



City of Culver City

Mike Balkman Council
Chambers
9770 Culver Blvd.
Culver City, CA 90232

Staff Report Details (With Text)

File #: 20-832 **Version:** 1 **Name:** Resolution Amending the Bylaws of the Committee on Homelessness
Type: Minute Order **Status:** Action Item
File created: 3/4/2020 **In control:** City Council Meeting Agenda
On agenda: 3/18/2020 **Final action:**
Title: CC - (1) Direction to the City Clerk Regarding 2020 Recruitment of the Committee on Homelessness Members; and (2) Direction to the Committee to Conduct a Comprehensive Review and Update of its Bylaws.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/18/2020	1	City Council Meeting Agenda		

CC - (1) Direction to the City Clerk Regarding 2020 Recruitment of the Committee on Homelessness Members; and (2) Direction to the Committee to Conduct a Comprehensive Review and Update of its Bylaws.

Meeting Date: March 18, 2020

Contact Person/Dept: Jeremy Green, City Clerk/Administrative Services

Phone Number: (310) 253-5859

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 (03/11/20, 03/16/20)

Department Approval: Serena Wright, Assistant City Manager (03/10/20)

RECOMMENDATION

Staff recommends the City Council (1) direct the City Clerk regarding the 2020 recruitment of Committee on Homelessness Members; and (2) direct the Committee to conduct a comprehensive review and update of its bylaws.

BACKGROUND

At its regular meeting on July 26, 2004 the City Council approved the formation of the Homelessness Ad Hoc Committee and adopted short-term and long-term strategies to address homelessness in the City. Since then, on April 22, 2008, the Ad Hoc Committee was fully established and recognized as the Culver City Committee on Homelessness (Committee). The Committee consists of seven (7) members who are residents and representatives from the Culver City business and service communities. Housing Division staff organizes and manages the meetings held every other month.

On August 22, 2011, City Council approved the bylaws for the Committee. The current bylaws state the terms of its Members shall be as follows:

B. Terms of Members

- i. Citizens appointed as Committee members shall serve terms of three or four years; limited to two consecutive terms.
- ii. All members shall serve at the pleasure of a majority of the City Council.
- iii. Of those first appointed, four members shall be for three-year terms and three members shall be for four-year terms.
- iv. The fiscal year of the Committee shall be July 1st - June 30th.

Those in Seats 1,4,6 were appointed to four-year terms and those in Seats 2, 3, 5, and 7 were appointed to three-year terms.

In 2020, it is the twelfth year since the adoption of the Committee's bylaws, and both the three- and four-year terms of all seven of the members will be ending. While some are able to apply for another term, some are termed out, in accordance with policy and practice.

Karlo Silbiger, current Chair of the Committee, brought this matter to the attention of staff.

DISCUSSION

Bylaws

After reviewing the matter, staff believes the intent of the bylaws was to have different term lengths of three or four years only for those first appointed, in order to stagger the terms, and that all subsequent appointments would be for four-year terms. This is consistent with the terms of other bodies such as the Finance Advisory Committee and General Plan Advisory Committee. However, in following the plain language of the bylaws, staff continued to maintain the three- and four-year terms even subsequent to the initial appointments.

Staff recommends, under these circumstances, the City Council consider potential options (discussed below) and provide direction to the City Clerk for recruiting the 2020 Members. Such direction will be incorporated into updated bylaws for City Council's consideration at a future meeting. The current bylaws are outdated and in need of a comprehensive review and update for, among other things, consistency with the bylaws of other boards and committees. It is recommended the Committee, working with Housing Division staff, conduct this review/update for consideration by the City Council during the first quarter of fiscal year 20-21.

Recruitment

With regard to certain members who have occupied three-year seats, they are not eligible to serve another term, as they have already served more than half of the three-year term. Such an interpretation is based on the terms limits imposed on commissioners, which are provided in Culver City Municipal Code Section 3.03.015.A (below). Subsection A provides (with regard to four-year terms) that a commissioner serving a partial term in excess of two years (more than one-half of the four-year term) will be considered to have served a full term. As a matter of policy and practice, the terms and term limits for all City committees are treated in a similar manner. Other committees have this provision in their bylaws; however, the Committee's bylaws are silent in this regard, which is another area in need of update.

- A. No person shall serve more than two consecutive full terms as Commissioner on any one (1) Commission. If a person serves a partial term in excess of two (2) years, it shall be considered a full term for the purpose of this provision.*

To synchronize with other committees, City Council may consider several actions for the 2020 recruitment of members for the Committee on Homelessness:

1. Require all those with terms ending to either reapply if they are eligible for another term or be termed out. In this case, it is recommended that three members be appointed for three-year terms and four members be appointed for four-year terms, in order to effectuate the original intent of the bylaws by providing staggered terms.
2. Extend by one additional year the term of the four members who are currently ending a three-year term and appoint three members to serve new four-year terms. This will also effectuate the intent of staggered terms.
3. Another option as deemed appropriate by the City Council.

If the first option is selected, then current members Mark Lipman (Seat 7), John Helyar (Seat 3), and Collette Hanna (Seat 2) will be able to reapply for another term of three years and Karlo Silbiger (Seat 4) will be able to apply for four years. Ira Diamond (Seat 1) and Deborah Wallace (Seat 6) both of whom served two four-year terms will term out in either option 1 or 2.

Kim Gibson (Seat 5), completed a partial 3-year term of 2 years which was considered a full term because it was more than half the length of the term and second full three-year term. In option 1, Ms. Gibson's term limit would be considered reached. In option 2, Kim Gibson's term would be extended by one additional year and then she would be termed out. Similarly, Collette Hanna (Seat 2), John Helyar (Seat 3) and Mark Lipman (Seat 7) would have their three-year terms extended by one additional year and would be eligible to reapply in 2021 for another four year term.

FISCAL ANALYSIS

None.

ATTACHMENTS

None.

MOTION

That the City Council:

1. Provide direction to staff regarding 2020 recruitment of members; and
2. Provide direction to the Committee to work with Housing staff to conduct a comprehensive review and update of its bylaws for consideration by the City Council during the first quarter of fiscal year 20-21.