

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, ADDING
CHAPTER, 2.54 “ARTS AND CULTURE
ADVISORY COMMISSION,” TO THE MERCED
MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:**

SECTION 1. ADDITION TO CODE. Chapter 2.54, “Arts and Culture Advisory Commission,” is hereby added to the Merced Municipal Code to read as follows:

**“CHAPTER 2.54
ARTS AND CULTURE ADVISORY
COMMISSION**

Section:

- 2.54.010 Purpose.**
- 2.54.020 Establishment.**
- 2.54.030 Terms.**
- 2.54.040 Meetings.**
- 2.54.050 Officials.**
- 2.54.060 Jurisdiction of the Commission.**

2.54.010 Purpose.

The purpose of the Arts and Culture Advisory Commission is to serve as an advisory body to the City Council on matters having to do with public art, art projects, cultural programs and activities and the promotion of the arts within the City of Merced. In forming the Arts and Culture Advisory Commission, it is the intent of the City Council to foster the arts in the City of Merced, and to help implement policy, programs, and standards for public art.

2.54.020 Establishment.

Pursuant to Section 700 of the Charter, there is hereby established an Arts and Culture Advisory Commission which shall consist of seven (7) voting members. Six (6) voting members of the commission shall be from the established City Council voting districts and the seventh member shall be appointed at large. All seven (7) voting members must be qualified electors of the City of Merced.

A. Members shall have knowledge, expertise or experience in one or more of the following areas:

1. Visual, performing, literary, music or other types of art;
2. Planning, historical, preservation, architectural background;
3. Economic development, business, marketing, public relations;
4. Member of artistic, cultural, community organization; or
5. Educational partner.

B. A majority of the voting members of the commission shall constitute a quorum.

C. In accordance with Section 702 of the Charter, members shall be appointed by at least four (4) affirmative votes of the City Council and subject to removal by motion of the City Council adopted by at least five (5) affirmative votes.

D. The City Council may appoint an additional four (4) members to sit on the commission as ex-officio, nonvoting members. Said ex-officio, nonvoting members may be non-city residents who live within the City of Merced's sphere of influence who demonstrate expertise in any number of art disciplines, or other areas of

expertise or knowledge. One of the ex-officio members shall be a member of the City Council.

E. The services of the City staff shall be made available to the commission.

2.54.030 Terms.

A. In accordance with Section 702 of the Charter, the Arts and Culture Advisory Commission members shall serve for a term of four (4) years and until their respective successors are appointed and qualified.

B. Notwithstanding subsection A of this section, the members of the Arts and Culture Advisory Commission shall, on the first meeting following the establishment of the commission, draw lots to determine the three (3) initial members that will serve for a term of two (2) years.

2.54.040 Meetings.

Regular Arts and Culture Advisory Commission meetings shall be held on _____ at _____ or as otherwise set by resolution of the City Council. The meetings shall be conducted in accordance with Section 704 of the Charter.

2.54.050 Officials.

A. In accordance with Section 704 of the Charter, the members of the Arts and Culture Advisory Commission shall, as soon as practical following the first day of July, organize by electing two (2) of the seven (7) voting members to serve as chair and vice-chair at the pleasure of the commission.

B. Notwithstanding subsection A of this section, the members of the Arts and Culture Advisory Commission shall, on the first meeting held following the

establishment of the commission, elect a chair and vice-chair to serve until their successor is elected following the first day of July.

2.54.060 Jurisdiction of the Commission.

The Arts and Culture Advisory Commission shall have the responsibilities as provided below:

A. Provide recommendations to the City Council and other appointed bodies and City departments for the following:

1. Displays of art within a public facility, or any public art within the City, or exterior space for outdoor visual art, or promote the arts for city beautification and to enhance the quality of life;
2. Programs that promote art or enhance cultural development;
3. Act as a resource to the community and local arts and culture for mentorship, internships, facilitating process, marketing and advocating;
4. Coordinate and collaborate with the Merced County Arts Council, and other individuals and groups, both private and public, to support, promote, enhance and recognize artistic endeavors and cultural activities that are reflective of the community across all cultures, races and stages of life;
5. Recommend funding options that maximize opportunities for sustainable projects that incorporate preventative maintenance for public arts projects and cultural activities throughout the City;
6. Recommend the establishment of artistic standards across disciplines; and
7. Such other duties as the City Council may prescribe.”

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2018, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2018, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Kelly Turner 7/10/18
City Attorney Date