

RESOLUTION NO. 2020-R098

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING THE BYLAWS OF THE EQUITY AND HUMAN RELATIONS ADVISORY COMMITTEE.

WHEREAS, the Equity and Human Relations Advisory Committee (EHRAC) was established by the City Council on January 27, 2020, in order to recommend programs, policies, and activities that promote positive human relations and equitable outcomes and opportunities in all aspects of community life; and

WHEREAS, the EHRAC's purpose, organization, duties, offices, meetings, staff support, and the qualifications of the members are governed by the EHRAC's Bylaws, which were approved by the City Council on January 27, 2020 and amended on July 13, 2020; and

WHEREAS, the City Council delegated to the City Council Ad Hoc Equity Subcommittee ("Subcommittee") the task of reviewing the process by which City employees are selected to fill the Labor seat on various City bodies, including the EHRAC; and

WHEREAS, the Bylaws of the EHRAC currently provide for one Labor seat with a one-year term; and

WHEREAS, the Subcommittee has recommended that employees who are interested in serving on the EHRAC and are members of one of the six bargaining groups in the City may submit an application directly to the City Clerk's office to be considered by the City Council for the designated Labor seat; and

WHEREAS, the Subcommittee further recommends that the Bylaws be additionally amended to reflect that any resident of the City may submit an application for one of the seven Member-at-Large seats, to be consistent with the January 27, 2020 amendment to the eligibility requirements in the City Council Policy on City Commissions, Boards and Committees; and

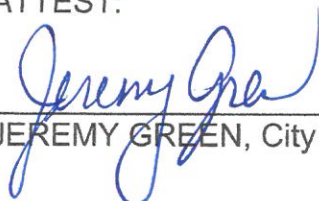
1 WHEREAS, the Bylaws of the EHRAC may only be revised by resolution of
2 the City Council.

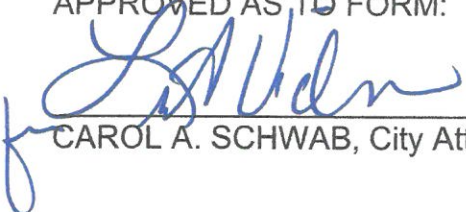
3 NOW, THEREFORE, the City Council of the City of Culver City, California,
4 DOES HEREBY RESOLVE as follows:

5 The proposed Equity and Human Relations Advisory Committee Bylaws,
6 attached hereto as Exhibit A and incorporated herein by this reference, are hereby
7 approved and may only be amended by resolution of the City Council.

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9 APPROVED and ADOPTED this 26th day of October, 2020.

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12 _____
13 GÖRAN ERIKSSON, Mayor
City of Culver City, California

14 ATTEST:
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16 _____
17 JEREMY GREEN, City Clerk

18 APPROVED AS TO FORM:
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21 CAROL A. SCHWAB, City Attorney

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**BYLAWS OF THE CULVER CITY
EQUITY AND HUMAN RELATIONS ADVISORY COMMITTEE**

I. PURPOSE AND OBJECTIVES

The purpose and objectives of the Equity and Human Relations Advisory Committee ("Committee") are as follows:

- A. Serve as an advisory body to the City Council or the City Manager to recommend programs, policies and activities that promote positive human relations and equitable outcomes and opportunities in all aspects of community life;
- B. At the direction of the City Council or the City Manager:
 - 1. Recommend programs, policies and activities designed to promote the full acceptance of all people in all aspects of community life, without regard to race, religion, gender, gender identity, sex, sexual orientation, age, disability, immigration status, citizenship, color, ethnicity, or national origin, ancestry, gender expression, socioeconomic status, income or other protected categories or personal characteristics; and
 - 2. Recommend programs, policies and activities designed to reduce discrimination, increase cultural competency, improve intergroup relations, and promote civil and human rights for all; and
 - 3. Identify, track and report on existing and emerging related issues stemming from complaints from residents and visitors concerning interactions with City employees, elected and appointed officials, City contractors and City volunteers.
- C. Hold public meetings on community-wide problems arising in the City which may result in intergroup tensions or discrimination because of actual or perceived biases based on race, religion, gender, gender identity, sex, sexual orientation, age, disability, immigration status, citizenship, color, ethnicity, or national origin, ancestry, gender expression, socioeconomic status, income or other protected categories or personal characteristics;
- D. Prepare and disseminate educational and informational material relating to prejudice, discrimination and inequity, and ways and means of eliminating such prejudice, discrimination and inequity;

- E. Assist the general public by providing information regarding the appropriate process to file a complaint concerning perceived discriminatory interactions between City employees and the public;
- F. Prepare and submit to the City Council an annual report on its progress in accomplishing the approved workplan; and
- G. Perform such other duties, not inconsistent with the City Charter or the Culver City Municipal Code, as may be prescribed by ordinance, resolution, City Council policy or other City Council action.

II. COMMITTEE ORGANIZATION

A. Composition

- 1. The Committee shall consist of 9 members appointed by the City Council as follows:
 - Seven Members-at-Large
 - One Labor Representative
 - One Youth Representative
- 2. Members-at-Large shall be residents of the City.
- 3. The Labor Representative shall be a member of one of the City's six recognized bargaining units.
- 4. Employees who are members of the Culver City Employee's Association, the Culver City Firefighter's, the Culver City Police Officer's Association, the Culver City Management Group, the Culver City Police Management Group, or the Culver City Fire Management Group may submit an application directly to the City Clerk's Office to be considered for the one (1) designated Labor seat.

B. Qualification and Selection of Committee Members

- 1. City Council's goal and desire is to appoint committee members that represent the broad diversity of the Culver City community.
- 2. Committee Members shall not be an elected or appointed official of the City, a City employee (unless appointed to the Labor Representative seat).

C. Terms of Office

1. Committee Members shall serve as follows:

- a. Members-at-Large: Initially, Members occupying the odd-numbered seats (1, 3, 5 and 7) shall each serve a three-year term, expiring on June 30, 2023; and Members occupying the even-numbered seats (2, 4 and 6) shall each serve a four-year term, expiring on June 30, 2024. Thereafter, all Members shall serve overlapping four-year terms. Members shall serve a maximum of two terms. If a Member serves a partial term in excess of two years, it shall be considered a full term for the purpose of these Bylaws.
- b. Labor Representative: This Member shall serve a one-year term, and shall serve a maximum of two consecutive terms. If a Member serves a partial term in excess of six months, it shall be considered a full term for the purpose of these Bylaws.
- c. Youth Representative: This Member shall serve a one-year term, and shall serve a maximum of two consecutive terms. If a Member serves a partial term in excess of six months, it shall be considered a full term for the purpose of these Bylaws.

2. All Committee Members shall serve at the pleasure of the City Council and may be removed at any time, and without cause, by a majority vote of the City Council.

D. Absence of Committee Members

The name of any Committee Member who within any twelve-month period has more than two unexcused absences from regular meetings of the Committee, shall be referred to the City Council for consideration of removal. The Committee shall determine whether a Committee Member's absence is excused or unexcused.

E. Appointments to Fill Vacancies

If a vacancy occurs, the City Council may, but shall not be required to, appoint a qualified replacement. Such qualified replacement shall serve for the unexpired term for that seat. Upon expiration of such unexpired term,

the incumbent may apply for re-appointment by the City Council.

F. Compensation

Committee Members shall serve without compensation.

G. Training

Committee Members must complete mandatory training within 60 days of appointment. Committee Members shall coordinate such training through the Staff Liaison.

III. OFFICERS

A. Designation of Officers

At each meeting in July, the Committee shall elect its officers consisting of a Chair and Vice-Chair, both of whom shall serve at the pleasure of the Committee.

B. Duties of the Officers

1. The Chair shall preside at all Committee meetings.
2. The Vice-Chair shall perform the duties of the Chair in their absence.

IV. MEETINGS

A. Regular Meetings

The Committee shall meet on a quarterly basis, or as needed, on the 4th Tuesday of the months of July, October, January and April at a time and place to be decided by the Committee. Regular meetings may be rescheduled by the Staff Liaison when necessary. Regular meetings may be cancelled by the Staff Liaison, in consultation with the Chair. The Committee may form Ad Hoc Subcommittees to meet and discuss special activities, events and topics on an as needed basis.

B. Special Meetings

Special meetings may be called at any time by the Chair or a quorum of the Committee.

C. Brown Act

All meetings shall be called, noticed, held, and conducted in accordance

with the provisions of the Ralph M. Brown Act (commencing with California Government Code Section 54950). All meetings, including study sessions and workshops, shall be open and public. A quorum of Committee Members shall not discuss Committee business except at an open and public meeting. Furthermore, regular meeting agendas shall be posted in a public place at least 72 hours in advance of the meeting, and special meeting agendas shall be posted in a public place at least 24 hours in advance of the meeting, and discussion shall be limited to the topics on the agenda.

D. Quorum and Voting

A majority of Committee Members shall constitute a quorum. Each Committee Member shall be entitled to one vote. Approval of any matter requires an affirmative simple majority vote of the Committee Members present. Abstention is not considered voting. As the Committee is strictly advisory, voting shall be on matters of recommendation to City Council and shall not constitute the final approval of the recommended action.

E. Conduct of Meetings

The latest edition of *Robert's Rules of Order* (or similar rules of parliamentary procedure, e.g. Rosenberg's Rules of Order) shall constitute the parliamentary guidelines for transaction of the Committee's business. Where there is a conflict between the parliamentary guidelines and these Bylaws, the Bylaws shall have precedence. Failure to strictly follow parliamentary guidelines shall not invalidate any action of the Committee.

F. Placing Items on an Agenda

Consensus among a majority of the Committee Members present and voting must exist in order to place an item on a future agenda for discussion or to request research by staff.

G. Consent Calendar

A Consent Calendar for approval of routine items may be used, including but not limited to the adoption of the minutes, the designation of dates for various matters to be heard, and other items, as determined by the staff liaison. The Committee shall adopt the Consent Calendar by a majority vote.

H. Packet Preparation and Distribution

Packets for Committee Members will be delivered electronically by staff the week before the meeting. Each regular packet will include an agenda and

staff reports describing topics for review. The packet materials will be organized in order of agenda reference. Agendas are posted at City Hall and on the City's website.

I. Committee Report

At the Regular Meetings, the Committee shall receive statistical reports from the staff liaison on public complaints received pertaining to allegations of discrimination, harassment or retaliation by City employees.

V. DUTIES

A. Role

1. Committee Members primary role is to carry out the purpose and objectives outlined in the Bylaws.
2. Committee Members shall advise the City Council and/or City Manager based on the specific tasks or duties approved by the City Council.
3. City Staff shall determine the method and frequency of reporting back to City Council.
4. The duties and responsibilities of the Committee is subject to all applicable laws, including but not limited to, the City Charter, the Culver City Municipal Code, State and Federal Privacy and Employment Laws, and other applicable laws and regulations.

B. Council Liaison

The Committee may designate, on an as-needed basis, one of its Members to act as liaison to the City Council to report on the Committee's activities.

VI. CONFIDENTIALITY

Committee Members understand and acknowledge that any employee-related information received may be privileged and confidential and shall not be shared with anyone other than the Staff Liaison, City Attorney, City Manager and/or City Council.

VII. STAFF SUPPORT

A. The City's Human Resources and Equity Manager (HREM), or designee, shall act as Staff Liaison to the Committee and shall:

1. Respond to requests for information; and,

2. Provide technical assistance to the Committee; and,
 3. Receive and complete intake regarding alleged complaints of discrimination, harassment and retaliation, and investigate such complaints with the assistance of other City staff members and/or external investigators; and,
 4. Take minutes, and coordinate with the Chair on the preparation and dissemination of required reports; and,
 5. Perform follow-up activity deemed necessary by the Committee and consistent with adopted Bylaws; and,
 6. Subject to confidentiality, report to the Committee at its Regular Meetings statistical information regarding complaints received pertaining to discrimination, harassment or retaliation.
- B. If there is a determination that a request for research by the Committee is not within the Committee's duties as stated in these Bylaws, or that the request requires dedication of staff time that is not available, the HREM shall confer with their department head. In accordance with Council policy, the City Manager shall make the final decision to provide staff support. The Committee may appeal the City Manager's decision to the City Council.

VIII. AMENDMENT TO BYLAWS

These Bylaws may only be amended by resolution of the City Council.

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CULVER CITY)

Certification of Resolution No. 2020-R 098

I, Jeremy Green, City Clerk of the City of Culver City, do hereby certify that the foregoing Resolution was duly passed, approved, and adopted at a regular meeting of the City Council, which was held on the 26th day of October 2020, at the Mike Balkman Council Chambers by the following vote:

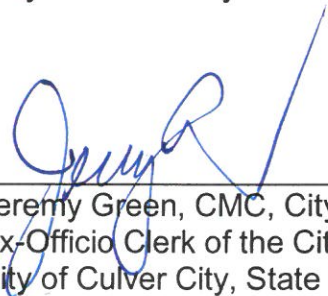
AYES: Eriksson, Fisch, Lee, Sahli-Wells, Small

NOES: None

ABSENT: None

ABSTAIN: None

Certified on this 26th day of October 2020, at the City of Culver City.



Jeremy Green, CMC, City Clerk
Ex-Officio Clerk of the City Council
City of Culver City, State of California