



# City of Culver City

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## Staff Report

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**PRCSC - (1) Discussion of the Powers and Duties of the Parks, Recreation and Community Services Commission as Provided for in Accordance with the Culver City Municipal Code; and, (2) Review of the Bylaws of Selected California Commissions.**

**Meeting Date:** October 3, 2017

**Contact Person/Dept:** Patricia Mooney/PRCS Department-Administration  
**Phone Number:** (310) 253-6655

**Fiscal Impact:** Yes ☐ No ☒

**General Fund:** Yes ☐ No ☐

**Public Hearing:** ☐ **Action Item:** ☒ **Attachments:** ☒

**Public Notification:** (Email) Meetings and Agendas - Parks, Recreation and Community Services Commission (09/27/17); (Email) Parks, Recreation & Community Service Department Updates (09/27/17)

**Department Approval:** Shelly Wolfberg, Assistant to the City Manager (09/27/17)

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### **RECOMMENDATION**

Staff recommends the Parks, Recreation and Community Services Commission [Commission] (1) discuss the Powers and Duties of the PRCSC as provided for in accordance with the Culver City Municipal Code; and, (2) review the bylaws of selected California Commissions.

### **BACKGROUND**

At the September 5, 2017 meeting, the Commission agendaized a discussion regarding the Powers and Duties of the Parks, Recreation and Community Services Commission as provided for in accordance with the Culver City Municipal Code (CCMC) and a review of the bylaws of other commissions for this evening's meeting. The PRCSC is supported by the Administrative Division of the Parks, Recreation and Community Services (PRCS) Department. Guidelines for the Commission's interaction with City staff are outlined in Section VI of the *City Council Policy Regarding Commissions, Boards and Committees* which was recently updated and adopted by the City Council on September 25, 2017 (Attachment 1; City Council Policy Number TBD; referred to as the "CBC Policy"). The Commission's name and duties have been modified over the years to reflect the scope of responsibilities of the PRCS Department, as follows:

1969 - 1979: Park and Recreation Department / Park and Recreation Commission

1979 - 2002: Human Services Department / Human Services and Park Commission

2002 - 2008: Parks, Recreation and Community Services Department / Parks and Recreation Commission

2008 - Present: Parks, Recreation and Community Services Department / Parks, Recreation and Community Services Commission

Per the 2008 staff report on the renaming of the Commission, the primary reason for the change at that time was so the Commission's name would be consistent with that of the Department that supports it.

## **DISCUSSION**

### **Parks, Recreation and Community Services Commission - General Provisions**

The *General Provisions* for Commissions and Agencies are set forth in *Culver City Municipal Code (CCMC) § 3.03.005 through § 3.03.035* (Attachment 2) and include creation; composition; eligibility; compensation; terms and term limits of members; removal/forfeiture; meeting related matters; compliance with laws; and City Council's authority to retain jurisdiction over commission matters.

### **Parks, Recreation and Community Services Commission - Powers and Duties**

The PRCSC is charged with specific powers and duties set forth in *CCMC § 3.03.300*, which provides the following:

The Parks, Recreation, and Community Services Commission shall have the following powers and duties:

- A. Act in an advisory capacity to the City Council and City Manager on matters pertaining to public recreation, parks, recreation/community center facilities, open space and tree programs, where such trees are located in parks and open space, playgrounds, and music and entertainment as may from time to time be performed in the City's parks;
- B. At the direction of the City Council or the City Manager, assist staff assigned to review the requirements of the City for facilities relating to the functions set forth in division A., and to make recommendations related to the adoption and updating of City master plans relating to parks, recreation, and open space;
- C. At the direction of the City Council or the City Manager, recommend programs and plans designed to promote the full acceptance of all citizens in all aspects of community life, without regard to race, religion, gender, sexual orientation, age, or national origin;
- D. At the direction of the City Council or the City Manager, recommend and support program policies relating to various community service functions of the City, including, but not limited to, programs for youth, teens, seniors, and people with special needs;
- E. At the direction of the City Council or the City Manager, balance program and project recommendations by applying realistic expectations of budgetary and staffing resources, environmental sustainability, neighborhood compatibility, and other relevant factors; and
- F. Perform such other duties, not inconsistent with the City Charter or this Code, as may be prescribed by ordinance, resolution, City Council policy or other City Council action.

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At the September 5, 2017 meeting, a question was raised regarding the definition of "Community Services" as it relates to the Commission and its Powers and Duties. Although the term "Community Services" is not defined explicitly in the Powers and Duties, functional definitions of terms such as this are outlined. For example, subsection C outlines the Human Relations function of the Commission and subsection D outlines the Community Services function of the Commission. These types of functional, rather than explicit, definitions are consistent with those found in the powers and duties of other California cities' commissions, such as Los Alamitos (Attachment 3) and West Covina (Attachment 4).

Review of the Bylaws of Selected California Commissions

In general, an organization's bylaws are the rules and regulations set forth to provide a framework for its operations. Bylaws for Culver City Commissions are adopted by resolution of the City Council. Culver City Commissions are not required to have bylaws. Of the City's four Commissions, currently only the Planning Commission has bylaws (Attachment 5). Although it does not have bylaws, the authority and operation of the Civil Service Commission is set forth in the *Civil Service Rules*. The *Civil Service Rules* are ninety-six (96) pages in length and are posted on the City's website at:

<http://www.culvercity.org/home/showdocument?id=1564>. In addition, the Landlord-Tenant Mediation Board (LTMB), Finance Advisory Committee (FAC), the Disability Advisory Committee (DAC) and the Fiesta La Ballona Committee (FLBC) have established bylaws (Attachments 6, 7, 8 and 9, respectively).

If a Culver City Commission is interested in preparing bylaws, City Council approval of the project must first be granted before the process can begin. After approval is given by the City Council, typical steps in the process might include: (a) forming an Ad Hoc Subcommittee to draft the bylaws, (b) at a noticed public Commission meeting, presenting the draft bylaws for the Commission's consideration and recommendation to the City Council for adoption, and (c) adoption of a resolution by the City Council establishing the bylaws.

For the Commission's review, staff has attached the bylaws of selected California Commissions (Attachments 10 through 14). The bylaws were acquired through online research and by using the California Park and Recreation Society (CPRS) Administrator's Listserv as a resource. A body's powers and duties are often included in the bylaws. In Bylaws Attachments 10 through 14, each commission's powers and duties can be found on the following pages within the documents:

- Attachment 10 - Bylaws: Dublin, CA, Parks and Community Services Commission, page 3
- Attachment 11 - Bylaws: Hayward, CA, Community Services Commission, pages 1 & 2
- Attachment 12 - Bylaws: La Mirada, CA, Community Services Commission, page 2
- Attachment 13 - Bylaws: San Bruno, CA, Parks and Recreation Commission, pages 4 & 5
- Attachment 14 - Bylaws: Santa Cruz, CA, Parks and Recreation Commission, page 4

The San Bruno Parks and Recreation Commission Bylaws begins with the following statement:

***Purpose and Intent.*** *The membership and duties of the Parks & Recreation Commission (the "Commission") are prescribed in the San Bruno Municipal Code. These Bylaws set forth the procedural rules for the conduct of Commission meetings.*

A brief review of the Bylaws Attachments 8 through 12 confirms that some bylaws contain the procedural rules for the conduct of meetings. For the City of Culver City, rules for the conduct of individual Commissioners, the Commissions as advisory bodies to the City Council and Commissioner Conduct at meetings are all set forth in the CBC Policy (Attachment 1). In addition, information regarding *Robert's Rules of Order*, ethics and the role of the Commission Chair is included in the PRCS Department's *New Commissioner Packet*.

It should be noted, although the bylaws for the City's LTMB, FAC, DAC and FLBC set forth the purpose, role and duties of those bodies (in addition to meeting procedures), that it is because the duties for these bodies are not established by the CCMC.

It is also important to note that any bylaws created by any Commission, Board or Committee must be consistent with the CCMC and the CBC Policy.

**FISCAL ANALYSIS**

There is no fiscal impact associated with the discussion of this Agenda Item.

### **ATTACHMENTS**

1. 2017-10-03 - ATT 1 City Council Policy Regarding Culver City Commissions, Boards and Committees (CBCs)
2. 2017-10-03 - ATT 2 Culver City Municipal Code (CCMC) General Provisions for Commissions and Agencies: § 3.03.005 through § 3.03.035
3. 2017-10-03 - ATT 3 Powers & Duties: Los Alamitos, CA, Parks, Recreation and Cultural Arts Commission (PRCAC)
4. 2017-10-03 - ATT 4 Powers & Duties: West Covina, CA, Community and Senior Services Commission (CSSC)
5. 2017-10-03 - ATT 5 Bylaws: Culver City Planning Commission (PC)
6. 2017-10-03 - ATT 6 Bylaws: Culver City Landlord-Tenant Mediation Board (LTMB)
7. 2017-10-03 - ATT 7 Bylaws: Culver City Finance Advisory Committee (FAC)
8. 2017-10-03 - ATT 8 Bylaws: Culver City Disability Advisory Committee (DAC)
9. 2017-10-03 - ATT 9 Bylaws: Culver City Fiesta La Ballona Committee (FLBC)
10. 2017-10-03 - ATT 10 Bylaws: Dublin, CA, Parks and Community Services Commission (PCSC)
11. 2017-10-03 - ATT 11 Bylaws: Hayward, CA, Community Services Commission (CSC)
12. 2017-10-03 - ATT 12 Bylaws: La Mirada, CA, Community Services Commission (CSC)
13. 2017-10-03 - ATT 13 Bylaws: San Bruno, CA, Parks and Recreation Commission (PRC)
14. 2017-10-03 - ATT 14 Bylaws: Santa Cruz, CA, Parks and Recreation Commission (PRC)

### **MOTIONS**

That the Parks, Recreation and Community Services Commission:

1. Discuss the powers and duties of the Parks, Recreation and Community Services Commission as provided for in accordance with the Culver City Municipal Code; and,
2. Review the bylaws of selected California Commissions.