

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Fred Smith via Clay Holstine, City Manager

DATE: Meeting of May 3, 2010

SUBJECT: Revisions to Open Space and Ecology Committee Bylaws and determination of length of terms for recently appointed Committee members.

RECOMMENDATION:

Consider adoption of Resolution No. 2010-21, amending the bylaws of the Open Space and Ecology Committee and select one appointee to serve a two year term.

BACKGROUND and DISCUSSION:

At its April 26, 2010, meeting, the City Council interviewed five candidates for two open seats on the Open Space and Ecology Committee. At the conclusion of the interviews, the Council decided to appoint four of the applicants and expand the number of seats on the Committee from five to seven.

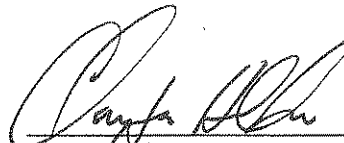
Attached to this staff report are a draft revised bylaws for the Committee reflecting this change and a resolution approving the revised bylaws.

The existing bylaws for the Open Space and Ecology Committee provide for four year staggered terms where the terms of the majority of the Committee members expire in the years when three members of the City Council are elected. In order for the newly constituted seven member Committee to follow this pattern, one of the recently appointed or re-appointed Committee members should be assigned to serve a two year term rather than a four year term. Then there will be four Committee member terms expiring in the years that three City Council members are elected and three Committee member terms expiring in the years that two City Council members are elected.

FISCAL IMPACT/FINANCING ISSUES

None.



Department Head

City Manager

ATTACHMENTS:

Draft revised bylaws
Resolution No. 2010-21

Open Space and Ecology Committee Creation and Bylaws

Creation; appointment; qualification

There is hereby created a permanent Open Space and Ecology Committee which shall consist of ~~five~~seven public members appointed by the City Council. Such Committee members shall serve without compensation. Members of the Committee must at all times during their service be residents of the City.

The Committee members shall be appointed by the City Council after soliciting applications from the community. Applicants must be residents of Brisbane. The following criteria shall be among those used for selecting appointees to the Open Space and Ecology committee:

1. demonstrated interest in open space and ecological issues,
2. record of public service and commitment to the community,
3. willingness to dedicate sufficient time and effort

Applications shall be taken on the form attached to these bylaws or as otherwise approved by the City Council. The interview and selection process shall be similar to the process utilized by the City Council in the appointment of Planning and PB&R Commissioners

Term of office

Committee members serve in an advisory capacity to the City Council. The Committee members shall be appointed for a term of four years unless the appointment is to fill a vacancy created other than by expiration of a term in which event the appointment shall be for the unexpired portion of the term. The Committee members serve staggered, four -year terms, with ~~three~~four terms to commence in the years that three Council seats are scheduled to be filled by regular election and ~~two~~three terms to commence in the years that two seats are scheduled to be filled by regular election. Any Committee member may be removed with or without cause by a vote of at least three members of the City Council.

Officers

The Committee shall elect from its members a Chair and a Vice Chair who shall hold office for a term of one year. No member of the Committee may serve more than one consecutive term as Chair.

Meetings

The Open Space and Ecology Committee shall meet at least once a month or as otherwise approved by the Committee. Meetings of the Committee shall be held at a location to be determined by the Committee or the Committee staff and notice of each meeting shall be provided in the manner prescribed by the Brown Act. Time, dates, and location of the meetings will be determined by a vote of the majority of the Committee subject to the availability of meeting facilities and support staff. Efforts will be made to encourage attendance and participation by members of the public.

Subject to approval of the City Council Open Space and Ecology Committee Subcommittee, the Open Space and Ecology Committee may, from time to time, hold joint meetings as needed with the City Council, the Planning Commission and the Parks, Beaches and Recreation Commission.

Quorum

A quorum is necessary for an Open Space and Ecology Committee meeting to be held. A majority of the members of the Open Space and Ecology Committee shall constitute a quorum. In the event that there is no quorum, any discussions which are held by those assembled shall be regarded as informal and non-binding.

Subcommittees

Subcommittees may be formed, as needed, in relation to work of the Open Space and Ecology Committee.

Responsibilities

The primary responsibility of the Open Space/Ecology Committee is to make recommendations to the City Council on the implementation of relevant programs and policies of the Open Space and Conservation Elements as well as the environment and natural resources policies of the Local Economic Development chapter of the General Plan. That responsibility includes preparing drafts of the relevant, regular reports called for in the General Plan, such as the annual report on the status of open space. The responsibility of the Open Space and Ecology Committee does not include review and comment on applications submitted to the City under Titles 16 and 17 of the Brisbane Municipal Code unless specifically requested by the City Council.

The function of the Open Space and Ecology Committee shall encompass consideration of the following areas of responsibility.

1. Open space planning, maintenance and monitoring.
2. Ecological issues that affect the natural environment in Brisbane as guided by the principles of ecological sustainability.
3. City practices and programs related to natural resource conservation.

Some examples of specific issues and topics that the Open Space Committee may address include:

1. Water and energy conservation.
2. Annual open space report.
3. Annual evaluation of the HCP.
4. Public information and education on ecological issues.
5. Recycling/solid waste reduction issues.
6. Wetlands preservation and enhancement issues.
7. Preservation and enhancement of the Brisbane Lagoon pursuant to goals and objectives adopted by the City Council.
8. Issues related to pollution, toxic waste and contamination.

In order for the Open Space/Ecology Committee to work expeditiously, its members should receive appropriate education in the tasks before them, pay close attention to timelines and priorities, meet as often as required, keep track of ideas not directly on agenda items for future reference, recognize that open space and ecological issues are necessarily holistic and connected, and pick a chair who will provide leadership consistent with these principles.

Staff support

The City Manager or his or her designee shall serve as the staff advisor to the Open Space and Ecology Committee and shall give notice of meetings, keep and maintain records of Committee meetings and recommendations, and generally provide such support and assistance as the Committee may require in order to perform its responsibilities.

RESOLUTION 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE AMENDING THE BYLAWS OF THE OPEN SPACE AND ECOLOGY COMMITTEE

WHEREAS, on August 27, 2001, the City Council of the City of Brisbane adopted Resolution No. 2001-76, establishing the Open Space and Ecology Committee as a permanent advisory body to the City Council on open space acquisition and environmental matters in general and adopting bylaws for the Committee; and

WHEREAS, on August 16, 2004, the City Council of the City of Brisbane adopted Resolution No. 2004-40 amending the bylaws of the Open Space and Ecology Committee to eliminate the Parks, Beaches and Recreation Commission representative to the Committee; and

WHEREAS, on March 20, 2006, the City Council of the City of Brisbane adopted Resolution No. 2006-09, amending the bylaws of the Open Space and Ecology Committee to eliminate the two City Council representatives and the Planning Commission representative as members of the Open Space and Ecology Committee reconstitute the Committee as an advisory committee consisting of five public members appointed by the City Council and to clarify the Committee's mission and scope of responsibility; and

WHEREAS, on September 5, 2006, the City Council of the City of Brisbane adopted Resolution No. 2006-48, amending the bylaws of the Open Space and Ecology Committee to add the phrase "as guided by the principles of ecological sustainability" to the text of the bylaws; and

WHEREAS, the City Council of the City of Brisbane wishes to further amend the bylaws of the Open Space and Ecology Committee to increase the number of public members of the Open Space and Ecology Committee from five to seven.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brisbane hereby declares:

1. That the bylaws of the Open Space and Ecology Committee shall be amended to increase the number of public members of the Open Space and Ecology Committee from five to seven.
2. That the attached amended bylaws for the Open Space and Ecology Committee are hereby adopted.

* * * * *

W. Clarke Conway, Mayor

I hereby certify that the foregoing Resolution 2010-21 was duly and regularly adopted at a regular meeting of the Brisbane City Council on May 3, 2010 by the following vote:

AYES:

NOES:

ABSENT:

Sheri Marie Spediacci
City Clerk

Open Space and Ecology Committee Creation and Bylaws

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