



City of Palo Alto

City Council Staff Report

(ID # 11299)

Report Type: Action Items

Meeting Date: 5/11/2020

Summary Title: Reduction of Human Relations Commission and Public Art Commission Members from Seven to Five

Title: Staff Recommends that the City Council Discuss and Direct Staff to Reduce to the Number of Human Relations Commission and Public Art Commission Members from Seven to Five and Reopen Recruitment for Five-Member Commissions

From: City Manager

Lead Department: Community Services

Recommendation

Staff recommends that the City Council:

1. Discuss and direct staff to reduce to the number of Human Relations Commission and Public Art Commission members from seven to five by bringing an ordinance to Council (on Consent) making those changes in the Palo Alto Municipal Code; and
2. Direct staff to reopen recruitment for the Human Relations Commission and Public Art Commission at five members each.

Background

Public Art Commission

The Public Art Commission (PAC) is currently a seven-member body appointed by the City Council. Commissioner terms are for three years. Members of PAC either shall be members of the architectural review board or shall be professional visual artists, professional visual arts educators, professional visual arts scholars, or visual arts collectors whose authorities and skills are known and respected in the community and, whenever feasible, who have demonstrated an interest in, and have participated in, the arts program of the city ([Municipal Code Section 2.18.020](#)). The Commission meets once per month.

The duties of PAC are described in [Section 2.26.030](#) of the Palo Alto Municipal Code and are primarily related to art in public places and include the following:

1. To advise the city in matters pertaining to the quality, quantity, scope, and style of art in public places;

2. To periodically review, at least once a year, the capital improvement program with the director of arts and culture and such other members of the city staff as may be appropriate for inclusion of works of art in various projects;
3. To devise methods of selecting and commissioning artists with respect to the design, execution, and placement of art in public places and, pursuant to such methods, to advise the director of arts and culture on the selection and commissioning of artists for such purposes;
4. To advise the city regarding the amounts to be expended on art in public places;
5. To advise and assist the director of arts and culture in obtaining financial assistance for art in public places from private, corporate, and governmental sources;
6. To review plans for the installation of art in public places;
7. To review the inventory of art in public places and to advise the city in matters pertaining to the maintenance, placement, alteration, sale, transfer, ownership, and acceptance or refusal of donations of, and other matters pertaining to, art in public places;
8. To recommend the retention of consultants, consistent with the city's consultant selection procedures, to assist the city in making decisions concerning the art in public places program;
9. To advise the city on such other matters pertaining to the art in public places program as may be appropriate;
10. To advise and assist private property owners who desire such advice and assistance regarding the selection and installation of works of art to be located on their property in the public view;
11. To act as a liaison between local artists and private property owners desiring to install works of art on their private property in public view;
12. To give recognition to, and to maintain, an inventory of meritorious works of art in the public view;
13. To endeavor to preserve works of art in the public view deemed to be meritorious by the public art commission through agreements with the property owner and/or the artist.

Human Relations Commission

The Human Relations Commission (HRC) is currently a seven-member body appointed by the City Council. Commissioner terms are for three years. The Commission meets once per month.

The HRC has jurisdiction over any human relations matter when the commission finds that any person or group does not benefit fully from public or private opportunities or resources in the community or is unfairly or differently treated due to factors of concern to the commission. Factors of concern to the commission include, but are not limited to, socioeconomic class or status, physical condition or handicap, married or unmarried state, emotional condition, intellectual ability, age, sex, sexual preference, gender identity, race, cultural characteristics, ethnic background, ancestry, citizenship, and

religious, conscientious or philosophical belief ([Municipal Code 2.22.050](#)). The HRC makes recommendations on funding to partner organizations through the Human Services Resource Allocation Process, emerging needs grants and Community Development Block Grant program.

Discussion

At the April 20, 2020 City Council meeting, the Council discussed Spring 2020 Commission recruitment for the Public Art Commission, Human Relations Commission and Utilities Advisory Commission. The City Clerk's Office conducted an open recruitment for positions that expire on May 31, 2020. Both the PAC and the HRC had low applicant response rates. Five applications were received for four of seven PAC members who have terms that expire on May 31, 2020. Two of seven HRC members have terms that expire on May 31, 2020. One position has been vacant since December 2019 due to a resignation of a Commissioner prior to their term ending. The most recent recruitment resulted in one applicant for the three vacancies.

The Council discussed the low response rate to the recruitment for both the PAC and HRC and directed staff to return, as soon as possible, with options for reducing the PAC and HRC to fewer members and then reopen the recruitment for both Commissions. The Council will continue with interviews for the Utilities Advisory Commission.

Staff liaisons to the two Commissions discussed the pros and cons of reducing Commission size. Overall, staff is supportive of reducing the size of both Commissions from seven to five members. The primary concerns raised include: a less diverse representation of the community on the commissions; fewer number of commissioners required to make a quorum resulting in fewer number needed to approve or reject a motion; and ensuring that there is consistent attendance at meetings so a quorum is present. If the membership is reduced to five, well-established practices of both commissions will need to be reviewed and revised, if necessary, to ensure compliance with the Brown Act and City policies.

Policy Implications

Approval of this action will require amendments to Municipal Code Sections 2.18.010 and 2.18.040 for the Public Art Commission, and Sections 2.22.010 and 2.22.030 for the Human Relations Commission. If Council approves this action, staff will bring back an ordinance on Consent.

Stakeholder Engagement

Staff liaisons to the Public Art Commission and Human Relations Commission were consulted to identify any issues that may result from this change.

Environmental Review

This action is not considered a Project as defined by the California Environmental Quality Act (CEQA).