



Council Agenda Correspondence

DATE: November 10, 2022

TO: Mayor and Council

FROM: Greg Avakian, Parks and Recreation Director
Meghan Burger, Recreation Manager

VIA: Derek Johnson, City Manager

SUBJECT: ITEM 5f - INTEGRATE OVERSIGHT OF THE JACK HOUSE COMMITTEE TO THE PARKS AND RECREATION COMMISSION WITH CONTINUED CITY STAFF SUPPORT OF DOCENTS, BUILDING AND GROUNDS MAINTENANCE, AND ADVISORY BODIES

Amend Recommendation No. 1 as follows:

As recommended by the Jack House Committee, and as approved by the Parks and Recreation Commission, adopt a Draft Resolution entitled "*A Resolution of the City Council of the City of San Luis Obispo, California, to amend the Advisory Body Handbook for revision of the Parks and Recreation Commission Bylaws and removal of the Jack House Committee Bylaws,*" which will transfer oversight of, and all responsibilities within the subject matter of the Jack House Committee to the Parks and Recreation Commission.

Issues surrounding Jack House historic architecture and gardens shall be handled through consultation with the Architectural Review Commission and the Cultural Heritage Committee, as needed. Amend language in the Parks & Recreation Commission Bylaws to provide that one Commissioner shall serve as a direct liaison to the volunteer Jack House Docent Committee.

Attached, is the Draft Resolution to "amend the Advisory Body Handbook for revision of the Parks and Recreation Commission Bylaws and removal of the Jack House Committee Bylaws". This document was noted in the Agenda Report for this item as Attachment F, but was not previously attached to the report.

Attachment:

A – Draft Resolution amending PRC Bylaws

RESOLUTION NO. _____ (2022 SERIES)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, TO AMEND THE ADVISORY BODY HANDBOOK FOR REVISION OF THE PARKS AND RECREATION COMMISSION BYLAWS AND REMOVAL OF THE JACK HOUSE COMMITTEE BYLAWS

WHEREAS, in accordance with the Charter of the City of San Luis Obispo, the San Luis Obispo Municipal Code, and its own resolutions, the City Council of the City of San Luis Obispo appoints individuals to serve on its advisory bodies; and

WHEREAS, those advisory bodies have proposed bylaws to aid them in conducting their meetings fairly, smoothly, efficiently and in accordance with law; and

WHEREAS, there have been challenges in maintaining a quorum for the Jack House Committee with the membership required by the 1975 Grant Deed conveying the Jack House to the City; and

WHEREAS, on October 10, 2022, the individual Jack House Committee members submitted a memorandum to the City's Parks and Recreation Commission recommending the transfer of oversight of the Jack House, and all responsibilities within the subject matter of the Jack House Committee, to the Parks and Recreation Commission; and

WHEREAS, on October 12, 2022, the Parks and Recreation Commission reviewed their bylaws and unanimously recommended to Council: 1) to transfer oversight of the Jack House and move all responsibilities within the subject matter of the Jack House Committee to the Parks and Recreation Commission; 2) to consult with the Architectural Review Commission and Cultural Heritage Committee as needed regarding issues impacting the historic architecture and gardens; and, 3) to designate one Parks and Recreation Commissioner to serve as a direct liaison to the existing volunteer Jack House Docent Committee; and

WHEREAS, City staff have also reviewed said bylaws and have made suggestions for their revision; and

WHEREAS, the City Attorney's Office concurred that there are no legal barriers in the recommendations to transfer oversight of the Jack House from the Jack House Committee to the Parks and Recreation Commission; and

WHEREAS, pursuant to Charter Section 1204 the City of San Luis Obispo, each body established by ordinance shall present in writing to the City Council for approval its bylaws for procedure, including amendments thereto; and

WHEREAS, at its regular meeting of November 15, 2022, the City Council reviewed proposed changes to advisory body bylaws, as recommended by the Parks and Recreation Commission and staff.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Luis Obispo as follows:

SECTION 1. Parks & Recreation Commission Bylaws. The bylaws of the Parks and Recreation Commission are hereby amended to read as set forth in Exhibit A, attached hereto and incorporated herein by reference,

SECTION 2. Jack House Bylaws. The Jack House Bylaws are hereby removed from the Advisory Body Handbook.

Upon motion of Council Member _____, seconded by Council Member _____, and on the following roll call vote:

AYES:

NOES:

ABSENT:

The foregoing resolution was adopted this _____ day of _____ 2022.

Mayor Erica A. Stewart

ATTEST:

Teresa Purrington
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington
City Clerk

R _____

J. Parks & Recreation Commission Bylaws (A)

ARTICLE 1. PURPOSE

The Parks & Recreation Commission (PRC) is a body of citizens appointed to advise the City's Parks & Recreation Department and the City Council on the development and operation of recreation programs and parks, and on the implementation of the Parks and Recreation Element of the City's General Plan. It also provides recommendations to the City Council and San Luis Obispo Coastal Unified School District Board of Trustees regarding those facilities which have been mutually designated as joint use facilities; and for the operation of recreational facilities, priority for use of the facilities, and development of new recreation facilities at Sinsheimer Park.

Jack House: The PRC is charged with the responsibility to advise the City Council on matters concerning facility use, fees and charges, capital improvements, and any other item affecting the House and Grounds.

ARTICLE 2. MEMBERSHIP

1. The Parks and Recreation Commission shall consist of seven members.
2. Members are appointed by the City Council for a term of four years. Members are eligible for reappointment for an additional four-year term. Members are subject to a term limit of eight years, or two consecutive four-year terms.

ARTICLE 3. MEETINGS

1. Regular meetings of the Parks & Recreation Commission shall be held on the first Wednesday of each month at 5:30 p.m., except during the annual tour of the City's parks and facilities.
2. Meetings will be held in the Council Chamber, City Hall, 990 Palm Street, San Luis Obispo, California. In the event that the Parks & Recreation Commission chooses to hold all or any portion of a regular meeting other than at City Hall, then the place of such meeting shall be posted at least 72 hours in advance at the Parks & Recreation Department office, 1341 Nipomo Street, San Luis Obispo, California and on the bulletin-board located at the entrance to the City Hall prior to the established meeting time.

3. A standing item for the Jack House reporting shall be included on every agenda.

ARTICLE 4. ELECTION OF OFFICERS

1. In April of each year, the Parks & Recreation Commission shall select a Chair and Vice Chair from among its members to serve a one-year term. Special elections for Chair or Vice Chair shall be held at the first meeting following the unscheduled resignation of an officer, or other reason for an officer position to become vacant.

2. Commissioners shall serve as Chair or Vice Chair at the discretion of the Commission.
3. The Chair shall preside at all meetings of the Parks & Recreation Commission. The Vice Chair will act as the Chair in the absence of the Chair or in case of the inability of the Chair to act.
4. In the event that the Chair and Vice Chair are unavailable to attend to their duties, the assembled members shall determine a Chair Pro Tempore.
5. No person shall serve as Chair or Vice Chair for more than three consecutive terms.

ARTICLE 5. CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a guide in the conduct of meetings.

ARTICLE 6. QUORUM

A quorum is the majority of the total number of established members of the commission..

ARTICLE 7. VOTING

1. Except as otherwise provided in the San Luis Obispo Municipal Code and state law, no resolution, motion or other action shall be passed or become effective without receiving the affirmative vote of at least a majority of the members present.
2. Failure to receive such an affirmative vote shall result in failure or denial, as appropriate, of the motion, resolution or other action.
3. Except as allowed under the Political Reform Act of 1974, as amended, any member abstaining due to a declared conflict of interest shall not participate in the discussion of the items or otherwise influence or attempt to influence in any manner the decision on the item.
4. All members, when present, must vote except when abstaining due to a declared conflict of interest.
5. Failure or refusal to vote when present—except for a declared conflict of interest—shall be counted as an affirmative vote.

ARTICLE 8. PUBLIC RECORDS

Records of all public hearings shall be made available to the public in the offices of the Parks & Recreation Department.

ARTICLE 9. ATTENDANCE

Any member of the Parks & Recreation Commission who fails, for any reason, to attend three consecutive regular meetings or a total of six regular meetings within any twelve month period shall be automatically be considered for replacement by the City Council. The Chairperson of the Parks & Recreation Commission shall inform the Council of such a situation, explaining any special circumstances.

ARTICLE 10. COMMITTEES

1. A member of the Parks & Recreation Commission shall serve as a liaison to the Jack House, attending all docent meetings and providing a report out of docent updates at each PRC meeting. ~~represent the Commission and sit as a voting member on the Jack House Committee.~~
2. Additional committee assignments shall be made as deemed necessary by the Chair.
3. Committee assignments will be made in April of each year.

ARTICLE 11. AMENDMENTS

1. These bylaws may be recommended for amendment by the majority vote of the Commission members present at a regular meeting, provided that a quorum is present. Members shall receive the proposed amendments at least seven days prior to the meeting in which the amendment is proposed.
2. Prior to May 1 in each odd-numbered year, these bylaws shall be reviewed by the Commission. Any proposed changes shall be submitted to the City Council for approval. If no changes are proposed, a report of the review shall be submitted.