

MEETING DATE: January 5, 2010

AGENDA ITEM: Recommendations for Future Discussions Regarding the Duties and Responsibilities of the Parks, Recreation and Community Services Commission.

ATTACHMENTS

	<u>Pages</u>
A. Sections of the Culver City Municipal Code Relating to the Parks, Recreation and Community Services Commission	1 - 2
B. Resolution Number 2007-R029 adopting City Council Policy 2007-01: "City Commissions"	3 - 10
C. Summary of Previous PRCS Commission and Commission/Council Subcommittee Discussions on the Commission's Duties and Responsibilities	11 - 15

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)

RESOLUTION NO. 2007-R 029

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CULVER CITY, CALIFORNIA, AND ADOPTING CITY
COUNCIL POLICY STATEMENT 2007-01 RELATED TO
CITY COMMISSIONS**

WHEREAS, on May 29, 2007 at a regularly scheduled meeting of the City Council, the City Council discussed a proposed policy related to the City's Commissions; and

WHEREAS, the proposed policy reflects items which surfaced during a Special City Council Meeting held on February 24, 2007 which involved participation from the City Council, members of the City's Commissions, members of the City's Executive Management team, and members of the public; and

WHEREAS, through adoption of the policy attached hereto as Exhibit "A," the City Council desires to address the important issues discussed at the facilitated meeting on February 24, 2007 and provide consistent guidance to Commissions, their members and City Staff related to the operations of the City's Commissions and the standard of conduct for Commission appointees.

NOW, THEREFORE, the City Council of the City of Culver City, California, DOES RESOLVE as follows:

1. The City Council hereby adopts City Council Policy Statement No. 2007-001, entitled, "City Commissions," which City Council Policy Statement is attached hereto as Exhibit "A" to this resolution.

2. City Council Policy Statement No. 2007-01 shall be effective on July 1, 2007.

1 3. The City Manager is hereby authorized to format this policy statement in a
2 format consistent with other City Council Policy Statements and shall include the final
3 version of this City Council Policy Statement with other adopted City Council Policy
4 Statements.

5 4. The City Manager shall distribute this City Council Policy Statement to
6 interested parties, which include, but are not limited to: the City's Commissions and City
7 Staff.
8

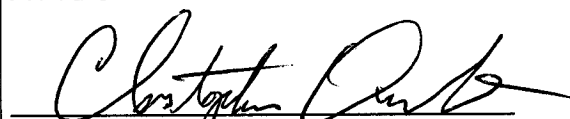
9 APPROVED and ADOPTED this 29th day of May 2007.

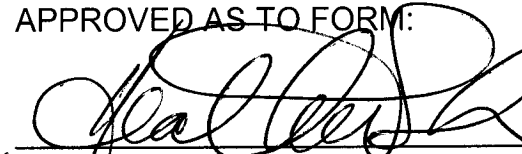
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12 ALAN CORLIN, MAYOR
City of Culver City, California

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14 ATTEST:

15 APPROVED AS TO FORM:

16 
CHRISTOPHER ARMENTA, City Clerk

17 
CAROL A. SCHWAB, City Attorney
18 for

City Council Adopted Policy 2007-01
Adopted by Resolution No. 2007-R029 on May 29, 2007
Subject Matter: City Commissions

PURPOSE

The purpose of this policy is to provide general guidelines on topics related to the City's Commissions. At the time of this policy's adoption by the City Council, the following four Commissions existed:

- Parks and Recreation Commission
- Planning Commission
- Civil Service Commission
- Cultural Affairs Commission

This Policy shall apply to all Commissions, both existing at the time of the adoption of this Policy and subsequent thereto and shall be consistent with the City Charter and other applicable laws.

BACKGROUND

This policy is a result of the facilitated meetings held in February, 2007 during which the City Council met with members of the City's Commissions and Executive Management. This policy addresses various issues raised during these meetings by City Councilmembers, City Commissioners, and Executive Management.

GENERAL ROLE OF THE CITY'S COMMISSIONS

The City of Culver City prides itself on the participatory nature of its local government. The City's Commissions play an important role in the efficient governance of the City, and provides interested community members with the opportunity to serve their fellow citizens.

As advisory bodies to the City Council, the Commissions' advice on topics within their purview, combined with factual research performed by City Staff, provide the City Council with a more complete picture of many issues. In the role of advisors to the City Council, Commissions administer policies adopted by the City Council. From time to time, Commissions may be asked to interpret and enforce City Council adopted policy. However, unless expressly provided the authority to do so by the City Council, Commissions shall not make policy.

COMMISSIONER CODE OF CONDUCT

As representatives of the City Council and the City, it is important that Commissioners set an example of conduct appropriate for their key roles. Therefore, Commissioners are required to adhere to the following:

Preparation for Meetings

It is necessary for Commissioners to be prepared to discuss the items on the Agenda. Therefore, Commissioners should, whenever possible, be provided with agenda packets at least three business days prior to the meeting date. Questions should be posed to staff prior to the meeting to allow staff the time necessary to prepare and provide responses.

Punctuality/Attire

As part of making the City's government as open and accessible to the public as possible, the City Council has directed that meetings of all Commissions shall generally be televised. This, coupled with the public nature of the Commission meetings, makes it important for Commissioners to begin meetings on time. Further, when attending official City events, including monthly Commission meetings, Commissioners shall be appropriately attired. Business casual shall be the generally acceptable mode of attire.

Conduct at Meetings

In compliance with the State's Open Meetings Law, commonly known as "The Brown Act," Commissions can only take action on items that appear on the Agenda. Commissioners wishing to have an item agendaized for discussion must obtain a majority of Commissioners' support to place an item on a future agenda. Commissioners who believe they may have a concern related to Brown Act compliance shall consult with the City Attorney.

While considering items at Commission meetings, disagreements may arise which is normal and part of the process in a participatory government. However, it is important that Commissioners conduct meetings with proper decorum and respect.

To facilitate proper decorum, Roberts Rules of Order shall be the parliamentary standard when conducting meetings.

Fair and Unbiased Consideration of Issues

Pursuant to the letter and spirit of the Brown Act and appropriate ethical standards, Commissioners shall approach items before the Commission in a fair and unbiased manner. Consistent with this requirement, Commissioners shall conduct themselves in an appropriate manner at all times, including prior to and during meetings and while in contact with the press and members of the public.

Role of the Chair

The Chair is the presiding officer of the Commission meeting. In that role, the Chair is responsible for maintaining order and decorum. The Chair calls the meetings to order, recognizes speakers, and manages the agenda. It is also the Chair's responsibility to ensure the person who has the floor is given the attention of other members and the public and is allowed to speak without undue or inappropriate interruption and members of the Commission, those addressing the Commission, and members of the Public are treated with due respect.

During certain proceedings, such as an official Public Hearing, legal procedures are in place to ensure all persons are able to address a Commission during consideration of an Agenda Item. The Chair is responsible for guiding the Commission's discussion in accordance with the procedures either contained in the staff report or reported by staff.

Meeting Minutes

Meeting minutes are an important summary of the actions taken by the Commission on items that appear on the Commission Agenda (Action Minutes). They are not meant to capture each word (Verbatim Minutes). To facilitate more rapid production and transmittal of the minutes, Staff shall prepare and Commissions shall approve Action Minutes similar to those produced for the City Council meetings. Commissioners or members of the public interested in additional information may seek a copy of the audio/video recording of the meeting.

With the adoption of this standardized form of minutes, it shall be the goal of each Commission to consider approval of their minutes at the next regularly scheduled meeting of their Commission.

Commissioner Misconduct

As appointees of the City Council, Commissioners serve at the pleasure of the City Council. Violations of this Code of Conduct shall be handled in the following manners:

- (1) Minor Misconduct: Issues will be reported to the Department Head of the department that provides staff support to the Commission. The Department Head shall then attempt to resolve the issue with the City Council Liaison, Commission Chair, and Commissioner.
- (2) Major Misconduct: Issues of this level will involve the City Council Liaison, Commission Chair, and the City Manager's Office.

In the case misconduct involves the Commission Chair, the Commission Vice Chair shall act in-lieu of the Chair

Additionally, the City Manager shall report Commissioner misconduct to the City Council.

Commissioner Attendance and Forfeiture of Commission Seat

Annually, in May, the City Manager shall provide the City Council with a summary of attendance by Commissioners at Commission meetings.

The Municipal Code provides for the following:

"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.”

COMMISSION INTERACTION WITH THE CITY COUNCIL

One common theme discussed at the facilitated meetings was the importance of having regular interaction between the City Council and Commissioners. Therefore, the following shall be scheduled:

- Annual Joint Meeting of all Commissions with the City Council (at the regularly scheduled Commission meetings in September of each year); and
- Designation of a Council Liaison to each Commission in April of each year (with the Mayor functioning as an alternate).

Appeal to City Council of Commission Decisions

The various appeal schedules are mentioned in various sections of the City Code and currently vary from Commission to Commission. The City Manager is directed to prepare a proposed unified appeal process for consideration by the City Council within 60 days of the date of the adoption of this Policy.

COMMISSION INTERACTION WITH THE CITY STAFF

One of City Staff's many roles is to provide information to the Commissions. As part of maintaining proper decorum and respect, Commissioners shall interact with staff with proper politeness and courtesy. Whenever possible, issues and concerns of Commission Members and/or City Staff shall be addressed to the Department Head of the department that provides staff support to the Commission. Should resolution not be reached after consultation with the Department Head, Commission Members may consult with the City Manager's Office.

Commissions, as bodies, and individual Commissioners may make routine informational requests to City Staff that do not require significant research or other allocation of staff resources. Neither Commissions nor individual Commissioners shall provide direction to City Staff (other than to place items on future Agendas). Agenda item requests which require the dedication of significant time resources shall not be undertaken without the approval of the Department Head and/or the City Manager. Major policy items may also be presented to the City Council for consideration and direction prior to allocation of staff resources by the City Manager.

COMMISSIONER TRAINING/ORIENTATION

Commissioner Training/Orientation is important to prepare new commissioners for the key role they play. Ongoing training for Commissioners is also important to keep Commissioners abreast of the latest developments in their field(s).

New Commissioner Training

The City Manager and City Attorney are hereby directed to immediately develop and implement a New Commissioner Training Program which will provide new commissioners with training in the following basic areas:

- General City Operations
- The State Open Meetings Law (The Brown Act)
- General Parliamentary Procedure (Roberts Rules) and Etiquette
- Ethics (AB 1234) – Including proper use of Commissioner Title and Business Cards
- Electronic Voting System

Existing Commissioner Training and Ongoing Training

The City Council shall consider funding that would provide ongoing training to Commissioners during the fiscal year. Commissioners are encouraged to recommend applicable training for inclusion in future year budgets. This training should include training specific to the area of responsibility of the Commission. One source of important and credible training is the League of California Cities.

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CULVER CITY)

I, Ela Valladares, Deputy City Clerk of the City of Culver City, California, do hereby certify that the foregoing Resolution No. 2007-R029 was duly and regularly adopted, passed, and approved by the City Council of the City of Culver City, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the 29th May, 2007, by the following Councilmember vote:

AYES: Gross, Rose, Malsin, Silbiger, Corlin
NOES: None
ABSTAIN: None
ABSENT: None

Dated this 23rd day of July, 2007



Ela Valladares
Deputy City Clerk and Ex-Officio Clerk of the City Council
City of Culver City, State of California

Summary of Previous PRCS Commission and Commission/Council Subcommittee Discussions on the Commission's Duties and Responsibilities

PARKS, RECREATION & COMMUNITY SERVICES COMMISSION MEETING DISCUSSIONS

December 1, 2009 PRCS Commission Meeting

Staff provided a summary of the material of record.

Chair Daly Redholtz questioned when the item would be agendaized, what the next procedures were, and she requested information from the City Manager as to what the plan is.

November 5, 2009 PRCS Commission Meeting

Bill La Pointe, Director of Parks, Recreation and Community Services, reported that discussions would take place in December.

October 6, 2009 PRCS Commission Meeting

Discussion between staff and the Commission included: scheduling the next Council/Commission subcommittee meeting; confirmation that the requested letter was sent to the City Manager; and procedures for letters sent by staff.

September 1, 2009 PRCS Commission Meeting

At the September 1, 2009 PRCS Commission meeting, the following action was taken:

MOVED BY COMMISSIONER STUART, SECONDED BY COMMISSIONER GREENE, AND UNANIMOUSLY CARRIED THAT THE PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION REQUEST STAFF TO SEND A COMMUNICATION TO THE CITY MANAGER TO REQUEST THE CITY COUNCIL TO RESOLVE THE ISSUES OF THE COMMISSION'S DUTIES AND RESPONSIBILITIES AND ADD IN CONSIDERATION OF COMMENDATIONS AND CERTIFICATES OF APPRECIATION.

August 4, 2009 PRCS Commission Meeting

At the August 4, 2009 PRCS Commission meeting Chair Daly Redholtz clarified that the references to proper "business casual" attire in the attached policy statement are specific to Commission meetings and that casual attire is acceptable for scheduled park tours.

Summary of Previous PRCS Commission and Commission/Council Subcommittee Discussions on the Commission's Duties and Responsibilities

July 7, 2009 PRCS Commission Meeting

At the July 7, 2009 PRCS Commission meeting Chair Daly Redholtz clarified for newly-seated Commissioners Stuart and Greene that this report will be on each month's Commission agenda because the Commission's Council/Commission Subcommittee is engaged in an ongoing dialogue with the City Council's Council/Commission Subcommittee and staff.

June 2, 2009 PRCS Commission Meeting

At the June 2, 2009 PRCS Commission meeting Vice Chair Daly Redholtz reported on the May 12, 2009 Council/Commission Subcommittee meeting, noting that the Commission would not be directly involved with the development of PRCS Department fees and charges, as that is currently the role of the City Council. She also stated that there would be nothing to report on regarding the ongoing discussions between the Council/Commission Subcommittees until after a meeting with the new City Manager.

March 3, 2009 PRCS Commission Meeting

At the March 3, 2009 meeting, the Commission received a (brief) summary of the points discussed at the Council/Commission Subcommittee meetings held on September 23, October 21 and October 29, 2008 was provided to the Commission (Attachment C). During the discussion, Council/Commission Subcommittee members stated, and received consensus from the Commission, that this dialogue between the subcommittees of the City Council and the PRCS Commission should be ongoing. It was agreed that the process of clarifying the Commission's "Powers and Duties" had just begun and the Commission's role needed to be more fully developed and further defined.

February 3, 2009 PRCS Commission Meeting

At the February 3, 2009 meeting, the sections of the Culver City Municipal Code relating to the Parks, Recreation and Community Services Commission were provided to the Commission for review and discussion (Attachment B).

January 6, 2009 PRCS Commission Meeting

At the January 6, 2009 Parks, Recreation and Community Services Commission, meeting there was Commission consensus that the duties and responsibilities of the PRCS Commission (formerly the "Parks and Recreation Commission"), as stated in the Culver City Municipal Code, be brought before the Commission for discussion.

October 7, 2008 PRCS Commission Meeting

At the October 7, 2008 PRCS Commission meeting, the members of the Commission's Council/Commission Subcommittee more fully informed the rest of the Commission regarding

Summary of Previous PRCS Commission and Commission/Council Subcommittee Discussions on the Commission's Duties and Responsibilities

the issues that were discussed at the September 23, 2008 Council/Commission Subcommittee Meeting including:

- Communication
- Sensitivity
- Role of the Commission
- Responsiveness in getting recommendations back to staff and/or City Council
- Format of the meeting minutes
- The provision of water at the Commission meetings for Commissioners

COUNCIL/COMMISSION SUBCOMMITTEE MEETING DISCUSSIONS

May 12, 2009 Council/Commission Subcommittee Meeting

At the May 12, 2009 meeting, Council/Commission Subcommittee members from the City Council and PRCS Commission met with City staff, including City Attorneys Heather Baker and Roland Miranda, Assistant City Manager Martin Cole and PRCS Director Bill La Pointe.

Vice Chair Daly-Redholtz and Commissioner Cooper raised the above noted concerns discussed at the Commission Subcommittee meeting of April 10, 2009 for consideration by the Council Subcommittee and eventually the City Council. The Commissioners gave particular emphasis to the following:

- That the Commission be more involved in the development of PRCS fees and charges; and
- That the Commission should be more involved in the recommendation to City Council and approval of large-scale special events happening in PRCS facilities and parks.

April 10, 2009 PRCS Commission – Council/Commission Subcommittee Meeting

At the April 10, 2009 meeting of the Commission's Council/Commission Subcommittee, Vice Chair Daly Redholtz and Commissioner Cooper reviewed the following points which had been brought forward at the March 3rd Commission meeting. It was the consensus of the Commission at that time that these items relating to the "Powers and Duties" of the Commission should be brought to the attention of the Council's Council/Commission Subcommittee and the full City Council:

- **Sex and Age Discrimination:** Age and sexual orientation should be added to the Commission's "Powers and Duties" under the programs and plans designed to promote full acceptance of all citizens.
- **Playground Maintenance:** Under "E" in the current "Powers and Duties," the phrase "to study and, from time to time, make recommendations for the proper care and maintenance of playgrounds..." is too vague; this needs to be clarified.

Summary of Previous PRCS Commission and Commission/Council Subcommittee Discussions on the Commission's Duties and Responsibilities

- **Trees:** It is important that the appeals process for citizens who want to plant different types of trees and/or remove trees on City property or the public right-of-way continues to be within the Commission's purview.
- **Fees:** The Commission would like more consistency with regard to when policies regarding fees should be considered by the Commission before being recommended to the City Council. Perhaps the Commission's "Powers and Duties" should be revised to include a section regarding to the Commission's role in recommending fees and fee policies to the City Council.
- **Commissioner Attendance:** The process to relieve someone from service on the Commission due to poor attendance should be outlined in the Municipal Code.
- **Parking decals:** The members of the Commission would like to have parking decals that permit them to park at City facilities.
- **Human Relations/Community Services:** Clarification is needed as to what the Commission should be looking at in terms of issues/complaints/policies.

April 7, 2009 PRCS Commission Meeting

At the April 7, 2009 meeting, Council/Commission Subcommittee members indicated that the minutes of the March 3rd meeting relating to this item did not reflect important details of the discussion. As requested by the Commission, the meeting minutes were revised and have been re-submitted for approval at this evening's meeting.

September 23 and October 21 & 29, 2008 Council/Commission Subcommittee Meetings

Role:

- The Commission's duties are quite diverse and broad.
- Advise on policy matters relating to parks, recreation and community services, and in other specific matters as directed by the Council.
- Commission is eyes and ears of the community.
- Commission subcommittee believes it should continue to handle the requests for tree removal in the public right-of-way.
- Commission feels it is being asked to "rubber stamp" items.
- Commission feels it has been "bypassed" on several issues that fall within its purview.
- Suggestion that Commission be utilized earlier in the process.
- Commission believes music and entertainment in the parks that is part of a City-wide event is within Commission's purview.
- Language in CCMC relating to the "human relations" role of the Commission should include age and sexual orientation and should encourage involvement of the diverse community in PRCS programs.

Summary of Previous PRCS Commission and Commission/Council Subcommittee Discussions on the Commission's Duties and Responsibilities

Communication:

- Commissioners would like to have clear and specific communication from Council as to what is expected of them regarding specific issues on which the Council would like advice and recommendations.
- Commission would like to see the PRCS related Committees (i.e. Fiesta and MLK) give reports to the Commission and not only the Council. Would like to see the public receive more education on the role of the Commission.
- Commission would like the Council to be more informed about the dates of all of the Commission meetings.
- Council should receive status reports as to what the Commission is doing.
- Communication with Council as to a realistic timeframe to get issues/items through the Commission process before returning to Council.

Responsiveness:

- Suggestion that the Commission move its items along in good time and not unnecessarily push items to a future time or deliberate too long on items, thereby causing the Council to wait for them longer than necessary.
- Commission feels challenged in trying to get the reports and information it needs to be able to give input to the Council in a timely manner.
- Commission concerned about artificial deadlines.
- Commission Subcommittee would like to see a policy setting forth the length of time to respond to Commission emails.

Minutes:

- Commission is not satisfied with "action" minute format.
- Suggests that the minutes reflect something of the reasoning of the Commission in arriving at a decision and not just the vote. (This has been summarily handled through the recently established Commission process of delegating comment to Council by two appointed Commissioners on items that have already been discussed and decided upon.)

Other:

- Commissioners should have bottled water provided for them at meetings.
- Absence from meetings needs to be addressed.
- Commission subcommittee does not believe parking decals should be taken away.