

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Ordinance No. 325 changing the name of the Parks, Recreation and Cultural Services Committee to Parks, Recreation and Cultural Services Board
DEPARTMENT:	City Attorney's Office
PRESENTED BY:	Ian R. Sievers, City Attorney

ISSUE STATEMENT:

At the March 24 Council meeting a motion was approved requesting that an ordinance be placed on the agenda changing the name of the Parks, Recreation and Cultural Services Committee to the Parks, Recreation and Cultural Services Board

BACKGROUND:

The Parks, Recreation and Cultural Services Committee was established in 1998 after study by the Citizens Involvement and Communications Project Committee and review at the 1998 annual Council retreat. The discussion focused on the "Commission vs. Advisory Committee" approach.

The commission discussed in 1998 focused on a particular organizational structure proposed in a tabled 1996 ordinance drafted by the Council's former Parks, Recreation and Cultural Services Committee. The commission envisioned was more formal than the committee alternative; with a larger membership (10) divided between Parks Commissioners and Recreation Commissioners, more frequent meetings (monthly with quarterly reports) and substantial responsibility for reviewing and advising on budget and the administration of services. The 1998 staff report also viewed this structure as more demanding of staff resources.

The Committee as currently constituted, was recommended by the Citizen Involvement Committee, and emphasizes a forum for gathering early citizen input for staff recommendations to Council through public meetings and hearings. The administration of park operations and services rests with the staff and the city manager. However, the actual responsibilities between the two proposed organizations differed little in the two draft ordinances. The Committee ordinance was adopted in July 1998 with Ordinance No. 167.

Committees usually refer to those bodies formed to assist the council with a particular area of its work (standing committee) or to investigate and report on an issue concerning potential legislation (special committee).

The terms "board" and "commission" are used interchangeably in connection with a body having delegated responsibilities and duties and enabled to function independently of the parent body under provisions of a creating ordinance of the jurisdiction. *McQuillan Mun Corp* §2.30.010 (3rd Ed.)

Use of the term 'board' does have more traditional ties to parks operations; e.g. "[d]iscretion concerning park property sometimes vests in parks boards..." *McQuillan Mun Corp* §28.50.05 (3rd Ed.) The only express authority in Washington for parks boards or commissions is given to second class cities, which may provide by ordinance, for a board of park commissioners, not to exceed seven in number. RCW 35.23.170. Interpreting this statute, the courts have found "[t]he park board is merely a creature of the city council's legislative action and has 'only such powers and authority . . . as are granted to it by the legislative body.'" Of course, code cities such as Shoreline have all powers granted to any other class of city. RCW 35A.11.020.

The proposed ordinance changes the name from committee to board but makes no changes to the purpose, membership, meetings or responsibilities. The organization established in Chapter 2.55 fits well within the concept of an advisory board and this term is less confusing than the committee designation, particularly since the term 'board' is more common among Washington cities for bodies with similar duties. In a quick review of the distribution list for the Washington Recreation and Parks Association, all cities and counties used board or board of commissioners rather than committee except Shoreline and Kent. This name change is supported by the current committee members.

RECOMMENDATION

Staff recommends adoption of proposed ordinance No. 325 changing the name of the Parks, Recreation and Cultural Services Committee to Parks, Recreation and Cultural Services Board.

ATTACHMENTS

A. Proposed Ordinance No. 325.

Approved By:

City Manager 

City Attorney 

ATTACHMENT A

ORDINANCE NO. 325

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, RENAMING THE PARKS, RECREATION AND CULTURAL SERVICES COMMITTEE AS THE PARKS, RECREATION AND CULTURAL SERVICES BOARD; AND AMENDING CHAPTER 2.55 OF THE SHORELINE MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF SHORELINE WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Chapter 2.55 of the Shoreline Municipal Code is hereby amended to read as follows:

Chapter 2.55

PARKS, RECREATION AND CULTURAL SERVICES ~~COMMITTEE~~BOARD

2.55.010 Created – Purpose.

The Shoreline parks, recreation and cultural services ~~committee~~board is hereby created. The ~~committee~~board is to provide additional citizen input on park maintenance and operations, design matters, programs and services in sports, leisure and cultural activities.

2.55.020 Membership.

Only persons who reside in the city of Shoreline, own property there, or are employed in Shoreline shall be eligible for membership on the parks, recreation and cultural services ~~committee~~board. The ~~committee~~board shall consist of nine regular members and one alternate member. The alternate member shall have all of the duties of regular members and fully participate in ~~committee~~board meetings, except the alternate member may not vote on action items unless a regular member is absent. Members shall serve without compensation but may be reimbursed for reasonable expenses pursuant to city ordinances and policies. The position of a member shall become vacant upon such member's ceasing to reside within, own property within, or be employed within the Shoreline city limits. The position of a member shall be forfeited and become vacant for failure to attend three regular consecutive meetings of the ~~committee~~board, unless such absence is excused by a majority of the ~~committee~~board. Vacancies occurring other than through the expiration of terms shall be filled for the unexpired terms in the same manner as for appointments as provided in this chapter.

Regular members shall serve four-year terms; the alternate member shall serve a two-year term. To allow for the staggering of terms for the initial parks, recreation and cultural services ~~committee~~board and appointment or re-appointment as appropriate, the

initial terms for regular members shall be as follows: four members for terms of two years and five members for terms of four years. Terms shall expire the thirty-first day of March. No ~~committee~~board member shall serve more than 10 consecutive years.

2.55.030 Appointment.

Members of the ~~advisory committee~~board shall be recommended to the mayor after an open recruitment and review of applicants by a council ad hoc sub~~committee~~board. The mayoral appointments must be confirmed by a majority vote of the city council.

2.55.040 Meetings and organization.

The ~~committee~~board should hold meetings at regular intervals as provided in the bylaws adopted by the ~~committee~~board after city council review. The ~~committee~~board shall schedule eight regular meetings per year during the months of January, February, March, April, May, June, July and September. A more frequent meeting schedule may be established by the ~~committee~~board as the need arises. Members of the ~~committee~~board shall select a chairperson and such other officers as they may deem necessary, and may establish rules for the conduct of their meetings and the business of the ~~committee~~board.

2.55.050 Staff support.

Administrative staff support to the parks, recreation and cultural services ~~committee~~board shall be provided by the parks and recreation department. Written minutes will be required for all meetings.

2.55.060 Responsibilities.

- A. The ~~advisory committee~~board shall serve in an advisory capacity to city staff and the city council.
- B. The full ~~committee~~board may make reports and recommendations to the city council concerning parks and recreation plans and policies, maintenance, operation and design of parks, and program activities in sports, leisure and cultural services. The ~~committee~~board will make recommendations concerning the acquisition, care, maintenance, utilization and disposition of buildings, property and equipment related to parks programs.
- C. The ~~committee~~board may review, advise and make recommendations to city staff and the city council concerning the development and enforcement of rules and regulations concerning the use of parks, buildings and equipment, and rules of conduct and behavior of persons using the same. The ~~committee~~board shall advise and make recommendations relative to the scope and quality of services provided or to be provided, including instructional and park materials.
- D. The ~~committee~~board will aid the city council in decision making and city staff in developing proposals by providing the citizen perspective in matters. To this end, the ~~committee~~board may conduct public hearings or other meetings to solicit public input.

E. The ~~committee~~board shall forward meeting minutes to the city council and provide an annual review of their activities.

2.55.070 Gifts.

The ~~committee~~board may make recommendations to city council regarding the acceptance or rejection of all gifts of money or property made for the benefit of the parks programs.

2.55.080 Legal compliance.

The members of the ~~committee~~board will fully comply with all federal and state laws and local ordinances.

Section 2. Effective and Publication. A summary of this Ordinance consisting of the title shall be published in the official newspaper and the Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON April 28, 2003.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, CMC
City Clerk

Ian Sievers
City Attorney

Date of Publication: , 2003
Effective Date: , 2003

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