



Meeting Date: December 4, 2012

Agenda Item: 15C

Reviewed by Town Manager: *SA*

Yountville Town Council Staff Report

TO: Mayor and Town Council

FROM: Steven Rogers, Town Manager
Samantha Holland, Parks & Recreation Director

SUBJECT: Consideration of Resolution Establishing the Yountville Arts Commission

BACKGROUND/DISCUSSION

In October of 2008 the Town Council established a new Parks & Community Services Commission (PCSC). The then "new" commission incorporated the duties and responsibilities of the prior Senior Advisory Board, Community Pool Committee and the Community Hall Commission. It established a broader based citizen's commission that would advise and advocate for the parks and community service programs, community hall, community pool, and the new Community Center/Library facilities, park use, and incorporate arts and cultural activities.

A group of citizen volunteers emerged in early 2009 that wanted to focus on the arts and cultural activities component and the Yountville Arts Committee was established. Initially it was established as a sub-committee of the Parks & Community Services Commission. In a short period of time this volunteer sub-committee took on an increased role and identity in both advising and in creating programming and activities for the Yountville Community. The committee has grown and developed into an established and successful volunteer body providing policy guidance and direction related to cultural arts. Working in a quasi-staff support role, they are actively involved in the programming and delivery of events and activities that would otherwise not occur due to Town staffing constraints.

The Yountville Arts Committee has had considerable success in its short history. As a result of their work the Town Council has adopted two significant public policies and ongoing programs related to establishment of the Yountville Public Art Walk and the Gallery @ the Community Center. In addition they were instrumental in the fundraising effort to bring the sculpture Chaos Pamplona to Town, create a literary program with book club and mystery writer authors panel, produce 4-6 art shows as a part of the Gallery @ the Community Center, partner with NV Museum, produce a number of artist reception open houses, and provide input and direction on the fundraising and expenditures of the Town Art Fund. They have also partnered and received funding from the NVTID-Yountville to support their programming efforts.

The informal Yountville Arts Committee has been supported by the Town Manager's Office and the Parks & Recreation Department and Mayor John Dunbar has been an active liaison and volunteer with the group. This level of Town support will continue as the body transitions to a full Commission.

The mission of Yountville Arts is to provide vision, leaderships, inspiration and support to artists and their art in Yountville. If approved by resolution, Yountville Arts will serve in an advisory capacity to the Town Council and staff in matters pertaining to the cultural arts but not limited to the development of visual, performing and literary arts and other matters as may be referred to the Commission by the Town Council or Town Manager.

This proposed Commission has a unique characteristic in which it serves and functions as a formal policy and action taking body as well as a "working committee". As a working committee, members function and work as an extension of town staff to develop and implement cultural arts related events and programming. These additional programs and events help to supplement the quality of life activities of the Town which would not otherwise be provided due to staffing constraints. This body will also be more involved in proposed budget recommendations given their role in programming and the by-laws reflect that role. The operating structure of this commission has been designed to incorporate both the formalized nature of a public policy body and the volunteer nature working to implement programming and events. A copy of the proposed by-laws uniquely created to reflect the nature of this body is attached.

The proposed Commission's duties and powers include the following:

1. Serve as principal advisor to the Town Council, Town staff and other boards, commissions, committees and departments of the Town in all matters relating to cultural arts.
2. Educate and expand awareness of public art and of the activities of Yountville Arts in the community.
3. Review and recommend policies governing cultural arts services, activities and programs as well as public art ordinance(s) and or similar policy recommendations for consideration by the Town Council.
4. With staff support, engage in the active management and work necessary to execute and implement the following:
 - a. The Yountville Public Art Walk Program.
 - b. The Gallery at the Community Center Program and other art show related programs.
 - c. The Yountville Literary Programs.
 - d. The Public Art Fund and general fund budget associated with Cultural Arts.
 - e. Fundraising to support Commission activities through private or public donations, gifts and grants for the cultural arts in conjunction with approved Town policies and procedures.
 - f. Coordinating and hosting receptions and other events in support of Commission programming.
 - g. Marketing and public relations efforts in support of Commission programming and events.
5. Perform such duties in support of cultural arts services as may be assigned by the Town Council.
6. Appoint advisory members to serve on subcommittees with the goal of commenting on and making recommendations prior to being presented to full Commission.

In short, the recommended action is an acknowledgment of the success of this informal volunteer committee and recognition that its mission, goals, and programming are more accurately reflective and deserving of status as a full Town Commission and not as a sub-committee of the Parks and Community Services Commission.

It is recommended that the initial Commission size shall be five (5) members. Unique to this Commission is the recommendation that two (2) members of this body could be Yountville business members or involved with a business or non-profit organization that is involved with arts and cultural activities in

Yountville. The Commission will also have the ability to establish “working” committees with additional volunteers serving in an advisory capacity to help deliver programming, events and activities.

Town staff has worked in partnership with current active steering committee members of the Yountville Arts Committee in an attempt to create by-laws that build on the success of their work but also come more into line with the public policy requirements of a group which is developing public policy and making recommendations related to expenditures of public funds and funds which their efforts raise for the Art Fund. Their efforts and contributions to development of the proposed by-laws are greatly appreciated. Current active Yountville Arts Steering Committee members include Ronda Schaer, Kim Cook, Nancy Gates, and Rob Anglin. Considerable contributions towards the success of the Yountville Arts Committee were also made by Judith Caldwell and Rob Wennerberg. If approved by the Town Council, the Town Clerk would begin advertising and announcing the openings on the Yountville Arts Commission with a deadline at the end of January 2013. It is anticipated that interviews and appointment would be held at the first or second February 2013 meeting. In the interim the Yountville Arts Steering Committee would continue in its current manner working with staff.

<u>FISCAL IMPACT</u>	
Is there a Fiscal Impact?	Nominal. Transition to formal Commission from informal does not increase staff support and related costs. A more formal Commission may establish more evolved programming and may make funding requests of the Town Council for support of programs which would be evaluated by the Town Council during budget development.
Is it Currently Budgeted?	Yes.
Where is it Budgeted?	Art Fund and in departmental budgets.
Is it Mandatory or Discretionary?	Discretionary.
Is there a Staff Resource Impact?	Yes. Town Manager's Office and Parks and Recreation Department staff and support Yountville Arts Committee directly and with its programming.
<u>STRATEGIC PLAN GOAL</u>	
Is item Identified in Strategic Plan?	Yes
If yes, Identify Strategic Goal and Objective.	Community Character 2.1 Maintain & Enhance the Appearance of Yountville Communication and Civic Engagement 3.3 Invite Public Awareness through Increased Communications and Engagement and 3.6 Involve Citizens through Boards and Commissions Community Spirit 4.6 Seek and Develop Community Based Partnerships
Briefly Explain Relationship to Strategic Plan Goal and Objective.	Yountville Arts Commission provides ongoing foundation for the Yountville Art Walk, Gallery @ Community Center and other community based cultural arts programming that both improves the appearance of the community but also impacts the spirit of the individuals in the community. Establishing an empowering a citizen advisory body is consistent with Council direction.

ALTERNATIVES

1. Not establish the Yountville Arts Commission.
2. Continue Yountville Arts as a sub-committee of the Parks & Community Services Commission and develop working structure to properly reflect that designation.
3. Provide staff with feedback and direction on an alternative course of action.
4. Discontinue Yountville Arts Committee in its informal role.

RECOMMENDATION

1. Receive staff report and direct questions to staff.
2. Receive public comment.
3. Conduct Council discussion.
4. Consider Adoption of Resolution Number 3081-12 formally establishing the Yountville Arts Commission, adopting by-laws and authorizing Town Clerk to recruit to fill the positions.

ATTACHMENTS

1. Resolution 3081-12
2. Proposed By-laws of Yountville Arts Commission

Town of Yountville

Resolution Number 3081-12

Establishing the Yountville Arts Commission and Adopting By-Laws

Recitals

- A. Yountville Arts was established as a working subcommittee in 2009 of the Yountville Parks & Community Commission. The committee has grown and developed into an established and successful volunteer body providing policy guidance and direction related to cultural arts. Working in a volunteer staff support role, they are actively involved in the programming and delivery of events and activities that would otherwise not occur due to Town staffing constraints.
- B. The Town Council has adopted its Strategic Plan 2011-16 that includes strategic goals and objectives to improve and enhance citizen engagement communication and participation within Yountville. Establishing citizen boards and commissions as well as improving the appearance of Yountville are both supported by the mission and operation of the Yountville Arts Commission.
- C. The Town desires to establish a Yountville Arts Commission with the mission of Yountville Arts to provide vision, leaderships, inspiration and support to artists and their art in Yountville. Yountville Arts serves in an advisory capacity to the Town Council and staff in matters pertaining to the cultural arts.
- D. Town staff and current Yountville Arts members have spent a considerable amount of time drafting bylaws. Our goal was to provide bylaws that are consistent with both the hands on programming and fundraising nature of the volunteer positions, as well as the need for a more formal structure that is consistent with government boards and commissions.
- E. The initial Commission size shall be five (5) members. Unique to this Commission is the recommendation that two (2) members of this body could be Yountville business members or involved with a business or non-profit organization that is involved with arts and cultural activities in Yountville. The Commission will also have the ability to establish "working" committees with additional volunteers serving in an advisory capacity to help deliver programming, events and activities.

Now therefore, the Town Council of the Town of Yountville does resolve as follows:

1. Adopt Resolution Establishing the Yountville Arts Commission and approving the attached by-laws; and
2. Authorize Town Clerk to recruit for the Yountville Arts Commission; and
3. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 4th day of December, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John F. Dunbar, Mayor

ATTEST:

Michelle Dahme, Town Clerk

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DRAFT
Town of Yountville
ARTS COMMISSION
BY-LAWS, OPERATING PHILOSOPHY AND GUIDELINES

ARTICLE I: NAME

- A. The name of this group shall be the Yountville Arts Commission (hereinafter referred to as “Yountville Arts”).

ARTICLE II: HISTORY

- A. Yountville Arts was established as a working subcommittee in 2009 of the Yountville Parks & Community Commission. The committee has grown and developed into an established and successful volunteer body providing policy guidance and direction related to cultural arts. Working in a volunteer support role to the Town and Town staff, they are actively involved in the programming and delivery of events and activities that would otherwise not occur owing to Town staffing constraints.
- B. The Arts Commission was established by Town Council Resolution No. 3081-12 on December 4, 2012.

ARTICLE III: PURPOSE

- A. The mission of Yountville Arts is to provide vision, leadership, inspiration and support to artists and their art in Yountville. Yountville Arts serves in an advisory capacity to the Town Council and staff in matters pertaining to the cultural arts, including, but not limited to the development of visual, performing and literary arts and other matters as may be referred to the Commission by the Town Council or Town Manager.

ARTICLE IV: RESPONSIBILITIES

- A. The Commission's duties and powers are to:
 - 1. Serve as an advisor to the Town Council, Town staff and other boards, commissions, committees and departments of the Town in all matters relating to cultural arts.
 - 2. Educate and expand awareness of public art and of the activities of Yountville Arts in the community.
 - 3. Review and recommend policies governing cultural arts services, activities and programs as well as public art ordinance(s) and or similar policy recommendations for consideration by the Town Council.

4. With staff support and with Town Council or Town Manager approval, engage in the active management and work necessary to implement the following:
 - A. The Yountville Public Art Walk Program.
 - B. The Gallery at the Community Center Program and other art show related programs.
 - C. The Yountville Literary Programs.
 - D. The Public Art Fund and general fund budget associated with Cultural Arts.
 - E. Fundraising to support Commission activities through private or public donations, gifts and grants for the cultural arts in conjunction with approved Town policies and procedures.
 - F. Coordinating and hosting receptions and other events in support of Commission programming.
 - G. Marketing and public relations efforts in support of Commission programming and events.
5. Perform such duties in support of cultural arts services as may be assigned by the Town Council.
6. Appoint advisory members to serve on subcommittees with the goal of commenting on and making recommendations prior to being presented to full Commission.
7. Nothing contained in this Article IV shall permit the Commission to enter into contracts or otherwise commit or legally bind the Town to a course of conduct or activities without the specific approval of the Town Council or the Town Manager as required by law.

ARTICLE V: MEMBERSHIPS

- A. The Commission shall consist of five (5) members that meet the following:

CRITERIA

Members shall meet one or more of the following criteria:

1. Have an interest in and commitment to the importance and value of community affairs as well as the arts and culture.
2. Have knowledge or expertise in historical preservation, visual arts, performing arts, design/architecture, or affiliation with a

local business association, non-profit, or public entity involved in the arts.

3. Have prior experience as or is currently an artist or performer;
4. Have prior experience in community-based organizations, or organizations involved in arts and cultural and/or related activities.

QUALIFICATIONS

Applicants must meet all of the following qualifications:

1. Applicants must have the ability to take an active role in commission meetings and projects.
 2. Applicants must be a resident of the Town of Yountville (Minimum of 3 seats) or be involved with a business or non-profit organization that is involved with arts and cultural activities in Yountville (No more than 2 seats).
- B. All Commission members will have voting capacity.
- C. Persons meeting the qualifications and who have interest in serving on the Commission shall complete the appropriate Town application form. An application filing period will be announced publicly in order to solicit applications when vacancies exist on the Commission.
- D. All five (5) seats shall be appointed by the Town Council.
- E. All initial members are approved by the Town Council, and are appointed to staggered two- and three-year terms. Two members shall be appointed to two-year terms and three members shall be appointed to three-year terms. All future terms will be two years unless a member must leave the commission mid-term in which case a new commissioner will be appointed to finish the unexpired term. Incumbents wishing to reapply will be re-interviewed by the Town Council and re-appointed at the sole discretion of the Town Council. Terms will commence in July of each year except for the terms of appointment for initial members which shall commence after initial date of appointment. Members appointed shall continue to serve until new commissioners are appointed to fill or replace existing members.
- F. Members wishing to resign from the Commission must provide a written resignation addressed to the Town Clerk. Once the Town Clerk receives the resignation, the Town Clerk then follows the application process for filling the vacancy.

ARTICLE VI: COMMISSION ORGANIZATION

- A. This Commission has a unique characteristic in which it serves and functions as a formal policy and action taking body as well as a “working committee”. As a working committee, members function and work as an extension of town staff to develop and implement cultural arts related events and programming. This additional programming and events helps to supplement the quality of life activities of the Town. The operating structure of this commission has been designed to incorporate both the formalized nature of a public policy body and the volunteer nature working to implement programming and events.
- B. Regular meetings will be held once a month on day to be determined. Meeting date may change if voted on by the commission. Additional special meetings, including study sessions, may be scheduled as deemed necessary by the Chair of the Commission or as set forth in the Brown Act or by Town staff.
- C. The Commission meets regularly in the Yountville Community Center or other designated location at a time to be determined.
- D. Quorum: A majority of total commission membership (three members) shall constitute a quorum for the purpose of conducting a meeting.
- E. Meeting Attendance: Members of the Commission who have prior knowledge that they will not be able to attend a regularly scheduled meeting will notify the Recording Secretary at the earliest possible opportunity and prior to the start of the meeting. The Recording Secretary shall notify the Chair and other members of the Commission in the event that the projected absence will result in a lack of quorum. Three absences in any twelve-month period shall constitute a review of the commissioner’s continued appointment by the Town Council. If the Town Council recommends the resignation of a commissioner due to absence, the resigned position will be announced publicly and filled under the appointment process. Former members may re-apply. Staff will maintain attendance records.
- F. Adjournment: No new matter will be commenced after (to be determined), and meetings will be adjourned by (to be determine), unless the Commission votes to extend the meetings for 30-minute increments. A motion for adjournment shall always be in order and upon a second shall be voted upon without debate.
- G. Meetings shall follow the Brown Act Laws for Open Public Meetings, and public comment shall be permitted consistent with the provisions of the Brown Act.
 - 1. Agendas: A written agenda for all regular meetings shall be developed by the Chair and the staff, and shall be delivered to all Commission members at least 72 hours in advance of the Commission meeting.

2. Minutes: Written summary minutes shall be recorded by the staff, typed and issued to all Commission members for their approval.
 3. Written Correspondence/Verbal Communication: All written official correspondence and verbal communication on behalf of the Commission or any Commission member that is directed to any outside agency, organization or person shall have the consent of the Commission.
 4. Rules of Order: Robert's Rules of Order will apply in all instances, which are not otherwise provided for in these rules.
- H. Study Session Meetings: The Commission may hold study session meetings in addition to the regular monthly meeting to facilitate the coordination and development of programming and events which have been approved by the Commission. Guidelines of Study Session meetings include:
1. Intent of Study Session: Focus of meeting is an informal, working format to discuss and develop ideas that members have been working on, that do not lend themselves to formal commission meeting.
 2. No formal action or votes may be taken at Study Session Meetings.
 3. Study Sessions Meetings may be held at various locations other than Yountville Community Center.
 4. Study Sessions shall be held at date and time as established by Commission, Commission Chair or Town staff.
 5. Study Session Meetings shall include the following in a set agenda format to discuss implementation and execution necessary to allow members and town staff to carry out approved programming:
 - a) Public Comment Period
 - b) Art Walk Program and related
 - c) Gallery at Community Center and related
 - d) Literary Program and related
 - e) Shows at the Community Center
 - f) Marketing and Promotion efforts
 - g) Event logistics and coordination
 - h) Focus on what is needed to implement upcoming events
 - i) Fundraising
 - j) Special Events
 - k) Other approved programming/events
 6. Study Session agendas must be posted in accordance with the Brown Act Laws for Open Public Meetings.

I. Officers:

The Commission shall elect a Chair and a Vice Chair from among its members following the annual appointment for a term of one year. The Chair shall not serve consecutive full year terms as Chair. Elections also shall be held to fill vacancies in these positions as they occur, or as soon as practical.

- a. Chair: Shall preside at all meetings of the Commission; decide on all points of order; appoint subcommittee membership; follow up on work of subcommittees; represent the Commission at Town Council or other meetings; call special meetings; coordinate agenda preparation with staff; encourage active participation of members.
- b. Vice-Chair: Shall preside at all meetings in the absence of the Chair.
- c. Should the Chairperson and Vice Chairperson be absent or unable to act, the members present shall select a Chair Pro-tem and have an order stating so entered into the record.

J. Staff:

Shall record all activities of the Commission and keep written action minutes of all Commission meetings; record attendance; arrange for filling vacancies; prepare agenda in consultation with Chair; provide information necessary for Commission work; assure compliance with applicable laws; lend professional expertise; assist with marketing and website maintenance; track time spent on Commission work. Town staff shall fulfill the duties assigned to the Recording Secretary.

ARTICLE VII: PROJECT SUBCOMMITTEES

- A. All project subcommittees shall be established through a motion at a regular meeting and be established according to need.
- B. Initial Project Working Committees include, but are not limited to:
 1. Public Art Walk
 2. Gallery at the Community Center
 3. Literary Program
- C. If authorized by a vote of the Commission, these committees may include individuals who are not Commission members. These appointees would serve in an advisory role to the commission.

- D. Subcommittees shall have an appointed lead who is a Commission member.
- E. Each commission member shall serve on at least one subcommittee.
- F. Each subcommittee shall report as appropriate to the Commission and give full information of all of its proceedings.
- G. Subcommittees may not act on behalf of the Commission nor bind it to any action, but may make recommendations to the Commission.
- H. The Commission shall create or disband subcommittees as deemed appropriate in order to perform the business of the Commission.

ARTICLE VIII: ADDITIONAL DUTIES OF COMMISSION:

- A. The Commission may establish subcommittees as deemed necessary to implement and carryout the Commissions duties. Appointment of subcommittee members will be made by the Chair. Subcommittees will be appointed either for single task assignments or as an ongoing standing subcommittee. Subcommittees are for the purpose of researching, reviewing, or providing overall policy direction on programs, facilities, or services prior to being presented to the full Commission as well as facilitating and implementing programs and events.
- B. Commission will submit written recommendations regarding items related to Cultural Arts including budget recommendations to the Town Council.
- C. Utilize Yountville Arts Logo on marketing materials. Yountville Arts has prior approval to utilize a distinct logo for marketing and promotional purposes. This logo was approved by the Town Manager and Town Council.
- D. Commission shall establish annual goals, work plan and proposed expenditure budget consistent with Town Council policies and direction. Town Council and Commission shall meet annually to review and establish goals and objectives.
- E. Commission shall make and present an annual written report to the Town Council related to its activities at the 1st March Town Council, meeting annually.
- F. Conflict of Interest: Members of the Commission shall not participate, in any manner, or vote, except to abstain, upon any matter in which they knowingly may have a conflict of interest. When Commissioners determine they have a conflict of interest, a public declaration to the effect shall be made or they may choose to absent themselves from that particular hearing. No member shall act for any petitioner or applicant in any case before the Commission. The members of the Commission shall be

regulated by the provisions of the Political Reform Act of 1974 (Government Code Section 81000-91014) and the regulations promulgated by the Fair Political Practices Commission.

- G. Representatives. The Commission may designate members to attend special meetings in the community as it deems necessary, defining their terms and duties for such purpose. Commission members shall be information gatherers and shall not represent the Commission as a whole when in this capacity.
- H. Voting. Decisions requiring a vote of the Commission shall be made by affirmative vote of a majority of the Commission in attendance at the meeting provided a quorum has been met.
- I. Act as a Body. The Commission shall act as a body in making its decisions and announcing them. No member shall speak or act for the Commission without prior authorization from the Town Council, Town Manager or designee.
- J. No decision by the Commission is final and binding unless approved by the Town Council or unless authority for the decision has been granted to the Commission provided by the Town Ordinance.

ARTICLE IX: AMENDMENTS

- A. Any proposed amendment to these bylaws must be approved by a majority vote of the Commission, and ratified by the Town Council.

Approved and established December 4, 2012