

DRAFT

ORDINANCE NO. XX-2016

AN ORDINANCE OF THE CITY OF FREMONT AMENDING FREMONT
MUNICIPAL CODE CHAPTER 2.20 (DEPARTMENTS, BOARDS AND
COMMISSIONS) REGARDING THE ART REVIEW BOARD

THE CITY COUNCIL OF THE CITY OF FREMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. FMC Chapter 2.20, Article XIV, AMENDED

Fremont Municipal Code Chapter 2.20, Article XIV is amended to read as follows:

Sec. 2.20.590 Creation and composition.

There is an art review board consisting of five members. Not less than three of the board members will be experienced visual and/or performing artists, architects, art educators, art scholars or art collectors whose expertise and skills are known and respected in the community. Up to two of the board members may be lay persons who have an interest in public art. Board members must also be knowledgeable about contemporary visual art, particularly public art, and capable of engaging effectively in a jury process.

Sec. 2.20.600 Duties and responsibilities; board representative.

(a) The art review board will advise the City in artistic matters and selection of art in public places. The ~~art review~~ board shall operate in accordance with the art in public places program policy, adopted and revised from time to time by city council resolution, unless otherwise provided in this code, and shall periodically review the policy. The board shall:

1. Advise and assist the city in obtaining financial assistance from private, corporate, and governmental sources for art in public places.
2. Review installations of artwork in public places and advise as to its maintenance.
3. Advise and assist private property owners who desire advice on art in public view.

(b) Board Representative. The members of the art review board shall annually appoint a board member and an alternate board member to serve as the art board representative. The board representative will be available to meet with development review staff and private developers in providing advice and assistance, when requested.

Sec. 2.20.610 Terms.

The term of the member shall be four years.

Sec. 2.20.620 Term limit.

Notwithstanding Section 2.20.030(c), the term limit for the art review board shall be three full terms.

SECTION 2. CEQA

The City Council finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment. The City Council therefore directs that a Notice of Exemption be filed in compliance with CEQA regulations.

SECTION 3. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Fremont hereby declares that it would have passed this ordinance and each section or subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. EFFECTIVE DATE

This ordinance shall take effect and will be enforced thirty (30) days after its adoption.

SECTION 5. PUBLICATION AND POSTING

This ordinance must be published once in a newspaper of general circulation, printed and published in Alameda County and circulated in the City of Fremont, within fifteen (15) days after its adoption.

The foregoing ordinance was introduced before the City Council of the City of Fremont at the regular meeting of the City Council, held on the ____th day of _____, 2016 and finally adopted at a regular meeting of the City Council held on the ____th day of _____, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

Senior Deputy City Attorney