

**CITY OF ALBANY  
CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda Date: February 4, 2019

**SUBJECT:** Ordinance No. 2019-02, Updating the Name of the Park and Recreation Commission to the Parks, Recreation and Open Space Commission and Updating the Charge of the Commission to Include Open Space within the City of Albany

**REPORT BY:** Nicole Almaguer, City Manager

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**SUMMARY**

The City Council conducted a review of the Advisory Bodies to the City Council on December 3, 2018 and directed staff to make changes to certain advisory bodies. The changes directed by the Council regarding the name and charge of the City's Park and Recreation Commission to the Parks, Recreation and Open Space Commission are detailed within this report and the accompanying Ordinance.

**STAFF RECOMMENDATION**

That the Council introduce for first reading Ordinance No. 2019-02, updating the name of the Park and Recreation Commission to the Parks, Recreation and Open Space Commission and updating the charge of the Commission to include open space.

**BACKGROUND/DISCUSSION**

In 2010, the Council conducted a comprehensive review of the City's Advisory Bodies, and adopted Resolution No. 2010-63, which changed the composition and other elements of the various advisory bodies. Since 2010, a review of the City's Advisory Bodies has occurred every two years. In June 2015 the Council conducted further review of the Social & Economic Justice Commission and decided to allow the Commission to continue until the next regular review of Advisory Bodies. The Council also conducted a review of the Advisory Bodies to the City Council in January 2016, without making any changes. Additionally, the Council updated the charge of the Community Media Access Committee in November 2017. The Council again conducted a review of the Advisory Bodies on December 3, 2018, directing certain updates to Advisory Bodies including:

- Updating the charge of the Arts Committee
- Updating the meeting procedures for the Charter Review Committee
- Ongoing training for advisory bodies members

- Transitioning the Sustainability Committee to the Climate Action Committee
- Updating the Traffic & Safety Commission to the Transportation Commission
- Including “natural areas” such as creeks and the waterfront park under the purview of the Parks & Recreation Commission

The Council has adopted Resolution No. 2018-137, that updates the charge of the Arts Committee, calls for the Charter Review Committee to meet upon request of the City Council in advance of an election, and directs training to be provided to advisory body members. In addition, the Council has adopted Resolution No. 2018-138 to update the Sustainability Committee to the Climate Action Committee.

The proposed Ordinance No.2019-02 (Attachment 1) updates the name of the Park and Recreation Commission to the Parks, Recreation and Open Space Commission, and expands the charge of the Commission to provide recommendations to the City Council on matters related to open space within the City of Albany, including creeks, Albany Hill and Albany Waterfront.

The Commission reviewed the draft ordinance amendment which includes the proposed changes to the Commission’s charge and name change at their January 10<sup>th</sup> meeting. Commissioners favored the name “Parks, Recreation and Open Spaces Commission” rather than “Park, Recreation and Natural Areas Commission” and were very supportive of the changes to the charge of the Commission. The Commission also requested additional training and background information on the Waterfront and Creek projects that may come before them in the future.

As part of the direction from Council, the Traffic & Safety Commission will be updated to the Transportation Commission. An ordinance will be prepared in coordination with the Commission and presented to Council at an upcoming meeting to affirm these remaining changes.

Attachments:

1. Ordinance No. 2019-02

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**ORDINANCE NO. 2019-02**

**AN ORDINANCE OF THE ALBANY CITY COUNCIL UPDATING THE NAME OF THE PARK AND RECREATION COMMISSION TO THE PARKS, RECREATION AND OPEN SPACE COMMISSION AND UPDATING THE CHARGE OF THE COMMISSION TO INCLUDE OPEN SPACE WITHIN THE CITY OF ALBANY**

**WHEREAS**, the City Council conducted a review of all advisory bodies to the City Council on December 3, 2018; and

**WHEREAS**, the purpose of the review of advisory bodies to the City Council was to ensure the ongoing effectiveness and relevancy of current advisory bodies; and

**WHEREAS**, the City Council authorized an update to the name of the Park and Recreation Commission to the “Parks, Recreation and Open Space Commission”, and the charge of the Park and Recreation Commission to include “Open Space” such as creeks, the Albany waterfront park, and Albany Hill.

**NOW, THEREFORE, THE ALBANY CITY COUNCIL ORDAINS AS FOLLOWS:**

**SECTION 1: CHAPTER II OF THE ALBANY MUNICIPAL CODE, SECTIONS 2-12.1 - 2-12.4, TITLED “PARKS AND RECREATION DEPARTMENT, AND SECTION 2-17 TITLED “PARK AND RECREATION COMMISSION” IS HEREBY AMENDED**

**AS FOLLOWS:**

**2-12 PARKS AND RECREATION DEPARTMENT.**

1           **2-12.1 Established.**

2           A Parks and Recreation Department is hereby created which shall be under the direction  
3 of the Director of Parks and Recreation, subject to the general administrative direction of the  
4 City Council and advice of the Parks, and Recreation and Open Space Commission. (Ord. #73-  
5 010, §1; 1958 Code §2.93)

6           **2-12.2 Organization; Duties of Director.**

7           The Parks and Recreation Department shall consist of the Director of Parks and  
8 Recreation and such other employees as the City Council may assign to such Department. The  
9 Director of Parks and Recreation, subject to the approval of the City Council, shall organize and  
10 maintain such divisions in such Department as the operations may ~~in his judgment~~ require. (Ord.  
11 #73-010, §1; 1958 Code §2.94)

12           **2-12.3 Additional Duties of Director; Appointment and Term of Office.**

13           The Director of Parks and Recreation shall be responsible for the supervision and control  
14 of all divisions of such department and for the performance of the functions herein assigned to  
15 such department. ~~He~~ The Director shall be appointed and serve at the pleasure of the City  
16 Council. (Ord. #73-010, §1; 1958 Code §2.95)

17           **2-12.4 Functions.**

18           The functions of the Parks and Recreation Department are the development, maintenance  
19 and operation of the Public Parks and Recreation Service; the development and supervision of  
20 Parks and recreation areas, facilities, equipment and buildings; the maintenance, supervision,  
21 landscaping, planting and beautification of parks, park areas, play areas, public squares and areas  
22 surrounding public buildings; the planting, maintenance and removal of trees, shrubs, lawns and  
23 other growth in parking areas in public streets, parks and other public areas; and rendering of  
24 staff work for the providing of professional and technical advice to the City Council and the  
25 Parks, and Recreation and Open Space Commission and the performance of such other functions  
26 as may be assigned by the City Council or prescribed by ordinance of the City. (Ord. #73-010,  
27 §1; 1958 Code §2.96)

28           **2-17 PARKS, AND RECREATION AND OPEN SPACE COMMISSION.**

**2-17.1 Established; Composition; Appointment; Term.**

          There is hereby established within the City a commission to be known as the "Parks, and  
25 Recreation and Open Space Commission of the City". The Parks, and Recreation and Open  
26 Space Commission of the City shall consist of seven (7) members, as follows:

27           a.       Five (5) members of such Commission shall be appointed by Councilmembers;  
28 each Councilmember shall appoint one (1) member to the Commission.

1           b. Two (2) members of such Commission shall be nominated by the President of the  
2 Board of Education, subject, however, to approval of such nomination by a majority of the Board  
3 of Education as a whole.

4           The terms of the ~~two (2)~~ members shall be for a two (2) year period. ~~and shall be~~  
5 ~~staggered. To this end, the terms of the first appointments shall be: One (1) for one (1) year, and~~  
6 ~~one (1) for two (2) years.~~ Each member shall serve until ~~their~~ ~~his~~ successor has been appointed  
7 and qualified in accordance with Albany City Charter.

8           Such members shall be electors of the City at the time of confirmation of the  
9 appointment, and no member of the Board of Education shall be eligible to serve on this  
10 Commission.  
11 (Ord. #58-042, §1; 1958 Code §2.40; Ord. #97-02)

### 12           **2-17.2 Compensation.**

13           Such Commissioners shall serve without compensation. (Ord. #58-042, §2; Ord. #75-04,  
14 §2; 1958 Code §2.41; Ord. #97-02)

### 15           **2-17.3 Organization; Election and Term of Chair and Vice Chair ~~Chairman,~~** 16 **Secretary, Etc..**

17           The ~~Park and Recreation~~ Commission shall organize by electing from its members one  
18 (1) Chair, ~~and one (1) Secretary~~ ~~Vice Chair~~ ~~and such other officers as may be deemed necessary~~  
19 ~~by the Commission.~~ The Chair, ~~Secretary~~ and ~~Vice Chair~~ ~~such other officers~~ shall hold office for  
20 a period of one (1) year. (Ord. #58-042, §3; 1958 Code §2.42)

### 21           **2-17.4 Powers and Duties.**

22           It shall be the duty of the ~~Parks, and Recreation~~ ~~and Open Space~~ Commission of the City  
23 to advise ~~the Superintendent of Recreation~~ and the City Council regarding all matters of public  
24 recreation and all matters pertaining to parks, ~~open space including creeks, Albany Waterfront~~  
25 ~~Park, and Albany Hill,~~ street trees, parking strips, parkways, squares and similar area within the  
26 City. Such Commission shall endeavor to formulate a ~~recreation~~ ~~plan,~~ ~~select and propose to the Council sites for playgrounds,~~ ~~make recommendations~~  
27 ~~for acquisition and maintenance of playgrounds for children and recreation centers for the public,~~  
28 and generally advise ~~both the City Council and the Superintendent of Recreation~~ in matters  
connected with parks, ~~and recreation~~ ~~and open space~~ in general. It shall be a function of the  
~~Parks, and Recreation~~ ~~and Open Space~~ Commission of the City to promote and encourage among  
various public and private agencies and individuals the development of such recreational  
facilities and programs as shall benefit all citizens of the City. (Ord. #58-042, §4; 1958 Code  
§2.43)

### 29           **2-17.5 Regular and Special Meetings; Notice of Special Meeting.**

30           The ~~Parks, and Recreation~~ ~~and Open Space~~ Commission of the City shall hold one (1)  
31 regular meeting each month, at such date or time as the Commission shall designate; special

1 meetings shall be called at any time by the Chairman of the Commission or by a majority of the  
2 Commission; provided, however, that notice be given according to law for special meeting. (Ord.  
3 #58-042, §5; 1958 Code §2.44; New)

4 **2-17.6 Quorum.**

5 Four (4) members present at any of the meetings of the Parks, and Recreation and Open  
6 Space Commission shall constitute a quorum for any positive action by the Commission. (Ord.  
7 #58-042, §6; Ord. #75-04, §3; 1958 Code §2.45)

8 **2-17.7 Written Communications to Outside Groups.**

9 All written communications to outside groups shall be sent over the signature of the  
10 Chairman or authorized officer of the Parks, and Recreation and Open Space Commission  
11 pertaining to the business of the Commission. (Ord. #58-042, §7; 1958 Code §2.46)

12 **2-17.8 Rules, Policies and Procedures; Minute Book.**

13 Rules, policies and procedures for the Parks, and Recreation and Open Space  
14 Commission shall be enacted by the City Council. ~~Commission as required by the Commission~~  
15 ~~and such rules, policies and procedures shall be entered into the minute book of the~~  
16 ~~Commission. Minutes of all meetings of the Park and Recreation Commission of the City shall~~  
17 ~~be kept and copies thereof shall be forwarded to the City Council. (Ord. #58-042, §8; 1958 Code~~  
18 ~~§2.47)~~

19 **SECTION 2: PUBLICATION AND EFFECTIVE DATE.**

20 This ordinance shall be posted at three public places within the City of Albany and shall  
21 become effective thirty days after the date of its posting.

22 **PASSED AND ADOPTED** by the City Council of the City of Albany at its meeting on  
23 the XX day of XXX 2019, by the following vote:

24 AYES:

25 NOES:

26 ABSENT:

27 ABSTAIN:

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ROCHELLE NASON, MAYOR