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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
Recreation and Open Space Commission of the City". The Parks, and Recreation and Open
Space Commission of the City shall consist of seven (7) members, as follows:

- a. Five (5) members of such Commission shall be appointed by Councilmembers;
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.

(Ord. #58-042, §1; 1958 Code §2.40; Ord. #97-02)

11 **2-17.2 Compensation.**

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

14 **2-17.3 Organization; Election and Term of Chair and Vice Chair ~~Chairman,~~** **~~Secretary, Etc.~~**

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

19 **2-17.4 Powers and Duties.**

20 It shall be the duty of the Parks, and Recreation and Open Space Commission of the City
21 to advise ~~the Superintendent of Recreation and the City Council~~ regarding all matters of public
22 recreation and all matters pertaining to parks, open space including creeks, Albany Waterfront
23 Park, and Albany Hill, street trees, parking strips, parkways, squares and similar area within the
24 City. Such Commission shall endeavor to formulate a parks, recreation and open space master
25 ~~recreation~~ plan, select and propose to the Council sites for playgrounds, make recommendations
26 for acquisition and maintenance of playgrounds for children and recreation centers for the public,
27 and generally advise ~~both the City Council and the Superintendent of Recreation~~ in matters
28 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)
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)~~

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

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

20
21 **PASSED AND ADOPTED** by the City Council of the City of Albany at its meeting on
22 the 19th day of February 2019, by the following vote:

23 AYES: *Council Members: Barnes, Maass, McQuaid, Pilch; Mayor Nason*

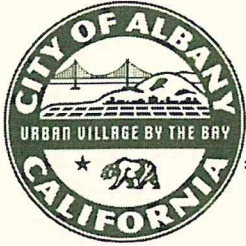
24 NOES:

25 ABSENT:

26 ABSTAIN:

27 

28 ROCHELLE NASON, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

ORDINANCE NO. 2019-02

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 19th day of February, 2019 by the following votes:

AYES: Council Members Barnes, Maass, McQuaid, Pilch, Mayor Nason

NOES: none

ABSTAINED: none

ABSENT: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

20th day of February, 2019.

Eileen Harrington
DEPUTY CITY CLERK