REPORT TO LAW & LEGISLATION COMMITTEE
City of Sacramento

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Consent
April 21, 2009

Honorable Members of the
Law and Legislation Committee

Title: Amend City Code Chapter 2.62 Relating to the Parks and Recreation Commission Membership

Location/Council District: Citywide

Recommendation: Review an Ordinance amending City Code Section 2.62.020 relating to membership requirements of the Parks and Recreation Commission, and direct that the issue be presented to the full City Council for adoption.

Contact: Stephanie Mizuno, Assistant City Clerk, 808-7200
Marcy Tierce, Administrative Analyst, 808-5129

Presenters: N/A

Department: City Clerk's Office and Parks and Recreation Department

Division: N/A

Organization No: 04001011/19001011

Description/Analysis

Issue: The Parks and Recreation Commission is comprised of 11 members, appointed by the mayor with the approval of a majority of the city council. City Code section 2.62.020 currently provides that one resident shall be appointed from each of the City's 11 community plan areas. However, the City's 2030 General Plan adopted on March 3, 2009, changed the community plan area boundaries and reduced the number of plan areas from 11 to 10. This change has several affects: 1) two Commission members no longer qualify for the seats to which they were appointed (residency in a particular community plan area is required for continued membership); 2) the reference in Section 2.62.020 to the City's "11" community plan areas is no longer accurate; and, 3) there is no residency or other membership requirement for the one member of the commission who is not appointed to represent one of the 10 plan areas.

Policy Considerations: Modifying the City Code is appropriate to align the Commission's membership requirements with the new community plan areas as adopted in the 2030 General Plan. No change to the Commission's responsibilities or authority is proposed in this action.

Environmental Considerations: None.

California Environmental Quality Act (CEQA): None.

Sustainability Considerations: None.

Commission/Committee Action: On April 2, 2009, the Parks and Recreation Commission (PRC) supported an amendment to City Code Section 2.62.020 relating to membership requirements of the PRC to continue representation by community planning area, and to add an at-large position to maintain an odd number of total positions. Further, the PRC recommended the City Council streamline the appointment process by reappointing the incumbents in the reconfigured community planning areas 4 and 5, as opposed to opening an application period for these two areas. (Ayes: 6; Nayes: 1)

Rationale for Recommendation: To update the membership requirements in Section 2.62.020 to account for changes resulting from adoption of the City's 2030 General Plan.

Financial Considerations: None.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted: Marcy Tierce
Marcy Tierce
Administrative Analyst

Respectfully Submitted: S. Mizuno
Stephanie Mizuno
Assistant City Clerk

Approved: Shirley Concolino
Shirley Concolino
City Clerk

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ATTACHMENT 1

Background:

In 2004, the City Council formed the Parks and Recreation Commission. The Commission consists of 11 members, appointed by the mayor with the approval of a majority of the city council, with the requirement that one resident shall be appointed from each of the City's 11 community plan areas. On March 3, 2009, the City Council adopted the 2030 General Plan which reduced the number of plan areas from 11 to 10 and modified the community plan area boundaries.

As a result of this change, the requirement in City Code section 2.62.020 that "[o]ne resident shall be appointed from each of the city's eleven (11) community plan areas" no longer accurately reflects the number of plan areas identified in the City's General Plan. Furthermore, although the number of plan areas has been reduced from 11 to 10, the number of commission members remains at 11. This means there is no residency or other membership requirement for the one member of the commission who is not appointed to represent one of the 10 plan areas. To resolve these issues, staff recommends that Section 2.62.020 be modified to reference the City's 10 plan areas and that the eleventh commission member be designated an at-large member with the requirement that such member must be a resident of the City.

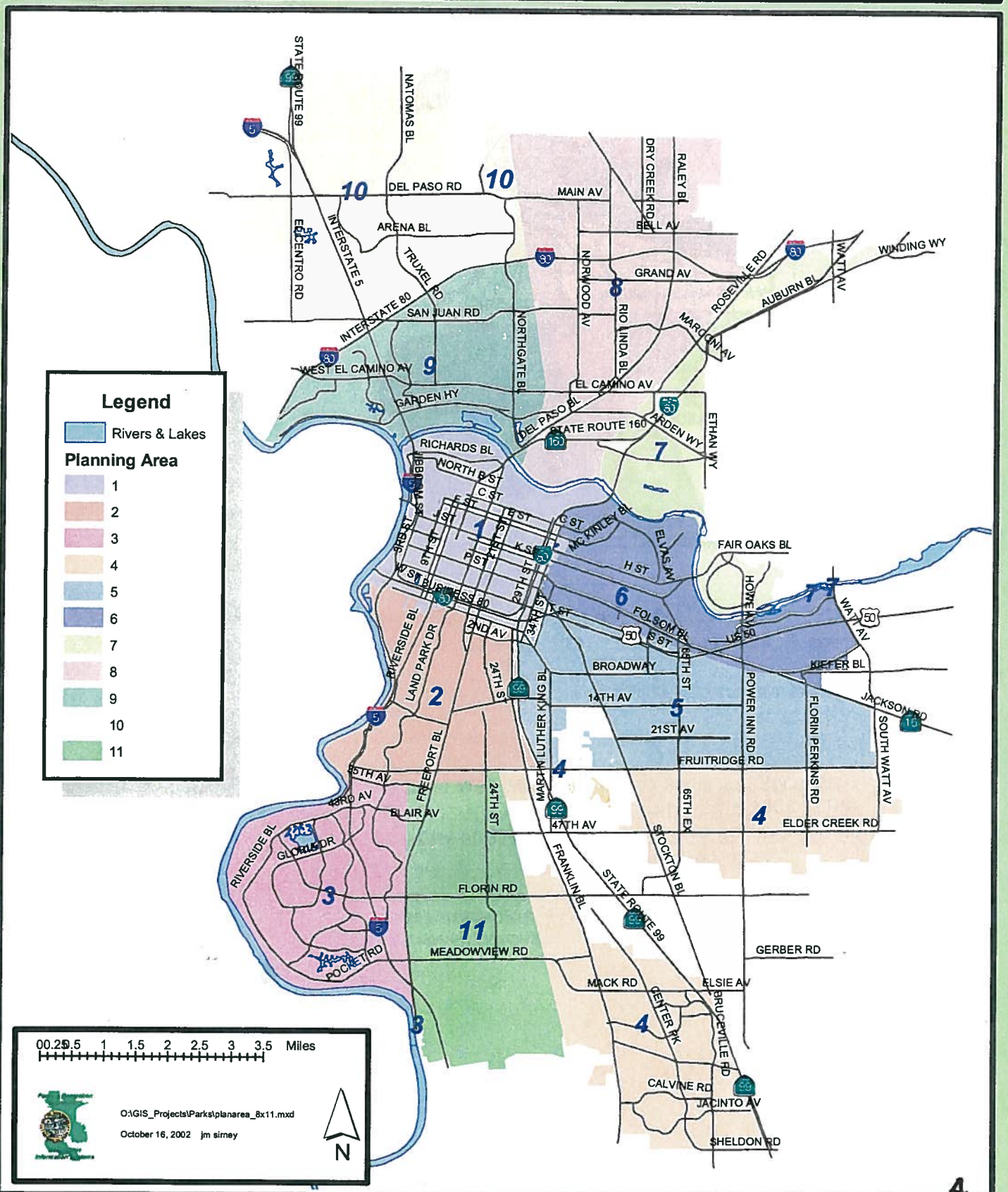
In addition to reducing the number of plan areas, the 2030 General Plan also realigned the boundaries of some plan areas. Specifically, area 11 was incorporated into area 4, and the northeast portion of area 4 was incorporated into area 5 (attachment 2). The members who were appointed from the former areas 4 and 11 no longer reside in their appointed plan areas as a result of the change to the General Plan. The area 5 seat is currently vacant. Both displaced members are eligible to re-apply for available seats under the new plan area configuration.

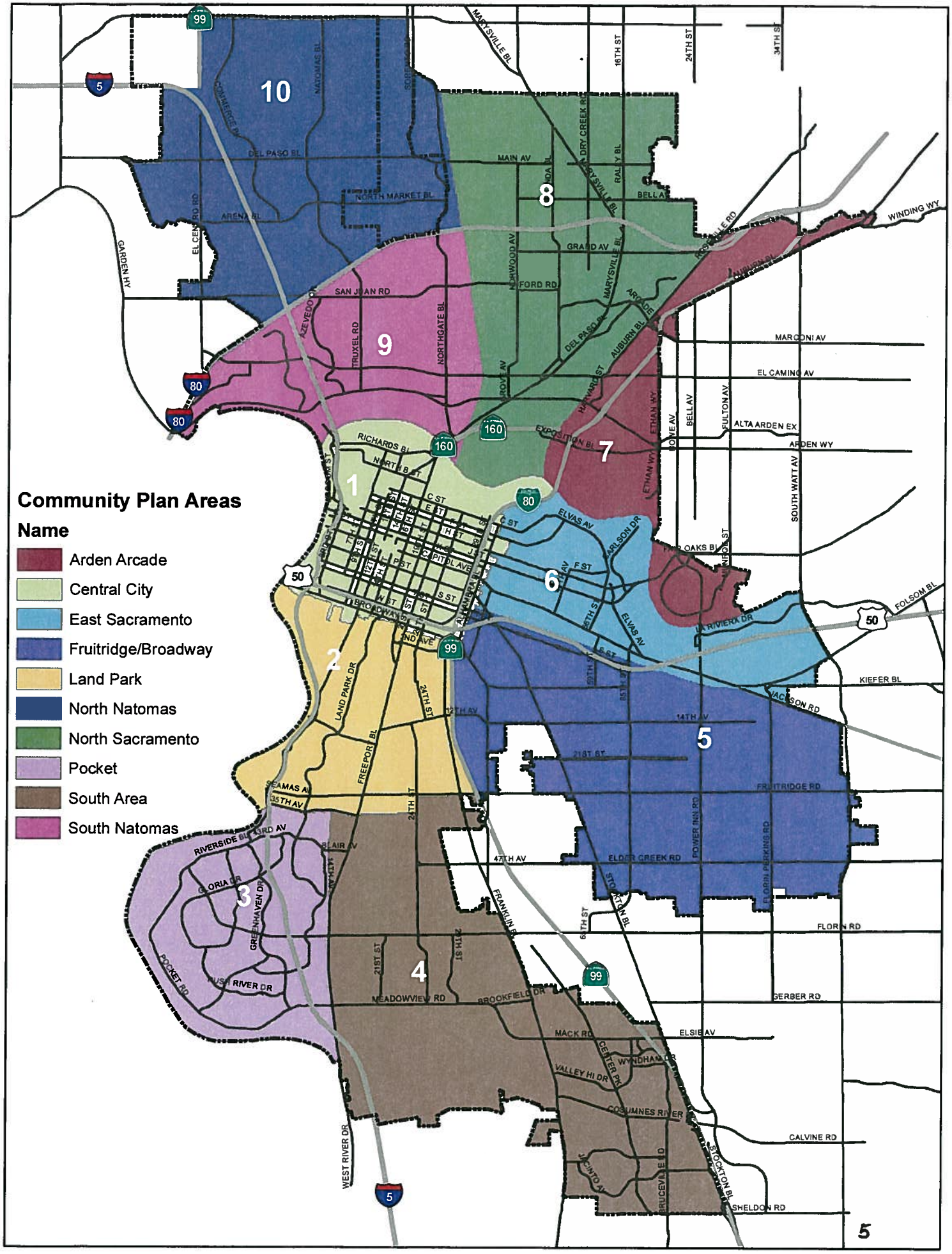
To ensure that the displaced incumbent members have an opportunity to continue service, and to allow other residents an opportunity to apply under the revised plan areas, an application period will be opened for areas 4, 5 and at-large. After the application period closes, the Clerk's Office will forward the applications to the Personnel and Public Employees Committee for consideration under the normal review process.

For purposes of transparency and process integrity, staff does not support the PRC's recommendation to reappoint the incumbents without an open application period. Maintaining the normal open application process will ensure that all interested individuals are given equal and fair consideration.

As a final modification to City Code Section 2.62.020 the second and third paragraphs are being deleted (pg. 6) as the language is no longer relevant.

City of Sacramento
Department of Parks and Recreation
Community Planning Areas




Community Plan Areas
Name
Arden Arcade
Central City
East Sacramento
Fruitridge/Broadway
Land Park
North Natomas
North Sacramento
Pocket
South Area
South Natomas
1
2
3
4
5
6
7
8
9
10
DEL PASO BL
MAIN AV
NORTH MARKET BL
ARENA BL
GRAND AV
FORD RD
SAN JUAN RD
MARCONI AV
EL CAMINO AV
ALTA ARDEN EX
ARDEN WY
RICHARDS BL
NORTH B ST
C ST
ELVAS AV
CAPITOL AVE
BROADWAY
LA RIVIERA DR
FOLSOM BL
KIEFER BL
JACKSON RD
14TH AV
21ST ST
FRUITRIDGE RD
ELDER CREEK RD
FLORIN RD
GERBER RD
ELSIE AV
CALVINE RD
SHELDON RD
MEADOWVIEW RD
BROOKFIELD DR
MACK RD
VALLEY HI DR
COSUMNES RIVER
RUSH RIVER DR
POCKET RD
GREENHAVEN DR
GLORIA DR
RIVERSIDE BL
43RD AV
35TH AV
SEAMAS AV
BLAIR AV
FREEPORT BL
LAND PARK DR
24TH ST
12TH AV
47TH AV
FRANKLIN BL
STOCKTON BL
POWER INN RD
FLORIN PERKING RD
WEST RIVER DR
SOUTH WATT AV
FULTON AV
BELL AV
ETHAN WY
ARCADE
AUBURN BL
HARVARD ST
EXPOSITION BL
ELVAS AV
CARLSON DR
FAIR OAKS BL
MARYSVILLE BL
NORTHGATE BL
NORWOOD AV
TRUXEL RD
AZEVEDO DR
GARDEN HY
EL CENTRO RD
NATOMAS BL
COMMERCE PK
SOPERTON RD
16TH ST
24TH ST
34TH ST
WINDING WY
ROSEVILLE RD
BELL AV
RALLY BL
DRY CREEK RD
MARYSVILLE BL
GROVE AV
HARVARD ST
ARCADE
BOWE AV
MINNOLA ST
99
5
80
160
50

ATTACHMENT 3

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING SECTION 2.62.020 OF THE SACRAMENTO CITY CODE RELATING TO MEMBERSHIP QUALIFICATIONS FOR THE PARKS AND RECREATION COMMISSION

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

Section 2.62.020 of Chapter 2.62 of the Sacramento City Code is amended to read as follows:

2.62.020 Membership

The parks and recreation commission shall be comprised of eleven (11) members, appointed by the mayor with the approval of a majority of the city council. One resident shall be appointed from each of the city's ~~eleven (11)~~ ten (10) community plan areas, shall reside in the community plan area which he or she represents, and shall serve only so long as he or she remains a resident of theat community plan area. One (1) member shall be appointed to represent the community at large, shall reside in the city and shall serve only so long as he or she remains a resident of the city. Members shall serve a term of four years. No member shall serve for more than two consecutive terms. In the event a vacancy occurs, the mayor, with the approval of a majority of the city council, shall appoint a successor to serve the unexpired term. A member shall serve until his or her successor has been appointed.

~~In order to establish staggered terms, the initial appointments of each member from community plan areas 1, 3, 5, 7, 9, and 11 shall be for a four-year term, and the initial appointments of each member from community plan areas 2, 4, 6, 8, and 10 shall be for a two-year term. An initial term of two years shall constitute a full term when calculating the two-consecutive-term limit.~~

~~The Parks and Recreation Citizens' Advisory Committee shall continue to function until members of the commission have been appointed and the first meeting of the commission with a quorum convenes, and shall at that time be dissolved. Membership on the Parks and Recreation Citizens' Advisory Committee shall not be considered when determining length of membership on the commission.~~