



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: May 4, 2010

SUBJECT: Amend Section 2-7-25 of the Municipal Code of the City of Woodland to Change the Composition of the Parks & Recreation Commission

Report in Brief

At the February 16, 2010 meeting the City Council considered an action to amend section 2-7-25 of the Municipal Code of the City Of Woodland to reduce the composition of the Parks & Recreation Commission. Following input at that time, the item was amended and returned to Council on April 13, 2010, where it was introduced as an Ordinance and there were no comments received.

Staff recommends that the City Council amend §2-7-25 of the Municipal Code to change the composition of the Parks & Recreation Commission to permit the appointment of five (5), six(6) or seven (7) members and establishing a quorum to conduct meeting.

Background

The Parks & Recreation Commission is established by the Municipal Code of the City of Woodland to serve as a public discussion forum and make recommendations to the City Council on matters related to parks & recreation within the City and to serve in an advisory capacity in matters pertaining to the planting and maintenance of trees growing on public property. The composition of the Commission is currently set by section 2-7-25 at seven (7) members. Prior to merging the former City Tree Commission and the Parks & Recreation Commission, the composition of the Parks & Recreation Commission was set at five (5) members.

There have been two vacant seats on the Commission since 2008. With only five appointed commissioners only one commissioner may be absent from a meeting and still have quorum to conduct business. The Commission discussed its composition at their January 25, 2010 meeting and recommended that the City Council amend §2-7-25 to reduce the number of commission members from seven (7) to five (5).

On February 16, 2010, the City Council considered an amendment to the Municipal Code that would have established the composition of the Commission at five members. Discussion during the Council

meeting resulted in direction to staff to revise the ordinance to set the composition at five, six or seven members. The Council's comments were focused on not limiting citizen participation on the Parks & Recreation Commission if there were enough interested applicants willing to serve as members.

Discussion

It is the composition of the Commission, not the number of appointed commissioners that determines the number of commissioners needed for a quorum. With the composition of the Commission at seven (7), four (4) members must be present to constitute a quorum. The Commission has had only five (5) seats filled since December 31, 2008. The November 2009 meeting did not occur due to the absence of two commissioners. The Commission has communicated to the City Council their desire to have the vacant seats filled.

One commissioner recently opted out of re-appointment which leaves the Commission with only four seated members.

In response to the City Council's comments the City Attorney has revised the amendment presented at the February 16, 2010 City Council meeting. The new amendment sets the composition of the Commission at five (5), six (6), or seven (7) members. The amendment also states that a quorum is present with three (3) members when the Commission has five (5) appointed members and at four (4) members when six (6) or seven (7) members are appointed.

Fiscal Impact

This action has no direct fiscal impact; however, it will provide improved efficiency by avoiding staff and Commissioners preparing for and attending a meeting at which there is not a quorum.

Public Contact

This action has been included on the posting of the City Council agenda. The item was introduced; first reading waived and read by title only at the April 13, 2010 meeting. There were no comments heard at that time.

Alternative Actions

1. Approve an amendment to §2-7-25 of the Municipal Code to set the composition of the Parks & Recreation Commission at five (5), six (6) or seven (7) members and establishing the respective quorum to conduct meetings.

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2. Do not approve an amendment to §2-7-25 of the Municipal Code to set the composition of the Parks & Recreation Commission at five (5), six (6) or seven (7) members and establishing a quorum to conduct meetings.

Recommended Actions

Staff recommends that the City Council approve Alternative No. 1.

Prepared by: Susan L. Vannucci, Director of
Administrative Services

Mark G. Deven
City Manager

Attachment: Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA AMENDING THE COMPOSITION OF THE PARKS AND RECREATION COMMISSION

WHEREAS, Woodland’s Parks and Recreation Commission is currently composed of seven members; and

WHEREAS, due to changes in the role of the Parks and Recreation Commission since its size was established at seven, City staff have determined that it would be appropriate to allow the size of the Commission to range between five and seven; and

WHEREAS, the idea of reducing the size of the Parks and Recreation Commission has been discussed with the current members of the Commission, who have not expressed objections to this proposal;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts the recitals and findings set forth above and in the staff report prepared in connection with this ordinance.

Section 2. Section 2-7-25 of the Woodland Municipal Code is hereby amended to read as follows:

The parks and recreation commission shall consist of five, six, or seven members. When there are five members, three members present at a meeting shall constitute a quorum. When there are six or seven members, four members present at a meeting shall constitute a quorum.

Section 3. Section 2-7-27 of the Woodland Municipal Code is hereby amended to read as follows:

The term of office of each member of the parks and recreation commission shall be four years. All terms shall begin January 1st and end on December 31st. In order to establish staggered terms of office, of the members first appointed, two members shall be appointed for one-year terms, two members shall be appointed for two-year terms, and three members shall be appointed for three-year terms. If a vacancy shall occur other than by expiration, it shall be filled by appointment for the unexpired portion of the term, subject to the City Council’s discretion to leave the seat vacant in order to allow the size of the commission to be five or six members pursuant to Section 2-7-25. Upon expiration of such designated terms, successors shall be appointed for full four-year terms as provided above. If the City Council determines to allow the commission to be five or six members in size, the terms in office of the members shall, to the extent practical, be staggered according to a system that avoids having more than half of the commissioners’

terms expire concurrently. Each member, unless sooner terminated, shall serve until his or her successor is appointed and qualified.

Section 4. This Ordinance supersedes and voids all prior ordinances, resolutions, and other Council actions, which are inconsistent with its terms.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

Section 6. Effective Date and Publication. The City Clerk shall certify to the adoption of this Ordinance, and the City Clerk shall cause this Ordinance to be posted or published as prescribed by law. This Ordinance shall take effect thirty (30) days following its adoption.

PASSED AND ADOPTED this _____ day of _____, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marlin H. Davies
Mayor

ATTEST:

Sue Vannucci
City Clerk

APPROVED AS TO FORM:

Andrew J. Morris
City Attorney