

Agenda Item 4.c

ORDINANCE NO. 2010

**AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING
SECTIONS 2.16.020 THROUGH 2.16.023 OF THE SAN RAFAEL
MUNICIPAL CODE RELATED TO THE PARK AND RECREATION
COMMISSION**

WHEREAS, regulations governing the requirement to have a Park and Recreation Commission of the City of San Rafael are located in Article VIII, Section 11 of the San Rafael Charter; and

WHEREAS, regulations governing the Park and Recreation Commission of the City of San Rafael are located in the San Rafael Municipal Code (SRMC) Sections 2.16.020 through 2.16.023 of Chapter 2.16 (Board and Commissions); and

WHEREAS, in an effort to move our advisory bodies to a total of five voting members, staff is recommending the Park and Recreation Commission be comprised of five voting members; and

WHEREAS, changes to membership will happen through attrition. As terms expire, staff will not fill vacancies until the new membership number is reached. No current members will be removed to meet the new composition of the Commission; and

WHEREAS, staff recommends the removal of the Commission's power to review, and make comments and recommendations regarding the annual operating budget of the department; and

WHEREAS, there are instances throughout the SRMC where masculine language is used, and changes are being recommended to amend language to be gender-neutral; and

WHEREAS, the provisions of section 2.16.022 of the SRMC, regarding term of office and removal of Commission members, are already set forth in Article VIII, Section 11 of the San Rafael Charter and staff recommends eliminating those provisions from this section of the SRMC.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
DOES ORDAIN AS FOLLOWS:**

Division 1. Amendment of Municipal Code.

Sections 2.16.020 through 2.16.023 of Chapter 2.16 (Board and Commissions) of the San Rafael Municipal Code are hereby amended to read as follows. Additions are shown in underline, and deletions are shown in ~~strikethrough~~.

2.16.020 - Park and recreation commission.*

A park and recreation commission is created.

* *Park commission—See San Rafael Charter, Art. III § 52 and Art. VIII § 11.*

2.16.021 - Commission membership—Compensation.

Agenda Item 4.c

The park and recreation commission shall consist of ~~seven~~ five members appointed by the city council, one of whom may be a ~~councilman~~ councilmember. All members of the park and recreation commission shall serve without compensation. The city council may establish compensation for members of the park and recreation commission by resolution.

2.16.022 –Commission term of office and removal.Reserved.

~~Members of the park and recreation commission shall serve for a term of four years and shall be subject to removal by the affirmative vote of three members of the council. The terms of office of members of the commission shall be staggered in the manner provided by resolution of the city council.~~

2.16.023 - Commission powers and duties.

Subject to the direction and control of the city council, as provided in [Section 2.04.030](#) of this code, the powers and duties of the parks and recreation commissioners shall be:

To assist in the preparation and adoption of a review annually and revise as necessary a long-range plan for parks including neighborhood parks, community-wide parks, special use facilities and open space lands;

To focus public attention upon the need for adequate parks and healthful and creative year-round supervised recreation for all age groups;

To assist in promoting the public recreation programs;

To solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein;

To assist the parks and recreation director in establishing general policies and procedures in respect to park usage;

~~To review, comment and make recommendations regarding the annual operating budget of the department;~~

To receive periodic reports from the department head concerning the general operations and functions of the department; and

To perform such other duties as may be prescribed by the council.

Division 2. Severability.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares it would have passed and adopted this Ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

Division 3. CEQA Determination.

Agenda Item 4.c

This Ordinance makes only administrative changes to the operations of a City commission and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA) under 14 Cal. Code Regs. §15061(b)(3), the common sense exemption, because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

Division 4. Publication; Effective Date.

This Ordinance shall be published once, in full or in summary form, before its final passage, in a newspaper of general circulation, published, and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage. If published in summary form, the summary shall also be published within fifteen (15) days after the adoption, together with the names of those Councilmembers voting for or against same, in a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California.



KATE COLIN, Mayor

ATTEST:



LINDSAY LARA, City Clerk

The foregoing Ordinance No. 2010 was introduced at a Regular Meeting of the City Council of the City of San Rafael, held on the 6th day of June 2022 and ordered passed to print by the following vote, to wit:

AYES: Councilmembers: Bushey, Hill, Kertz, Llorens Gulati & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: None

and will come up for adoption as an Ordinance of the City of San Rafael at a Regular Meeting of the Council to be held on the 21st day of June 2022.



LINDSAY LARA, City Clerk

SUMMARY OF ORDINANCE NO. 2010

AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING SECTIONS 2.16.020 THROUGH 2.16.023 OF THE SAN RAFAEL MUNICIPAL CODE RELATED TO THE PARK AND RECREATION COMMISSION

This Summary concerns a proposed ordinance of the City Council of the City of San Rafael, designated as Ordinance No. 2010, which will amend the Park and Recreation Commission. Ordinance No. 2010 is scheduled for adoption by the San Rafael City Council at its regular meeting of Tuesday, June 21, 2022. The City Clerk has been directed to publish this Summary pursuant to City Charter and California Government Code section 36933(c)(1).

SUMMARY OF ORDINANCE

Ordinance No. 2010 amends Sections 2.16.020 through 2.16.023 of the San Rafael City Municipal Code, changing the composition of membership from seven to five members, removing masculine language and replacing it with gender neutral language, removing the clause relating to compensation of commissioners and providing authority to the city council to approve compensation by resolution, removing duplicative language in the code, and removing the review of the department budget from the powers and duties of the commission. The City Council's adoption of this ordinance creates uniformity across the City's boards and commissions program.

For a complete copy of the text of the Ordinance, please contact the City Clerk Lindsay Lara at 415-485-3065 or Lindsay.lara@cityofsanrafael.org. Copies of the Ordinance are also available for public review by contacting the City Clerk's office by email to city.clerk@cityofsanrafael.org.

/s/ Lindsay Lara
LINDSAY LARA
San Rafael City Clerk
Dated: 06/10/2022