



TOWN OF TIBURON  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Town Council Meeting  
November 16, 2016  
Agenda Item: AI-1

## STAFF REPORT

To: **Mayor & Members of the Town Council**

From: **Office of the Town Manager**

Subject: **Consider Request from the Heritage & Arts Commission to Reduce its Membership from Nine to Seven Persons---Resolution**

Reviewed by: H.C.

## BACKGROUND

In July 2014, the membership of the Heritage & Arts Commission was increased from seven to nine persons as part of a larger update of the Commission's mission, scope, and duties, as set forth in Resolution No. 31-2014 (**Exhibit 1**).

At the time, the stated objective of increasing the membership was to provide adequate manpower to better shoulder the workload borne by the Commission. However, in the two plus years since the membership change was made, it has become apparent that more is not always better. The Commission has had difficulty with member attraction and retention, resulting in prolonged vacancies and creating problems with achieving a simple quorum to hold its regular meetings. For these reasons, a nine-member group is proving to be unsustainable and unwieldy, and the Commission is requesting a return to seven members.

## DISCUSSION

The Commission recognizes and appreciates the reasons why the membership was increased in 2014. The Town Council had expressed interest in seeing larger projects such as the Tiburon Art Festival come to fruition, and the hope was that with more "hands", the Heritage & Arts Commission would be able to make such projects more feasible. However, after detailed exploration of this project in particular, and of other projects discussed at the October 27, 2015 Town Council/Heritage and Arts Workshop, the Commission has realized that without extensive collaboration and support by other entities (such as the Chamber of Commerce or the Landmarks Society), these larger events remain beyond the means of the Commission, regardless of the additional hands on board. Instead, the larger membership requirement has through circumstances and unintended consequences reduced the functional effectiveness of the Commission. There are currently two vacancies on the Commission, and the most recent advertisement for recruitment of members produced no applicants. In the interim, attaining a quorum for regular meetings has become an increasing challenge. A return to seven members is therefore being urgently requested by the Commission.

## **RECOMMENDATION**

Staff recommends that the Town Council accept the recommendation of the Heritage & Arts Commission and adopt the resolution (**Exhibit 2**) reducing the membership from nine to seven persons.

## **EXHIBITS**

1. Resolution No. 31-2014
2. Draft Resolution

Prepared by: Patti Pickett, Liaison to Heritage & Arts Commission  
Scott Anderson, Director of Community Development

RESOLUTION NO. 31-2014

A RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF TIBURON REAFFIRMING THE ESTABLISHMENT OF THE  
HERITAGE AND ARTS COMMISSION AND MODIFYING ITS DUTIES AND  
MEMBERSHIP TO CONFORM TO PROVISIONS OF CHAPTER 2, ARTICLE VI,  
SECTION 2-25 OF THE TIBURON MUNICIPAL CODE

WHEREAS, the Tiburon Peninsula Heritage and Arts (H&A) Commission was established on November 5, 1986 by adoption of Town Council Resolution No. 2417, the provisions of which were subsequently modified by Town Council Resolutions 2746, 3071, and 3329; and

WHEREAS, in 1999, the Town Council adopted Ordinance No. 444 N. S., codified in part as Chapter 2, Article VI of the Tiburon Municipal Code, said ordinance modifying provisions regarding the establishment and duties of boards and commissions authorized by resolution of the Town Council; and

WHEREAS, the H&A Commission constitutes one such commission established by resolution of the Town Council; and

WHEREAS, on June 18, 2014, the Town Council directed Town staff to prepare the documents necessary to expand the membership of the H&A Commission; and

WHEREAS, the prudent course of action would be to update the H&A Commission's governing resolutions to conform with provisions of Chapter 2, Article IV of the Tiburon Municipal Code; and

WHEREAS, Town staff has prepared a draft resolution proposing the recommended membership expansion and incorporating other conforming amendments for consideration by the Town Council; and

WHEREAS, the Town Council has duly considered the draft resolution, and has heard and considered any testimony received on the matter at a public meeting held on July 2, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby adopts modified governing provisions, as set forth herein, for the Tiburon Peninsula Heritage and Arts Commission, and supersedes all provisions of Resolutions 2417, 2746, 3071, and 3329, with the exception of the basic establishment clauses set forth therein.

BE IT FURTHER RESOLVED that the Town Council, pursuant to Chapter 2, Article VI, Section 2-25 of the Tiburon Municipal Code, does hereby re-affirm the Tiburon Peninsula Heritage and Arts Commission as an official standing body of the Town of Tiburon and sets forth its duties and qualifications, procedures for appointment and removal, terms of office and other such information as necessary for the proper appointment and functioning of said Commission, as follows:

1. **Mission.** The mission of the H&A Commission is to “Preserve and advance the Town’s unique historic and cultural character and to advance the arts in and for the benefit of the community”.
2. **Purposes.** The purposes of the H&A Commission are:
  - (a) To assist and encourage citizen participation in the cultural and artistic life of the community; and
  - (b) To encourage and support local exposure of the talents of Peninsula residents.
  - (c) To provide initial financial assistance for the pursuit of cultural and related artistic endeavors on the Tiburon Peninsula.
  - (d) To advise, via review and recommendations, Town review authorities and officials on various aspects of the arts and historic and cultural resources on the Tiburon Peninsula.
3. **Duties and Functions.** The duties of the H&A Commission are advisory and may supplement, but not supersede, the duties of a board or commission established by ordinance. The duties and functions of the H&A Commission are established as follows:
  - (a) To recommend the appropriate selection, placement, modification and/or maintenance of art and historic objects in the Town of Tiburon for protection, enhancement, or perpetuation.
  - (b) To make recommendations upon referral pursuant to Title IV, Chapter 13B (Historical Landmarks), of the Tiburon Municipal Code.
  - (c) To approve work and/or exterior alterations to local Historic Landmarks, designated as such pursuant to Chapter 13B of the Municipal Code, when the designating resolution requires H&A Commission review and approval prior to performance of any such work and/or exterior alterations.
  - (d) To make recommendations to the Town Manager pursuant to the adopted Naming of Town-owned Parks, Lands, Streets, and Other Facilities Policy, as may be amended from time to time by the Town Council.
  - (e) To organize, promote and implement events, programs and/or projects that foster and fulfill the mission and purposes of the H&A Commission as set forth herein and which are primarily self-supporting in nature.
  - (f) To review and make recommendations on the request of any group interested in artistic displays at Town of Tiburon facilities.
  - (g) Upon request from the Town Council, Planning Commission, Design Review Board, or Town staff, review and provide recommendations on any zoning permit or other relevant matter involving cultural or historic resources within the Town of Tiburon.
  - (h) To prepare an annual report to the Town Council, on or about June 30 of each year, describing and evaluating the Commission’s efforts during the past fiscal year and outlining planned efforts for the next fiscal year.

4. **Membership & Qualifications.** The H&A Commission shall be comprised of nine (9) members whose qualifications shall be as follows:
  - (a) Five (5) members who must be residents of the Town of Tiburon.
  - (b) Four (4) members who may be residents of any part of the greater Tiburon Peninsula (comprised of the Town of Tiburon, City of Belvedere, and any unincorporated area including Paradise Drive and the Strawberry/Eagle Rock/Bay Vista area).
  
5. **Appointment and Removal of Members.** Members shall be appointed by the affirmative vote of a majority of the Town Council, and may be removed by the affirmative vote of a majority of the Town Council.
  
6. **Terms.** The term of office of H&A Commission members shall be four (4) years, and shall be staggered in a manner determined by the Town Council. Appointments to fill a vacancy where there is an unexpired term shall be for the balance of the unexpired term only.
  
7. **Procedures.** The H&A Commission shall annually elect its own officers, which shall include a Chair, a Vice-Chair, and a Secretary, and shall adopt such rules and regulations as it may deem necessary for the conduct of its duties, including by-laws. Election of officers shall be at the first meeting held after June 30 of each year. The Chair shall preside over meetings and establish the agenda for each meeting with the staff liaison. The Vice-Chair shall assume the responsibilities of the Chair in the absence of the Chair. The Secretary shall be responsible for keeping summary minutes of Commission meetings. The H&A Commission shall have the authority to appoint ad-hoc subcommittees of less than a quorum of its members as it deems necessary or appropriate to fulfill its duties.
  
8. **Liaison.** The Town Manager may appoint a representative or representatives to act as liaison between the H&A Commission and the Town Manager, Town staff, and other Town boards and commissions. Said representative(s) may serve as an ex-officio recording secretary for the H&A Commission on an as-needed basis as determined by the Town Manager.
  
9. **Meetings.** The H&A Commission shall adopt a regular schedule of meetings and should meet at least quarterly, but may meet more or less often as needed. Meetings of the H&A Commission are subject to State of California open meeting laws (i.e., the Brown Act) and shall be open to the public. Notices of meetings shall be posted and distributed in accordance with state law.

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PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Tiburon on July 2, 2014, by the following vote:

AYES:	COUNCILMEMBERS:	Doyle, Fraser, Fredericks, O'Donnell
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Tollini

  
ALICE FREDERICKS, MAYOR  
TOWN OF TIBURON

ATTEST:

  
DIANE CRANE IACOPI, TOWN CLERK

DRAFT

RESOLUTION NO. XX-2016

**A RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF TIBURON AMENDING RESOLUTION NO. 31-2014  
TO DECREASE THE NUMBER  
OF HERITAGE AND ARTS COMMISSION MEMBERS FROM NINE TO SEVEN**

WHEREAS, Resolution No. 31-2014, adopted in July of 2014, increased membership of the Heritage & Arts Commission from seven (7) to nine (9) members, each with a term of four (4) years; and

WHEREAS, since that time the Heritage and Arts Commission has experienced difficulties with member retention, prolonged vacancies, and with establishing a quorum at regular meetings, and now requests that membership be reduced again to seven (7) members, and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiburon does hereby amend Section 4 of Resolution No. 31-2014 to read as follows:

- 4. **Membership & Qualifications.** The H&A Commission shall be comprised of seven (7) members whose qualifications shall be as follows:
  - (a) A minimum of four (4) members must be residents of the Town of Tiburon at the time of appointment.
  - (b) Up to two (2) members may be residents of the City of Belvedere at the time of appointment.
  - (c) One (1) member may be a resident of unincorporated territory located on the greater Tiburon Peninsula (including the Paradise Drive area and the Strawberry/Eagle Rock/Bay Vista area) at the time of appointment.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Tiburon on November 16, 2016, by the following vote:

AYES:           COUNCILMEMBERS:  
 NOES:           COUNCILMEMBERS:  
 ABSENT:        COUNCILMEMBERS:

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ERIN TOLLINI, MAYOR  
 TOWN OF TIBURON

ATTEST:

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DIANE CRANE IACOPI, TOWN CLERK