

ORDINANCE NO. 2019-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF CULVER CITY, STATE OF CALIFORNIA, AMENDING CULVER CITY MUNICIPAL CODE SECTION 3.02.010, "CITY MANAGER," OF CHAPTER 3.02, AND CHAPTER 3.03, PERTAINING TO CITY COMMISSIONS AND AGENCIES, CREATING AN EQUITY AND HUMAN RELATIONS COMMISSION AND DISCONTINUING THE CIVIL SERVICE COMMISSION.

**WHEREAS**, the City of Culver City ("City") first created a Human Relations Commission in 1969, which in 1978 was merged with the Parks and Recreation Commission to form the Human Services and Parks Commission (now "Parks, Recreation and Community Services (PRCS) Commission"). The PRCS Commission retained oversight related to human relations activities, in addition to its other responsibilities pertaining to public recreation, parks, recreation/community center facilities, open space and tree programs; and

**WHEREAS**, on November 12, 2018, the City Council received a request from a Culver City community work group ("Work Group") to consider forming a stand-alone Human Relations Committee to encourage and improve intergroup relations; and

**WHEREAS**, on January 28, 2019, the City Council discussed the concept of forming a Human Relations Commission and directed the City Council Ad Hoc Equity Subcommittee ("Subcommittee") to further explore the creation of such commission, including the potential resources that would be needed; and

**WHEREAS**, City staff and the Subcommittee conducted a thorough research and study of other Southern California Human Relations Commissions' duties and responsibilities in light of the Work Group's proposal; reviewed and evaluated the duties and responsibilities of current City commissions, committees and boards, to avoid duplication of efforts, thereby ensuring that staff and fiscal resources are utilized efficiently; and analyzed whether these other bodies remain relevant and necessary to City governance; and

1           **WHEREAS**, the City is committed to improving intergroup relations regardless  
2 of race, ethnicity, religion, sexual orientation, gender, age, disability or immigration status;  
3 and

4           **WHEREAS**, the City promotes and celebrates diversity and inclusion in all its  
5 programs and services available to all City residents and businesses; and

6           **WHEREAS**, the Subcommittee recommends that the City Council approve  
7 the creation of an Equity and Human Relations Commission to be operative effective July  
8 1, 2020; and

9           **WHEREAS**, the Subcommittee further recommends that the City Council  
10 discontinue the Civil Service Commission effective June 30, 2020, and reassign to the City  
11 Manager or his/her designee the responsibility for the supervision and administration of all  
12 City departments; thereby, avoiding duplicative efforts, and decreasing fiscal costs and  
13 staff resources associated with disciplinary appeals and grievances by contracting with  
14 third party hearing officers.

15           **NOW THEREFORE**, the City Council of the City of Culver City, California,  
16 **DOES HEREBY ORDAIN** as follows:

17           **SECTION 1:** Section 3.02.010 of Chapter 3.02 of the Culver City Municipal  
18 Code is hereby amended as follows (underline denotes addition, ~~strikethrough~~ denotes  
19 deletion):

20           **§ 3.02.010 CITY MANAGER.**

21           A.     *Appointment; compensation.*

22                 1. The City Manager shall be appointed by the City Council solely on  
23 the basis of his executive and administrative qualifications and ability to serve in the  
unclassified service under the supervision of the City Council.

24                 2. The City Manager shall receive such compensation as the City  
Council shall from time to time determine and fix by resolution.

25           B.     *Duties and powers.* The City Manager shall have the following duties  
and powers:

26                 1. *Recommendations to City Council.* To conduct studies and to make  
27 recommendations to the City Council concerning all functions of City government following  
28 analysis thereof; to recommend ordinances for adoption by the City Council, subject to the  
prior approval of the City Attorney as to the form thereof;

1           2. *Investigation of complaints.* To investigate all complaints in relation to  
2 matters concerning the administration of the City government, and to take appropriate  
3 measures to obtain compliance with the obligations of permits, franchises and privileges  
4 granted by the City;

5           3. *Supervision of public property.* To exercise general supervision over all  
6 public buildings, parks, and all other property which is subordinate to the control of the City  
7 Council;

8           4. *Public Relations Officer.* To serve as Public Relations Officer of the City  
9 and to cooperate with all organizations which advance the interests of the City and its  
10 residents;

11           5. *Inventory control.* To prepare and keep current an inventory of  
12 personal property owned by the City, and to recommend the acquisition, transfer or  
13 disposition of City property; and

14           6. *Personnel Officer.* To serve as Personnel Officer, personally or by  
15 delegation, and to recommend in all matters pertaining thereto, including but not limited to  
16 advising City Council on all matters pertaining to the Civil Service System.

17                   **SECTION 2:** The Table of Contents of Chapter 3.03 "Commissions and  
18 Agencies" of the Culver City Municipal Code is hereby amended to read as follows:

19 (underline denotes addition, ~~strikethrough~~ denotes deletion):

20                                   ***General Provisions***

21                   3.03.005 Creation; composition; eligibility; compensation

22                   3.03.010 Terms of members

23                   3.03.015 Term limits

24                   3.03.020 Removal; forfeiture of membership

25                   3.03.025 Meetings; meeting place; quorum; minutes

26                   3.03.030 Compliance with applicable laws

27                   3.03.035 City Council retains jurisdiction

28                   3.03.040 Policy

***Civil Service Commission***

~~3.03.100 Powers and duties~~

***Equity and Human Relations Commission***

3.03.100 Powers and duties

3.03.105 Operative date

***Cultural Affairs Commission***

                  3.03.200 Powers and duties

1 ***Parks and Recreation Commission***

2 3.03.300 Powers and duties

3 ***Planning Commission***

4 3.03.400 Powers and duties

5 3.03.405 Board of Zoning Adjustment

6 ***Redevelopment Agency***

7 3.03.500 Necessity declared; authority

8 3.03.505 Agency designated; powers and duties

9 3.03.510 Term limits

10 3.03.515 Authorization to continue agency

11 **SECTION 3:** The following Sections of Subchapter 3.03.000, General  
12 Provisions, of Chapter 3.03 of the Culver City Municipal Code are hereby amended or  
13 added (underline denotes addition, ~~striketrough~~ denotes deletion):

14 **§ 3.03.005 CREATION; COMPOSITION; ELIGIBILITY; COMPENSATION.**

15 There shall be a ~~Civil Service Commission~~, Cultural Affairs Commission,  
16 Equity and Human Relations Commission, Parks, Recreation, and Community Services  
17 Commission, and Planning Commission, each consisting of five (5) members to be  
18 appointed by the City Council, with the exception of the Equity and Human Relations  
19 Commission, which shall consist of nine (9) members. Commissioners shall be residents of  
20 the City ~~who are lawfully registered voters of the City~~, none of whom shall hold any paid  
21 office or employment in the City Government. ~~Applicants for appointment to any~~  
22 ~~Commission seat must have been lawfully registered voters of the City for the thirty (30)~~  
23 ~~days immediately preceding the filing of their application.~~ Minors, age 16 or older, are  
24 eligible to apply with parental consent. No person may serve on more than one (1)  
25 Commission at the same time. Compensation of Commissioners, if any, may be  
26 established by resolution of the City Council.

23 **§ 3.03.040 POLICY.**

24 It shall be the policy of the City Council that each Commission shall ensure  
25 that its programs, policies and activities provide equal access and opportunities to all  
26 persons.

1                   **SECTION 4:** Subchapter 3.03.100, Civil Service Commission, of Chapter  
2 3.03 of the Culver City Municipal Code is hereby repealed in its entirety and replaced as  
3 follows (underline denotes addition, ~~strikethrough~~ denotes deletion):

4  
5                   **CIVIL SERVICE COMMISSION**

6                   **§ 3.03.100 POWERS AND DUTIES.**

- 7                   ~~The Civil Service Commission shall have the following powers and duties:~~  
8                   ~~A. Act in an advisory capacity to the City Council on matters pertaining to~~  
9                   ~~the Civil Service System;~~  
10                  ~~B. Hear appeals or grievances of any officer or employee under the Civil~~  
11                  ~~Service System who is suspended, demoted or removed and report in writing its findings~~  
12                  ~~and conclusions;~~  
13                  ~~C. Examine witnesses under oath and compel their attendance or the~~  
14                  ~~production of evidence before it by subpoenas issued in the name of the City and attested~~  
15                  ~~by the City Clerk; and~~  
16                  ~~D. Recommend new or amended Civil Service Rules consistent with the~~  
17                  ~~City Charter and Civil Service System, holding public hearings thereon before presentation~~  
18                  ~~to City Council for approval.~~  
19                  ~~E. Periodically, at the discretion of the City Council, make a study of~~  
20                  ~~salaries being paid by other public and private agencies, in order to ascertain whether the~~  
21                  ~~salaries being paid City employees for similar work are comparable, fair and reasonable~~  
22                  ~~and make recommendations with respect thereto to the City Council;~~  
23                  ~~F. Perform such other duties with respect to the Civil Service System, not~~  
24                  ~~inconsistent with the City Charter or this Code, as may be prescribed by ordinance,~~  
25                  ~~resolution, City Council policy or other City Council action.~~

26                   **EQUITY AND HUMAN RELATIONS COMMISSION**

27                   **§3.03.100 POWERS AND DUTIES.**

28                   The Equity and Human Relations Commission shall have the following  
powers and duties:

- 29                   A. Act in an advisory capacity to the City Council or the City Manager to  
30                   recommend programs, policies and activities that promote positive human relations and  
31                   equitable outcomes and opportunities in all aspects of community life;  
32                   B. At the direction of the City Council or the City Manager:  
33                   1. Recommend programs, policies and activities designed to promote  
34                   the full acceptance of all citizens in all aspects of community life.

1 without regard to race, religion, gender, sexual orientation, age,  
2 disability, immigration status or national origin;

- 3 2. Recommend programs, policies and activities designed to reduce  
4 discrimination, increase cultural competency, improve intergroup  
5 relations, and promote civil and human rights for all; and  
6 3. Identify, track and report on existing and emerging related issues  
7 stemming from citizen complaints concerning interactions with City  
8 employees;

9 C. Hold public meetings on community-wide problems arising in the City  
10 which may result in intergroup tensions or discrimination because of actual or perceived  
11 biases based on race, religion, color, ancestry, age, sex, sexual orientation, gender  
12 identity, physical disability, weight, height or place of birth.

13 D. Prepare and disseminate educational and informational material  
14 relating to prejudice and discrimination and ways and means of eliminating such prejudice  
15 and discrimination.

16 E. Perform such other duties, not inconsistent with the City Charter or this  
17 Code, as may be prescribed by ordinance, resolution, City Council policy or other City  
18 Council action.

19 **§3.03.105 OPERATIVE DATE.**

20 The Equity and Human Relations Commission shall be operative as of July 1,  
21 2020. The Civil Service Commission shall be discontinued effective June 30, 2020.

22 **SECTION 5:** Subchapter 3.03.200, Cultural Affairs Commission, of Chapter  
23 3.03 of the Culver City Municipal Code is hereby amended as follows (underline denotes  
24 addition, ~~strikethrough~~ denotes deletion):

25 **CULTURAL AFFAIRS COMMISSION**

26 The Cultural Affairs Commission shall have the following powers and duties:

27 A. Act in an advisory capacity to the City Council on matters pertaining to  
28 the enrichment of the community through fine arts, visual arts, performing arts, arts  
education, historic preservation and cultural issues;

B. Serve as an advocate for equity, diversity and inclusion in for cultural  
activities and programs within the City;

1 C. Implement the City's Public Art Program, and encourage the  
2 integration of cultural affairs into the social and economic fabric of the City to improve the  
3 quality of life for City residents; and

4 D. Perform such other duties, not inconsistent with the City Charter or this  
5 Code, as maybe prescribed by ordinance, resolution, City Council policy or other City  
6 Council action.

7 **SECTION 6:** Subchapter 3.03.300, Parks, Recreation and Community  
8 Services Commission, of Chapter 3.03 of the Culver City Municipal Code is hereby  
9 amended as follows (underline denotes addition, ~~strikethrough~~ denotes deletion):

10 **PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION**

11 The Parks, Recreation, and Community Services Commission shall have the  
12 following powers and duties:

13 A. Act in an advisory capacity to the City Council and City Manager on  
14 matters pertaining to public recreation, parks, recreation/community center facilities, open  
15 space and tree programs, where such trees are located in parks and open space,  
16 playgrounds, and music and entertainment as may from time to time be performed in the  
17 City's parks;

18 B. At the direction of the City Council or the City Manager, assist staff  
19 assigned to review the requirements of the City for facilities relating to the functions set  
20 forth in division A., and to make recommendations related to the adoption and updating of  
21 City master plans relating to parks, recreation, and open space;

22 ~~C. At the direction of the City Council or the City Manager, recommend  
23 programs and plans designed to promote the full acceptance of all citizens in all aspects of  
24 community life, without regard to race, religion, gender, sexual orientation, age or national  
25 origin.~~

26 DC. At the direction of the City Council or the City Manager, recommend  
27 and support program policies relating to various community service functions of the City,  
28 including, but not limited to, programs for youth, teens, seniors, and people with special  
needs;

ED. At the direction of the City Council or the City Manager, balance  
program and project recommendations by applying realistic expectations of budgetary and  
staffing resources, environmental sustainability, neighborhood compatibility, and other  
relevant factors; and

FE. Perform such other duties, not inconsistent with the City Charter or this  
Code, as may be prescribed by ordinance, resolution, City Council policy or other City  
Council action.

**SECTION 7:** The City Council hereby declares that, if any provision, section,  
subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared

1 invalid or unconstitutional by any final action in a court of competent jurisdiction or by  
2 reason or any preemptive legislation, then the City Council would have independently  
3 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases,  
4 or words of this Ordinance, and as such they shall remain in full force and effect.

5  
6 **SECTION 8:** Pursuant to Section 619 of the City Charter, this Ordinance shall  
7 take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of the City  
8 Charter, prior to the expiration of fifteen (15) days after the adoption, the City Clerk shall  
9 cause this Ordinance, or a summary thereof, to be published in the Culver City News and  
10 shall post this Ordinance or a summary thereof in at least three places within the City.

11  
12 APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

13  
14 \_\_\_\_\_  
15 MEGHAN SAHLI-WELLS, MAYOR  
16 City of Culver City, California

17 ATTEST:

APPROVED AS TO FORM:

18  
19 \_\_\_\_\_  
20 JEREMY GREEN,  
21 City Clerk

22  
23 \_\_\_\_\_  
24 CAROL A. SCHWAB  
25 City Attorney  
26  
27  
28