



AGENDA REPORT

Meeting Date: April 2, 2013
Item Number: G-8
To: Honorable Mayor & City Council
From: Nancy Hunt-Coffey, Assistant Director of Community Services
Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS
AMENDING THE BEVERLY HILLS MUNICIPAL CODE
REGARDING THE TERM OF FINE ART CHAIR; AND

EXTENSION OF TERMS OF FINE ART COMMISSIONERS
SMOOKE, CHALOM, PRESSMAN AND POTTER

Attachments: 1. Ordinance

RECOMMENDATION

Staff recommends that the City Council extend the terms of 4 Fine Art Commissioners as follows:

Commissioner Name:	Due to Expire:	Recommended Extension Through:
Terri Smooke	9-19-13	2-20-14
Fiona Chalom	10-1-13	10-16-14
Sandra Pressman	12-17-14	6-16-15
Brenda Potter	1-14-15	2-18-16

Staff recommends that the City Council move to waive the full reading of the ordinance entitled "AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING THE TERM OF FINE ART CHAIR" be introduced and read by title only.

INTRODUCTION

As was discussed at the study session, 4 of the 5 five Fine Art Commissioners will term out within a few months of each other. As a result, staff recommends that the terms of

four commissioners be extended and staggered to provide continuity. Additionally, staff recommends eliminating section 2-2-804 of the Beverly Hills Municipal Code which provides for the Chair of the Fine Art Commission to serve a 2 year term.

DISCUSSION

When it was established, the Fine Art Commission was comprised of 7 members. In 2012 as part of a citywide initiative for standardizing City Commissions at 5 members, the Fine Art Commission began reducing toward 5 members, and completed this process recently with the terming out of Commissioner Shepard in February 2013.

Four (4) of the Fine Art Commission members are scheduled to term out within a few months of each other at the end of 2013/beginning of 2014. With the reduction of the Fine Art Commission to 5 members, this means that the majority of the Fine Art Commission will term out. With the complexity of the process of working with developers on meeting the fine art obligation as well as the importance of carrying forward the institutional knowledge associated with the city owned art collection, it is particularly important to have continuity of commissioners. As a result, staff recommends extending the terms of 4 Commissioners as follows:

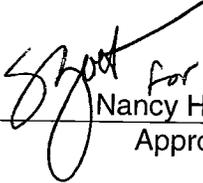
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As the Commissioner with most seniority, Judi Friedman would term out on 9-19-13, which is when her term would normally end.

Section 2-2-107(E) of the Beverly Hills Municipal Code indicates that the chair of every commission shall serve as chair for one year. However, Section 2-2-804 of the Code provides that notwithstanding Section 2-2-107(E) of the Code, the Fine Art Chair shall serve for 2 years. Recent practice has been for the Fine Art Commission Chair to serve for 1 year so that each commissioner is in good standing and has had the opportunity to serve as the commission chair. This arrangement has worked well for the Fine Art Commission. As a result staff recommends the elimination of section 2-2-804 of the Municipal Code which would allow the Fine Art Chair to serve for 1 year.

FISCAL IMPACT

None



Nancy Hunt-Coffey
Approved By

Attachment 1

ORDINANCE NO. 13-O-_____

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING
THE BEVERLY HILLS MUNICIPAL CODE REGARDING THE
TERM OF FINE ART CHAIR

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY ORDAINS AS
FOLLOWS:

Section 1. The City Council hereby repeals Section 2-2-804 (“Chairperson”) of Article 8 (“Fine Art Commission”) of Chapter 2 (“Commissions and Committees”) of Title 2 (“Administration, Personnel, and Procedures”) of the Beverly Hills Municipal Code in its entirety.

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 3. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk’s certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 4. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted:
Effective:

JOHN A. MIRISCH
Mayor of the City of
Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:

for 

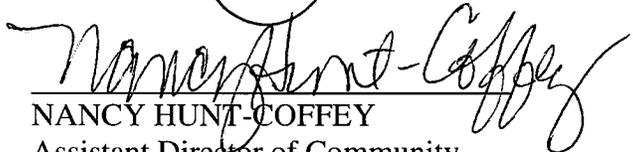
LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

JEFFREY C. KOLIN
City Manager



STEVE ZOET
Director of Community Services



NANCY HUNT-COFFEY
Assistant Director of Community
Services/City Librarian