



Staff Report Details (With Text)

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Type: Minute Order **Status:** Action Item
File created: 6/4/2024 **In control:** City Council Meeting Agenda
On agenda: 6/10/2024 **Final action:**
Title: CC - ACTION ITEM: (1) Discussion of a Change in the Composition of the Martin Luther King Jr. Celebration and Juneteenth Celebration Advisory Committee (MLKJr&JCAC) to Allow for One City Employee Position; and (2) Direction to the City Manager as Deemed Appropriate.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2023-06-10-ATT 1 - CC Policy 3002_Commissions Boards and Committees.pdf

Date	Ver.	Action By	Action	Result
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CC - ACTION ITEM: (1) Discussion of a Change in the Composition of the Martin Luther King Jr. Celebration and Juneteenth Celebration Advisory Committee (MLKJr&JCAC) to Allow for One City Employee Position; and (2) Direction to the City Manager as Deemed Appropriate.

Meeting Date: June 10, 2024

Contact Person/Dept: Adam Ferguson/Parks, Recreation, and Community Services
Jeremy Bocchino/ City Clerk's Office

Phone Number: (310) 253-6685 (PRCS Department)
(310) 253-5859 (City Clerk's Office)

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☐

Attachments: Yes ☒ No ☐

Public Notification: (E-Mail) Meetings and Agendas - City Council (06/06/2024)

Department Approval: Ted Stevens, PRCS Director (06/05/2024), Jesse Mays, Assistant City Manager (06/06/2024)

RECOMMENDATION

Staff recommends the City Council (1) discuss changing the composition of the Martin Luther King Jr. Celebration and Juneteenth Celebration Advisory Committee (MLKJr&JCAC) to allow for one City Employee position; and (2) provide direction to City Manager as deemed appropriate.

BACKGROUND

The Martin Luther King, Jr. Celebration Committee (MLKJrCC) initially began as a small group of people who rented the picnic shelter at Veterans Memorial Park the weekend before the MLK Jr. holiday. They used Veterans Memorial Park as a place to remember his words and honor his legacy. With time, this celebration grew, and a committee was created to help plan the celebration. Since the celebration began at a park site, PRCS was assigned to oversee the committee and the event. The committee was structured similarly to other committees that at that time were not Council appointed bodies, such as the Fiesta La Ballona Committee and the Sister City Committee.

On July 10, 2023, City Council discussed the importance of the MLKJrCC and the need for community involvement in the event. The City Council directed staff to bring back an item making the MLKJrCC an official City Council appointed advisory committee to support staff in the planning and implementation of the event.

Based on the former Fiesta La Ballona Committee bylaws and City Council Policy 3002, City Council approved a resolution to create the MLKJrCC Bylaws. Some important highlights of the proposed bylaws included:

- The Committee shall be comprised of seven persons appointed by the City Council from applicants that submit an application to the City Clerk's Office.
- Each member shall serve a term of four years (with the exception of the newly formed Committee which shall have some members serve a longer term to allow for staggering of terms).
- The Committee shall meet for an 8-month period, which will generally be from July 1-March 1.
- The MLKJrCC is tasked with assisting in the planning and promotion of the annual MLK Jr. Celebration Event (the event continues to be a City of Culver City Event produced by the Special Events Manager and PRCS staff).
- As an official City Committee, the meetings of the Committee are subject to the requirements of the Brown Act (including public participation and notice).

On April 8, 2024, City Council approved a resolution expanding the MLKJrCC to become the MLKJr&JCAC. With this resolution, changes to the initial bylaws included:

- Expanding the number of seats from seven to nine.
- Changing the meeting dates to a 12-month period.
- Advising on the MLK Jr. Celebration Event and the Juneteenth Celebration Event.

DISCUSSION

At the Special Meeting of City Council on Monday, June 3, 2024, during the interviews of applicants for consideration of appointments to available seats on Commissions, Boards, and Committees (CBCs), a Parks, Recreation and Community Services (PRCS) employee interviewed to be a committee member on the MLKJr&JCAC. City Council received a majority consensus to agendize a discussion to consider assigning one of the seats to a city employee.

Eligibility

According to City Council Policy 3002 (Attachment 1), "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." This policy is in line with the eligibility of Commission Members, which is set forth in Culver City Municipal Code Section 3.03.005 Creation; Composition; Eligibility; Compensation.

Currently the MLKJr&JCAC Bylaws do not allow for a City employee designated seat. If the City Council were to determine to allow for a City employee seat, the Bylaws would need to be amended by resolution to allow for this type of appointment.

Staff recommends that the City Council determine if there should be a specifically designated City employee seat. If so determined, there would be several decision points for City Council to consider, regarding the type of employee, the appointment process as well as the term length and limits. If the City Council determines to move forward with a change to the composition of the MLKJr&JCAC, PRCS staff would return with amended bylaws for consideration and the Clerk's Office would facilitate the appointment of the employee seat.

Type of City Employee Appointment

Labor Representative

The Finance Advisory Committee (FAC) and the Equity and Human Relations Advisory Committee (EHRAC) are the only CBC bodies that, in their Bylaws, allow for City staff positions. All of these positions are Labor Representatives. There is no precedent for a general City Employee Seat on a CBC.

According to the FAC Bylaws, two Labor Representatives are allowed and consist of one member representing the three non-management bargaining groups and one member representing one of the three management bargaining groups. The FAC Bylaws also state that the Labor Representatives may not be employees of either the Finance Department or the City Manager's Office. The EHRAC Bylaws allow for a Labor Representative who is a member of one of the City's six recognized bargaining units. Part-time staff are not members of one of the City's bargaining groups. Currently, there are no exclusions for any particular Department employees on the EHRAC.

The FAC Labor Representative is determined by the Labor unions for ratification by the City Council. EHRAC Labor Seat is appointed by the City Council.

If it is determined that there will be a Labor Representative position, staff recommends City Council determine how to appoint the Labor Representative position.

General City Employee Representative

Another option would be to appoint a General City Employee Representative. Although this has not been done previously, this would consist of any eligible and interested employee submitting an application and being selected in the usual course similar to other CBCs. There would be no

recommendation from the Labor Groups in this scenario.

Recommended Exclusions from Eligibility

If the City Council determines to allow for the addition of either a Labor Representative or a General City Employee position, staff recommends that the employees from the PRCS Department and the City Manager's Office be excluded from eligibility as those Departments provide staff support and are liaisons to the body, as well as manage these City events. The reason for this recommended exclusion is to avoid potential personnel conflicts. For example, the FAC Bylaws specifically state that FAC "representatives shall not be employees of either the Finance Department or City Manager's Office."

Terms and Term Limits

The Labor Representative seats on the FAC do not have set terms but shall serve at least two years prior to a replacement being proposed. The EHRAC Labor Representative currently serves a one-year term with the ability to serve two consecutive terms. The current terms for the MLKJr&JCAC are four-year terms. When advising on a special event, serving longer terms is vital in order to learn what improvements are needed and understand what worked from year to year.

FISCAL ANALYSIS

There is no fiscal impact associated with the City Council discussing and providing direction regarding this matter.

ATTACHMENT

1. 2023-06-10- ATT 1 - CC Policy 3002_Commissssions Boards and Committees.pdf

MOTION

That the City Council:

1. Discuss changing the composition of the Martin Luther King Jr. Celebration and Juneteenth Celebration Advisory Committee (MLKJr&JCAC) to allow for one City Employee position; and
2. Provide direction to City Manager as deemed appropriate, including, but not limited to the following:
 - A. Whether to add an employee position to the MLKJr&JCAC and if so, whether such position should be a Labor Representative position or a General Employee position (as

those positions are described above); and

- B. If an employee position is added, whether employees from the PRCS Department and City Manager's Office should be excluded from eligibility; and
- C. If an employee position is added, the term length and term limits (if any) for the position; and
- D. If a Labor Representative position is added, direct the labor groups to select a representative for ratification by the Council; and
- E. If a General Employee position is added, direct the City Clerk to recruit for the position; and
- F. If an employee position is added, direct the City Clerk to return to City Council at a future City Council meeting with the following agenda items:
 - i. Updated MLKJr&JCAC Bylaws consistent with City Council's direction; and
 - ii. Appointment of the employee position to the MLKJr&JCAC; and
- G. Provide other direction to the City Manager as deemed appropriate.