



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** November 5, 2020

Staff Contact: Jennifer Budge, CPRP, Parks and Recreation Director; and Lyndsey Boyer, Open Space Manager

Agenda Title: For Possible Action: Discussion and possible action regarding proposed amendments to the Open Space Advisory Committee ("OSAC") Bylaws. (Jennifer Budge, jbudge@carson.org and Lyndsey Boyer, lboyer@carson.org)

Staff Summary: This item, if approved, will update the OSAC Bylaws, which were last updated in 2013. Changes to the Bylaws were discussed at the February 24, 2020 OSAC meeting, and approved at the August 17, 2020 OSAC Meeting. The Bylaws serve as the guidance and procedural document for the advisory committee.

Agenda Action: Formal Action / Motion **Time Requested:** 10 minutes

Proposed Motion

I move to approve the proposed amendments to the Bylaws as presented.

Board's Strategic Goal

Efficient Government

Previous Action

August 17, 2020 – OSAC recommended to the Board of Supervisors (Board) the proposed amendments to the OSAC Bylaws as presented.

October 17, 2019 – The Board approved amendments to the Parks and Recreation Commission (PRC) Bylaws.

April 19, 2018 – The Board voted for OSAC and PRC to remain separate public bodies and for there to be two joint meetings of OSAC and PRC per year, four OSAC meetings per year and four PRC meetings per year. The Board also requested that the District Attorney's Office prepare the proposed amendments to the Carson City Municipal Code to ensure state law compliance for the PRC, and further directed the Parks, Recreation and Open Space Director to report back to the Board in eighteen months.

Background/Issues & Analysis

The OSAC Bylaws serve as the guidance and procedural document for the advisory committee. The proposed edits seek to resolve any discrepancies between the current version of the Bylaws and the City's Boards, Committees and Commissions (BCC) Policies and Procedure and to provide clarification on the meeting schedule, as previously directed by the Board. The meeting schedule approved by the Board in 2018 works well for both PRC and OSAC. The collaboration with joint meetings has been beneficial for the staff, the public and the advisory board members.

A draft copy of the proposed amendments with redlines, as well as a clean copy, is provided for the Board's review and consideration.

Attachments

- Attachment A: OSAC Bylaws – Draft Amendment (redline)
- Attachment B: OSAC Bylaws – Draft Amendment (clean)

Applicable Statute, Code, Policy, Rule or Regulation

CCMC Chapter 13.06.20-.80 (Open Space Advisory Committee Carson City Boards, Committees, and Commissions); Policies and Procedures (rev. 2018)

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Approve the OSAC Bylaws with changes or provide alternate direction to staff.

Attachments:

[Attachment A-OSAC Bylaws - Draft Amendment \(redline\) 10.28.2020.pdf](#)

[Attachment B-OSAC Bylaws - Draft Amendment \(clean\) 10.28.2020.pdf](#)

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)

CARSON CITY OPEN SPACE ADVISORY COMMITTEE BYLAWS

MISSION STATEMENT:

Reporting to the Board of Supervisors, the Open Space Advisory Committee will develop, oversee, and - support the Open Space Program by working in concert with staff and the public to acquire, interpret, preserve, and enhance natural landscape, agriculture and cultural resources while balancing the needs of the public's opportunities for passive recreation.

1. MEETINGS:

a. Regular meetings: It is the intent of the Open Space Advisory Committee ("OSAC" or "Committee", used interchangeably) to ~~have regular meetings not less than once a month meet every two months~~, unless otherwise determined by the ~~committee~~ Committee, on the third Monday of ~~the those months months~~. However, the Chair of the Committee ("Chair") and the ~~Parks and Recreation Parks, Recreation & Open Space Department Director ("Director")~~ or his or her designee, the Open Space Manager ("Open Space Manager"), ~~together~~ can decide together to cancel a meeting if there is a lack of sufficient topics and agenda items, in their opinion, to warrant ~~it a~~ a meeting.

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

b. Joint meetings: Joint meetings with the Parks and Recreation Commission shall be held twice annually, should there be sufficient topics and agenda items pertaining to both boards.

c. SPECIAL MEETINGS: Special meetings:

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

d. Workshops: Non-decision making workshops may be called by the Chair or a quorum of the Committee.

2. NOTICE OF MEETINGS:

Notices shall conform with the Nevada Open Meeting Law, N.R.S./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 (3) locations.

3. OFFICERS:

Open Space Advisory Committee Bylaws

Draft amendment 8/17/2020 Approved by Carson City

At the first regular meeting of each calendar year, the Committee shall elect a Chair and a 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 ~~an individual as Secretary to each and every meeting of the Committee for every OSAC meeting~~ to act as a recorder; and vote counter, and to take roll.

OFFICERS: (Continued)

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

~~The Chair can only serve as Chair for two consecutive years.~~

When an officer resigns his or her elected office, he or she shall communicate such resignation to the Committee. The Committee 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 Committee 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.

4. DUTIES OF ~~THE~~ CHAIR:

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

5. RESIGNATION:

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

6. POWERS OF THE COMMITTEE:

~~The Committee shall have power as follows:~~

- a. ~~Those powers written in the City Ordinance creating this Committee. The powers and duties of the Committee are provided in the Carson City Municipal Code.~~
- b. ~~The Committee has the power To~~ to organize and dissolve OSAC subcommittee(s), ~~of the Open Space Advisory Committee.~~

- c. ~~The~~ [The Committee has the power to](#) ~~To~~ cooperate with other government agencies and civic groups in the advancement of sound open space planning and management.
- d. ~~[Any member of the Committee may request that item be scheduled for a Committee meeting.](#)~~

7. **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 two-thirds (2/3rds) of the total Committee membership in order to pass.

8. **ATTENDANCE:**

Regular attendance at meetings shall be expected of all members. In any calendar year, Committee members shall attend a minimum of seventy-five percent (75%) of the scheduled regular ~~Open Space Advisory Committee~~ OSAC 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 the Chair, ~~of the Committee.~~
Should an absence be excused by the Chair 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.
- b. Should a Committee member miss a meeting for other reasons, the Chair may find that this is an excused absence, and it will not reflect on the attendance record. ~~This discretion of the Chair is based on the Committee member's overall attendance record.~~ The Chair may consider the Committee member's overall attendance record in exercising discretion.

9. **QUORUM:**

- a. A quorum shall be a majority of the members of the Committee pursuant to CCMC 13.06.070 ~~four (4) members of the Committee.~~
- ~~b. To be considered an approval motion, a vote of a simple majority of the Committee present shall be required, unless a two-thirds (2/3) vote is required for the action. A requirement for a two-thirds vote shall mean that five (5) Committee members vote aye on the motion. Except as otherwise required by law, a majority vote carries a motion.~~

10. **CONDUCT OF THE MEETINGS:**

- a. Committee members shall arrive in a timely manner prior to the opening gavel.
- b. There shall be no smoking or consumption of alcoholic beverages in the Committee chambers during the Committee meeting.
- c. Committee meetings shall not take place without a representative of the Parks and Recreation Department present.
- d. ~~It shall be the policy of the Committee that a representative of the District Attorney shall be present~~

Open Space Advisory Committee Bylaws

Draft amendment 8/17/2020 Approved by Carson City

Commented [MN1]: In answer to the question whether PRC bylaws have a similar condition for an Open Space representative to be present at the PRC meetings, the answer is no, they do not.

Each board, commission or committee is designated a department and a representative of the department must be present at a meeting to offer support. OSAC was designated the Parks Recreation and Open Space Department, so a member of the Department must be present at each meeting.

With that being said, if the members are not comfortable with this language, it doesn't need to be in the bylaws (same as we took out the one about a DA having to be present).

~~if the Chair or a Committee member in consultation with the Chair and Open Space Manager so request. Staff will always have the right to request District Attorney representation.~~

11. REPORTS AND MEETING PACKETS:

- a. The Open Space Manager shall prepare reports on behalf of the Parks, ~~and~~ Recreation and Open Space Department staff or on behalf of the Open Space Advisory Committee ~~OSAC member members,~~ for ~~each item, including for which a~~ public hearings. Reports may be presented either orally or with written background materials for a variety of topics, as requested by the Committee. Such items shall be identified on the agenda. is scheduled.
- b. Each staff report shall be in the ~~form~~inform and style ~~as~~ determined by the ~~Director or his or her designee, the Open Space Manager.~~ At a minimum, the ~~report~~report shall recommend to the Committee:
 - i. ~~the necessary~~ necessary findings required to consider an action on a project; ~~recommend~~
 - ii. ~~language for a motion supporting the proposed action; and~~ recommend
 - i.iii. ~~conditions necessary to ensure conformance~~ conformance of the proposed project with City policy and regulations.
- b. ~~The Open Space Manager or may present reports either orally or with written background materials for any other topics that are not scheduled as public hearing before the Committee. Such items shall be identified on the meeting agenda.~~

12. PARLIAMENTARY AUTHORITY:

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

CARSON CITY OPEN SPACE ADVISORY COMMITTEE BYLAWS

MISSION STATEMENT:

Reporting to the Board of Supervisors, the Open Space Advisory Committee (hereinafter referred to interchangeably as “OSAC” or “Committee”) will develop, oversee, and support the Open Space Program by working in concert with staff and the public to acquire, interpret, preserve, and enhance natural landscape, agriculture and cultural resources while balancing the needs of the public’s opportunities for passive recreation.

1. MEETINGS:

- a. Regular meetings: It is OSAC’s intent to meet every two months, unless otherwise determined by the Committee, on the third Monday of those months. However, the Chair of the Committee (“Chair”) and the Parks, Recreation and Open Space Department Director (“Director”) or his or her designee, the Open Space Manager, can decide together to cancel a meeting if there is a lack of sufficient topics and agenda items, in their opinion, to warrant a meeting. Regular meetings may also be rescheduled in advance by a majority of Committee members at any regular meeting. If the meeting date is a legal holiday, the meeting may be rescheduled in the same month, if possible. The time will be designated by the Committee.
- b. Joint meetings: Joint meetings with the Parks and Recreation Commission shall be held twice annually, should there be sufficient topics and agenda items pertaining to both boards.
- c. Special meetings: Special meetings may be called at any time by the Chair or by a quorum of the Committee. The purpose of the meeting shall be stated and shall be delivered to each member indicating the time, date, and place of the meeting.
- d. Workshops: Non-decision making workshops may be called by the Chair or a quorum of the Committee.

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- a. At the first regular meeting of each calendar year, the Committee shall elect a Chair and a Vice Chair for that year. In the absence of both the Chair and the Vice Chair at a meeting, the quorum present shall appoint a Chair Pro Tempore by majority vote.
- b. The City shall provide an individual for every OSAC meeting to act as a recorder and vote counter and to take roll.
- c. The terms of the office for the officers shall be one year, but any officer may be removed from office by a majority vote of the Committee. Any officer may resign his or her elected office at any time, with or without approval from the Committee. Except in circumstances where an officer is removed from the Committee for cause, an officer who is removed or resigns from an elected office may remain on the Committee for the duration of his or her appointment as a Committee member.
- d. When an officer resigns his or her elected office, he or she shall communicate such resignation to the Committee. The Committee 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 Committee 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.

4. **DUTIES OF THE CHAIR:**

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- b. The Chair shall confer with the Director or his or her designee, the Open Space Manager, who places matters on the agenda.
- c. Any member of the Committee may request that items be scheduled for a Committee meeting.
- d. In the absence of the Chair, these duties shall be assumed by the Vice Chair.

5. **RESIGNATION:**

- a. Any Committee member may resign at any time by sending written notice of such resignation to the Director.

6. **POWERS OF THE COMMITTEE:**

- a. The powers and duties of the Committee are provided in the Carson City Municipal Code.
- b. The Committee has the power to organize and dissolve OSAC subcommittee(s).
- c. The Committee has the power to cooperate with other government agencies and civic groups in the advancement of sound open space planning and management.

7. **AMENDMENT:**

- a. 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 Committee membership in order to pass.

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- b. Approval for excused absence may be granted to any member by the Chair. Should an absence be excused by the Chair 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.
- c. Should a Committee member miss a meeting for other reasons, the Chair may find that this is an excused absence and it will not reflect on the attendance record. The Chair may consider the Committee member's overall attendance record in exercising discretion.

9. **QUORUM:**

- a. A quorum shall be a majority of the Committee pursuant to CCMS 13.06070.
- b. To be considered an approval motion, a vote of simple majority of the Committee present shall be required, unless a two-thirds vote is required for the action.
Except as otherwise required by law, a majority vote carries a motion.

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- b. Each staff report shall be in the form and style determined by the Director or his or her designee, the Open Space Manager. At a minimum, the report shall recommend to the Committee:
 - i. the necessary findings required to consider an action on a project;
 - ii. language for a motion supporting the proposed action; and
 - iii. conditions necessary to ensure conformance of the proposed project with City policy and regulations.
- c. The Director and/or his or her designee, the Open Space Manager, may present reports either orally or with written background materials for any other topics that are not scheduled as public hearing before the Committee. Such items shall be identified on the meeting agenda.

12. PARLIAMENTARY AUTHORITY:

- a. The manual of parliamentary procedure Roberts Rules of Order shall apply any time a matter under consideration is not covered by these bylaws.