



City of Culver City

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Staff Report Details (With Text)

File #: 20-748 **Version:** 1 **Name:** City Council Policies_Mayoral Rotation and Smoking in the Workplace
Type: Resolution **Status:** Action Item
File created: 2/11/2020 **In control:** City Council Meeting Agenda
On agenda: 2/24/2020 **Final action:**
Title: CC - (1) Adoption of a Resolution Amending City Council Policy Statement Regarding Mayoral Rotation and Rescinding Resolution Nos. 2017-R015 and 2018-R055; and (2) Adoption of a Resolution Amending City Council Policy Statement No. 4304 Regarding Smoking in the Workplace (Renamed Smoke-Free Environment).

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2020-02-24_ATT - Existing Mayoral Rotation Policy.pdf, 2. 2020-02-24_ATT - Resolution Setting Aside Existing Mayoral Rotation Policy.pdf, 3. 2020-02-24_ATT - Proposed Resolution with Amended Mayoral Rotation Policy.pdf, 4. 2020-02-24_ATT - Existing Smoking in the Workplace Policy.pdf, 5. 2020-02-24_ATT - Proposed Resolution with Amended Smoke-Free Environment Policy.pdf

Date	Ver.	Action By	Action	Result
2/24/2020	1	City Council Meeting Agenda		
2/24/2020	1	City Council Meeting Agenda		

CC - (1) Adoption of a Resolution Amending City Council Policy Statement Regarding *Mayoral Rotation* and Rescinding Resolution Nos. 2017-R015 and 2018-R055; and (2) Adoption of a Resolution Amending City Council Policy Statement No. 4304 Regarding *Smoking in the Workplace* (Renamed *Smoke-Free Environment*).

Meeting Date: February 24, 2020

Contact Person/Dept: Serena Wright, Assistant City Manager
Heather Baker, Assistant City Attorney

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Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☐

Action Item: ☒

Attachments: ☐

Commission Action Required: Yes ☐ No ☒ **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (02/18/20)

Department Approval: Serena Wright, Assistant City Manager (02/18/20)

RECOMMENDATION

The Ad Hoc City Council Policies Subcommittee and City staff recommend the City Council (1) adopt a Resolution amending City Council Policy Statement regarding the Mayoral Rotation and rescinding Resolution Nos. 2017-R015 and 2018-R055; and (2) adopt a Resolution amending City Council Policy Statement No. 4304 regarding Smoking in the Workplace (renamed *Smoke-Free Environment*).

BACKGROUND

On May 23, 2016, City Council created an Ad Hoc City Council Policies Subcommittee (“Subcommittee”) for the purpose of working with staff to conduct a comprehensive review of existing City Council policies and make recommendations to City Council as appropriate. The current Subcommittee consists of Mayor Sahli-Wells and Council Member Fisch.

At this time, the Subcommittee and City staff are recommending revisions to the following two City Council Policies: (1) *Mayoral Rotation*; and (2) *Smoking in the Workplace* (renamed *Smoke-free Environment*). The Subcommittee and staff will continue to review additional policies over the coming months.

DISCUSSION

Mayoral Rotation Policy

As part of the City Council Policies project, the Subcommittee reviewed the Mayoral Rotation Policy.

On February 27, 2017, at the recommendation of a former Subcommittee, the City Council adopted Resolution No. 2017-R015 (Attachment 1) adopting an amended City Council Policy entitled *Mayoral Rotation*, which replaced City Council Policy Statement 2010-01 and superseded all other previously adopted policies regarding this subject matter (“Mayoral Rotation Policy” or “Policy”).

At the June 25, 2018 City Council meeting, the City Council adopted Resolution No. 2018-R055 (Attachment 2), which (1) set aside the Mayoral Rotation Policy until such time as the City Council reinstates and/or amends the Policy; and (2) determined that the election of the positions of Mayor and Vice Mayor would be governed under the authority set forth in City Charter Section 606, until such time as the Policy was reinstated and/or amended. The City Council further directed the Subcommittee to review the 2017 Mayoral Rotation Policy and return to the City Council with recommendations.

The Subcommittee held multiple meetings with staff to review the 2017 Mayoral Rotation Policy over the course of the last several months. At its December 9, 2019 meeting, the City Council discussed the Subcommittee’s proposed Mayoral Rotation Policy and provided direction to return with a Resolution (Attachment 3) for adoption of the Policy.

The recommended Policy establishes (1) procedures for the timing of when the Mayor and Vice Mayor shall be elected (as well as the Chair and Vice-chair for all other legislative bodies), consistent

with the City Charter; and (2) procedures for the selection of a date for a ceremonial community swearing-in celebration by the newly elected Mayor to occur within 30 days after such election. The purpose of holding a ceremonial swearing in after the official election is to provide the newly elected Mayor an opportunity to invite family and friends to attend the ceremonial celebration.

Smoke-Free Environment

Existing City Council Policy Statement No. 4304 entitled *Smoking in the Workplace* (“Smoking Policy” or “Policy”) was reviewed as part of the City Council Policies project. The current Smoking Policy (Attachment 4) was adopted 25 years ago in 1995 and needs updating. Since 1995, state law and the Culver City Municipal Code (“CCMC”) have changed significantly with regard to smoking, and there is an abundance of new information regarding the health impacts of tobacco products.

In addition to general clarification, organization and clean-up of the Smoking Policy, the following is a summary of the key changes:

- Policy renamed *Smoke-Free Environment*;
- Added a new section of Definitions;
- Added additional background in the Statement of Policy section regarding existing state law and the CCMC in relation to smoking regulations;
- Clarified that employees are prohibited from using Electronic Smoking Devices (e-cigarettes) in addition to traditional Tobacco Products (as those terms are defined in the Policy);
- Clarified that Smoking is prohibited in all Work Areas, City Facilities and City Vehicles (as those terms are defined in the Policy); and
- Clarified that employees (in addition to potential disciplinary action) and members of the public found to be in violation of the Policy may also be subject to penalties under State law and the CCMC.

On February 13, 2020, the changes to the Policy were provided to the bargaining units for their information. Staff has not received any comments from the groups.

The Subcommittee and staff recommend the City Council adopt the proposed Resolution amending Policy 4304 (Attachment 5).

FISCAL ANALYSIS

There will be some costs associated with the implementation of the amended *Mayoral Rotation* policy, specifically as it relates to the ceremonial community swearing-in celebration by the newly elected Mayor each year. It is estimated the costs will range between \$3,000 - \$5,000. Funds will be included in City Council budget line item 10110000.XXXXX.

Regarding the *Smoke-Free Environment* policy, there is financial assistance available to an employee that desires to participate in a smoking cessation program. However, this was already included in the existing *Smoking in the Workplace* policy, so there is no additional fiscal impact associated with the adoption of the amended *Smoke-Free Environment* policy.

ATTACHMENTS

1. 2020-02-24_ATT - Existing Mayoral Rotation Policy
2. 2020-02-24_ATT - Resolution Setting Aside Existing Mayoral Rotation Policy
3. 2020-02-24_ATT - Proposed Resolution with Amended Mayoral Rotation Policy
4. 2020-02-24_ATT - Existing Smoking in the Workplace Policy
5. 2020-02-24_ATT - Proposed Resolution with Amended Smoke-Free Environment Policy

MOTION

That the City Council:

1. Adoption of a Resolution amending City Council Policy Statement regarding *Mayoral Rotation* and rescinding Resolution Nos. 2017-R015 and 2018-R055; and
2. Adoption of a Resolution amending City Council Policy Statement regarding *Smoke-Free Environment*.