

J. Hittree King
CITY ATTORNEY

ORDINANCE No. 11731 C. M. S.

**ORDINANCE ADOPTED PURSUANT TO ARTICLE VI OF
THE CITY CHARTER AMENDING ORDINANCE NO. 8065
C.M.S. ESTABLISHING THE PARKS AND RECREATION
ADVISORY COMMISSION**

WHEREAS, the Parks and Recreation Advisory Commission (Commission) was established by the City Council of the City of Oakland on November 13, 1969 by Ordinance No. 8065 C.M.S., for the purpose of researching and formulating policy recommendations and plans for the future development of the Office of Parks and Recreation (OPR) and advising the City Manager and City Council on matters affecting the operation of the OPR and their facilities, functions, exhibits and duties; and

WHEREAS, at a Special Meeting of the City Council convened on or about April 26, 1994, the City Council determined that existing boards and commissions should be amended to incorporate uniform requirements regarding the selection of members, the duties of said members, and the general responsibilities of boards and commissions. and

WHEREAS, in the interest of expanding and broadening representation for all groups with an interest in matters related to the City's parks and recreation areas, membership to the Commission should be expanded to eleven (11) members.

The Council of the City of Oakland does ordain as follows:

Section 1. The duties and functions of the duly appointed commissioners of the Park and Recreation Advisory Commission (Commission) as provided in Section V of Ordinance No. 8065 C.M.S., are amended to read as follows:

"Section V. Duties and Functions.

(a) Pursuant to Section 601 of the Charter, there is hereby created a Parks and Recreation Advisory Commission. It shall be the function and duty of the Parks and Recreation Advisory Commission (Commission) to study, investigate and research into such areas and matters as the City Manager or the Council, through the City Manager, may direct, or as it may deem advisable; to make reports and recommendations thereon and to formulate policy recommendations and plans for the future development of the Office of Parks and Recreation; to

advise the City Manager and the Council, through the City Manager, on matters affecting the useful and efficient operation of the Office of Parks and Recreation so that their facilities, functions and exhibits can be utilized to the fullest advantage of the citizens of this community; to hold, control, and administer such properties and trusts as may be required by the terms of the particular instrument creating or conveying the same; and to perform such other duties and functions as the City Manager may from time to time direct.

(b) The Commission shall submit regular status reports to the City Council committee designated as liaison to the Commission at least once a year.

(c) Status reports submitted in fulfillment of subsection (b) above must include a detailed description of operating and staffing needs, to be developed and maintained by the department responsible for staffing and administration of the Commission.

(d) Each year, the Commission shall review the annual goals and objectives of the City Council. Review of City Council goals and objectives shall be undertaken to provide the Commission the opportunity to better integrate the activities of the Commission with the City's overall goals and objectives.

(e) City Council approval must be obtained prior to the creation of any standing committee of the Commission. A proposal to create a standing committee of the Commission must include information regarding the costs associated with staffing the standing committee, and the costs of complying with noticing and reporting requirements resulting from the establishment of any such standing committee of the Commission."

Section 2. Section V(a) of Ordinance No. 8065, relating to the number and appointment of members to the Commission, shall be renumbered as Section VI and amended to read as follows:

"Section VI. Composition.

(a) The Commission shall consist of eleven (11) members who will be appointed pursuant to Section 601 of the Charter, and who shall serve without compensation. Six (6) Commissioners shall constitute a quorum.

(b) To the extent practicable, appointments to the Commission shall be made in accordance with the City's affirmative action policies.

(c) To the extent practicable, appointments to the Commission shall reflect the geographical diversity of the City.

(d) In making appointments to the Commission the Mayor shall accept for consideration recommendations for appointments offered by each Councilmember. Councilmembers must submit recommendations to the Mayor for consideration at least 30 days prior to expiration of an existing Commission member's term."

Section 3. Sections V(a) and V(b) of Ordinance No. 8065, relating to the length and frequency of the terms of members appointed to the Commission, shall be renumbered as Section VII and amended to read as follows:

"Section VII. Appointment.

(a) Staggered Terms. Commencing with the effective date of this Ordinance, Commission members shall be appointed to staggered terms, said terms to commence upon the date of appointment, except that an appointment to fill a vacancy shall be for the unexpired portion of the term only.

(b) Length of Terms. Except for the initial appointments made immediately following passage of this Ordinance which may be for lesser terms of two (2) years or one (1) year in order to establish staggered terms pursuant to subsection A, all appointments shall be for a period of three (3) years.

(c) Limit on Consecutive Terms. Commencing with the effective date of this Ordinance, no person shall be appointed to serve more than two (2) consecutive terms as a member of the Commission. Members of the Commission sitting on the effective date of this ordinance shall not be appointed to serve more than (1) additional consecutive term as a member of the Commission.

(d) Removal. To assure participation of Commission members, attendance by the members of the Commission to all regularly scheduled and special meetings of the Commission shall be recorded, and such record shall be provided semi-annually to the Office of the Mayor for review. A member may be removed pursuant to Section 601 of the City Charter. Among other things, conviction of a felony, misconduct, incompetency, inattention to or inability to perform duties, or absence from three (3) consecutive regular meetings except on account of illness or when absent from the City by permission of the Commission, shall constitute cause for removal."

Section 4. Section V(c) of Ordinance No. 8065, relating to the meetings of the Commission, shall be renumbered as Section VIII.

Section 5. Section V(d) of Ordinance No. 8065, relating to the rules and procedures of the Commission, shall be renumbered as Section IX and amended to read as follows:

"Section IX. Rules and Procedures.

The Commission shall, in consultation with the City Manager and with the approval of the Council, establish rules and procedures for the conduct of its business. The affirmative vote of six (6) members shall be required for the adoption of any motion. The Commission shall make its reports, findings and recommendations in writing unless otherwise directed by the City Manager. All reports, findings and recommendations shall be made to the City Manager who shall forward to the Council those matters within the province of the Council. Recommendations from the Commission to the City Manager shall be carefully and fully considered by him/her. If rejected by the City Manager, the Commission may submit its recommendations to the Council for its consideration, as appropriate."

Section 6. Section V(e) of Ordinance No. 8065, relating to the staff assistance to the Commission, shall be renumbered as Section X.

JUL 26 1994

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 19 _____

PASSED BY THE FOLLOWING VOTE:

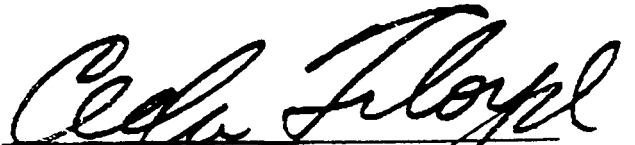
AYES— BAYTON, DE LA FUENTE, JORDAN, MILEY, MOORE, ~~CCAWA~~, SPEES, WOODS-JONES, and PRESIDENT, HARRIS -8

NOES— NONE

ABSENT— NONE

ABSTENTION— NONE

ATTEST:



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CEDA FLOYD

City Clerk and Clerk of the Council
of the City of Oakland, California