



Office of the City Manager

ACTION CALENDAR
November 13, 2012

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: William Rogers, Deputy City Manager
Subject: Consolidating the Parks and Recreation Commission and the Commission on Early Childhood Education into a new Recreation and Youth Services Commission; Adding BMC Chapter 3.27

RECOMMENDATION

1. Adopt first reading of an ordinance adding Berkeley Municipal Code Chapter 3.27 to create the Recreation and Youth Services Commission.
2. Adopt a Resolution rescinding Resolution No. 60,342-N.S. creating the Commission on Early Childhood Education, effective December 31, 2012.

FISCAL IMPACTS OF RECOMMENDATION

The reorganization of Commissions in the Parks, Recreation and Waterfront Department will enable the City to reduce resources allocated to commission work and realign those resources to meet community service demands.

CURRENT SITUATION AND ITS EFFECTS

At the City Council meeting on June 26, 2012 the Council directed the City Manager to bring back legislation to create two new commissions by consolidating the Parks and Recreation Commission, Waterfront Commission, and Commission on Early Childhood Education (CECE) into two separate commissions, one for infrastructure needs (capital and maintenance) and one for recreation and youth programs.

City staff reviewed the enabling legislation for the current commissions and drafted proposed enabling legislation for the functions of the new commissions. The proposed enabling legislation was agendaized for discussion and action by all three commissions. Staff attended the commission meetings to discuss the impacts of consolidation, and facilitated feedback with the affected commissions regarding potential consolidation.

On September 24, 2012, the Parks and Recreation Commission voted to support the draft enabling legislation. M/S/C (Boland/Veneziano) Vote: Aye's: Boland, Brower, Gebhart, Peterson, Veneziano; No's: None; Abstain: None; Absent: Gray, Schemmerling, Thornton).

On September 27, 2012, the Commission on Early Childhood Education voted to support the draft enabling legislation with minor edits. M/S/C (Ching/Kagiwada) Vote: Aye's: Ching, Kagiwada, Waldstein; No's: None; Abstain: None; Absent: Alexander.

Proposed Consolidation Process

With a first reading on November 13, 2012 and a second reading on November 27, 2012, the new enabling legislation will be in effect by December 31, 2012.

The transition in scope for the new Recreation and Youth Services Commission is less complex than the accompanying consolidation of the Parks and Recreation Commission and the Waterfront Commission. In addition, there are five vacancies on the Commission for Early Childhood Education which will provide opportunities for interested members of the Parks and Recreation Commission to transition to the new Recreation and Youth Services Commission. The new commission will begin under the new enabling legislation in January 2013.

Since the legislation creates a new commission, Councilmembers will need to make a new appoint to the new commission even if they already have an appointee on the previously-existing Parks and Recreation Commission. Councilmembers may also replace their current appointment if they so choose. The enabling legislation includes a provision that all prior service on the commission being consolidated is counted toward the 8-year limit of service.

BACKGROUND

Through discussions with commissions, the staff supporting them and a review of the enabling legislation for various commissions, staff has found that there would be a significant benefit to consolidating and reorganizing the three commissions under the Parks, Recreation and Waterfront Department to achieve better outcomes for community members, parks and waterfront users, as well as those served by the many City programs operated by the Parks, Recreation and Waterfront Department.

The realignment creates two separate commissions based on two principle areas of focus: 1) infrastructure (capital and maintenance), and 2) recreation and youth program needs:

- The Parks and Waterfront Commission will be able to integrate the infrastructure needs of the City's parks, recreation, waterfront, and open space assets into one commission
- The Recreation and Youth Services Commission will have a strong focus on programs for recreation, youth, families, early childhood development, and the role that the City plays in the 2020 Vision.

The consolidation will allow for greater synergy between the infrastructure needs of City parks and those of the waterfront and also provide for greater attention and study of how the City programs are meeting the social, developmental and physical needs of youth and families in Berkeley.

Existing Commissions: Commission on Early Childhood Education and Parks and Recreation Commission

Created pursuant to Resolution No. 60,342, the Commission on Early Childhood Education (CECE) does not have specific duties enumerated. The Commission advises the Council on issues related to early childhood education, County First 5 programs, the Child Care Mitigation Operating Subsidy Fund, and 2020 Vision.

The Parks and Recreation Commission is tasked with reviewing policies and programs relating to recreation, parks, camps and public greenery, and advising the City Council on these matters. Examples from the Parks and Recreation Commission Workplan include review of the planned capital improvements for the City's 52 parks and three camps, the camps enterprise fund and the parks special tax, and fees for both camps and recreation programs.

There will be a great benefit to linking early childhood education with the ongoing programs and services that the City provides to youth and families. This holistic approach is an important element of the success of 2020 Vision. Additionally, this consolidation will create more collaboration among program and recreation staff who serve youth and will support a continuum of appropriate services and programs across developmental stages.

RATIONALE FOR RECOMMENDATION

The realignment of the commissions will have programmatic benefits as well as providing some alleviation on the demands of staff time related to commission support. These saved hours can be reprogrammed to support other City services where resources may have been cut due to previous or currently proposed budget cuts.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

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Mark Numainville, Acting City Clerk, 981-6900

Attachments:

- 1: Ordinance
- 2: Resolution
- 3: FAQs for Commission Consolidation

ORDINANCE NO. -N.S.

ADDING BERKELEY MUNICIPAL CODE CHAPTER 3.27 TO CREATE THE
RECREATION AND YOUTH SERVICES COMMISSION

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

Section 1. That Chapter 3.27 is hereby added to the Berkeley Municipal Code to read as follows:

Chapter 3.27
RECREATION AND YOUTH SERVICES COMMISSION

Sections:

3.27.010 Established--Membership--Appointment.

3.27.020 Council representatives--Functions.

3.27.030 Organization, meetings, rules and procedures.

3.27.040 Functions.

3.27.010 Established--Membership--Appointment.

A. A Recreation and Youth Services 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 2.04.130.

B. For purposes of determining term limits under Section 3.02.040, a commissioner's prior service on the Parks and Recreation Commission or the Commission on Early Childhood Education shall be counted, as long as that prior service was terminated by his or her appointment to the Recreation and Youth Services Commission.

3.27.020 Council representatives--Functions.

The City Council may appoint one of its members to act as a non-voting, uncompensated liaison representative to the Recreation and Youth Services 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.

3.27.030 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.

3.27.040 Functions.

A. The Recreation and Youth Services Commission shall be an advisory board and shall review policies, programs, planning efforts, activities, and funding associated with recreation, youth, families, early childhood education, and other related City-sponsored activities, and shall advise the City Council on these matters.

B. The Recreation and Youth Services Commission shall have the authority to adopt the minutes of the final meeting of the Commission on Early Childhood Education.

Section 2. 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.

RESOLUTION NO. ##,###-N.S.

RESCINDING RESOLUTION NO. 60,342-N.S. CREATING THE COMMISSION ON
EARLY CHILDHOOD EDUCATION, EFFECTIVE DECEMBER 31, 2012

WHEREAS, at the City Council meeting on June 26, 2012, the Council directed the City Manager to bring back legislation to create two new commissions by consolidating the Parks and Recreation Commission, Waterfront Commission, and Commission on Early Childhood Education into two separate commissions, one for infrastructure needs (capital and maintenance) and one for recreation and youth programs; and

WHEREAS, City staff has drafted proposed enabling legislation for a Recreation and Youth Services Commission; and

WHEREAS, the Recreation and Youth Services Commission will have a strong focus on programs for recreation, youth, families, early childhood development, and the role that the City plays in the 2020 Vision.; and

WHEREAS, on September 27, 2012, the Commission on Early Childhood Education voted to support the draft enabling legislation with minor edits; and

WHEREAS, contingent on Council adoption, the new enabling legislation for the Recreation and Youth Services Commission will be in effect by December 31, 2012.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Resolution No. 60,342-N.S. creating the Commission on Early Childhood Education is hereby rescinded effective December 31, 2012.

**Frequently Asked Questions
Consolidation of Parks and Recreation Commission, Waterfront Commission, and Commission on
Early Childhood Education**

General Questions

- Q: When will the Consolidations be effective?
A: If the new enabling legislation is adopted, the new Parks and Waterfront Commission will be effective on July 1, 2013 and the new Recreation and Youth Services Commission will be effective on January 1, 2013.
- Q: Why is the effective date later for the Parks and Waterfront Commission?
A: The later effective date will allow for a transition period wherein the current Parks and Recreation Commission and the Waterfront Commission will meet concurrently. This will allow the current commissioners to familiarize themselves with each other and the functions of the other commission.
- Q: Why isn't there a transition period for the Commission on Early Childhood Education?
A: The consolidation that creates the Recreation and Youth Services Commission is not as complex and there are several vacancies on the CECE, thus, the new commission can absorb both CECE and Parks and Recreation commissioners.
- Q: When can Councilmembers make appointments to the new commissions?
A: Councilmembers may make appointments to the new commissions after the second reading of the ordinance, however, the appointments will not be processed until after the new commissions are effective (January 1, 2013 for Recreation and Youth Services, and July 1, 2013 for Parks and Waterfront).
- Q: What if a Councilmember wants to "hold-over" a sitting commissioner to one of the new commissions?
A: The Parks and Waterfront Commission and the Recreation and Youth Services Commission are new entities under the Municipal Code. A new appointment form must be submitted for all members of the newly created commissions.
- Q: Will prior service on the old commissions be counted?
A: Yes. Service time on the old commissions will continue to accrue for newly appointed members of the Parks and Waterfront Commission and the Recreation and Youth Services Commission pursuant to Section 3.02.040 of the Municipal Code (the 8-year limit).
- Q: How will the new commissions convene and conduct business?
A: City staff will call the first meeting of the new commission and set the agenda. At the first meeting, the new commissions will elect a Chair and Vice-Chair, adopt a regular schedule for their meetings, and approve the final minutes of the old commissions.

Parks and Waterfront Transition Questions

- Q: Where will the commissions meet during the transition period?
A: In November or December the commissions will adopt an identical meeting schedule for January – June 2013. The meeting location will alternate between the current meeting locations of each commission.
- Q: How will the commission agendas be structured during the transition period?
A: The commissions will use a combined agenda that lists all the action items and discussion items together. If there is an item that requires action by one commission only, that will be stated on the agenda. The commission not taking action may still participate in the discussion of the action item.

Q: Who will serve as Chair for the meetings?

A: The Chair will be determined by the location of the meeting. For meetings held at the Marina, the Waterfront Commission Chair will preside. For meeting held at the Frances Albrier Recreation Center, the Parks and Recreation Chair will preside. See the table below for more detail.

Item Type:	Presiding Chair:
Joint Discussion Item	Home Chair Presides
Action Item for a Single Commission	Chair of Commission taking action presides over all discussion and the motion and vote by the Commission taking action.
Action Item for Both Commissions	Home Chair presides over all discussion. Each Chair presides over the motion and vote of their respective commission.

Q: Can the commissions vote on each other's items?

A: No. There are two separate meetings occurring at the same place and the same time. The commissions must make motions, vote and keep minutes separately.

Q: Is quorum counted separately or jointly?

A: The quorum is counted separately for each commission. If one commission does not have a quorum, the members from that commission may be present and participate in the discussion, but they may not take any actions.