CITY OF CULVER CITY
COUNCIL POLICY STATEMENT **Policy Number: 3002**

General Subject:	City Council and Administration	Date Issued: 10/23/2023
Specific Subject:	City Commissions, Boards and Committees; Appointed Representatives to Outside Agencies and Boards	Effective Date:10/23/2023 Resolution No: 2023-R062

I. PURPOSE:

The purpose of this Policy is to provide general guidelines, consistent with the City Charter, Culver City Municipal Code and other applicable laws, on topics related to the City's Commissions, Board and Committees, as well as to representatives appointed to outside agencies and boards.

At the time of the adoption of this Policy, the following Commissions, Boards and Committees exist:

Commissions:
- Civil Service Commission
- Cultural Affairs Commission
- Parks, Recreation and Community Services Commission
- Planning Commission

Boards:
- Landlord Tenant Mediation Board

Committees:
Existing Committees are identified in Attachment No. 1 to this Policy, which may be updated from time to time, as Committees are dissolved and/or created, without further action of the City Council.

Except as specifically noted, this Policy shall apply to all Commissions, Boards and Committees that exist at the time of the adoption of this Policy and are established subsequent to the adoption of this Policy.

II. ELIGIBILITY:

Appointees to all Commissions, Boards and Committees shall be residents of the City, none of whom shall hold any paid office or employment in the City Government, unless the vacant seat, bylaws or other operating documents specifically allow for the

appointment of non-residents to a Board or Committee and/or the appointment of a City employee.

It is the intent of the City Council to achieve and maintain a diverse composition of City Commissions, Boards and Committees, with respect to race, color, religion, national origin, ethnicity, sex, sexual orientation, actual or perceived gender identity, disability and age.

Minors, who will be age 16 or older at the start of their term of office, are eligible to apply with the consent of their parent or legal guardian.

No person may serve on more than one Commission, Board or Committee at the same time, unless authorized and approved by City Council.

III. BACKGROUND:

The City Charter provides the City Council with the authority, by ordinance, to 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. The Culver City Municipal Code establishes the Civil Service, Cultural Affairs, Planning, and Parks, Recreation and Community Services commissions, and the Landlord-Tenant Mediation Board, as well as their respective powers and duties. The Charter further gives the City Council the authority, by ordinance, resolution or other action, to establish and abolish committees for a specified purpose. In general, the primary difference between commissions and boards versus committees are the means by which the bodies are created, including their roles and duties. Commissions and boards are created by ordinance and can only be dissolved by ordinance. Similarly, the role, and duties and authority of a commission and board are also set by ordinance and can only be modified by ordinance. Whereas, the creation, role and duties of a committee are established by City Council resolution. Each body, whether a commission, board or committee, only has the authority that is vested in the body by the City Council.

Each Commission, Board and Committee (CBC) acts in an advisory capacity, providing findings and recommendations, to the City Council on matters pertaining to policies, procedures, rules and regulations within the subject matter jurisdiction of that CBC. The City Council gives great weight to a CBC's advice and recommendations when making policy decisions for the governance of the City.

Certain CBCs' duties expand beyond an advisory capacity, as set forth in the Culver City Municipal Code. For example:

- The Civil Service Commission may serve in a quasi-judicial capacity when considering employee disciplinary appeals and, in that capacity, its decisions are final, unless the appellant seeks judicial review.

- The Cultural Affairs Commission may serve in a quasi-judicial capacity when considering public art applications and, in that capacity, its decisions are final, unless appealed to the City Council.
- Members of the Landlord-Tenant Mediation Board may serve as mediators of disputes relating to rent increases.
- The Planning Commission may serve in a quasi-judicial capacity when considering certain land use permit applications and, in that capacity, its decisions are final, unless appealed to the City Council.

In addition to advisory roles, CBCs may advise on, plan, host or produce an event that has been approved by City Council, in accordance with Section VII of this Policy, or periodically, may take on other roles as authorized by the City Council, in its sole discretion.

As a result of the different objectives of an advisory body versus a policy-making body, the Council may periodically override a CBC. This does not reflect negatively on the capabilities or integrity of any CBC or any individual Commissioner or Board or Committee Member (CBC Member). Rather, it is the natural course of the City Council's overall responsibilities.

Each CBC Member has a role in the evaluation and analysis of issues, contributing to the overall mission of providing quality public services and being responsive to community needs and sensitivities. Once appointed, however, a CBC Member no longer acts solely as a private individual, but a representative of the City. Their conduct must be consistent with the obligations of public office.

IV. GENERAL ROLE OF THE CITY'S COMMISSIONS, BOARDS AND COMMITTEES:

The City of Culver City prides itself on the participatory nature of its local government and encourages civic engagement by members of the public. The City's CBCs play an important role in the efficient governance of the City and provide interested community members with the opportunity to serve the public.

As advisory bodies to the City Council, the CBCs' 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, CBCs make recommendations concerning City policy, and may administer policies adopted by the City Council. However, unless expressly authorized to do so by the City Council, CBCs shall not make policy.

Each Commission's and Board's specific powers and duties are set forth in the Culver City Municipal Code. A Committee's specific powers and duties may be established by resolution or other action of the City Council. Each CBC may establish its own bylaws,

which must be approved by the City Council. To the extent any CBCs' bylaws are in conflict with this Policy, this Policy shall control.

Pursuant to and consistent with Culver City Municipal Code Section 3.03.035, the City Council retains jurisdiction on all items which may otherwise be considered by the various CBCs. Either the City Council or the City Manager, in their sole discretion, may determine to have any item heard directly by the City Council.

V. CODE OF CONDUCT:

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

Preparation for Meetings

It is necessary for CBC Members to be prepared to discuss the items on the Agenda. Therefore, CBC Members should, whenever possible, be provided with agendas and any 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

The City Council views CBC Members as professionals in their respective areas. This, coupled with the public nature of CBC meetings, makes it important for CBC Members to begin meetings on time. Further, when attending official City events, including monthly CBC meetings, CBC Members shall be appropriately attired. Business casual shall be the generally acceptable mode of attire.

Conduct at Meetings

The Ralph M. Brown Act ("Brown Act") is the most important open-meetings law for local governments in California. Compliance with the Brown Act is a critical role for every CBC and its Members. Violations of the Brown Act may result in the action taken being invalidated and the award of attorney's fees and costs if there is a successful legal action against a public agency. Certain intentional violations may result in criminal prosecution. The City offers regular trainings on the Brown Act for CBC Members. CBC Members who believe they may have a concern related to Brown Act compliance shall consult with the City Attorney.

Pursuant to the Brown Act, CBCs can only take action on items that appear on the Agenda. Generally, agenda items will be placed by staff as per a work plan or direction approved by City Council or by consensus of the CBC members. CBC Members wishing to have an item agendized for discussion must obtain consensus (a majority of the CBC

Members' support) to place an item on a future agenda. A majority of the CBC Members' votes to place an item on a future agenda does not indicate an implicit approval or denial of the agenda item itself.

While considering items at CBC meetings, differences of opinion may arise, which is a natural part of the process in a participatory government. However, it is important that CBC Members conduct meetings with proper decorum and respect.

Rosenberg's Rules of Order shall be the parliamentary standard and guide for the conduct of meetings, but no action of the CBC shall be invalidated, or the legality thereof otherwise affected, by the failure or omission to observe or follow said rules.

Each CBC Member shall be cautious in expressing views which might be considered views of the entire CBC. Until an issue has been fully considered and a decision or recommendation rendered by the full CBC, no individual CBC Member should purport to represent the collective opinion of other CBC Members. When speaking at City Council meetings, other meetings, or to members of the public, a Member may state they are a member of the CBC; however, they must also specifically state they are speaking as an individual and any statements, views or opinions expressed are their own. A member may only speak on behalf of a CBC if the Member has been authorized by a majority of such CBC to speak on the CBC's behalf about a particular matter. Best practice is for the Chair or Vice Chair to be the representative of choice for representing the entire body.

Fair and Unbiased Consideration of Issues

Pursuant to the letter and spirit of the Brown Act and appropriate ethical standards, CBC Members shall approach items before the CBC in a fair and unbiased manner. It is the responsibility of each CBC Member to ensure that the programs, policies and activities it oversees provide equal access and opportunities to all persons without regard to race, religion, gender, gender identity, gender expression, sex, sexual orientation, age, disability, immigration status, citizenship, color, ethnicity, or national origin, ancestry, socioeconomic status, income or other protected categories or personal characteristics.

While each member is entitled to their viewpoint, the quality of CBC recommendations relies on consideration of all viewpoints; therefore, individual CBC Members shall be cautious of creating the appearance of predetermined bias. Consistent with this requirement, CBC Members 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 CBC 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 CBC Members and the public and

is allowed to speak without undue or inappropriate interruption, and that all individuals are treated with due respect.

During certain proceedings, such as an official Public Hearing conducted by some Commissions, 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.

Issuance and Use of Official City Identification

Each Commissioner shall be provided with an official City photo identification card (similar to employees) which states the name of the office held and other pertinent data identifying the individual. Business cards shall also be provided to Commissioners upon request. Board and Committee Members have the option of purchasing business cards at their own expense.

Board and Committee Members shall be provided with a general identification card (including Culver City logo lanyard) and a City lapel pin for identification purposes.

All City Identification (including identification cards, business cards, etc.) shall only be used in the conduct of City-related business. If City Identification is lost and replacement requested, the CBC Member may be required to pay for the cost of replacement.

Upon vacating office, CBC Members shall return all City Identification to the City Manager or designee.

Inappropriate use of City Identification items shall be classified as Major Misconduct, as defined below, with significant consequences.

Member Misconduct

As appointees of the City Council, CBC Members serve at the pleasure of the City Council. Violations of this Policy 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 CBC. The Department Head shall then attempt to resolve the issue with the City Manager and Member.

(2) *Major Misconduct*: Issues of this level will involve a preliminary review by the City Manager's and City Attorney's Offices and may lead to a recommendation to the City Council to remove the Member from their seat.

The City Manager shall inform the City Council of all Member misconduct. Following are examples of misconduct which may subject CBC Members to disciplinary action(s):

(1) *Minor misconduct*: Examples include, but are not limited to, lack of preparation for a meeting; late arrival at meetings; consistent absence from meetings; failure to complete mandatory training; discourteous behavior in relations with fellow CBC Members, staff, and/or members of the public.

(2) *Major misconduct*: Examples include, but are not limited to, repeated instances of minor misconduct; misuse of official City identification; violation of City Council Policies (including, but not limited to, the City Council Policies addressing violence in the workplace; acceptance of gifts or gratuities; drugs and alcohol in the workplace; discrimination and harassment in the workplace; smoking in the workplace; and other policies as may be adopted by the City Council from time to time).

While the above items are presented as examples, the determination of what (if any) discipline to impose, up to and including removal from a CBC, shall be at the sole discretion of the City Council.

Allegations of misconduct shall be reviewed and considered in a manner that ensures there is not disparate treatment of CBC Members.

Discipline of CBC Members by the City Council

In accordance with the CCMC, should the City Council determine, in its sole discretion, that a CBC Member may have allegedly acted in a manner inconsistent with law or this Policy, the City Council may determine to impose any or all of the following:

(1) Provide direction to the City Manager to meet with the CBC Member(s) to informally investigate alleged misconduct and provide counseling to the CBC Member(s) to indicate behavior consistent with law and this Policy.

(2) Provide direction to the City Manager to formally investigate CBC Member misconduct and report findings to the City Council.

(3) Require the CBC Member to appear before the City Council at a public meeting to hear charges of misconduct.

(4) Determine, in the City Council's sole discretion and with or without cause, to remove a CBC Member from their seat. Such removal shall only be effective upon a majority vote of the City Council.

CBC Member Attendance and Forfeiture of Seat

Annually, in May, the City Clerk shall provide the City Council with a summary of attendance by Members at their respective CBC meetings.

Any Member who is absent from three consecutive meetings of their respective CBC or a total of five meetings in any six-month period shall automatically forfeit their membership on said CBC, provided, however, that there shall be no such forfeiture in the event of any of the following:

(1) When a Member is unable to attend due to illness or physical incapacity.
(2) When the City Council has pre-approved a leave of absence due to special circumstances.

For purposes of this Policy, attendance at a meeting shall be established when a Member is present for a minimum of 50% of the duration of the meeting. Duration of the meeting shall be the total time period elapsed from the convening of the meeting until the adjournment of the meeting, including any recesses.

VI. COMMISSION, BOARD AND COMMITTEE INTERACTION WITH THE CITY COUNCIL AND OTHER COMMISSIONS, BOARDS AND COMMITTEES

In an effort to facilitate regular communications between the City Council and its Commissions, joint meetings between the City Council and each of the Commissions shall be scheduled on an annual basis.

Periodically, but no less than biannually, each CBC shall submit to the City Council a written report on their respective activities.

On each City Council meeting agenda, there is an opportunity for a representative(s) from a CBC to provide a report to the City Council. CBC Members wishing to make such a report at a City Council meeting must have the authority from their respective CBC to make the report and shall coordinate with Department staff and the City Clerk's Office to request time on the agenda.

Nothing in this Policy shall preclude the City Council from requesting a report from any CBC at any time.

CBC Members' communications with the City Council may be subject to the Brown Act and Members shall take measures to ensure such communications do not create a serial meeting of their CBC or the City Council.

A CBC does not have the authority to require the City Council or any City Council Member to attend or otherwise participate in CBC meetings or activities.
The City Council has created separate CBCs for the purpose of a particular CBC advising the Council on matters related to specific topics and issues. Accordingly, a CBC may not determine to work in collaboration with another CBC, without the express approval of the City Council. On occasion, when there is an overlap of subject matter among CBCs, a CBC body may, through City Staff, recommend to the City Council that a particular CBC body take the lead on a particular issue/topic. Collaboration among CBCs is rare and

shall only occur with the approval of the City Council. Any approved collaboration between CBCs must comply with the requirements of the Brown Act.

Requests to City Council for collaboration among CBC members shall be made to the respective CBC Department and the City Clerk. Such requests shall be agendized in an expeditious manner and will appear on the first City Council meeting agenda after the date of the request, when feasible.

VII. COMMISSION, BOARD AND COMMITTEE WORK PLANS AND INTERACTION WITH THE CITY STAFF

As part of maintaining proper decorum and respect, CBC Members shall interact with staff with proper politeness and courtesy. Issues and concerns of CBC Members and/or City Staff shall be addressed to the Department Head of the department that provides staff support to the CBC. Should resolution not be reached after consultation with the Department Head, Members may consult with the City Manager's Office.

No City Staff members are assigned to be full-time assistants to CBC Members. Rather, staff serve and support the CBC as a whole and as part of their overall responsibilities. The priority of duties and responsibilities are established by the City Council and administered by the City Manager and the respective Department Head.

CBCs, as bodies, and individual Members may make routine informational requests to staff that do not require significant research or other allocation of staff resources. Neither CBCs nor individual CBC Members shall provide direction to 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.

Department Work Plans are approved by the City Council each year, as part of the City's budget process. CBCs wishing to consider items that are not part of the Department's approved Work Plans, which would require significant research or other allocation of staff resources, must receive prior City Council approval, prior to being placed on a CBC agenda. Such requests that require City Council approval shall be made through the Department Head, who shall vet the matter and may provide additional information/comments to the City Council, along with the CBC's request.

CBCs may recommend the creation of their own Work Plans, beyond the Department's approved Work Plans and those directed by the City Council. CBCs' Work Plans shall be created in collaboration with City Staff and presented to City Council for approval. Approval of CBC Work Plans may or may not be approved, based on availability of City Staff resources and the desire of City Council. From time to time, the City Council may remand certain topics to a specific CBC body to research and/or provide recommendations to the City Council. Council-directed topics shall take priority over any CBC Work Plan.

Standing and ad hoc subcommittees of CBC bodies may be created in accordance with the requirements of the Brown Act. Such subcommittees may only be created for matters within the purview of the specific CBC and only as needed.

A CBC may only advise on, plan, host or produce an event that is included in the approved Department Work Plans, approved CBC Work Plans, or otherwise approved by City Council. In order for a CBC event to be considered for City Council approval, the CBC must identify the following minimum information:

(1) Amount of City Staff time required;
(2) Other City resources needed;
(3) Amount of City funding requested; and
(4) Any other information requested by City Staff that may be necessary for City Council to have an informed discussion.

VIII. ORIENTATION/TRAINING:

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

Member Orientation and Training

To ensure newly appointed Members are best prepared for their important advisory roles, new CBC appointees are required to attend an orientation within 90 days of their appointment. Failure to attend such orientation may result in forfeiture of the appointment. The orientation program will provide new Members with information in the following basic areas, including, but not limited to:

- General City Operations
- The State Open Meetings Law (The Brown Act)
- General Parliamentary Procedure (Rosenberg's Rules) and Etiquette
- Ethics, Including Conflicts of Interest Regulations and mandatory filings
- Public Records Act
- Electronic Voting System
- City Email Registration
- Sexual Harassment Prevention and Education Training
- Diversity, Equity and Inclusion

The City Council shall consider funding that would provide ongoing training to Members during each fiscal year as necessary. Members are encouraged to recommend applicable training for consideration in future year budgets. This training should include training specific to the area of responsibility of the Member. Requests to participate in training opportunities shall be subject to the prior approval of the respective Department

Head and the City Manager. Members may be required to attend certain trainings annually, such as Sexual Harassment Prevention and Education Training.

IX. MEETINGS OF COMMISSIONS, BOARDS AND COMMITTEES:

Frequency of Meetings

CBCs shall meet on a regular, but as needed basis. For the purpose of increasing efficiency and conserving staff and financial resources, the City Manager shall have the authority to make the final determination as to whether there is sufficient business to be conducted during any given period to warrant a CBC meeting being convened. This determination shall be based upon input from the respective Department Head and the CBC Chair.

Quorum

A quorum is defined as the majority of the members of a body who must be present at a meeting for business to be legally transacted. One exception to this rule is that in the absence of a quorum, a lesser number may declare a meeting adjourned. For each CBC, a quorum shall be determined based on the total number of seats on the CBC, whether or not such seat is filled or vacant. For example, in a nine-member body a quorum is five. If there are two vacancies on such body, leaving only seven seated positions, a quorum is still five.

Meeting Minutes

Meeting minutes are an important summary of the actions taken by the CBC on items that appear on the CBC 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 CBCs shall approve Action Minutes similar to those produced for the City Council meetings. Where there is a dissenting opinion, a one sentence description of the nature of the opinion may be included upon the request of the dissenting Member(s). CBC Members or members of the public interested in additional information may seek a copy of the audio/video recording of the meeting from City Staff or view it online.

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

Compensation

In accordance with Culver City Municipal Code Section 3.03.005, compensation of Commissioners, if any, may be established by resolution of the City Council.

Members of the Commissions and Landlord-Tenant Mediation Board shall be entitled to annual compensation in the amounts set forth in Attachment No. 2 to this Policy, which attachment may be updated from time to time upon approval of the City Council. The Chief Financial Officer shall pay such compensation upon the filing of a requisition by the Staff liaison to the respective body, certifying the member of that body is entitled to such compensation pursuant to the terms of this Policy.

Payments shall be suspended during any extended absence by a Commissioner or Landlord-Tenant Mediation Board Member of three months or longer. Compensation may also be withheld until such time as the Commissioner or Landlord-Tenant Mediation Board Member has fully completed and submitted all documentation and training(s), as required by the City Clerk.

Compensation shall be considered annually by the City Council as part of the City's fiscal year budget.

X. APPOINTED REPRESENTATIVES TO OUTSIDE AGENCIES AND BODIES:

Representatives appointed by City Council to an outside agency or board shall report to City Council as needed, but not less than every six months. The appointed representative shall contact the City Clerk to request an item be placed on a City Council agenda for this purpose.

The appointed representative shall not take a position on behalf of the City, at their respective agency or board meeting, which has not been previously authorized or directed by the City Council.

As issues arise that need immediate attention, appointed representatives may communicate with their respective City staff liaison. The City Council Subcommittee that has subject matter jurisdiction consistent with the subject matter of the outside agency/board shall be the liaison for the appointed representative (i.e., the LAX/FAA Ad Hoc Subcommittee shall be the liaison for the representative of the LAX Community Noise Roundtable). If no City Council Subcommittee exists related to the subject matter of the outside agency/board, then the Mayor shall serve as the liaison for the appointed representative.

This Policy supersedes the following City Council Polices:

- ***Policy No. 3002 issued on May 29, 2007 by Resolution No. 2007-R029***
- ***Policy No. 3101 issued on January 23, 1995 by Resolution No. 95-R005***
- ***Policy No. 3102 issued on October 25, 1999 by Resolution No. 99-R086***
- ***Policy No. 3302 issued on January 23, 1995 by Resolution No. 95-R005***
- ***Policy No. 3303 issued on January 23, 1995 by Resolution No. 95-R005***
- ***Policy No. 3304 issued on January 23, 1995 by Resolution No. 95-R005 and revised on June 13, 2011 by Resolution No. 2011-R065***

- ***Policy No. 2007-01 issued on May 29, 2007 by Resolution No. 2007-R029, revised on June 27, 2011 by Resolution No. 2011-R063, and revised on September 25, 2017 by Resolution No. 2017-R086***
- ***Policy No. 3002 issued on January 27, 2020 by Resolution No. 2020-R004***
- ***Policy No. 3002 issued on May 10, 2021 by Resolution No. 2020-040***

ATTACHMENT NO. 1
TO
CITY COUNCIL POLICY 3002
CITY COMMISSIONS, BOARDS AND COMMITTEES; APPOINTED REPRESENTATIVES TO OUTSIDE AGENCIES AND BOARDS

List of Current City Committees

- Advisory Committee on Housing and Homelessness
- Bicycle and Pedestrian Advisory Committee
- Disability Advisory Committee
- Equity and Human Relations Advisory Committee
- Fiesta La Ballona Committee
- Finance Advisory Committee
- General Plan Advisory Committee

ATTACHMENT 2
TO
CITY COUNCIL POLICY 3002
CITY COMMISSIONS, BOARDS AND COMMITTEES; APPOINTED REPRESENTATIVES TO OUTSIDE AGENCIES AND BOARDS

The City Council hereby establishes the following annual compensation for its City Commissions and Landlord-Tenant Mediation Board, which shall be dispersed in accordance with a payment schedule determined by the City's Chief Financial Officer:

Civil Service Commission	$599
Cultural Affairs Commission	$599
Parks, Recreations and Community Services Commission	$599
Planning Commission	$599
Landlord-Tenant Mediation Board	$25 per meeting; $25 per mediation