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December 2, 1997

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: AN ORDINANCE AMENDING SECTION 60.16.142 OF THE SACRAMENTO CITY CODE RELATING TO COMPOSITION OF THE SACRAMENTO SPORTS COMMISSION

LOCATION AND COUNCIL DISTRICT: All - Citywide

RECOMMENDATION:

It is recommended that the Law and Legislation Committee review and recommend for Council adoption the proposed changes to an existing ordinance regulating the composition of the Sacramento Sports Commission which were requested by Council on October 14, 1997 for the purpose of clarifying the composition of the Sacramento Sports Commission.

CONTACT PERSON: Thomas V. Lee, Deputy City Manager, 264-5704

FOR COMMITTEE MEETING OF: December 16, 1997

SUMMARY:

This report provides historical background on the Sacramento Sports Commission and presents the proposed changes requested by Council on October 14, 1997. These corrections clarify Section 60.16.142 (a)(4), Section 60.16.142(c), and 60.16.142(d) which, respectively, concern the representation of female competition in athletics, the lack of a

City Council

ORDINANCE AMENDING SECTION 60.16.142 OF THE SACRAMENTO CITY CODE
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residency requirement for membership on the Commission, and the prohibition of members of the Sacramento City Council and the Sacramento County Board of Supervisors from serving on the Commission. An additional change corrects a typographical error in paragraph lettering, in Section 60.16.142(b).

COMMITTEE/COMMISSION ACTION:

The present ordinance and resolution were reviewed and recommended for Council approval by the Law and Legislation Committee on May 20, 1997.

BACKGROUND INFORMATION:

- The Sacramento Sports Commission (SSC) was established in 1988 by the City and County of Sacramento. Its purpose is to act as the coordinating and facilitating body to augment the efforts of the private and public sectors to attract professional sports franchises and major professional and amateur sporting events, ranging from youth and collegiate through professional levels to the Sacramento region.
- In October, 1995, the Sacramento County Board of Supervisors requested that the SSC review the existing Sports Commission policies and make recommendations pertaining to the issues of term limits, expansion of the number of Commission members, composition of the Commission, and regional representation.
- On January 16, 1996, the Board of Supervisors conceptually approved an ordinance changing the size of the SSC as well as the selection method and terms of the commissioners.
- On September 24, 1996, the City Council considered recommendations from City staff which differed from the County's proposed changes. Council took no action on City staff's recommendations, and City staff was directed to work with the County to develop a revised joint ordinance for Board and Council consideration.
- In November 1996, a committee was formed to develop a set of Commission reforms which would be mutually acceptable to the City and the County. The Committee consists of the following seven members: Mayor Joe Serna, Jr., Council Member Steve Cohn, Supervisor Roger Dickinson, Supervisor Muriel Johnson, Paul Hahn from the staff of the County of Sacramento, SSC Chair

Greg Van Dusen, and SSC Director, John McCCasey.

- The Committee recommended City Council and Board of Supervisor approval of changes to the policies regarding term limits, selection method, and composition of the Sacramento Sports Commission. Among the recommended changes were a restriction against members of the City Council and the County Board of Supervisors from serving on the Commission, a limit of three consecutive 2-year terms for Commissioners, and formal recognition that ethnic and gender diversity should be factors in making appointments to the Commission.

The City Council and the Sacramento County Board of Supervisors approved these and other changes in June, 1997. On Tuesday, October 14, 1997, Council requested that staff return with a revised ordinance which would clarify the original intent of the ordinance passed by City Council on June 3, 1997. The changes are summarized below.

To specify that the interests of female competition in athletics could be represented by the appointment of either female or male Commissioners, the words, "either female or male" are added to Section 60.16.142(a) (4) to which is amended from the following:

"Gender and ethnic balance shall be factors in making the appointments. Recommendations for membership shall include two members who represent the interest of female competition in athletics".

to read as follows:

"Gender and ethnic balance shall be factors in making the appointments. Recommendations for membership shall include two members, either female or male, who represent the interest of female competition in athletics".

In order to clarify the open residency of the Commission, the words "City or" are added to Section 60.16.142 (c). This section is amended from the following:

"Residency within the County of Sacramento shall not be required for membership on the commission".

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RELATING TO THE COMPOSITION OF THE SACRAMENTO SPORTS COMMISSION
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to read as follows:

"Residency within the City or County of Sacramento shall not be required for membership on the commission".

The intent of Section 60.16.142(d) regarding Commission service by elected officials is clarified by amending the existing text from the following:

"Elected officials shall not be eligible for membership on the commission".

to read as follows:

"Members of the Sacramento City Council and the Sacramento County Board of Supervisors shall not be eligible for membership on the commission".

In addition, staff recommends the correction of a typographical error in paragraph lettering in the first sentence of Section 60.16.142 (b). This section is amended from the following:

"Except if removed as authorized in subsections a), ~~d), and e)~~, each member shall serve for a two-year term, and may serve for a maximum of three consecutive two-year terms.

to read as follows:

"Except if removed as authorized in subsections a), f), and g), each member shall serve for a two-year term, and may serve for a maximum of three consecutive two-year terms."

It is recommended that the Law and Legislation Committee review the proposed changes and recommend their adoption by Council.

FINANCIAL CONSIDERATIONS:

No additional funding is required.

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ENVIRONMENTAL CONSIDERATIONS:

Pursuant to Public Resources Code Section 15378(b)(3), this project is exempt from the review requirement of the California Environmental Quality Act (CEQA) because "continuing administrative or maintenance activities, which are not conducted in conjunction with a projected subject to CEQA review, are not considered to be 'projects' and are therefore exempt from CEQA. Such activities include the following: "General policy and procedure making".

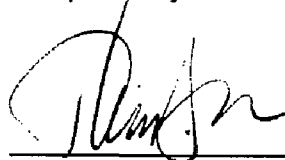
POLICY CONSIDERATIONS:

The actions recommended in this report are consistent with City and County policies to enhance the diversity of public commissions.

MBE/WBE:

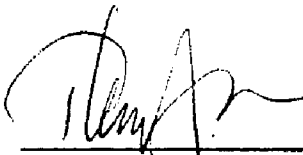
None. No goods or services are being purchased.

Respectfully submitted,



Thomas V. Lee,
Deputy City Manager

RECOMMENDATION APPROVED:



for William H. Edgar
City Manager

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE AMENDING SECTION
60.16.142 OF THE SACRAMENTO CITY CODE
RELATING TO COMPOSITION OF THE
SACRAMENTO SPORTS COMMISSION**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 60.16.142 of the Sacramento City Code is hereby amended to read as follows:

Section 60.16.142 Appointment of members.

- (a) The commission shall consist of nine members who shall be appointed jointly by and serve at the collective pleasure of the Board of Supervisors and the Mayor with the approval of the City Council:
 - (1) Four members shall be recommended by the Mayor with the approval of the City Council.
 - (2) Four members shall be recommended by the Board of Supervisors.
 - (3) One member shall be recommended by the other eight members.
 - (4) Gender and ethnic balance shall be factors in making the appointments. Recommendations for membership shall include two members, either female or male, who represent the interest of female competition in athletics. One such member shall be recommended by the Mayor with the approval of the City Council and one such member shall be recommended by the Board of Supervisors.

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- (b) Except if removed as authorized in subsections a), f) or g), each member shall serve for a two-year term, and may serve for a maximum of three consecutive two-year terms. A two year absence from the commission is required before a commissioner may be considered for subsequent terms.

Terms shall run from July 1 through June 30 of the second year. All terms shall begin effective July 1, 1997. For transition purposes, the commissioners shall by lot designate two members recommended by the Mayor with the approval of the Council, and two members recommended by the Board of Supervisors to serve one-year terms. Subsequent appointments to these positions shall be for two-year terms.

- (c) Residency within the City or County of Sacramento shall not be required for membership on the commission.
- (d) Members of the Sacramento City Council and members of the Sacramento County Board of Supervisors shall not be eligible for membership on the commission.
- (e) For vacancies resulting from removal, death, incapacity or any other cause, the respective recommending authority shall make a recommendation. The member shall be appointed by the Board of Supervisors and the Mayor with the approval of the City Council and shall serve the remainder of the vacant term.
- (f) The position of any member who fails to attend two or more regular meetings in one year without the prior approval of the majority of the members of the commission shall automatically become vacant.
- (g) The commission may, by a two-thirds vote, recommend that the appointing authority remove a member for any reason.
- (h) All appointees to the commission shall be required to file statements disclosing financial interests pursuant to a conflict of interest code adopted for the commission.

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DATE ADOPTED: _____

DATE PASSED FOR PUBLICATION:
DATE ENACTED:
DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

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