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March 3, 2016

## REPORT TO THE COMMITTEE ON ECONOMIC DEVELOPMENT AND INTERGOVERNMENTAL RELATIONS

### PROPOSED AMENDMENTS TO SAN DIEGO MUNICIPAL CODE SECTION 26.0703 RELATING TO THE COMPOSITION OF THE COMMISSION FOR ARTS AND CULTURE

#### INTRODUCTION

The Economic Development and Intergovernmental Relations Committee (Committee), the Committee is asked to consider amendments to Municipal Code section 26.0703 relating to the composition of the Commission for Arts and Culture (Commission). Amendments are necessary to allow nominations from the Ninth Council District.

#### DISCUSSION

The Commission serves in an advisory capacity to the Mayor, City Council and City Manager on promoting, encouraging, and increasing support for the region's artistic and cultural assets, integrating arts and culture into community life and showcasing San Diego as an international tourist destination. Municipal Code section 26.0703 provides that the Commission shall consist of fifteen members appointed by the Mayor and confirmed by the City Council, who serve without compensation. Municipal Code section 26.0703 addresses how the fifteen members are to be appointed, including a provision that: (1) the Mayor shall appoint seven members; and (2) the Mayor shall appoint an additional eight members, one each from a list of three nominations submitted by each Councilmember.

As a result of redistricting, the Council expanded to nine members. As recommended by the Office of the Mayor and the Commission, the proposed ordinance amends the Municipal Code to reduce the Mayor's appointments from seven to six in order to provide nominees from the new Ninth Council District. This amendment maintains the current size of the Commission while accommodating nominations from the new district.

**CONCLUSION**

The proposed amendments to the Municipal Code section regarding the Commission make the section consistent with the current composition of the City Council.

JAN I GOLDSMITH, CITY ATTORNEY

By /s/ Jennifer L. Berry  
Jennifer L. Berry  
Deputy City Attorney

JLB:sc  
RC-2016-4  
Doc. No. 1172479  
Attachment: O-2016-46

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6,  
DIVISION 7 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 26.0703 RELATING TO THE  
COMMISSION FOR ARTS AND CULTURE.

WHEREAS, the City of San Diego Commission for Arts and Culture (Commission) is established in the San Diego Municipal Code, Chapter 2, Article 6, Division 7, sections 26.0701 through 26.0711, with its duties and functions set forth in section 26.0701; and

WHEREAS, pursuant to Municipal Code section 26.0701, the Commission serves in an advisory capacity to the Mayor, City Council and City Manager on promoting, encouraging, and increasing support for the region's artistic and cultural assets, integrating arts and culture into community life and showcasing San Diego as an international tourist destination; and

WHEREAS, Commissioners serve two-year staggered terms for a maximum of eight consecutive years, and until a member's successor is duly appointed and confirmed; and

WHEREAS, Municipal Code section 26.0703 provides that the Commission shall consist of fifteen members appointed by the Mayor and confirmed by the City Council, who serve without compensation; and

WHEREAS, Municipal Code section 26.0703 addresses how the fifteen members are to be appointed, including a provision that: (1) the Mayor shall appoint seven members; and (2) the Mayor shall appoint an additional eight members, one each from a list of three nominations submitted by each Councilmember; and

WHEREAS, the Council has now expanded to nine members, with the swearing in of a new Ninth District Councilmember, and the Municipal Code requires an amendment to provide for nominees to the Commission from the new Council District; and

WHEREAS, the proposed amendments to Municipal Code section 26.0703 would reduce the number of the Mayor's appointments from seven to six and increase appointments of council district nominees from eight to nine to accommodate the new Council District; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 2, Article 6, Division 7 of the San Diego Municipal Code is amended by amending section 26.0703 to read as follows:

**§26.0703 Commission for Arts and Culture Established**

There is hereby established a Commission for Arts and Culture consisting of fifteen members, who shall serve without compensation.

The members shall be appointed by the Mayor and confirmed by the City Council, subject to the following conditions: (1) The Mayor shall appoint six members; and (2) the Mayor shall appoint the remaining nine members, one each from a list of three nominations submitted by each Councilmember.

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Jennifer L. Berry  
Deputy City Attorney

JLB:sc  
02/16/2016  
Or.Dept: Mayor  
Doc. No. 1165554

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor