



Office of the City Manager

06

CONSENT CALENDER
November 16, 2021

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront
 Subject: Commission Reorganization: Creating the Parks, Recreation, and Waterfront Commission

RECOMMENDATION

Adopt an Ordinance repealing and re-enacting Berkeley Municipal Code Chapter 3.26 to create the Parks, Recreation, and Waterfront Commission, and repealing Berkeley Municipal Code Chapters 3.27 (Children, Youth, and Recreation Commission) and 3.08 (Berkeley Animal Care Commission).

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts, but this reorganization will reduce staff time and increase efficiency by consolidating 3 commissions into one.

CURRENT SITUATION AND ITS EFFECTS

At a Special Meeting on June 15, 2021, Council took action to refer to the City Manager and City Attorney to bring back changes to the enabling legislation to reorganize existing City commissions, and refer to staff to develop recommendations on the transition to new consolidated commissions and the effective date of the changes. One of the Phase 2 reorganizations in the action was to consolidate the current Parks and Waterfront Commission, the Children, Youth, and Recreation Commission, and the Animal Care Commission into a new commission called the Parks, Recreation, and Waterfront Commission. Staff recommend the following implementation plan: the three existing commissions will complete their regularly-scheduled meetings through December 31, 2021, and the new Parks, Recreation, and Waterfront Commission will begin in January 2022. All council appointees to the current commissions being consolidated will expire as of December 31, 2021, and Councilmembers will need to make new appointments to the new commission. The enabling legislation for the new commission includes a provision that all prior service on the commissions being consolidated is counted toward the 8-year limit of service. The function of the proposed new commission is the following: The Parks, Recreation and Waterfront Commission shall be an advisory board and shall review the following related to all City/public parks, open space, greenery, pools, programs, recreation centers, the Waterfront, and resident camps: their physical conditions, policies, projects, programs, planning efforts, activities, and funding; early childhood education programs; and animal care issues in parks, and shall advise the City Council on these matters.

BACKGROUND

Per the Problem/Summary Statement in the Council action item of June 15, 2021, Commissions provide an important mechanism for residents to shape public policy and provide input on City business. However, the City of Berkeley maintains far more commissions than other cities of similar size, with a significant investment of City resources to staff all 37 commissions. Some commission secretaries report spending upwards of 20+ hours per week on commission business, which takes valuable time away from addressing other pressing City priorities. The local public health emergency created by the global COVID-19 pandemic has required City staff to shift to new roles and maintain an Emergency Operations Center since January 2020; recovery from the pandemic will continue to demand the full attention of our City staff for the foreseeable future. Given the uncertainties that the City faces in recovering from the COVID-19 pandemic and the demands that this recovery places on City staff, Council deemed it an appropriate time to consider how best to consolidate commissions in a manner that helps the City to achieve its core mission.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE CHANGE

There are no environmental impacts associated with the recommendation in this report.

RATIONALE FOR RECOMMENDATION

As the City re-emerges from COVID-19, the City needs to demonstrate efficiency and fiscal restraint. The re-organization of City commissions places an emphasis on overall community benefit, staff productivity, and will bring a greater diversity of voices into the commission process.

CONTACT PERSON

Scott Ferris, Director, PRW, 981-6700

Attachments:

1: Ordinance

ORDINACE NO. -N.S

REPEALING AND RE-ENACTING BERKELEY MUNICIPAL CODE CHAPTER 3.26
CREATING THE PARKS, RECREATION AND WATERFRONT COMMISSION AND
REPEALING CHAPTER 3.27 AND CHAPTER 3.08

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Chapter 3.26 is repealed and re-enacted to read as follows:

Chapter 3.26
PARKS, RECREATION, AND WATERFRONT COMMISSION

Sections:

- [3.26.010](#) Established--Membership--Appointment.
- [3.26.020](#) Council representatives--Functions.
- [3.26.030](#) Organization, meetings, rules and procedures.
- [3.26.040](#) Functions.

3.26.010 Established--Membership--Appointment.

A. A Parks, Recreation, and Waterfront Commission is established. The commission shall consist of nine members. Appointments to the commission shall be made, and vacancies on the commission shall be filled, in accordance with the provisions of Sections [2.04.030](#) through [2.04.145](#).

B. For purposes of determining term limits under Section [3.02.040](#), a commissioner's prior service on the Parks and Waterfront Commission, the Children, Youth, and Recreation Commission, or the Animal Care Commission shall be counted, provided that their prior service was terminated by their appointment to the Parks, Recreation, and Waterfront Commission.

3.26.020 Council representatives--Functions.

The City Council may appoint one of its members to act as a non-voting, uncompensated liaison representative to the Parks, Recreation, and Waterfront Commission. The functions of such liaison representatives are:

- A. To attend meetings of said commission;
- B. To advise the Council of the background, attitude and reasons behind decisions and recommendations of said commission; and
- C. On request of any member of said commission, to advise the commission of policies, procedures and decisions of the council that may bear on matters under discussion by the commission.

3.26.030 Organization, meetings, rules and procedures.

A. The commission annually shall elect one of its members as the chairperson and one of its members as the vice-chairperson. An officer or employee of the City designated by the City Manager shall serve as secretary of the commission.

B. The commission shall establish a regular place and time for meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. The frequency of meetings shall be as determined by City Council resolution. The scheduling of special meetings in addition to those established by City Council resolution, except special meetings that take the place of cancelled regular meetings, shall be subject to approval by the City Council. A request for a special meeting shall include the reason for the proposed meeting and should be expedited on the City Council's agenda, or in the alternative, placed before the Agenda Committee for approval.

C. The commission may make and alter rules governing its organization and procedures which are not inconsistent with this Chapter or any other applicable ordinance of the City.

D. A majority of the members appointed to the commission shall constitute a quorum and the affirmative vote of a majority of the members appointed is required to take any action.

E. The commission shall keep an accurate record of its proceedings and transactions.

3.26.040 Functions.

A. The Parks, Recreation and Waterfront Commission shall be an advisory board and shall review the following related to all City/public parks, open space, greenery, pools, programs, recreation centers, the Waterfront, and resident camps: their physical conditions, policies, projects, programs, planning efforts, activities, and funding; early childhood education programs; and animal care issues in parks, and shall advise the City Council on these matters.

B. The Parks, Recreation, and Waterfront Commission shall have the authority to adopt the minutes of the final meetings of the Parks and Waterfront Commission, the Children, Youth, and Recreation Commission, and the Animal Care Commission.

Section 2. That Berkeley Municipal Code Chapters 3.27 and 3.08 are repealed, effective January 1, 2022.

Section 3. This ordinance shall become effective on January 1, 2022.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.