



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www.cityofsacramento.org

Consent  
October 19, 2010

Honorable Mayor and  
Members of the City Council

**Title: Ordinance: Amend Section 2.62.020 of the Sacramento City Code  
Regarding Staggered Terms on the Parks and Recreation Commission**

**Location/Council District:** Citywide

**Recommendation:** Adopt an **Ordinance** amending section 2.62.020 (D) of the Sacramento City Code relating to staggered terms on the Parks and Recreation Commission.

**Contact:** Stephanie Mizuno, Assistant City Clerk, 916-808-7200  
**Presenters:** N/A  
**Department:** City Clerk's Office  
**Division:** Board/Commissions  
**Organization No:** 04001011

### Description/Analysis

**Issue:** On October 13, 2009, the City Council adopted an ordinance that dissolved and re-established the Parks and Recreation Commission ("PRC"). The ordinance provided for staggered terms for the PRC members; however, the method of staggering created an unbalanced distribution of term expirations among the members.

**Policy Considerations:** Should the method of staggering the terms of the PRC members be revised to more evenly distribute the number of terms that expire at any given time.

**Environmental Considerations:** None.

**California Environmental Quality Act (CEQA):** None.

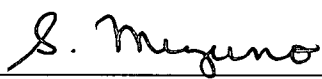
**Sustainability Considerations:** None.

**Commission/Committee Action:** On September 21, 2010 the Law and Legislation Committee approved forwarding this issue to the City Council for approval.

**Rationale for Recommendation:** To stagger terms among the members of the PRC to provide for a more balanced distribution of term expirations.

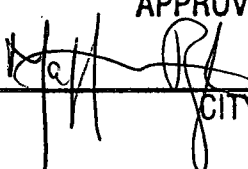
**Financial Considerations:** None.

**Emerging Small Business Development (ESBD):** Not applicable.

Respectfully Submitted by:   
Stephanie Mizuno  
Assistant City Clerk

Recommendation Approved:

  
Shirley Concolino  
City Clerk

APPROVED AS TO FORM:  
  
CITY ATTORNEY

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**ATTACHMENT 1**

**Background:**

On October 13, 2009, the City Council adopted Ordinance 2009-044 that dissolved and re-established the Parks and Recreation Commission (“PRC”). The ordinance provided for staggered terms for the PRC members; however, the method of staggering created an unbalanced distribution of term expirations among the members.

Currently, the staggering distribution is as follows:

<b>Nominating Authority</b>	<b>Current Term Length</b>	<b>Current Expiration</b>
Mayor	4	2014
District 1	4	2014
District 2	2	2012
District 3	4	2014
District 4	2	2012
District 5	4	2014
District 6	2	2012
District 7	4	2014
District 8	2	2012
P&PE (2 seats)	1	2011

This distribution creates a potential Brown Act compliance issue when the five appointees recommended by the members of the City Council from the odd numbered council districts and by the Mayor are up for re-appointment. The problem occurs when five members of the City Council are reviewing applications under the same subject matter at the same time. For this group of five seats, under the current staggering method, the review of applications is required to be agendaized before the full City Council. This process is not necessary for the four appointees recommended by the members of the City Council from the even numbered council districts because a quorum of the City Council (five) would not be reviewing the same subject matter at the same time. To standardize the application review process for all nominees, the simplest approach would be to change the term expiration of three members.

Staff’s recommendation is to decrease the Mayoral nominee from a 4 year to a 3 year term; and increase the P&PE Committee nominees from a 1 year to a 3 year term. This would balance the terms and also standardize the review process without having to agendaize the applicant review process for a portion of the membership. The changes to the lengths of the terms would apply retroactively to the effective date of Ordinance 2009-044.

The revised staggering distribution would be as follows:

<b>Nominating Authority</b>	<b>Current Term Length</b>	<b>Current Expiration</b>	<b>Proposed Term Length</b>	<b>Proposed Expiration</b>	<b>Comment</b>
Mayor	4	2014	3	2013	1 Yr. Less
District 1	4	2014	4	2014	Same
District 2	2	2012	2	2012	Same
District 3	4	2014	4	2014	Same
District 4	2	2012	2	2012	Same
District 5	4	2014	4	2014	Same
District 6	2	2012	2	2012	Same
District 7	4	2014	4	2014	Same
District 8	2	2012	2	2012	Same
P&PE (2 seats)	1	2011	3	2013	2 Yrs. More

**ATTACHMENT 2**

**ORDINANCE NO.**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 2.62.020 (D) OF THE SACRAMENTO CITY CODE RELATING TO THE PARKS AND RECREATION COMMISSION**

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

**SECTION 1.** Section 2.62.020 (D) of the Sacramento City Code is amended as follows:

2.62.020 Membership.

D. In order to establish staggered terms, the initial appointees recommended by the personnel and public employees committee and by the mayor shall serve a term of ~~one (1)~~ three (3) years each. The initial appointees recommended by the members of the city council from the First, Third, Fifth, and Seventh council districts ~~and by the mayor~~ shall serve a term of four (4) years each. The initial appointees recommended by the members of the city council from the Second, Fourth, Sixth, and Eighth council districts shall serve a term of two (2) years each. A term of ~~one (1) or two (2)~~ or three (3) years for initial appointees shall constitute a full term when calculating the two-consecutive-term limit under section 2.40.120.

**SECTION 2.** It is the intent of the city council that the amendments to section 2.62.020 of the Sacramento City Code made by Section 1 of this ordinance are to be applied retroactively to the effective date of Ordinance 2009-044.

**ATTACHMENT 3**

**ORDINANCE NO.**

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**AN ORDINANCE AMENDING SECTION 2.62.020 (D) OF  
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PARKS AND RECREATION COMMISSION**

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

**SECTION 1.** Section 2.62.020 (D) of the Sacramento City Code is amended as follows:

2.62.020 Membership.

D. In order to establish staggered terms, the initial appointees recommended by the personnel and public employees committee and by the mayor shall serve a term of three (3) years each. The initial appointees recommended by the members of the city council from the First, Third, Fifth, and Seventh council districts shall serve a term of four (4) years each. The initial appointees recommended by the members of the city council from the Second, Fourth, Sixth, and Eighth council districts shall serve a term of two (2) years each. A term of two (2) or three (3) years for initial appointees shall constitute a full term when calculating the two-consecutive-term limit under section 2.40.120.

**SECTION 2.** It is the intent of the city council that the amendments to section 2.62.020 of the Sacramento City Code made by Section 1 of this ordinance are to be applied retroactively to the effective date of Ordinance 2009-044.