

City Council Policy 2007-01
Adopted by Resolution No. 2007-R029 on May 29, 2007
Amended by Resolution No. 2011-R063 on June 27, 2011
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 discussions at the facilitated meetings held in February, 2007 during which the City Council met with members of the City's Commissions and Executive Management and over two years of meetings held between a City Council Subcommittee, Commission appointed subcommittees, staff, and consultants. This policy addresses various issues raised during these meetings by City Council Members, 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.

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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 a natural 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.

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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 Commissioners and the public and is allowed to speak without undue or inappropriate interruption, and that Commissioners, 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.

Use of Official City Identification

Official City identification (including ID Cards, business cards, etc.) shall be used for official identification purposes only. Further and consistent with the spirit of the Attorney General's Opinion, official identification shall be a nametag like pin for the City Council, the Commissioners, and all non-sworn staff. Inappropriate use of Official Identification items shall be classified as Major Misconduct with significant consequences.

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 Manager and Commissioner.
- (2) Major Misconduct: Issues of this level will involve the City Manager's Office and may lead to a recommendation to the City Council to remove the Commissioner from his or her seat.

The City Manager shall report Commissioner misconduct to the City Council.

Following are examples of misconduct which may subject Commissioners to disciplinary action(s):

- (1) Minor misconduct: Lack of preparation for a meeting; late arrival at meetings; discourteous behavior in relations with fellow Commissioners, staff, and/or members of the public.

- (2) Major misconduct: 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; drug free workplace and drugs and alcohol in the workplace; discrimination and harassment in the workplace; and 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 Commission, shall be at the sole discretion of the City Council.

Discipline of Commissioners by the City Council

Should the City Council determine, in its sole discretion, that a Commissioner 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 Commissioner(s) to informally investigate alleged misconduct and provide counseling to the Commissioner(s) to indicate behavior consistent with law and this Policy.
- (2) Provide direction to the City Manager to investigate Commissioner misconduct and report findings to the City Council.
- (3) Require the Commissioner to appear before the City Council to hear charges of misconduct
- (4) Determine, in the City Council's sole discretion and with or without cause, to remove a Commissioner from his/her seat. Such removal shall only be effective upon a majority vote of 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.

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 on 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.

For purposes of this Policy, attendance at a meeting shall be established when a Commissioner 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.

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 may be scheduled:

- Annual Joint Meeting of all Commissions with the City Council.

COMMISSION INTERACTION WITH THE CITY STAFF

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 ORIENTATION/TRAINING

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 Orientation

To ensure newly appointed Commissioners are best prepared for their important advisory roles, Commission appointees are required to attend an orientation within 90 days of their appointment. Failure to attend such orientation shall result

in forfeiture of the appointment. The orientation program will provide new Commissioners with information 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 Official City Identification.
- Electronic Voting System

Existing Commissioner Training and Ongoing Training

The City Council shall consider funding that would provide ongoing training to Commissioners during each 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. Requests to participate in training opportunities shall be subject to the prior approval of the Department Head or the City Manager.

MEETINGS OF COMMISSIONS

Frequency of Meetings

Commissions shall meet on an 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 month to warrant a Commission meeting being convened. This determination shall be based upon input from the appropriate Department Head and the Commission Chair.

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. Where there is a dissenting opinion, a one sentence description of the nature of the opinion may be included. Commissioners or members of the public interested in additional information may seek a copy of the audio/video recording of the meeting from the City staff.

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.

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.