



CITY OF
FOLSOM
CALIFORNIA BY NATURE

Folsom City Council Staff Report

MEETING DATE:	3/23/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Ordinance No. 1311 - An Ordinance of the City of Folsom Amending Certain Sections in Title 4 of the Folsom Municipal Code Regarding the Arts and Cultural Commission (Second Reading and Adoption)
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff respectfully requests that the City Council adopt Ordinance No. 1311 - An Ordinance of the City of Folsom Amending Certain Sections in Title 4 of the Folsom Municipal Code Regarding the Arts and Cultural Commission.

BACKGROUND / ISSUE

The sole purpose of this Ordinance is to amend specific language in Title 4, Chapter 4.07 of the Folsom Municipal Code to change the name of the Arts and Cultural Commission to the Arts and Culture Commission.

During the January 12, 2021, City Council meeting, the Vice Mayor commented on the name of this commission and suggested that using the word “*Culture*” would be a more accurate reflection of the work that this commission performs and would create grammatical consistency within the name of the commission.

On March 9, 2021, City Council approved the introduction and first reading of Ordinance No. 1311 to move forward with adoption of this ordinance. No changes have been made to the ordinance since first reading.

POLICY / RULE

Section 2.12 of the City Charter, amendments to the Folsom Municipal Code require review and approval by the City Council.

ANALYSIS

As indicated in the background section of this report, the sole purpose of this Ordinance is to amend specific language in Title 4, Chapter 4.07 of the Folsom Municipal Code to change the name of the commission from the Arts and Cultural Commission to the Arts and Culture Commission. Furthermore, it will amend any language in the chapter to reflect the new name.

FINANCIAL IMPACT

None

ATTACHMENT

1. Ordinance No. 1311 - An Ordinance of the City of Folsom Amending Certain Sections in Title 4 of the Folsom Municipal Code Regarding the Arts and Culture Commission

Submitted,

Lorraine Poggione,
Parks and Recreation Director

ORDINANCE NO. 1311

**AN ORDINANCE OF THE CITY OF FOLSOM AMENDING CERTAIN SECTIONS IN
TITLE 4 OF THE FOLSOM MUNICIPAL CODE REGARDING THE ARTS AND
CULTURE COMMISSION**

The City Council of the City of Folsom does hereby ordain as follows:

SECTION 1 PURPOSE

The purpose of this ordinance is to amend certain Sections in Title 4, Chapter 4.07 of the Folsom Municipal Code, to change the name of the Arts and Cultural Commission to the Arts and Culture Commission.

SECTION 2 AMENDMENT TO CODE

The following Sections in Chapter 4.07 of the Folsom Municipal Code are hereby amended to read as follows:

4.07.010 Purpose.

The purpose of the arts and culture commission is to advise the mayor and city council on promoting, encouraging and increasing arts and cultural programs, projects and services for the community.

4.07.020 Creation of the arts and culture commission – Functions of the commission.

The City of Folsom arts and culture commission hereafter referred to as (“the commission”) is hereby created and shall have the following functions:

- A. The commission shall serve in an advisory capacity and make recommendations to the mayor, city council and city manager to promote, encourage and increase support for the arts and culture within the city.
- B. Upon request of the city council or city manager, the commission shall assist with the development of special projects related to arts and cultural activities.
- C. The commission shall promote, encourage and develop arts and cultural services for the community in accordance with a master plan for the arts as adopted by the city council.
- D. The commission shall advise the mayor, city council and city manager on projects and programs designed to promote public art throughout the city.
- E. The commission shall make recommendations to the city council or city manager on the expenditure of any funds that may become available for arts and cultural programs, grants, services, events or activities. Should any grant funds be made available by the city,

recommendations from the commission on funding requests shall be reviewed by an internal city grant review committee composed of the mayor, vice mayor, city manager, parks and recreation director, and finance director.

F. The commission shall appoint subcommittees, as necessary, to carry out the functions of the commission. Any appointee to a subcommittee that is not a member of the commission shall be made with approval of the city council.

4.07.030 Membership.

There shall be a Folsom arts and culture commission of 7 members. Each councilmember shall appoint 1 commission member whose term shall run concurrently with that of the appointed councilmember. Two additional members shall be appointed at large by the city council for 2-year terms by a majority vote of the city council.

4.07.035 Eligibility.

A person is not eligible to hold office as a Folsom arts and culture commissioner unless he or she is, at the time of the appointment, a resident and registered voter of the city. If during his or her term of office, a member of the Folsom arts and culture commission moves his or her residence outside the city limits, or ceases to be a registered voter of the city, such member's office shall become immediately vacant.

4.07.040 Terms of membership – Vacancies and replacement.

A. The city council may remove any member of the commission at any time by a majority vote of all councilmembers. No public hearing shall be required prior to removal of any member of the commission and no cause for removal need be shown.

B. If a vacancy occurs on the Folsom arts and culture commission for a commission position appointed by a city council member, such appointing city council member shall fill the vacancy for the remainder of the term. If a vacancy occurs on the Folsom arts and culture commission for an at-large commission position appointed by the city council, then such position shall be filled by the city council for the remainder of the at-large term. This section shall apply to vacancies resulting from death, resignation, removal, disqualification or any other cause.

C. A commission member is subject to disqualification and removal from the commission if he or she has 3 unexcused absences from any regularly scheduled meetings.

4.07.070 Agendas – Order of business – Voting.

A. Agendas for meetings of the commission shall be prepared by the secretary of the commission. Items may be placed on an agenda by contacting the chairperson, parks and recreation director or his/her representative, or the secretary. Agendas shall be approved by the chairperson prior to the start of the meeting. Citizens or interested parties may address the commission by having their specific item(s) placed on an agenda or by addressing the

commission during the business from the floor portion of the meeting. Agendas shall be published as required by state law.

B. At the regular meetings of the commission, the following shall be the order of business:

1. Roll call;
2. Review of minutes (or summary);
3. Agenda items of the Folsom arts and culture commission;
4. Business from the floor;
5. Adjournment.

C. On all matters acted upon by the commission, the voting shall be a roll-call vote of the members present. The “ayes” and “noes” of the members shall be recorded in the minutes or summary by the commission secretary. All actions of the commission shall require an affirmative vote of the majority of the commission present and eligible to vote at the particular meeting where action is to take place.

D. All rules of order shall be determined in accordance with “Robert’s Rules of Order, Revised.”

E. The commission may adjourn any regular or special meeting to a time and place specified in the order of adjournment, whether or not a quorum has been established. If a quorum is not established, no business other than adjournment may be transacted.

SECTION 3 SCOPE

Except as set forth in this ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 4 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

SECTION 5 EFFECTIVE DATE

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on March 9, 2021, and the second reading occurred at the regular meeting of the City Council on March 23, 2021.

On a motion by Council Member _____ seconded by Council Member _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 23rd day of March 2021 by the following roll-call vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK