



AGENDA REPORT

BEACHES, PARKS & RECREATION COMMISSION
Meeting Date: March 10, 2020

Agenda Item 5. C.

Approvals:

Dept. Head _____

Manager _____

Admin. Assistant _____

[Handwritten initials]

Department: Beaches, Parks & Recreation
Prepared By: Samantha Wylie, Recreation Manager

Subject: *RESOLUTION AMENDING REGULAR MEETING DATES.*

Fiscal Impact: None.

Summary: Staff recommends that the Beaches, Parks & Recreation Commission adopt a resolution amending the regular meeting dates of the Beaches, Parks and Recreation Commission.

Background: At its January 21, 2020 meeting, the City Council introduced Ordinance No. 1684 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTERS 2.28, 2.32, 2.36, 2.40, 2.42 AND 2.43 OF THE CODE OF THE CITY OF SAN CLEMENTE, RELATING TO THE BEACHES, PARKS AND RECREATION COMMISSION, PLANNING COMMISSION, GOLF COURSE COMMITTEE, HUMAN AFFAIRS COMMITTEE, COASTAL ADVISORY COMMITTEE AND INVESTMENT ADVISORY COMMITTEE, RESPECTIVELY. City Council established direction for the Beaches, Parks and Recreation Commission including the following:

- The Commission shall develop and annual work plan with specific goals and objectives for the year.
- The finalized work plan with recommendations shall be submitted to the Council for approval.
- Amendments to the work plan shall require Council approval.
- The membership of the Beaches, Parks and Recreation Commission shall reduce from 7 to 5 members.
- Appointments to the Beaches, Parks and Recreation Commission shall be made by the Council as a body and members shall serve two-year staggered terms.
- Regular Meetings shall be held bi-monthly (every two months).
- Meetings shall be limited to three hours unless otherwise approved by a majority vote of the Commission plus the concurrence of the primary staff support to the Commission.

Discussion: In order to comply with City Council direction, the Beaches, Parks and Recreation Commission is asked to adopt a resolution to amend its regular meeting dates. Section 54954 of the Government Code provides that regular meetings of the Beaches, Parks and Recreation Commission are to be established by either resolution or ordinance, and San Clemente Municipal Code Section 2.28.040 provides that the date, time and location for the regular meetings of the Beaches, Parks and Recreation Commission shall be established by resolution.

Recommended

Action: STAFF RECOMMENDS THAT the Beaches, Parks & Recreation Commission adopt Resolution No. 20-01 amending the regular meeting dates to the second Tuesday of even numbered months (February, April, June, August, October, and December).

Attachments: 1. Resolution No. 20-01
2. Excerpt from Ordinance-1684

Notification: None

RESOLUTION NO. 20-01

A RESOLUTION OF THE BEACHES, PARKS AND RECREATION COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING THE DATE, TIME AND LOCATION OF THE REGULAR MEETINGS OF THE BEACHES, PARKS AND RECREATION COMMISSION AND REPEALING ANY OTHER RESOLUTION PROVISION IN CONFLICT THEREWITH.

WHEREAS, Section 54954 of the Government Code provides that regular meetings of the Beaches, Parks and Recreation Commission are to be established by either resolution or ordinance; and

WHEREAS, San Clemente Municipal Code Section 2.28.040 provides that the date, time and location for the regular meetings of the Beaches, Parks and Recreation Commission shall be established by resolution; and

WHEREAS, the Beaches, Parks and Recreation Commission desires to amend its regular meeting schedule to provide that regular meetings shall be conducted bi-monthly (every other month) consistent with City Council direction.

NOW, THEREFORE, the Beaches, Parks and Recreation Commission of the City of San Clemente does hereby resolve as follows:

Section 1. Effective July 1, 2020, the regular meetings of the Beaches, Parks and Recreation Commission shall be held on the second Tuesday of even numbered months (February, April, June, August, October, and December) in the City Council Chambers, located at 100 Avenida Presidio, San Clemente, commencing at 6:00 p.m.

Section 2. In the event any other resolution of the Beaches, Parks and Recreation Commission is found to contain content that is in conflict with this resolution, this resolution shall prevail and the conflicting section(s) of the prior resolutions shall be considered to be repealed.

Section 3. The Beaches, Parks and Recreation Department Director shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 10th day of March, 2020.

ATTEST:

Director of Beaches, Parks and
Recreation

Chairperson of the San
Clemente Beaches, Parks and
Recreation Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, ERIK SUND, Director of Beaches, Parks and Recreation, do hereby certify that Resolution No. 20-01 was adopted at a regular meeting of the San Clemente Beaches, Parks and Recreation Commission held on the 10th day of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 10th day of March, 2020.

Director of Beaches, Parks and
Recreation

Approved as to form:

/s/
City Attorney

ORDINANCE NO. 1684

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTERS 2.28, 2.32, 2.36, 2.40, 2.42 AND 2.43 OF THE CODE OF THE CITY OF SAN CLEMENTE, RELATING TO THE BEACHES, PARKS AND RECREATION COMMISSION, PLANNING COMMISSION, GOLF COURSE COMMITTEE, HUMAN AFFAIRS COMMITTEE, COASTAL ADVISORY COMMITTEE, AND INVESTMENT ADVISORY COMMITTEE, RESPECTIVELY.

WHEREAS, at its meetings of June 18, 2019 and December 3, 2019, the San Clemente City Council reviewed the structure, composition, and performance of the City's commissions and committees, with special attention to efficiency in terms of staff usage and resources; and

WHEREAS, the City Council determined that various modifications should be made to the Beaches, Parks and Recreation Commission, Planning Commission, Golf Course Committee, Human Affairs Committee, Coastal Advisory Committee and Investment Advisory Committee to enhance performance and improve efficiency.

NOW, THEREFORE, the City Council of the City of San Clemente, California, hereby ordains as follows:

Section 1: Chapter 2.28, relating to the Beaches, Parks and Recreation Commission, is hereby modified to read in its entirety as set forth in Exhibit A attached hereto.

Section 2: Chapter 2.32, relating to the Planning Commission, is hereby modified to read in its entirety as set forth in Exhibit B attached hereto.

Section 3: Chapter 2.36, relating to the Golf Course Committee, is hereby modified to read in its entirety as set forth in Exhibit C attached hereto.

Section 4: Chapter 2.40, relating to the Human Affairs Committee, is hereby modified to read in its entirety as set forth in Exhibit D attached hereto.

Section 5: Chapter 2.42, relating to the Coastal Advisory Committee, is hereby modified to read in its entirety as set forth in Exhibit E attached hereto.

Section 6: Chapter 2.43, relating to the Investment Advisory Committee, is hereby modified to read in its entirety as set forth in Exhibit F attached hereto.

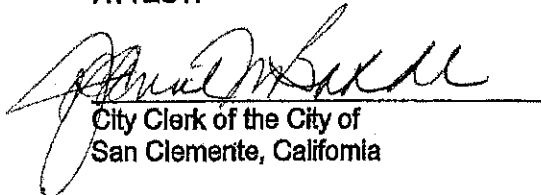
Section 7: If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

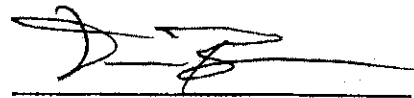
Section 8. The revisions to Code Chapters 2.28, 2.32, 2.36, 2.40, 2.42 and 2.43 as set forth in Exhibits A, B, C, D, E and F of this Ordinance shall become effective on July 1, 2020.

Section 9. The City Clerk shall certify to the adoption of this ordinance and cause it, or a summary thereof, to be published once within fifteen (15) days of adoption in a newspaper of general circulation printed and published within the City of San Clemente, and shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with California Government Code Section 36933.

APPROVED AND ADOPTED this 4th day of February, 2020.

ATTEST:


City Clerk of the City of
San Clemente, California


Mayor of the City of
San Clemente, California

STATE OF CALIFORNIA)
 COUNTY OF ORANGE) ss.
 CITY OF SAN CLEMENTE)

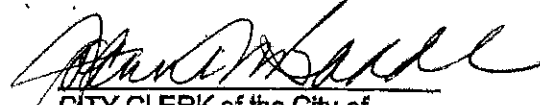
I, JOANNE BAADE, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. 1684, having been regularly introduced at the meeting of January 21, 2020, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 4th day of February, 2020, and said ordinance was adopted by the following vote:

AYES: FERGUSON, HAMM, JAMES, WARD, MAYOR BANE

NOES: NONE

ABSENT: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 19TH day of FEB, 2020.


 CITY CLERK of the City of
 San Clemente, California


Approved as to Form:

 City Attorney

EXHIBIT A

CHAPTER 2.28 - BEACHES, PARKS AND RECREATION COMMISSION

2.28.010 - Establishment of the Beaches, Parks and Recreation Commission; composition; appointment of members.

There is established a Beaches, Parks and Recreation Commission which shall consist of five (5) San Clemente citizens appointed by the City Council.

2.28.020 - Function.

The Beaches, Parks and Recreation Commission's functions and duties are to:

- A. Act in an advisory capacity to the City Council in all matters pertaining to parks, beaches, recreation, parkways and street trees;
- B. Consider the annual budget for parks, beaches, recreation, parkways, and street trees during the preparation of the annual budget and make recommendations with respect thereto to the City Council and the City Manager;
- C. Assist in the planning of parks and coordinate recreation programs for the public, promote and stimulate public interests therein, and to that end solicit, to the fullest extent possible, the cooperation of all public and private agencies interested therein;
- D. Evaluate and review park development plans of the City;
- E. Develop an annual work plan with specific goals and objectives for the coming year. The work plan, with recommendations, shall be submitted to the City Council no later than October 1 of each year. The plan shall be submitted in written form for approval at a City Council meeting. Any amendments to the work plan shall require Council approval;
- F. Limit meetings to three hours unless otherwise approved by a majority vote of the Commission plus the concurrence of the primary staff support to the Commission.
- G. Perform such other duties as may be prescribed by the City Council.

2.28.030 - Beaches, Parks and Recreation Commission - Terms of Office.

The terms of office of members of the Beaches, Parks and Recreation Commission shall be for two (2) years from July 1st to June 30th of the second following year, and with such terms staggered so that three (3) Commissioners are appointed in even-numbered years and two (2) Commissioners are appointed in odd-numbered years. Annually, at the first meeting after the newly appointed Commission members assume office in July, the Commission shall select a chair and vice-chair from among its members. No less than sixty (60) days prior to the expiration of terms, the City Clerk shall notify the City Council

of the forthcoming vacancies and the City Council shall make the necessary appointments prior to the expiration of the terms. In the event the City Council does not make the necessary appointments prior to the expiration of the terms, existing members with expiring terms shall continue to serve as Beaches, Parks and Recreation Commissioners until successors are appointed by the City Council and assume office.

2.28.040 - Meetings - Attendance.

The Beaches, Parks and Recreation Commission shall hold meetings bi-monthly (every two months) in accordance with the rules of procedure to be enacted and recorded in a book of official proceedings. The location, dates, time and organization of Beaches, Parks and Recreation Commission meetings shall be established by resolution of the Beaches, Parks and Recreation Commission. Any member of the Beaches, Parks and Recreation Commission who is absent from three (3) consecutive regular meetings of the Beaches, Parks and Recreation Commission, without furnishing to the City Clerk a certificate of illness from a duly practicing physician, or without the authorization of the Beaches, Parks and Recreation Commission to be absent from three (3) consecutive regular meetings for good cause, shall, as a result, surrender his or her office on the Beaches, Parks and Recreation Commission and the office shall be considered vacant.

2.28.050 - Filling of vacancies - Removal of members.

Any vacancy occurring in the office of a member of the Beaches, Parks and Recreation Commission shall be filled in the same manner as the original appointment, and a successor shall hold office for the unexpired portion of the term of his or her predecessor. Each member of the Beaches, Parks and Recreation Commission shall serve at the pleasure of the City Council and may be removed from office with or without cause during his or her term in office by a majority vote of all members of the City Council.

2.28.060 - Voting power of members.

The members of the Beaches, Parks and Recreation Commission shall each have one (1) vote on any matter pending before the commission.

2.28.070 - Commission subject to state law, etc.

The Beaches, Parks and Recreation Commission shall be subject to the rules and regulations regarding the conduct of meetings under state and city law and to the provisions of this code and any other ordinance of the City.