



## Legislation Details (With Text)

**File #:** 14-368      **Version:** 2      **Name:** Ordinance Establishing Arts Commission  
**Type:** Ordinance      **Status:** Passed  
**In control:** City Council  
**On agenda:** 9/2/2014      **Final action:** 9/15/2014  
**Enactment date:** 9/15/2014      **Enactment #:** Ordinance 2014-015  
**Title:** ORDINANCE Amending Sections 1-3-100, 1-3-110 and 1-3-115 of the San Leandro Municipal Code, and Adding Title I, Chapter 3, Article 16 to the San Leandro Municipal Code Relating to the Establishment of an Arts Commission (establishes a nine-member Arts Commission and its powers and duties)

### Indexes:

### Code sections:

### Attachments:

| Date      | Ver. | Action By    | Action                         | Result |
|-----------|------|--------------|--------------------------------|--------|
| 9/15/2014 | 1    | City Council | Adopted                        | Pass   |
| 9/2/2014  | 1    | City Council | Passed to Print with Amendment | Pass   |

ORDINANCE Amending Sections 1-3-100, 1-3-110 and 1-3-115 of the San Leandro Municipal Code, and Adding Title I, Chapter 3, Article 16 to the San Leandro Municipal Code Relating to the Establishment of an Arts Commission (establishes a nine-member Arts Commission and its powers and duties)

WHEREAS, the City of San Leandro hosted an Arts and Culture Town Hall meeting on November 16, 2013; and

WHEREAS, at the Arts and Culture Town Hall meeting, an interactive group discussion was facilitated to prioritize ideas for advancing artistic and cultural life in San Leandro; and

WHEREAS, participants expressed a high level of interest in having a commission to promote local art events and activities; and

WHEREAS, establishment of such a commission to promote and enhance art programs and activities within the City can serve to enliven and enrich the quality of life in the San Leandro community.

NOW, THEREFORE, the City Council of the City of San Leandro does ORDAIN as follows:

**SECTION 1.** Section 1-3-100 of the San Leandro Municipal Code is hereby amended as follows:

### **1-3-100      BOARDS AND COMMISSIONS CREATED.**

The following Boards and Commissions are hereby created:

- (a) Board of Appeals;
- (b) Board of Zoning Adjustments;
- (c) Handicapped Access Appeals Board;
- (d) Human Services Commission;
- (e) Library-Historical Commission;
- (f) Personnel Relations Board;
- (g) Planning Commission;
- (h) Recreation and Parks Commission;
- (i) Site Development Sub-Commission;
- (j) Youth Advisory Commission;
- (k) Rent Review Board;
- (l) Senior Commission; and
- (m) Arts Commission.**

**SECTION 2.** Section 1-3-110 of the San Leandro Municipal Code is hereby amended as follows:

**1-3-110 MEMBERS-DISTRICT REPRESENTATION.**

One elector from each Council Member District shall be appointed to each of the following Boards and Commissions:

- (a) Board of Zoning Adjustments;
- (b) Human Services Commission;
- (c) Library-Historical Commission;
- (d) Planning Commission;
- (e) Recreation and Parks Commission;
- (f) Senior Commission; and
- (g) Arts Commission.**

All other members of each such Board and Commission shall be appointed at large. Three (3) residents selected at large shall be appointed to the Youth Advisory Commission by each Council Member, at least one resident selected from each Council Member District, and the remainder may be selected at large. No change in Council Member District boundaries shall operate to disqualify an incumbent from office before the expiration of the term for which such member was appointed.

**SECTION 3.** Section 1-3-115~~(a)~~ of the San Leandro Municipal Code is hereby amended as follows:

**1-3-115 MEMBERS-TERM OF OFFICE.**

(a) Members of the following Boards and Commissions who were appointed from a specific Council Member District pursuant to Section 1-3-110 of this Article ("District Members") may hold office for up to four (4) years, commencing on the date of appointment:

- (1) Board of Zoning Adjustments;
- (2) Human Services Commission;
- (3) Library-Historical Commission;
- (4) Planning Commission;

- (5) Recreation and Parks Commission; and
- (6) Senior Commission; and
- (7) Arts Commission.

(b) Any members of the Boards and Commissions listed in subsection (a) of this section who were appointed at large pursuant to Section 1-3-110 of this Article ("At Large Members") may hold office for up to four (4) years, commencing on the date of appointment. The terms of At Large Members shall terminate upon the expiration of the Mayor's regular term of office. The City Council may fill a vacancy by appointment for the unexpired remainder of the term.

(c) Youth Advisory Commission Board Members shall hold office for one year commencing September 1, and until their respective successors are appointed and qualified. Youth Advisory Commission Board Members may be appointed for up to four (4) consecutive terms. The City Council may fill a vacancy by appointment for the unexpired remainder of the term.

(d) Except as otherwise provided in this Code, a Board and Commission member whose term is not provided for in subsections (a), (b) or (c) of this section shall hold office for four (4) years from the date of appointment. The City Council may fill a vacancy by appointment for the unexpired remainder of the term.

(e) Arts Commission District Members from Council Member Districts 1, 3, and 5 and At Large Members appointed in 2014 shall hold office until December 31, 2016. Arts Commission Members appointed after 2014 shall not be subject to this subsection.

~~(e)~~(f) Notwithstanding the formal term expiration dates described above, Board and Commission member terms of appointment shall continue until a successor has been appointed or until they formally resign their position.

**SECTION 4.** Article 16 is hereby added to Title I, Chapter 3 of the San Leandro Municipal Code as follows:

## **ARTICLE 16. ARTS COMMISSION**

### **1-3-1600 MEMBERSHIP.**

The Arts Commission shall consist of nine (9) members, ~~all of whom shall be residents of the City of San Leandro.~~ The membership shall include one member from each of the six (6) Council Member Districts pursuant to Section 1-3-110 of this Code. The membership shall also include three (3) at large members, with at least one (1) at large member whom shall be a resident of the City of San Leandro.

### **1-3-1605 POWERS AND DUTIES.**

The Commission is charged with assessing, developing, and promoting art opportunities to enrich and enhance the San Leandro community. In discharge of this responsibility, the Commission shall:

- (a) Encourage and promote art programs and activities within the City;

- (b) Make recommendations to the City Council regarding local visual and performing art needs, activities and programs;
- (c) Receive and gather input from the community on issues relevant to art policies;
- (d) Enhance community awareness of art resources;
- (e) Work cooperatively with public and private agencies to procure space and opportunities for public art and to contribute to the enrichment of the community by adding public art that is of the highest quality, visually stimulating and of enduring value;
- (f) Analyze and make recommendations to the City Council on long term financing to support arts;
- (g) Advise and make recommendations to the City Council on the acceptance of donations and submissions of art and other matters of arts in the community;
- (h) Support the goals and priorities of the City Council.

The Arts Commission shall not be limited to those duties hereinbefore specifically set forth, but shall perform such other functions and render such reports and recommendations as may be directed by the City Council, and do all things necessary to identify the role and responsibility of the City of San Leandro in relation to art interests and activities and to assist in the assumption of such role and discharge of such responsibility by the City. In so doing, the Commission shall cooperate with individuals and with private and public groups and organizations to achieve broad community participation in and to strengthen the leadership of local artistic endeavors.

**SECTION 5. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

**SECTION 6. EFFECTIVE DATE AND PUBLICATION.** This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.

Introduced by Mayor Cassidy on this 2nd day of September, 2014, and passed to print by the following called vote:

Members of the Council:

AYES: Councilmembers Cutter, Gregory, Lee, Prola, Reed, Souza; Mayor Cassidy(7)

NOES: None (0)

ABSENT: None (0)