

Culver CITY

INTEROFFICE MEMORANDUM

DATE: 01/11/10
TO: Honorable City Council Members
FROM: Mark Scott, City Manager
SUBJECT: RECOMMENDATIONS RE CITY COUNCIL SUBCOMMITTEES

The purpose of this memorandum is to address the topic of City Council subcommittees and to recommend a structure for the future.

My general comment about subcommittees is that they are a useful tool in many circumstances, and particularly when there is agreement in advance concerning the charge and scope of the subcommittee. It is important that we understand the working relationship between the subcommittee, the Council as a whole, and the City Manager.

I agree with City Council input that City Council subcommittee meetings should be conducted with public notice, with meeting agendas, and with meeting notes as follow-up. The meeting notes should be transmitted to the full City Council, and members of the subcommittee should have an opportunity at a future City Council meeting to bring the full membership up to date.

Intergovernmental Assignments

Before addressing regular City Council subcommittees, I want to distinguish them from a City Council's "intergovernmental assignments." In the past, we have listed these on the same list as regular subcommittees. I think they are different and should be understood accordingly.

I do not look upon the intergovernmental assignments as being "subcommittee" assignments. They are representational appointments made by the City Council and/or by an official or board of the outside agency involved. Sometimes the appointments are independent of the City Council; sometimes they require appointment or confirmation by the City Council. Most of the appointments call for a single member, and occasionally an alternate. The role is somewhat different than a subcommittee role. Subcommittees always involve two members, and do not involve individual voting or representational authority.

The biggest challenge for a City Councilmember serving on an intergovernmental board is to participate (and vote) in a manner that (a) reflects the interests of the City and (b) honors the board responsibility to the agency itself. In this world of increasing scrutiny of the role and performance of any nonprofit board member, it

is a good idea to seek regular and clear advice from legal counsel when any potential of conflict arises. Some board assignments have relatively clear roles and scopes. For instance, all of the Westside COG board members represent their cities. It is fair to say that the COG board members have an obligation to vote in accordance with their City Councils' policy direction.

On the Expo Board or Santa Monica Bay Restoration Commission, however, there are substantial financial and contract decisions involved that may not allow explicit direction from the respective City Councils. In fact, in some cases, such boards include members who are not governmental representatives. The potential for "role conflict" is larger on such boards, so it may require greater caution.

Based upon the most recent actions of the City Council (or outside board if appropriate), our current intergovernmental assignments include:

- Westside COG Board – Scott Malsin, (Micheál O’Leary, Alternate)
 - COG Technical Committee on Transportation (O’Leary)
 - COG Technical Committee on Sustainability (Malsin)
- Expo JPA – Scott Malsin, (Micheál O’Leary, Alternate)
- Sanitation District Board – Andy Weissman, (Scott Malsin, Alternate)
- SCAG Governing Board – Gary Silbiger (Micheál O’Leary, Alternate)
 SCAG CHED – Scott Malsin
 SCAG Transportation – Micheál O’Leary
- Santa Monica Bay Restoration Commission – Micheál O’Leary (as an Board elected rep.; not a City Council appointment)
- Independent Cities Association - Micheal O’Leary (Andy Weissman, Alternate)
 Independent Cities Board – Micheál O’Leary (appointed by the ICC Board; not a City Council appointment)
- ICIS Board – Andy Weissman
- Baldwin Hills Citizens Advisory Panel – Andy Weissman/Gary Silbiger
- League of California Cities (Andy Weissman (Chris Armenta, Alternate)

League of California Cities, LA County Board – Micheál O’Leary
Personnel & Employee Relations Committee – O’Leary (appointed by
the LCC President; not a City Council appointment)

City Council Subcommittees

I look upon City Council subcommittees differently than Intergovernmental Assignments. These are shared, directly representational assignments. There is no delegation of authority, and any recommendations of substance would be reviewed with the City Council. There are two co-equal members on each subcommittee. Members are expected to report back to the City Council as a whole. A City staff person is assigned by the City Manager to staff each subcommittee, to set up meetings, to post any required notices, to prepare an agenda, and to prepare meeting notes to be shared with the full City Council.

Not all subcommittees are created equally. Therefore, I like to categorize City Council subcommittees as follows:

- **Liaison Subcommittees** – These are “standing subcommittee” assignments where the two City Councilmembers would be expected to meet with some regularity with representatives of other bodies that are closely tied to the City. Examples of Liaison subcommittees might include:
 - Planning Commission
 - Parks, Recreation & Community Services Commission
 - CCUSD Board
 - Downtown Business Association Board
 - West LA College Officials

I would suggest that these subcommittees be established only for liaison with groups within our community, with whom we need to have frequent, ongoing dialogue. For instance:

- I am a big fan of monthly dialogue with a Planning Commission. I find that this keeps the two bodies “on the same page,” and it is mutually beneficial. The reps from both bodies should regularly report back to their full memberships.
- Similarly, I think a quarterly meeting of a School District liaison subcommittee is useful. For protocol purposes, I would suggest this liaison committee include the Mayor and Vice Mayor, and

be staffed by the City Manager. Ideally, we would also hold at least one joint meeting each year of the two full bodies.

- It may be useful to create other liaison committees, but I strongly recommend that the City Council create them only where there is an expectation of regular meeting. They should be established for a purpose, and not just for form.
- **Functional Standing Subcommittees** – There are a few specific functional areas where experience has taught me that standing subcommittees are essential for the efficient operation of the City Council's and the City Manager's role. The most obvious to me include:
 - Audit – Every fiduciary board needs to fulfill this essential oversight responsibility. This subcommittee should meet both in advance of and at the conclusion of each annual audit. They should meet directly with the auditors, both with and without staff present.
 - Legislative Subcommittee – I think Shelly does a great job of trying to stay on top of legislative issues affecting the City. Even at that, I believe this area requires more focused attention than we give it. I would like to see us rely more on our own skills, and less on our lobbyists for this function. Ideally, this subcommittee could check in with Shelly every week or two during the prime legislative seasons.
 - Real Estate/Property Management Subcommittee – This is a new one for Culver City. I suggest a role relating to the status and disposition of City properties other than when in direct City use. In other words, I am talking about sales, leases, purchases, easements, etc., of property. I am recommending a subcommittee that would meet in executive session with a properly noticed agenda. Their recommendations would go to the full City Council. I am a firm believer that staff should conduct real estate-related negotiations based on clear parameters provided by the City Council. I think this is a City Council prerogative that applies equally to million dollar

properties and tiny easements. Staff should not be improvising on such issues.

- **Ad Hoc Subcommittees** – I would argue that these should be used sparingly. However, from time to time, there are certain projects that come along that require some intense research or negotiation, for which it is helpful to use City Councilmember participation. In particular, I think this can be helpful where the project is not already under the purview of a subcommittee or commission, and where there is considerable community involvement in the project. Examples would be specific redevelopment projects (West Washington, Washington/National, Hayden Tract), development of CSD criteria, review of agenda format, etc. These are limited scope efforts with specific timeframes. The subcommittee dissolves at the point the task is completed.

City Councilmembers will note that there are several of our existing subcommittees that I have not endorsed in the above. As I said during my job interview, I am not partial to Budget subcommittees. I feel very strongly that (a) the budget belongs to the full City Council and (b) a City Manager ought to be astute enough to seek out help “ad hoc” if the circumstances would benefit by it.

Following the admonition that “Councils set policy and City Managers implement it,” I would also argue strongly against what I would call “operating issue” subcommittees. For instance, I see no constructive purpose in a standing committee on Animal Services or Skateparks. The City Manager is uniquely accountable to the City Council for implementation of policy. Any City Councilmember can address the City Manager on any project at any time. The staff receives its “implementation direction” from the City Manager, and that fundamental principle of Council-Manager government should remain clear. Again, I feel that a City Manager should reach out for help from the City Council when needed, and should be expected to know when to do it. The City Manager should not be required to use a subcommittee under operational circumstances.

I would welcome the existing Sustainability and Youth Advisory subcommittees as “Ad Hoc” subcommittees. These are areas where the City Council has not yet established policy. They both allow us to take a close look at programming for the future. I would not recommend an ongoing, standing committee on either topic, as I think that is why a City Council hires a City Manager -- to take City Council policy and to implement it. It is my job to communicate those efforts to the full City Council.

Other Citizen Participation Programs

Please note that this report is focused on City Council subcommittees, and not on the topic of commissions, citizen committees, or citizen processes. Those are much larger discussions which deserve their own attention. However, I would add that when we do discuss those topics, we will once again need to look at issues relating to support costs and role/authority. Many of the issues addressed above apply equally to Council-appointed citizen commissions, boards, committees and task forces. As City Manager, I need to know that I have organizational control where I have organizational accountability. I welcome and encourage citizen participation when done with smart design.