



DATE: May 16, 2012
TO: Honorable Mayor and City Councilmembers
FROM: Library Department
SUBJECT: **APPROVAL OF REVISED BYLAWS AND FY 2012-2014 WORK PLAN FOR THE ARTS COMMISSION**

SYNOPSIS

Staff recommends that the City Council approve revised bylaws for the Arts Commission (attached) to amend *Section 3.5 Election* to allow officer elections to be scheduled as needed, and *Section 4.1 Regular Meetings* to allow regular bi-monthly meetings, returning to quarterly if there is not sufficient Commission business. Staff also recommends that the City Council approve the Arts Commission FY 2012-2014 Workplan (attached).

BACKGROUND

The Arts Commission was formed in March of 1991 (Resolution 91-70). The Commission serves in an advisory capacity to the City Council on cultural arts-related issues in the community. It consists of nine regular voting members and two alternates. On May 12, 2008, Council approved a revision to the Arts Commission by-laws to designate one regular member to represent MiraCosta Community College and one regular member to represent the Oceanside Museum of Art.

The original bylaws included *Section 3.5 Election*, which specified the June Arts Commission meeting for election of Chair and Vice Chair. On August 17, 2011, a change to *Section 4.1 Regular Meetings* was approved by Council to reduce Commission meetings from monthly to quarterly. The Arts Commission is now recommending that Sections 3.5 and 4.1 be updated.

Also, as specified in the Arts Commission Bylaws *Section 5.3 Presentation of Biennial Work plan* (revised August 17, 2011), the Arts Commission develops a workplan for consideration and approval by the City Council prior to June 30 of every other year. The workplan outlines Commission goals and objectives both for the fiscal year beginning July 1 and the following fiscal year.

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ANALYSIS

At the Arts Commission meeting of April 2, 2012, the Commission approved these revisions to their bylaws. Consequently, staff has revised the following bylaws sections:

- *Section 3.5 Election* to allow elections of Chair and Vice Chair to be held on the closest meeting before June as scheduling requires, and not in June only.
- *Section 4.1 Regular Meetings* to adjust the frequency of regular meetings from quarterly to bi-monthly, with the understanding that the meeting schedule would return to quarterly if there were not sufficient ongoing business to require bi-monthly meetings.

At the April 2, 2012, regular meeting, the Arts Commission also approved the attached workplan for review and approval by the City Council. Commission goals and objectives outlined in the proposed workplan are composed of broad, long-term initiatives which form the foundation of the projects to be undertaken each year. Given the scope of the FY 2010-2012 workplan, the Commission chose to use essentially the same plan in FY 2012-2014, and make further efforts in accomplishment of the same goals. The Commission will continue to support the City's vision for cultural arts and to foster the development and enjoyment of performing, visual, cultural and other arts in the City of Oceanside.

FISCAL IMPACT

Does not apply to bylaws. Related to the workplan, allocated funds appropriated in prior fiscal years, totaling \$2,559.35 remaining in the FY 2011-2012 Public Facility Fees unassigned fund 503.3100.0001 balance, and public art donations in account number 101.2090.0023, totaling \$1,415.90, if not expended by June 30, 2012, will be carried forward into FY 2012-2013 for the completion of designated projects, and any balance into FY 2013-2014. The Arts Commission does not have a new budget appropriation for FY 2012-2013, and none is anticipated for 2013-2014.

COMMISSION OR COMMITTEE REPORT

The Arts Commission reviewed the revised bylaws and the FY 2012-2014 workplan at its April 2, 2012 meeting, and recommended approval.

CITY ATTORNEYS ANALYSIS

The revised bylaws have been reviewed and approved as to form. City Attorney analysis does not apply to the workplan.

RECOMMENDATION

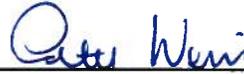
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PREPARED BY:

SUBMITTED BY:



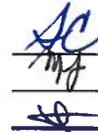
Bradley Penner
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REVIEWED BY:

Sherri Cosby, Interim Library Director
Michelle Skaggs-Lawrence, Deputy City Manager
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ATTACHMENTS

Bylaws
Workplan

**BYLAWS OF THE CITY OF OCEANSIDE
ARTS COMMISSION**

ARTICLE I. THE COMMISSION

Section 1.1 Arts Commission

The name of the Commission shall be the "City of Oceanside Arts Commission" (hereinafter referred to as "Commission").

Section 1.2 Purpose

The purpose of the Oceanside Arts Commission is to encourage and to promote the development and enjoyment of performing and visual arts in the City of Oceanside.

ARTICLE II. MEMBERSHIP

Section 2.1 Composition

The Commission shall consist of nine (9) regular voting members and two alternate members identified as alternate I and alternate II.

MiraCosta College may recommend one (1) person to the Oceanside Mayor for appointment to the Commission as a regular member. If MiraCosta College fails to make such a recommendation within 180 days of the notice by the City Clerk's office of this particular opening, the resulting vacancy, if any, shall be filled pursuant to the provision of Section 2.5.

The Oceanside Museum of Art may recommend one (1) person to the Oceanside Mayor for appointment to the Commission as a regular member. If the Oceanside Museum of Art fails to make such a recommendation within 180 days of the notice by the City Clerk's office of this particular opening, the resulting vacancy, if any, shall be filled pursuant to the provision of Section 2.5.

Section 2.2 Terms of Membership

The initial terms of membership for regular voting members shall be staggered, with the effective date of the Resolution establishing the Commission being the official date on which each term begins. Thereafter, regular members shall serve terms of three (3) years.

Alternate members' terms are for two (2) years duration. Positions of alternates are determined by draw. Alternates are to take turns in filling the seats of any

absent regular voting members. Alternates are expected to attend all meetings even if they are not filling in for an absent regular voting member.

Section 2.3 Termination of Membership

All members serve at the pleasure of the City Council and may be removed during a term. Membership in the commission shall be automatically terminated upon any of the following occurrences:

- a. The expiration date of the term of membership;
- b. The member has two (2) unexcused absences per fiscal year from regular commission meetings without cause and/or without notifying the Chairperson or City Staff;
- c. The member has a less than 50% attendance record each fiscal year (includes excused and unexcused absences);
- d. A new member fails to attend initial commission training, if training is offered, with 30 days' notice, during their first year on the Commission;
- e. Upon removal by a majority of the City Council, with or without cause;
- f. The member fails to complete and submit the required financial interest disclosure forms to the City Clerk's Office by the specified due date.

Section 2.4 Resignation

Any Commission member may resign at any time by giving written notice to the Mayor of the City of Oceanside and the Chairperson of the Commission. Any such resignation shall be effective upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Section 2.5 Vacancies

When a vacancy occurs, the Mayor shall appoint an applicant to fill the vacancy, subject to the provisions and appointment procedures outlined in Chapter 2, article 2.1 of the City Code. All alternates will be considered for open regular voting member positions. Vacancies will be filled as expeditiously as is feasible.

ARTICLE III. OFFICERS

Section 3.1 Officers

The officers of the Commission shall consist of a Chairperson and a Vice-Chairperson, who each must be a regular voting Commissioner.

Section 3.2 Chairperson

The Chairperson shall preside at all meetings of the Commission and shall work with the staff who serve the Commission to submit such agendas, recommendations, and information at such meetings that are reasonable and proper for the conduct of business affairs and policies of the Commission.

Section 3.3 Vice-Chairperson

The Vice-Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson. In the event of the resignation, death or removal of the Chairperson, the Vice-Chairperson shall assume the Chairperson's duties until such time as the Commission shall elect a new Chairperson, pursuant to Section 3.6 concerning vacancies.

Section 3.4 Additional Duties

At times, officers of the Commission shall perform duties and functions at the request of the Commission or staff, incidental to the offices held by such officers.

Section 3.5 Election

The Chairperson and Vice-Chairperson shall be elected by the Commission at the ~~June~~ Commission meeting *on the closest date before June 30* from among the Commission members, who shall each hold office for a term of one (1) year or until their successors are elected and qualified. An officer may serve successive terms of office.

Section 3.6 Vacancies

Should the office of Chairperson or Vice-Chairperson become vacant, the Commission shall elect a successor from among its members at the next regular or special meeting, and the office shall be held for the un-expired term of office.

ARTICLE IV. MEETINGS

Section 4.1 Regular Meetings

Regular meetings shall be held ~~quarterly~~ *bi-monthly* at a time and date determined by the commission, during regular City business hours; *however, it is understood that if there is not sufficient need, the Commission may meet quarterly until or unless its business again requires bi-monthly meetings.* In the event that the regular meeting date is a legal holiday of the city, then any such regular meeting shall be held on the next business day or as agreed upon by the Commission members at a prior meeting.

Section 4.2 Special Meetings

Special meetings may be held upon call of the Chairperson or the Vice-Chairperson acting on the behalf of the Chairperson or of the majority of the membership of the Commission, for the purpose of transacting any business designated in the call, after notification of all members of the Commission by written notice personally delivered or mailed at least 72 hours before the time specified in the notice of the meeting. At such special meeting, no business other than that designated in the call should be considered.

Section 4.3 Adjourned Meetings

Any meeting of the commission may be adjourned to another meeting providing the adjournment indicates the date, time, and place of the adjourned meeting. Commission members absent from the meeting at which adjourned decision is made shall be notified by the Chairperson of the continued meeting.

Section 4.4 Meetings to be Open and Public

All meetings of the Commission and its standing committees shall be open and public to the extent required by the California State Brown Act. All persons shall be permitted to attend any such meetings, except as otherwise provided by law.

Section 4.5 Quorum

Fifty one percent of the appointed commissioners shall constitute a quorum for the purpose of conducting the Commission business, exercising its powers and all other purposes, but less than a majority of the Commission membership may adjourn the meeting from time to time until a quorum is obtained.

Section 4.6 Attendance at Meetings

All members of the Commission, regular voting and alternate, shall be required to attend all Commission meetings unless such member has been excused from participation.

Section 4.7 Excused Absences

A member's absence from a meeting shall be excused if, prior to the meeting from which a member will be absent, the member notifies the Chairperson or City staff of his/her intent to be absent. At each meeting, after the meeting has been called to order, the Chairperson shall report to the commission the name of any member who has so notified the Chairperson or staff of his/her intent to be absent.

Section 4.8 Absence of Regular Member

When a regular voting member is absent from a meeting, an alternate shall be seated and will participate in the Commission proceedings in place of the absent regular voting member. Alternate members will take turns filling in for an absent regular voting member. An alternate member shall have voting privileges only when acting in the stead of an absent regular member.

Section 4.9 Order of Business

The order of business shall be established by the Commission. The agenda shall include sections for both old and new business. Old business shall include reports by members of progress on any project considered currently active by the Chair or assigned staff members. Agendas shall be published and posted in compliance with applicable state and local laws and rules. Provisions will be made for citizens with disabilities by contacting City staff.

Section 4.10 Rules of Order

All business and matters before the Commission shall be transacted in conformance with Article I of Chapter 2 of the Oceanside City Code to the extent applicable to the business of this commission.

Section 4.11 Off-Agenda Items

No off-agenda items shall be acted upon or discussed by the commission. Commission members, staff and/or public may announce off-agenda matters of concern. Each off-agenda matter shall be automatically referred to staff for resolution or placed on the next available Commission agenda.

Section 4.12 Agenda Items

Any commissioner may request an item be placed on the agenda of the next meeting of the commission. Placement of an agenda item may be made at any commission meeting by notifying the assigned staff member of such a request in written or oral form. Members may also contact the assigned staff person during regular working hours to request an item be placed on the next agenda. Agenda items shall be labeled as "Information" or "Action" items. No vote shall be taken on any item unless background information has been provided to each commission member.

ARTICLE V. RECORDS, REPORTS, AND ANNUAL WORKPLAN

Section 5.1 Meeting Records

The Commission shall keep minutes of all meetings, which shall be open for inspection by any member of the public. Minutes should contain detailed voting records by Member, and by specific action. Upon approval of meeting minutes by the Commission, copies of such minutes shall be distributed to the City Council and City Manager.

Section 5.2 Reports Submitted to City Council

The Commission shall submit copies of all written reports, studies, and correspondence sent to public agencies to the City Manager and City Council upon distribution of the original document.

Section 5.3 Presentation of Biennial Work plan

The Commission shall submit to the City Council, no later than three (3) months after the initial seating of the commissioners, and no later than June 30 of every other following year, a comprehensive biennial work plan indicating specific goals and objectives to support the purpose and scope of responsibilities as described in Section 1.2.

ARTICLE VI. REPRESENTATION BEFORE PUBLIC BODIES

Section 6.1 Representation

Any official representations on behalf of the commission before the City Council, or any public body, shall be made by the Chairperson, the Vice-Chairperson in the Chairperson's absence, or a member of the Commission specifically designated by the Commission.

Section 6.2 Statement of Minority Views

All reports by City staff and all official representation on behalf of the Commission pursuant to Section 4.1 and 4.2 on matters that have been approved or disapproved by the Commission shall, in addition to a statement of majority vote, include a brief statement of any minority opinions on the matter, as incorporated in the Official Minutes of the Commission.

ARTICLE VII. COMMITTEES

Section 7.1 Establishment

The Commission shall have the authority to and may establish standing or ad-hoc committees as necessary to accomplish the purposes set forth in Section 1.2 herein. Committees may meet to discuss specific issues within the scope of responsibility for the Commission and to make recommendations for action by the Commission. Membership composition and terms shall be determined by the Commission for any committee created; however, no committee shall consist of more than four (4) Commission members, as not to cause a majority of Commission members to serve on one (1) committee.

Section 7.2 Appointment of Committee Members

Members on a standing or ad-hoc committee shall be appointed by the Chairperson with the approval of a majority of the Commission members.

Section 7.3 Committee Reports

Committee(s) shall from time to time make reports, written or verbal, to the Commission.

ARTICLE VIII. MISCELLANEOUS

Section 8.1 Councilmember Liaisons to Commission

The Mayor shall appoint to the Commission, subject to approval of the City Council, one (1) member of the City Council to serve as a non-voting ex-officio member of the Commission. Said ex-officio member shall serve as a liaison between the City Council and the commission, shall from time-to-time inform the City Council of the activities and issues addressed by the Commission, and shall assist the Commission in promoting recommendations made to the City Council. Council liaisons will make every effort to attend all commission meetings.

Section 8.2 City Assistance to Officers and Commission

The City Manager shall appoint staff to assist the Commission officers and members, as necessary in such activities as setting and conducting meetings, preparing meeting agendas and minutes and responding to requests for assistance from Commission members.

Section 8.3 Procedural Situations Not Addressed

In procedural situations not addressed in the body of the Commission bylaws, the determination of the situation shall be subject to the jurisdiction of the City Attorney's Office.

CITY OF OCEANSIDE
ARTS COMMISSION
FY 2012-2014 WORKPLAN

MISSION STATEMENT

The mission of the City of Oceanside Arts Commission is

- to foster the development and enjoyment of performing, visual, cultural and other arts in the City of Oceanside;
- to make recommendations to the City Council on the development and promotion of practices and policies pertaining to the Arts; and
- to work cooperatively with City entities and other advisory commissions to include an Arts element in as many areas of City planning and development as possible.

INTRODUCTION

“Arts” has been defined broadly and inclusively to encompass traditional arts including but not limited to visual, performing and cultural arts, newer art forms (e.g., graphic arts), and the artistic element inherent in many human endeavors.

The City seeks to enhance the quality of life for residents and tourists alike through exposure to a wide variety of artistic visions, viewpoints, perspectives, sounds and voices, thus enhancing the identity of Oceanside as a unique community. The Arts goals described in this document were developed to serve Oceanside’s culturally diverse community with the intention that the initiatives be woven into the physical and social fabric of the City. The initiatives depend upon an expected and continual breadth of community input, close cooperation with other City entities, and involvement by artists and art professionals.

In developing the goals and objectives that make up this Workplan, the Commission was interested in assisting the City to integrate Arts objectives with its other primary objectives such as economic development, jobs, education, public safety, etc., with the ultimate goal being to build a unique, world-class city. The Commission will periodically review this Workplan and make recommendations to the City Council regarding changes, if necessary, to accomplish its goals.

COMPOSITION OF COMMISSION

The Commission is composed of nine (9) regular voting members and two (2) alternate members appointed by the City Council. One regular member represents MiraCosta Community College, and a second regular member represents the Oceanside Museum of Art. A standard term for regular members is three years, staggered to ensure that not all expire at the same time. A standard term for alternate members is two years.

GOALS AND OBJECTIVES

Goal: Assist the City and City Council in identifying and carrying out Public Art and Aesthetic Enhancement [abbreviated as “Public Art” hereinafter] projects; and, when requested by the City or other public or private sector entities operating within the City, provide similar assistance on non-City sponsored Public Art projects.

Objectives:

- Provide on-going assistance with art selection and design, incorporating public input regarding Public Art in all City-sponsored projects and endeavors.
- Identify additional opportunities where the City and other public entities operating within the city could add new Public Art projects (including suggesting public/private partnerships if applicable).
- Identify and promote Public Art projects that would be visible to the citizens and visitors to Oceanside, but would be created by private sector entities and individuals.

Goal: Encourage community participation in the decision-making processes regarding Arts and Arts-related endeavors.

Objectives:

- Inform citizens of arts initiatives, projects and programs under consideration and request their assistance and participation.
- Advocate citizen involvement in civic issues related to the Arts.
- Involve local community residents when a specific Public Art project is being proposed for a specific area in the city.

Goal: Overlay an arts and cultural enhancement element on various aspects of the City and encourage a similar approach by other public and private sector interests affecting the City.

Objectives:

- Encourage all vested interests (public and private) in and around the City to better understand and appreciate the crucial link between Arts initiatives and economic prosperity, quality of life, improved jobs, etc.
- Encourage all such interests to consider both of the following in all of their decisions including:
 - the impact their decisions have on meeting the City’s Arts goals
 - the power of a pervasive Arts element itself to raise the quality of life and the economic status of our City.
- Identify a limited number of high-priority, current and upcoming projects/initiatives where a strong Arts element would have significant, widespread impact.
- Make recommendations to the appropriate parties regarding such projects/initiatives.

Goal: Link the City's Arts strategy with public and private sector business and job recruitment programs and with the City's tourism strategies.

Objectives:

- Identify and carry out various linking strategies through consultation with appropriate City departments, educational institutions and other resources.
- Recommend and implement City Council-approved strategies.

Goal: Promote public and private infrastructures designed to support and enable Arts and Arts-related endeavors for all age groups, heritages, etc., and in all areas of our City.

Objectives:

- Identify and promote both public and private infrastructures that help artists and Arts-related businesses operate successfully in Oceanside.
- Promote enhancements to the City's policies, procedures and processes related to the Arts, artists and Arts-related businesses to more effectively support the City's arts and cultural enhancement goals.
- Encourage new Arts and Arts-related venues and the enhancement of existing venues within the City to better meet the needs of community organizations, citizens and visitors. Work with the appropriate public and private entities immediately to address high priority venue areas (e.g., pier-amphitheater).
- Promote the expansion of Arts and Arts-related initiatives, projects and programs into all parts of the City and among all groups and communities.

Goal: Increase collaboration, coordination and communication among Arts and Arts-related groups and other stakeholders, and the promotion of all Arts and Arts-related initiatives, events and projects.

Objectives:

- Assist in the identification and implementation of various collaborative efforts and partnerships related to arts and cultural enhancement initiatives with the intent of enhancing efficiency, avoiding overlap, providing the City with much broader feedback on projects and policies, and supporting a more cohesive identity for the City:
 - both public-to-private collaboration (e.g., volunteers, not-for-profits, religious and secular groups, companies, etc.); and
 - public-to-public collaboration (e.g., with public entities such as educational, military (Camp Pendleton), transportation, surrounding cities, Sister Cities, etc.)
- Provide Arts-related advice and support to key public and private entities on policies, issues and projects within the Commission's purview.
- Assist in the design and implementation of a comprehensive communication and promotion strategy regarding all aspects of Arts in Oceanside.
- Assist in obtaining community participation and buy-in with regard to the City's Arts identity and strategies, and promoting a clear understanding of the true value of Arts in Oceanside.
- Help recognize and promote the accomplishments of outstanding local artists.

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PUBLIC ART CAPITAL IMPROVEMENT PROGRAM

FY 2010-2011		Budget	Encumbered	Expended	Balance
CULTURAL PROGRAMS					
Harbor Art Walk Reception		\$3,194.10	\$0.00	\$0.00	<u>\$2,059.35</u>
Architects in the Making			(\$500.00)	(\$289.00)	
2010 Sculpture Competition - Judges Stipend				(\$150.00)	
Banner Display				(\$195.75)	
FUND REMAINING TOTAL					<u>\$2,059.35</u>

Date	Note
11/1/2010	Remaining balance verified
11/14/2010	Santino's Pizza
1/10/2011	approved by AC
3/16/2011	approved by AC
6/24/2011	North County Printers & Signs

(101) 2090.0023

PUBLIC ART DONATIONS

CARRYFORWARD		Budget	Encumbered	Expended	Balance
Balance Forward - July 2009					1151.43
Donations collected at Art Traxx					62.00
Donations collected at Buddy Todd Concert					444.00
Donations collected at Buddy Todd Concert					85.47
Donations collected at RDO Concert					503.00
Donations collected at Sculpture Competition					70.00
2011 Concerts in the Park				(\$1,000.00)	
Banner Purchase					100.00
					<u>\$1,415.90</u>

Date	Note
6/10/2010	
7/13/2010	
7/22/2010	
8/19/2010	
9/1/2010	
1/10/2011	approved by AC
5/2/2011	