



**REPORT TO LAW & LEGISLATION
COMMITTEE
City of Sacramento**

915 I Street, Sacramento, CA 95814-2604

**STAFF REPORT
February 1, 2011**

Honorable Members of the
Law and Legislation Committee

Title: Discussion Paper: Sacramento Metropolitan Arts Commission Proposed Ordinance Change, Chapter 2.84

Location/Council District: Citywide

Recommendation: This report is for Committee information and for approval to draft an ordinance change to Chapter 2.84.

Contact: Rhyena Halpern, Executive Director, 808-3992

Presenter: Carlin Naify, Chair; Dan Gorfain, Commissioner; Rhyena Halpern, Executive Director, 808-3992

Department: Convention, Culture and Leisure Department

Division: Sacramento Metropolitan Arts Commission

Organization No: 17001811

Description/Analysis

Issue: The City Clerk’s Office has initiated an effort to have all City boards and commissions update their governance documents, find parity and conformity, and create efficiencies.

The Sacramento Metropolitan Arts Commission (SMAC) via its Governance Ad Hoc Committee and Executive Director spent the last two years updating SMAC Bylaws. The Bylaws were last changed in 1995 and in order to meet the Clerk’s recommendations regarding commission governance, particularly proper deference to City Code, new Rules of Procedure are needed. Modeled upon the Rules of Procedure for the Parks and Planning Commission as an example of best practices, the new Rules of Procedure were reviewed and approved by the Commission on October 11, 2010.

The SMAC ordinance will need to be updated as a result of these changes prior to implementation of the Rules of Procedure. The SMAC ordinance has not been updated since its inception in 1977.

Consistent with the protocols established by the Law and Legislation Committee and City Council, staff is requesting direction on the update of the ordinance and the policy issues to include in such a draft.

Policy Considerations: Staff recommends an update of ordinance language, along with three key changes:

- 1) reduce the number of Commission seats from 11 to 9, to create efficiencies for SMAC and the Clerk's office for supporting the commission.
- 2) Eliminate the seat quotas for practicing artists and arts administrators, in favor of having all nine seats allocated to a mix of community representatives based on interest, experience and knowledge of the arts.
- 3) replace the Folsom/Isleton/Galt (FIG) seat with a seat to be filled by a Commissioner – recommended appointment, subject to City and County approval, replicating after the Sports Commission ordinance. The FIG seat is no longer relevant. Folsom is in agreement with this recommended change as they have their own Arts Council. Isleton and Galt have been minimally involved, never having seated a resident. Outreach to new cities, Elk Grove, Rancho Cordova and Citrus Heights was done. The new cities each have a committee that focuses on the arts. They do not have an interest in participation in SMAC, other than possible partnerships.

Because SMAC is a joint agency of the City and County, the County, will provide input and approve the recommended changes in the SMAC ordinance concurrent with this process. Their process for governance change review and approval differs greatly from the City's. The office of the County Executive has approved in concept and is briefing Supervisors during the month of January. The County Counsel has approved the proposed changes.

Environmental Considerations: None.

Rationale for Recommendation: SMAC Ordinance has never been changed and is in need of updating. SMAC By-laws are also out of date, not having been changed since 1995.


Financial Considerations: None.

Emerging Small Business Development (ESBD): None

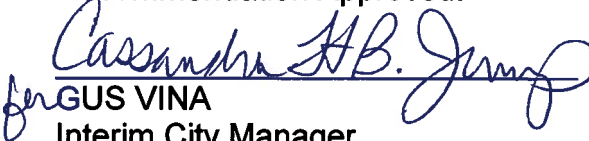
Respectfully Submitted by:


Rhyena Halpern, Executive Director
Sacramento Metropolitan Arts Commission

APPROVED:

 FOR
Barbara E. Bonebrake, Director
Convention, Culture and Leisure Department

Recommendation Approved:


GUS VINA
Interim City Manager