

RESOLUTION NO. 2017-208

A RESOLUTION OF THE LODI CITY COUNCIL
ABOLISHING THE ART ADVISORY BOARD, REVISING THE
PUBLIC ART POLICY, AND THE LODI ARTS COMMISSION
BYLAWS, AND FURTHER REPEALING RESOLUTION 2016-174

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WHEREAS, the Parks, Recreation and Cultural Services Department currently has liaisons to five City boards and commissions, and assigns staff to assist three nonprofit organizations that meet monthly or in some instances more frequently; and

WHEREAS, the reduction in staffing over the last few years is stark, making it difficult to serve the numerous boards and commissions and at the same time provide core services to the community; and

WHEREAS, Parks, Recreation and Cultural Services proposes changes that would allow its managers to spend more time on core services, which include increasing the number and quality of the recreational programming as outlined in the Parks, Recreation and Cultural Services strategic plan; and

WHEREAS, Parks, Recreation and Cultural Services proposes giving the Arts Commission the authority currently held by the Art Advisory Board, which requires revisions to the Lodi Arts Commission Bylaws and Public Art Policy to reflect the elimination of the Art Advisory Board.

NOW THEREFORE BE IT RESOLVED that the Lodi City Council does hereby abolish the Art Advisory Board; hereby revises the Public Art Policy; and hereby amends the Lodi Arts Commission Bylaws by repealing Resolution No. 2016-174 in its entirety and approves the amendment to the powers and duties of the Lodi Arts Commission as set forth below:

WHEREAS, the stature of a community is not measured by size alone, but in the way its physical and cultural needs are met; and

WHEREAS, with this in mind as being most important, along with the constant and concrete evidence of an expanding interest in the arts, both nationally and locally, it is most advisable that the Lodi Arts Commission, created by the City Council of the City of Lodi on March 17, 1982 by adoption of Resolution No. 82-30, be re-affirmed and re-established to assist local arts groups to become more reflective of the wide range of contributive talents existing within the community; and

WHEREAS, such a commission, parallel to and balancing the existing Parks and Recreation Commission, will provide strong support within the administration of the Hutchins Street Square Division and will prove a valuable asset to the City in procuring such monies from regional, state, and national sources as may be available in support of the arts and their furtherance; and

WHEREAS, to such end, the following design for the establishment of a Lodi Arts Commission is hereby submitted.

FINDINGS:

The City Council hereby finds and declares:

- a) That the growth and flourishing of art and culture depend upon freedom, imagination, and individual initiative;
- b) That the encouragement and support of art and culture, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the City of Lodi;
- c) That this City's prestige and general welfare will be promoted by providing recognition that art and culture, and the creative spirit which motivates them and which they personify, are valued as an essential part of the City's resources;
- d) That it is in the best interest of the City of Lodi to maintain, develop and disseminate the City's artistic and cultural resources;
- e) That the continued growth of the Arts can no longer be sustained by traditional resources; and
- f) That in order to implement these findings it is desirable to establish the Lodi Arts Commission to provide such recognition and assistance as will encourage and promote the City's artistic and cultural progress.

ARTS COMMISSION ESTABLISHED:

NOW, THEREFORE BE IT RESOLVED that there is established a Lodi Arts Commission to promote and encourage programs to further the development and public awareness of and interest in the fine and performing arts and to act in an advisory capacity to the Lodi City Council in connection with the artistic and cultural development of the City.

MISSION STATEMENT:

To advance the arts in Lodi by partnering with the entire community to provide quality programs and events that foster creative expression.

MEMBERSHIP:

- a) The Commission shall be seven (7) members appointed by the Mayor from a list of nominees who are registered voters of the City of Lodi at the time of their application, with the approval of the City Council, plus two (2) voting ex-officio members selected from the Planning Commission, Parks and Recreation Commission, and/or Site Plan and Architectural Review Committee.
- b) Each member of the Commission shall hold office for a term of three (3) years, except that:
 - 1. The terms of office for all members of the Arts Commission shall be deemed to run from July 1 of each year. Commencing on July 1, 1990, the Mayor, with the approval of the City Council, appointed four (4) new members to the Commission. On July 1, 1991, the Mayor, with the approval of the City Council, appointed four (4) members, and on July 1, 1992, the Mayor, with the approval of the City Council, appointed three (3) members; and

2. Current appointees who are registered voters of the City of Lodi will retain their appointments following adoption of this Resolution.
 3. As terms expire, succeeding appointees shall serve for three (3) year terms; and
 4. Any member appointed to fill the vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.
 5. Ex-officio member terms will expire with their terms on the Planning Commission, Parks and Recreation Commission, and/or Site Plan and Architectural Review Committee.
- c) Other persons may be designated as ex officio members by the Mayor with advice from the City Council shall be selected from any department, office, commission, board, employee, or instrumentality of the City of Lodi to aid, assist, and advise the Arts Commission.

CHAIRPERSON:

- a) The Chairperson and Vice Chairperson ("Vice Chair") shall be selected by a majority vote of the Commission at a meeting held in June of each year, and shall take office on July 1. The term of the Chairperson and Vice Chair shall be for one (1) year.
- b) The Chairperson shall serve at the pleasure of the Arts Commission, but not in excess of two (2) consecutive terms, and the provisions of this subsection shall apply to any person appointed to fill the vacancy in the office of Chairperson or Vice Chair.
- c) The Chairperson shall act as liaison between the Commission and the Parks, Recreation & Cultural Services Director's designee and lead the regularly-scheduled commission meetings.
- d) The Vice Chair shall serve in the absence of the Chairperson or in the event the Chairperson is unable to fulfill their duties.

SECRETARY OF THE COMMISSION:

The Secretary of the Commission shall either be a member of the commission appointed by a majority of the commission, or the Parks, Recreation, and Cultural Services Director's designee. The Director shall also designate a liaison to the Commission.

ATTENDANCE/VACANCIES:

The Secretary of the Commission shall notify the City Clerk that an office of an Arts Commissioner has been vacated if the member:

- a) Is absent from three (3) consecutive regular meetings of the Commission without leave of absence from the Commission expressed in its official minutes, or
- b) Fails to meet the Commission-established minimum volunteer requirement of a specified number of hours or events during the period July 1 through June 30 of each year. The Commission shall not change the minimum volunteer requirement more than once per fiscal year.

Such vacancy shall be so declared by the Mayor and a new member appointed, with approval of the City Council, to fill the remaining term. This section shall not apply to ex officio members.

ORGANIZATION:

The Commission shall organize and adopt administrative rules and procedures consistent with this Part to accomplish its purposes. The Chairperson shall appoint such officers or committees as shall be deemed necessary by the Commission.

POWERS AND DUTIES:

The powers and duties of the Commission shall be as follows:

- a) All of the Commission shall meet at the call of the Chairperson or a majority of the Commission, but not less than once every three months. A majority of the appointed members of the Commission shall constitute a Quorum. The commission shall keep an accurate record of its proceedings and transactions;
- b) Recommend ways to maintain and increase the artistic and cultural resources of the City of Lodi;
- c) Propose methods to encourage private initiative in the fields of art and culture;
- d) Assist in the solicitation of private, state, and federal funding available for the fine and performing arts;
- e) Develop and recommend methods by which to coordinate existing resources and facilities, and to foster artistic and cultural endeavors and the use of the arts both locally and outside of the City to promote the best interests of the City.
- f) Initiate, sponsor, or conduct, alone or in cooperation with other public or private agencies, programs to further the development and public awareness of and interest in the fine and performing arts;
- g) Advise and consult with public and private groups, schools, the City, and State or Federal Cultural and Art Commission interested in, or having knowledge or experience in, the fields or art and culture of the City;
- h) Improve access to the arts through various programs so that the arts are within the reach of persons of all cultural backgrounds and levels of income. The Commission shall especially be concerned for segments of the community in which the arts are lacking and needed;
- i) Call for studies and make recommendations with a view to formulating methods or ways by which creative activity and high standards and increased opportunities in the arts and culture may be encouraged and promoted in the best interest of the City's artistic and cultural progress and a greater appreciation and enjoyment of the arts and culture by the citizens of the City of Lodi and how such can be encouraged and developed;
- j) Provide preliminary screening of annual requests for allocation of Community Promotion funds for cultural and art activities and recommend a list of priorities with regard to those requests to the City Council. The Commission recommendation shall:

1. Be listed by priority ranking to reflect the Commission's recommendations based on thorough consideration and evaluation of information and data to be submitted by applicant organizations to justify requested funding;
 2. Be submitted in accordance with due dates to be specified by the City Manager to insure the City Annual Budget review schedules are met;
 3. Be advisory only and not binding upon the City Council; all final determinations shall be made to City Council.
- k) To oversee the City's Public Art Policy and recommend public art projects funded through development impact fees for approval by the City Council.
- l) To perform such other related duties and functions as the City Council may from time to time direct or otherwise appoint the Commission to administer or coordinate on behalf of the City.

ANNUAL REPORT:

The Commission shall prepare and deliver an annual report to the Parks, Recreation & Cultural Services Director, not later than one hundred and fifty (150) days after the end of each calendar year to include an annual account of its activities and goals.

COMPENSATION:

Members of the Commission, the Chairperson, and persons appointed to assist the Commission in making its studies shall serve at no salary, but shall be reimbursed for travel and subsistence expenses incurred in the performance of their duties while away from the City of Lodi in accordance with the travel allowance policies adopted by the City of Lodi, but only to the extent that appropriations for such travel allowance have been provided in the Commission's budget and approved by the City Council.

STAFF SUPPORT:

The City Council may authorize, subject to the budget of the Parks, Recreation & Cultural Services Department as approved by the City Council, such clerical and other staff assistance, and the acquisition of such equipment and supplies as are necessary to enable the Commission to carry out its functions and duties.

STAFF ASSISTANCE:

The Commission is authorized to secure through the City Manager from any department, officer, consultant, commission, board, employee, or other instrumentality of the City of Lodi suggestions, estimates, and statistics for the purposes of carrying out the provisions of this Part and each such department, officer, consultant, commission, board, employee, or other instrumentality of the City of Lodi through the City Manager is authorized and directed to furnish such information, suggestions, estimates, and statistics to the Commission upon request made by the Chairperson of the Commission or upon the request of any member or subcommittee of the Commission whatsoever.

MEETINGS – LOCATIONS:

The Commission, or on the authorization of the Commission any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Part, sit and act in such time or place within the City of Lodi as deemed necessary to the conduct of its affairs. The

deliberations of this Commission shall be held in public session, but this shall not constitute the sessions as public hearings as a matter of right open to participation by members of the general public at large, except at the will of the majority of the Commission.

AUTHORITY NON-EXCLUSIVE:

Nothing herein in this Part shall be deemed to deprive the City Council or any board, commission or officer of the City of any power, duty or function which such Council, board, commission or officer may now have or be hereafter granted, it being the intention that the powers and functions hereinabove provided to be exercised by the Lodi Arts Commission be non-exclusive. Also, nothing herein contained shall be deemed to require the City Council, or any board, commission or officer, to refer or submit to the Lodi Arts Commission, or to receive from such any report or recommendation respecting any matter hereinabove mentioned in the Part before taking any action or making any decision with respect to such matter, it being the intention of this Part to authorize the performance of certain functions by said Commission and not to deprive the Council or any board, commission or officer of any power, duty or privilege which it now may have or may hereafter be granted.

Dated: November 1, 2017

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I hereby certify that Resolution No. 2017-208 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 1, 2017, by the following vote:

- AYES: COUNCIL MEMBERS – Chandler, Nakanishi, and Mayor Kuehne
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – Johnson and Mounce
- ABSTAIN: COUNCIL MEMBERS – None


JENNIFER M. FERRAIOLO
City Clerk