

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE
AMENDING SECTION 2.08.820 OF CHAPTER 2.08 OF
TITLE 2 OF THE SAN JOSE MUNICIPAL CODE TO ADD
AN ADDITIONAL FOUR TEMPORARY MEMBERS TO THE
ARTS COMMISSION WITH TERMS FROM AUGUST 11,
2020 TO DECEMBER 31, 2020**

WHEREAS, the San José Arts Commission is an advisory body that provides the City Council of the City of San José with advice and recommendations on City policies and programs that affect public access to a wide variety of arts and cultural opportunities in San José including arts grants and the City's Public Art Program; and

WHEREAS, due to the coronavirus pandemic, the Arts Commission was unable to meet from mid-March to June 30, 2020, at which time four commissioners termed out; and

WHEREAS, the adoption of this Ordinance will allow the creation of four temporary seats on the Arts Commission to allow those four commissioners to fulfill their duties until December 31, 2020; and

WHEREAS, to allow commissioners to be seated without further delay, the Council intends to waive the regular nomination process for these four temporary seats; and

WHEREAS, the Arts Commission will resume meeting on August 17, 2020 and the City Council intends to apply this Ordinance as of August 11, 2020; and

WHEREAS, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the Director of Planning, Building and Code Enforcement has determined that the provisions of this Ordinance do

not constitute a project, under File No. PP17-008 (General Procedure and Policy Making resulting in no changes to the physical environment); and

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance; and

WHEREAS, this Council has reviewed and considered the "not a project" determination under CEQA prior to taking any approval actions on this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 2.08.820 of Chapter 2.08 of Title 2 of the San José Municipal Code is amended to read as follows:

2.08.820 Number of Members

A. The Commission shall consist of eleven (11) members.

B. This Section shall apply to the Arts Commission as of August 11, 2020. As of August 11, 2020 and until December 31, 2020, the Commission shall consist of an additional four (4) temporary members whose terms will be from August 11, 2020 to December 31, 2020. Notwithstanding Section 2.08.840.B, these four (4) temporary members shall be appointed by the City Council without a nomination process. This subsection B shall automatically sunset and have no force or effect after 11:59 p.m. on December 31, 2020.

RD:AFS:KML
8/4/2020

PASSED FOR PUBLICATION of title this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk