

**Parks and Recreation Commission  
Staff Report**

**Meeting Date:** February 2, 2016

**Agenda Item Number:** 3B

**Applicant:** Roger Moellendorf

**Request:** Discussion only, regarding a review of the Parks and Recreation Bylaws.

**General Discussion:** Annually, during the first meeting of the year, the Commissioners review their Bylaws (Exhibit A) in order to make a determination if they want to make any changes for the coming year. According to the Bylaws any amendments introduced during this meeting cannot be acted upon or voted on until the next meeting which is April 5, 2016. Changes require an affirmative vote of 2/3rds of the total commission membership to pass.

In addition, on December 17, 2015 the Board of Supervisor adopted on second reading an amended Chapter 2.16 – CARSON CITY PARKS AND RECREATON COMMISSION ordinance (Exhibit B). The amended ordinance will require at minimum, the following two changes:

Section 1. MEETINGS (first sentence): *It is the intent of the Parks and Recreation Commission to meet bi-monthly, on the first Tuesday of the following months – February, April, June, August, October and December.*

Section 10. QUORUM: subsection a. change “five (5)” to “four (4).”

**Recommended Action:** This is a discussion only item and no action can be taken

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1. MEETINGS:

It is the intent of the Parks and Recreation Commission to meet monthly, on the first Tuesday of each month. However, the Chair and the Parks and Recreation Director together can decide to cancel a meeting if there is a lack of sufficient topics and agenda items in their opinions to warrant it.

Regular meetings may also be rescheduled in advance by a majority of Commissioners at any regular meeting. If the meeting date is a legal holiday or falls on an election day, the meeting may be rescheduled for another date in the same month if possible; the time will be designated by the Commission. All meetings, whether regular or special, shall be made public. A majority of members shall constitute a quorum for the transaction of business.

2. SPECIAL MEETINGS:

Special meetings may be called at any time by the Chair, or by a quorum of the Commission. The purpose of the meeting shall be stated and shall be delivered to each member indicating the time, date and place of the meeting. Non-decision making workshops may be called by the Chair or quorum of the Commission.

3. NOTICE OF MEETINGS:

Notices shall conform with the Nevada Open Meeting Law, NRS Chapter 241. Notices of the meetings are to be posted at least three (3) working days prior to the scheduled meeting and in three locations.

4. OFFICERS:

At the first regular meeting of each calendar year, the Commission shall elect a Chair and Vice Chair for that year. In the absence of the Chair and Vice Chair, the quorum present shall appoint a Chair pro tempore by majority vote.

The City shall provide a Secretary for each and every meeting of the Commission to act as a recorder, vote counter, and to take roll.

The terms of office for the officers shall be one year, but any officer may be removed from office by a majority vote of the Commission. Any officer may resign his or her elected office at any time, with or without approval from the Commission. Except in circumstances where an officer is removed from the Commission for cause, an officer who is removed or resigns from an elected office may still remain on the Commission for the duration of his or her appointment as a Commissioner.

When an officer resigns his or her elected office, he or she shall communicate such resignation to the Commission. The Commission shall elect a new officer no later than the first regular meeting after an officer has been removed or has resigned from an elected office,. The Commission may appoint an officer pro tempore to act during any interim period occurring after the removal or resignation of an officer and before any subsequent election of a new officer.

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5. DUTIES OF CHAIR:

- a. The Chair shall be responsible for the conduct of all Parks and Recreation Commission meetings.
- b. The Chair shall confer with the Director of Parks and Recreation, or his designee, who places matters on the agenda.
- c. Any member of the Commission may request that items be scheduled for a Commission meeting.
- d. In the absence of the Chair, these duties shall be assumed by the Vice Chair, then the Chair pro tempore.

6. RESIGNATION:

Any Commissioner may resign at any time by sending written notice of such resignation to the Parks and Recreation Department.

7. POWERS OF THE COMMISSION:

The Commission shall have power as follows:

- a. Those powers written in the City Ordinance adopting this Commission.
- b. To organize and dissolve subcommittees of the Parks and Recreation Commission.
- c. To cooperate with other government agencies and civic groups in the advancement of sound parks and recreation planning.

8. AMENDMENT:

An amendment to these bylaws introduced at any regular meeting shall be voted on at the next meeting and require an affirmative vote of 2/3rds of the total Commission membership in order to pass.

9. ATTENDANCE:

Regular attendance at meetings shall be expected of all members. In any calendar year, Commissioners shall attend a minimum of seventy-five percent (75%) of the scheduled regular Parks and Recreation Commission meetings, and shall exercise due diligence in attending special meetings, public hearings, workshops and study sessions.

- a. Approval for excused absence may be granted to any member by a majority vote of the Commission. Should an absence be excused by the Commission for reasons of illness, death in the family, or an emergency, this will be recorded as an excused absence and will not reflect on the attendance record.

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9. ATTENDANCE: (Continued)

- b. Should a Commissioner miss a meeting for other reasons, the Commission may find that this is an excused absence, and it will not reflect on the attendance record. This discretion of the Commission is based on the Commissioner's overall attendance record.

10. QUORUM:

- a. A quorum shall be five (5) members of the Commission.
- b. To be considered an approval motion, a vote of a simple majority of the Commission present shall be required, unless a two-thirds vote is required for the action. A requirement for a two-thirds vote shall mean that six (6) Commissioners vote aye on the motion.

11. CONDUCT OF THE MEETINGS:

- a. Commissioners shall attend the meetings in appropriate attire to represent the image and authority of the Parks and Recreation Commission.
- b. Commissioners shall arrive in a timely manner prior to the opening gavel.
- c. There shall be no smoking or consumption of alcoholic beverages in the Commission chambers during the Commission meeting.
- d. Commission meetings shall not take place without a representative of the Parks and Recreation Department present.
- e. It shall be the policy of the Commission that a representative of the District Attorney shall be present if the Chair or a Commissioner in consultation with the Chair and Parks and Recreation Director so request. Staff will always have the right to request District Attorney representation.

12. REPORTS AND MEETING PACKETS:

- a. The Director of the Park and Recreation Department shall cause to be prepared reports of the Parks and Recreation staff or Parks and Recreation Commissioner for each item for which a public hearing is scheduled.
- b. Each staff report shall be in the form and style as determined by the Director. At a minimum, the report shall recommend to the Commission the necessary findings required to consider an action on a project; recommend language for a motion supporting the proposed action; and recommend conditions to ensure conformance of the proposed project with City policy and regulations.
- c. The Director may present reports either orally or with written background materials for any other topics that are not scheduled as public hearings before the Commission. Such items shall be identified on the meeting agenda.

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13. PARLIAMENTARY AUTHORITY:

Roberts Rules of Order shall apply at any time that a matter under consideration is not covered by these bylaws.

## **Chapter 2.16 - CARSON CITY PARKS AND RECREATION COMMISSION**

### **Sections:**

#### **2.16.010 - Organization.**

1. There is hereby established pursuant to NRS 244.3071 et seq. a commission to be known as the Carson City parks and recreation commission.
2. This commission shall consist of seven members who shall be appointed by the board.
3. The commission shall be composed of one member who shall be a member of the Board of Supervisors, and one member who shall be a member of the Board of Trustees of the Carson City School District. The remaining members shall be qualified electors of Carson City and appointed, where possible, from a diverse cross-section of the community. That cross-section should consist of but not be limited to: service groups, professional parks or maintenance groups, adult sports groups, youth sports or service groups, environmental interest, and general public.

(Ord. 2005-17 § 1, 2005: Ord. 1991-56 § 1, 1991: Ord. 1981-45 § 1, 1981: Ord. 1974-10 § 1, 1974).

#### **2.16.020 - Membership requirements.**

Members of the Carson City parks and recreation commission shall be qualified electors of Carson City.

(Ord. 1981-45 § 2, 1981).

#### **2.16.030 - Term of office.**

1. All terms will be for four (4) years.
2. Members whose terms have expired shall continue to serve until their successors have been appointed.
3. Terms of office shall commence and end on January 1st.

(Ord. 1991-56 § 2, 1991: Ord. 1985-36 § 1, 1985: Ord. 1985-28 § 1, 1985).

**2.16.040 - Meetings and officers—Legislative procedure—Removal of commissioner—No compensation.**

1. The commission shall meet in regular session and shall elect from their members a chairman and a vice- chairman at the first regular meeting conducted each calendar year. Officers shall hold office for one calendar year or until their successors are named.
2. The city shall provide a secretary for each and every meeting of the commission.
3. The commission shall by recorded vote, adopt rules and regulations for governing procedure and shall adopt appropriate by-laws by which to be governed.
4. A majority shall constitute a quorum.
5. The commission shall schedule at least one meeting bi-monthly, in regular session with the director of the park and recreation department or the director's designated representative. The bi-monthly meetings shall be held on the first Tuesdays of February, April, June, August, October, and December, unless notice is otherwise provided.
6. The Chair and the Parks and Recreation Director together can cancel a meeting or schedule a special meeting as needed.
7. The commission members shall receive no compensation.

(Ord. 1991-56 § 3, 1991).

**2.16.045 - Removal for cause.**

Upon recommendation of the park and recreation commission the board may remove for cause any commissioner for:

1. Dereliction of duty, or
2. Nonparticipation, or
3. Nonattendance, or
4. For any other reason shown as just cause.

(Ord. 1991-56 § 4, 1991).

**2.16.050 - Duties and responsibilities.**

1. The commission shall act in advisory capacity to the board.
2. The commission shall cooperate with other governmental agencies and civic groups in the advancement of sound recreation planning.

3. The commission shall:
  - a. Recommend policies on park and recreation services;
  - b. Advise on acquisition and development of park and recreation areas and facilities;
  - c. Aid in coordinating park and recreation services with the programs of other governmental agencies and voluntary organizations;
  - d. Make recommendations to the board on acceptance of bequests of real property, equipment and moneys for park and recreation purposes;
  - e. Review and make recommendations concerning the park and recreation department's capital budgets; and
  - f. Review and make recommendations to the board concerning the acceptance and spending of the residential construction tax.

(Ord. 2007-16 § 1, 2007: Ord. 2005-17 § 2, 2005: Ord. 1991-56 § 5, 1991).

### **2.16.060 - Severability.**

If any of the provisions of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not impair the other provisions of this chapter. To this end the provisions of this chapter are declared to be severable.

(Ord. 1991-56 § 6, 1991).