances needs discussion. Recommendations cannot properly be made to the City Council.

Next Steps

- Status report to the City Council
- Further input by the Commission, City Attorney's Office, new City Manager
- Input by Employees and Bargaining Unit representatives
- Possible retention of labor law firm to address the Charter, Ordinances and Civil Service Rules to make them consistent.

CHAPTER 3.03: COMMISSIONS AND AGENCIES

Section

*Cultural Affairs Commission**Civil Service Commission*

- 3.03.005 Composition
- 3.03.010 Terms of members
- 3.03.015 Absence from meetings
- 3.03.020 Powers and duties
- 3.03.025 Term limits

- 3.03.400 Necessity and purpose
- 3.03.405 Membership; qualifications; terms of office
- 3.03.410 Meeting; quorum; change in meeting place
- 3.03.415 Absence from meetings
- 3.03.420 Term limits

Cross-reference:

Landlord-Tenant Mediation Board, see § 15.09.010

Parks and Recreation Commission

- 3.03.100 Title
- 3.03.105 Membership; term; expenses
- 3.03.110 Absence from meetings
- 3.03.115 Powers and duties
- 3.03.120 Term limits

CIVIL SERVICE COMMISSION**§ 3.03.005 COMPOSITION.**

There shall be a Civil Service Commission, consisting of five (5) members, to be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government. ('65 Code, § 2-71)

Cross-reference:

Civil service, see §§ 3.05.005 et seq.

Planning Commission

- 3.03.200 Creation
- 3.03.205 Terms of members
- 3.03.210 Meetings
- 3.03.220 Absence from meetings
- 3.03.225 Records and minutes
- 3.03.230 Powers and duties
- 3.03.235 Board of Zoning Adjustment
- 3.03.240 Term limits

Redevelopment Agency

- 3.03.300 Necessity declared; authority
- 3.03.305 Agency designated; powers and duties
- 3.03.310 Term limits

§ 3.03.010 TERMS OF MEMBERS.

Members of the Commission shall serve for a term of four (4) years and until their respective successors are appointed and qualified. The terms of at least one, and not more than two members shall expire on July 1st of each succeeding year, and any appointment to fill an unexpired term shall be for such unexpired period only.

('65 Code, § 2-72) (Ord. No. CS-353 § 2)

§ 3.03.015 ABSENCE FROM MEETINGS.

Any Commissioner who is absent from three (3) consecutive meetings of the Commission or a total of five (5) meetings in any six (6) month period shall thereby automatically forfeit his membership in said Commission, provided however, that there shall be no such forfeiture in the event of any of the following:

A. When a Commissioner is unable to attend due to illness or physical incapacity.

B. When a Commissioner is unable to attend because of business or vacation.

C. When the City Council has determined before forfeiture that an absence is justified.
('65 Code, § 2-72.1) (Ord. No. CS-607 § 1)

§ 3.03.020 POWERS AND DUTIES.

The Commission shall have the following powers and duties:

A. To act in an advisory capacity to the City Council on personnel administration.

B. After a public hearing thereon, and subject to the approval of the City Council, to adopt, amend or repeal Civil Service Rules.

C. To make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the City Council.

D. To hear appeals or grievances of any officer or employee under the Civil Service System who is suspended, demoted or removed and report in writing to the City Council, its findings, conclusions and recommendations.

E. To periodically, at the discretion of the City Council, make a study of salaries being paid by other public and private agencies, in order to ascertain whether the salaries being paid City employees for similar work are comparable, fair and reasonable and make recommendations with respect thereto to the City Council.

F. To exercise such functions with respect to the Civil Service System, not inconsistent herewith, as may be prescribed by Ordinance and the Civil Service Rules.

G. To examine witnesses under oath and compel their attendance or the production of evidence before it by subpoenas issued in the name of the City and attested by the City Clerk.

H. To formulate, adopt, change or amend Civil Service Rules consistent with the City Charter and Civil Service System, holding public hearings thereon before presentation to City Council for approval.
('65 Code, § 2-73) (Ord. No. CS-353 §§ 3, 4; Ord. No. 97-002 § 1)

§ 3.03.025 TERM LIMITS.

A. No person shall serve more than two (2) consecutive full terms as Commissioner. If a person serves a partial term in excess of two (2) years, it shall be considered a full term for the purpose of this provision.

B. All consecutive Commission terms shall be counted for appointment upon April 17, 1996, the effective date of this section.

C. Nothing in this provision shall act as a bar to service as a Commissioner after at least two (2) years have elapsed from the last full term as Commissioner.
(Ord. No. 95-015 § 1)

PARKS AND RECREATION COMMISSION**§ 3.03.100 TITLE.**

The Park Commission, as provided for in the Charter of the City, shall be known as the Parks and Recreation Commission.

('65 Code, § 2-74) (Ord. No. CS-290 § 1; Ord. No. CS-705 § 1; Ord. No. CS-942 § 2; Ord. No. 2002-005 § 3 (part))

Cross-reference:

Parks, public buildings and property, see Ch. 9.10

§ 3.03.105 MEMBERSHIP; TERM; EXPENSES.

Members shall receive no compensation for their services as such, but may be reimbursed if the City Council so directs, in an amount to be fixed by the Council for out-of-pocket expenses and costs imposed on them in serving on such Commission. Members of said Commission shall serve for a term of four (4) years and until their respective successors are appointed and qualified. The City Council shall so arrange the terms of said members so that the term of at least one member and not more than two members shall expire in each succeeding year, and unexpired terms shall be filled by appointment only for the unexpired period of the appointee whose term was not completed. The Commission shall, following the first day of July of each year, organize, appoint a secretary, and adopt rules and regulations for the conduct of its meetings and proceedings, as provided in § 1102 of the City Charter.

('65 Code, § 2-75) (Ord. No. CS-290 § 1)

§ 3.03.110 ABSENCE FROM MEETINGS.

Any Commissioner who is absent from three (3) consecutive meetings of the Commission or a total of five (5) meetings in any six (6) month period shall thereby automatically forfeit his membership in said Commission, provided, however that there shall be no such forfeiture in the event of any of the following:

A. When a Commissioner is unable to attend due to illness or physical incapacity;

B. When a Commissioner is unable to attend because of business or vacation;

C. When the City Council had determined before forfeiture that an absence is justified.
('65 Code, § 2-75.1) (Ord. No. CS-607 § 1)

§ 3.03.115 POWERS AND DUTIES.

The Commission shall have the following powers and duties:

A. To act in an advisory capacity to the City Council in all matters pertaining to public recreation, parks, playgrounds, music and entertainment;

B. To recommend programs and plans designed to promote the full acceptance of all citizens in all aspects of community life without regard to race, religion, sex, color or national origin and to receive, hear and investigate complaints of discrimination based on race, religion, sex, color or national origin;

C. To investigate the requirements of the City as to park, playground and recreation facilities and after such investigation formulate a practical program for the development of such facilities and make such recommendations to the City Council for the adoption of said program as it may deem proper;

D. To investigate the possibilities of parkway beautification and tree planting, develop plans for the general beautification of public property through the planting of flowers, grass, shrubs and trees and recommend to the City Council for adoption such program or programs related to said beautification plans as it may deem practical and proper;

E. To study and, from time to time, make recommendations to the City Council for the proper care and maintenance of parks, playgrounds, parkways, and the like, and use its best efforts to

promote a general City-wide program of beautification and park and playground development.

F. Subject to the approval of the City Council, to determine the variety of trees, shrubs and plants that may be planted in, upon or along any street, or any portion thereof, and the distance apart at which such trees, shrubs and plants shall be planted. ('65 Code, § 2-76) (Ord. No. CS-290 §§ 1.2.111.2; Ord. No. CS-942 § 3)

§ 3.03.120 TERM LIMITS.

A. No person shall serve more than two (2) consecutive full terms as Commissioner. If a person serves a partial term in excess of two (2) years, it shall be considered a full term for the purpose of this provision.

B. All consecutive Commission terms shall be counted for appointment upon April 17, 1996, the effective date of this section.

C. Nothing in this provision shall act as a bar to service as a Commissioner after at least two (2) years have elapsed from the last full term as Commissioner. (Ord. No. 95-015 § 1)

PLANNING COMMISSION

§ 3.03.200 CREATION.

There shall be a Planning Commission consisting of five members, which shall be appointed by the City Council. They shall be qualified electors of the City, none of whom shall hold any paid office or employment in the City Government.

('65 Code, § 2-77) (Ord. No. CS-705 § 2)

Cross-reference:

*Architectural review procedures, see
§§ 15.07.005 through 15.07.040*

§ 3.03.205 TERMS OF MEMBERS.

Members of the Commission shall serve for a term of four (4) years and until their respective successors are appointed and qualified. The terms of at least one, and not more than two members shall expire on July 1st of each succeeding year, and any appointment to fill an unexpired term shall be for such unexpired period only.

('65 Code, § 2-78)

§ 3.03.210 MEETINGS.

A. At least one regular meeting per month shall be held. A Chairman and Vice-Chairman shall be elected from among members of the Planning Commission. Rules shall be adopted for transaction of business. Subject to the approval of the City Council, the Planning Director shall appoint a secretary of the Commission who need not be a member thereof. Meetings shall at all times be open to the public and shall be held in the Council Chambers except when such Chambers are required for any meeting of the City Council, in which case another room in the City Hall may be used.

B. Notice of change in meeting place shall be posted on the front door of the Council Chambers. A majority of the members of the Commission shall constitute a quorum.

('65 Code, § 2-79) (Ord. No. CS-383 §§ 2, 3)

§ 3.03.220 ABSENCE FROM MEETINGS.

Any Commissioner who is absent from three (3) consecutive meetings of the Commission or a total of five (5) meetings in any six (6) month period shall thereby automatically forfeit his membership in said Commission, provided, however, that there shall be no such forfeiture in the event of any of the following:

A. When a Commissioner is unable to attend due to illness or physical incapacity.

B. When a Commissioner is unable to attend because of business or vacation.

C. When the City Council has determined before forfeiture that an absence is justified. ('65 Code, § 2-80) (Ord. No. CS-383 § 4; Ord. No. CS-607 § 2)

§ 3.03.225 RECORDS AND MINUTES.

The Planning Commission shall cause proper permanent records to be kept of all of its official acts and proceedings, which records shall be open to the public and shall include a minute book containing the minutes of the meetings and a resolution book, in which latter book shall be contained resolutions granting or denying permits, variances, or changes of zone, or recommendations to the City Council on other matters coming before the Commission. ('65 Code, § 2-81) (Ord. No. CS-383 § 5)

§ 3.03.230 POWERS AND DUTIES.

The Planning Commission shall have the power and be required to:

A. After a public hearing thereon, recommend to the City Council the adoption, amendment or repeal of the General Plan, or any part thereof, for the physical development of the City;

B. Exercise such control over zoning land subdivisions and building as is granted to it by the governing body of the City and by the laws of the State of California;

C. Make recommendations concerning proposed public works and for the clearance and rebuilding of blighted or substandard areas within the City and public improvement in general;

D. Exercise such functions with respect to zoning or building as may be prescribed by ordinance.

E. At the request of the City Council, to issue Orders to Show Cause why use permits, exceptions or variances granted should not be revoked for violation and to hold necessary hearings, transmitting findings and recommendations to City Council. A person aggrieved by the action of the Commission may appeal to the City Council by filing a notice of appeal with the City Clerk within ten (10) days of the entry of the Commission's actions.

('65 Code, § 2-82) (Ord. No. CS-383 §§ 6, 7; Ord. No. 2006-009 § 10)

§ 3.03.235 BOARD OF ZONING ADJUSTMENT.

A. The Planning Commission shall appoint two (2) of its members to act as a Board of Zoning Adjustment. The duties of said Board shall include the following:

1. To hear appeals involving error in any order, requirement, or determination by any City official in the administration of the Zoning Ordinance.

2. To perform such other duties as assigned to it by ordinance.

B. In the event any applicant, City official, or interested person is aggrieved by a determination of the Board of Zoning Adjustment or Director of Planning and Community Development, an appeal therefrom may be taken, in writing, to the Planning Commission as a whole, within ten (10) days from the date of said determination. The Board or Director may refer such matters to the Planning Commission, as a whole, as it deems advisable.

('65 Code, § 2-83) (Ord. No. CS-383 §§ 8, 9; Ord. No. CS-563 § 1; Ord. No. CS-598 § 1; Ord. No. CS-835 § 1)

§ 3.03.240 TERM LIMITS.

A. No person shall serve more than two (2) consecutive full terms as Commissioner. If a person serves a partial term in excess of two (2) years, it shall

be considered a full term for the purpose of this provision.

B. All consecutive Commission terms shall be counted for appointment upon April 17, 1996, the effective date of this section.

C. Nothing in this provision shall act as a bar to service as a Commissioner after at least two (2) years have elapsed from the last full term as Commissioner. (Ord. No. 95-015 § 1)

REDEVELOPMENT AGENCY

§ 3.03.300 NECESSITY DECLARED; AUTHORITY.

It is hereby found and declared, pursuant to Section 33101 of the Community Redevelopment Law, that there is a need for the redevelopment agency created by Section 33100 of said Law to function in the City of Culver City and said agency is hereby authorized to transact business and exercise its powers under the Community Redevelopment Law. ('65 Code, § 28A-1) (Ord. No. CS-693 § 1)

Cross-reference:

New development fees, see Ch. 15.06

§ 3.03.305 AGENCY DESIGNATED; POWERS AND DUTIES.

The City Council of the City of Culver City, California hereby declares itself to be the redevelopment agency to be known as Culver City Redevelopment Agency and that all rights, powers, duties, privileges and immunities vested by the Community Redevelopment Law in such agency shall be, and are, vested in this body. ('65 Code, § 28A-2) (Ord. No. CS-693 § 2)

§ 3.03.310 TERM LIMITS.

A. No person shall serve more than two (2) consecutive full terms on the Redevelopment Agency. If a person serves a partial term in excess of two (2) years, it shall be considered a full term for the purpose of this provision.

B. All consecutive terms on the Redevelopment Agency shall be counted for appointment upon April 17, 1996, the effective date of this section.

C. Nothing in this provision shall act as a bar to service on the Redevelopment Agency after at least two (2) years have elapsed from the last full term. (Ord. No. 95-015 § 1)

CULTURAL AFFAIRS COMMISSION

§ 3.03.400 NECESSITY AND PURPOSE.

A. *Necessity declared.* It is hereby found and declared that there is a need for a Cultural Affairs Commission within the City.

B. *Purpose.* The purpose of the Cultural Affairs Commission shall be to act in an advisory capacity to the City Council on matters pertaining to the enrichment of the community through fine arts, visual arts, performing arts, arts education, historic preservation and cultural issues; to serve as an advocate for cultural activities and programs within the City; to implement the City's Public Art Program, and to encourage the integration of cultural affairs into the social and economic fabric of the City to improve the quality of life for City residents. (Ord. No. 2001-013 § 1)

§ 3.03.405 MEMBERSHIP; QUALIFICATIONS; TERMS OF OFFICE.

A. *Membership and qualifications.* The Cultural Affairs Commission shall have five (5) members appointed by the City Council. The Members should represent the diversity and perspectives of the residents of the City. Applicants for the Commission should be City residents.

B. *Term.* The term of each Commission Member shall be for four (4) years, and each shall serve until their respective successors are appointed and qualified; provided however, that at the Commission's inception, one member of the Cultural Affairs Commission shall serve for one (1) year, one member shall serve for two (2) years, one member shall serve for three (3) years, and two members shall serve for four (4) years, until their respective successors are appointed and qualified. Any appointment to fill an unexpired term shall be for such unexpired period only.
(Ord. No. 2001-013 § 2)

§ 3.03.410 MEETINGS; QUORUM; CHANGE IN MEETING PLACE.

A. *Meetings.* At least one regular meeting per month shall be held. A Chairperson and Vice-Chairperson shall be elected from among members of the Commission. Rules shall be adopted for transaction of business. Meetings shall at all times be open to the public. Meetings shall be held in the Council Chambers except when such Chambers are required for any meeting of the City Council, or when the Commission determines that a meeting should be held in a different location due to the subject matter being considered.

B. *Quorum.* A majority of the members of the Commission shall constitute a quorum.

C. *Change in meeting place.* Notice of a change in meeting place shall be posted in front of the Council Chambers.
(Ord. No. 2001-013 § 3)

§ 3.03.415 ABSENCE FROM MEETINGS.

Any Commissioner who is absent from three (3) consecutive meetings of the Commission, or a total of five (5) meetings in any six (6) month period, shall automatically forfeit his or her membership in said Commission; provided however, that there shall be no such forfeiture in the event of any of the following:

A. When a Commissioner is unable to attend due to illness or physical incapacity.

B. When a Commissioner is unable to attend because of business or vacation.

C. When the City Council had determined before forfeiture that an absence is justified.
(Ord. No. 2001-013 § 4)

§ 3.03.420 TERM LIMITS.

A. No person shall serve more than two (2) consecutive full terms as Commissioner. If a person serves a partial term in excess of two (2) years, it shall be considered a full term for the purpose of this provision.

B. All consecutive Commission terms shall be counted for appointment upon April 17, 1996, the effective date of this section.

C. Nothing in this provision shall act as a bar to service as a Commissioner after at least two (2) years have elapsed from the last full term as Commissioner.
(Ord. No. 95-015 § 1)

The City Council shall designate one newspaper circulated in the City for the publication of all notices and other matters required to be published in a newspaper. When possible, a change to another newspaper shall not be made until a notice of the intention to change is published in the previously designated newspaper.

The charges for such publications in the designated newspaper shall not exceed the rates charged to the general public for similar publications.

All legal notices or other matters required to be published shall also be posted in at least three public places within the City.

Posting of legal notices in three public places shall be sufficient, without publication if the designated newspaper is unavailable and a suitable replacement cannot be designated.

ARTICLE VII. CITY ADMINISTRATION

SECTION 700. POWERS AND DUTIES OF CITY MANAGER.

The City Council shall appoint the City Manager who shall be the chief executive officer of the City, responsible to the City Council for the management of all City affairs placed in the City Manager's charge by or under this Charter, by ordinance, resolution or other action of the City Council. The City Manager, or his or her designee, shall:

(a) Appoint, suspend and remove all City employees, including Department Heads, the City Clerk and the City Treasurer, except as otherwise provided by State law or this Charter;

(b) Direct and supervise the administration of all City departments, except as otherwise provided by this Charter;

(c) Attend all City Council meetings, at which the City Manager shall have the right to take part in discussion, but shall not vote;

(d) Prepare and submit to the City Council an annual budget pursuant to this Charter, and implement the final budget approved by the City Council; and

(e) Perform such other duties as are specified in this Charter, or by ordinance, resolution or other action of the City Council.

SECTION 701. NON-INTERFERENCE BY CITY COUNCIL.

Neither the City Council, nor any Council Member shall:

- (a) Order or direct the City Manager to appoint or remove any person to or from any position of employment with the City;
- (b) Except as otherwise permitted by this Charter or by ordinance, order or direct the City Manager to enter into a municipal contract or make a purchase of supplies from any particular person or entity;
- (c) Interfere in any way with the performance of the duties of any City employee; or
- (d) Interfere in any way with the duties of the City's elections official in the conduct of elections.

Nothing in this section shall prevent the City Council, or any of its members, from advising the City Manager of any information which might assist the City Manager in the discharge of the City Manager's duties; or contacting City employees for the purpose of inquiry, obtaining information or advising employees of citizen complaints.

ARTICLE VIII. ANNUAL BUDGET

SECTION 800. BUDGET PREPARATION.

All Department Heads shall, upon request, provide the City Manager with estimates of revenues and expenditures for their departments, detailed in the manner prescribed by the City Manager. The City Manager shall review the estimates, hold conferences with department personnel, and prepare a proposed budget.

SECTION 801. SUBMISSION TO CITY COUNCIL.

At least 45 days prior to the beginning of each fiscal year, the City Manager shall submit a proposed budget to the City Council. After reviewing the proposed budget, the City Council shall set the date and time for a public hearing on the proposed budget and, at least 10 days prior to its scheduled date, shall cause notice of such public hearing to be published in a newspaper circulated in the City and designated by the City Council.

(c) The Board Member ceases to be a resident and lawfully registered voter of the School District.

After the occurrence of any of the foregoing events, the office of the Board Member shall be declared vacant by the Board of Education, by a vote of at least three of its members. At the request of the affected Board Member, the Board of Education shall hold a public hearing before declaring the office vacant.

SECTION 1004. ORGANIZATION OF THE BOARD OF EDUCATION.

At the annual organizational meeting of the Board of Education, the members shall elect a president, vice-president and clerk. No Board Member shall serve more than two consecutive years in such office.

SECTION 1005. SPECIAL ELECTIONS.

The Board of Education may, at its discretion, call an election for any reason sanctioned by law at any time it deems appropriate.

ARTICLE XI. COMMISSIONS, BOARDS AND COMMITTEES

SECTION 1100. IN GENERAL.

The City Council may, by ordinance, establish and abolish such commissions and boards as it may determine, from time to time, to be necessary for the effective and efficient governance of the City, to encourage citizen participation in local government and maintain positive human relations in the community.

SECTION 1101. APPROPRIATIONS.

The City Council shall appropriate sufficient funds for the efficient and proper functioning of all City commissions and boards.

SECTION 1102. CHAIRPERSON AND VICE CHAIRPERSON.

As soon as practicable, following the first day of July of every year, each commission or board of the City shall organize by electing one of its members to serve as its presiding officer, with the title of Chairperson, and electing one of its

members as Vice Chairperson. The Chairperson and Vice Chairperson shall each serve at the pleasure of the commission or board.

The Chairperson shall have a voice and vote in all proceedings of the commission or board, shall be the official head of the commission or board for all ceremonial purposes, and shall perform such other duties as may be prescribed by this Charter or by ordinance. The Vice Chairperson shall perform the duties of the Chairperson during the absence or incapacity of the Chairperson.

SECTION 1103. PROCEDURES.

The City Manager shall designate City staff, as necessary, to assist each commission or board, and to keep a record of its proceedings and transactions. Each commission or board may prescribe its own rules and regulations, which shall be consistent with this Charter and applicable ordinances, resolutions and other City Council actions. Such rules and regulations shall be subject to the approval of the City Council and shall be kept on file in the office of the City Clerk where they shall be available for public inspection.

SECTION 1104. OATHS AND AFFIRMATIONS.

Any commission or board, and the designated City staff, shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the commission or board.

SECTION 1105. COMMITTEES.

The City Council, by ordinance, resolution or other action, may establish and abolish committees for a specified purpose, and shall appropriate sufficient funds for the efficient and proper functioning of such committees.

ARTICLE XII. CIVIL SERVICE

SECTION 1200. MERIT PRINCIPLE.

Appointments and promotions in the administrative service of the City shall be made according to merit and fitness, to be ascertained, so far as practicable, by competitive examination.

The Civil Service System adopted by the City Council pursuant to State law and in effect prior to the effective date of this Charter, shall continue in full

force and effect unless changed by ordinance of the City Council or by amendment to the rules and regulations approved by the City Council. As provided in the State enabling act referred to above, the City Council shall not have the authority to withdraw any departments or employees, including Department Heads, placed in Classified Service, from the operation of such system, either by outright repeal of the Civil Service ordinance or otherwise, unless and until its withdrawal shall have been submitted to the voters of the City at a regular or special municipal election held in the City and shall have been approved by majority vote at a City election.

SECTION 1201. CLASSIFICATION.

All Department Heads shall be in the Unclassified Service.

The City Manager, City Attorney, City Clerk and City Treasurer shall be in the Unclassified Service.

SECTION 1202. APPOINTMENTS FROM CIVIL SERVICE POSITIONS.

In the event an employee of the City holding a position in the Classified Service is appointed to a position in the Unclassified Service, and within two years is removed or resigns from that position, the employee shall revert to his or her former position in the Classified Service upon the same terms and conditions as if he or she had continuously remained in that position.

SECTION 1203. PROHIBITIONS.

No person shall willfully make any false statements, certificate, mark, rating or report in regard to any application, test certification or appointment held or made under the Civil Service System or in any manner commit or attempt any fraud preventing the impartial execution of such Civil Service System or its rules and regulations.

ARTICLE XIII. RETIREMENT SYSTEM

SECTION 1300. PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

Plenary authority and power are hereby vested in the City, its City Council and its several officers, agents and employees, to do and perform any act or exercise any authority granted, permitted or required under the provisions of the Public Employees' Retirement Law, as it now exists or hereafter may be

SECTION 2003. RIGHTS OF OFFICERS AND EMPLOYEES PRESERVED.

Except as specifically provided, nothing in this Charter shall affect or impair the civil service, pension and retirement rights or privileges of officers or employees of the City, or of any City department existing at the time this Charter takes effect.

SECTION 2004. CONTINUANCE OF CITY COUNCIL AND BOARD OF EDUCATION.

The members of the City Council and of the Board of Education of the Culver City Unified School District 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 certified.

SECTION 2005. EXISTING COMMISSIONS, BOARDS AND COMMITTEES.

Commissions, boards and committees previously established by the City Council shall continue to exist and exercise the powers and perform the duties conferred upon them; provided, however, that the City Council may abolish any or all of said commissions, boards or committees and may alter their structure, membership and duties.

The members of the commissions and boards holding office when this Charter takes effect shall continue to hold office until their respective terms of office shall expire and until their successors shall be appointed, or until such time as the body is abolished by action of the City Council.

The members of Committees existing when this Charter takes effect shall continue to remain members until they are replaced or removed by the City Council or until the Committee is abolished.

SECTION 2006. EXISTING EMPLOYEES OF THE CITY.

The present employees of the City shall continue to perform their duties without interruption, subject to this Charter and all applicable provisions of any existing or future ordinance, resolution, rule or law relating to the removal, duties or control of such employees.