



City of Santa Clara

Meeting Agenda

Cultural Commission

Monday, November 1, 2021

7:00 PM

Virtual Meeting

Pursuant to California Government Code section 54953(e) and City of Santa Clara Resolution 21-9013, the Cultural Commission will be held by teleconference only. No physical location will be available for this meeting; however, the City of Santa Clara continues to have methods for the public to participate remotely:

Via Zoom:

<https://santaclaraca.zoom.us/j/98272283531>

Webinar ID: 982 7228 3531

Or join by phone: 1-669-900-6833

CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

- 1.A 21-1266 [Cultural Commission Regular Meeting Minutes of October 4, 2021](#)

Recommendation: Approve the Cultural Commission Regular Meeting Minutes of October 4, 2021.

PUBLIC PRESENTATIONS

GENERAL BUSINESS

2. 21-1279 [Discussion of Commission Budget Allocations](#)

Recommendation: Continue Commission activities within the currently approved budget levels.

3. 21-1500 [Discussion and Updates to Cultural Commission Work Plan Goals and Activities for FY 2021/22](#)

Recommendation: Provide updates to Cultural Commission work plan goals and activities for FY 2021/22.

STAFF REPORT

COMMISSIONERS REPORT

ADJOURNMENT

The next meeting will be on Monday, December 6, 2021.

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

21-1266

Agenda Date: 11/1/2021

REPORT TO CULTURAL COMMISSION

SUBJECT

Cultural Commission Regular Meeting Minutes of October 4, 2021

RECOMMENDATION

Approve the Cultural Commission Regular Meeting Minutes of October 4, 2021.

Prepared by: Kimberly Castro, Recreation Manager

Approved by: James Teixeira, Director of Parks & Recreation

ATTACHMENTS

1. Draft Minutes - Cultural Commission Meeting October 4, 2021



City of Santa Clara

Meeting Minutes

Cultural Commission

10/04/2021

7:00 PM

Virtual Meeting

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely.

Via Zoom:

<https://santaclaraca.zoom.us/j/98272283531>

Webinar ID: 982 7228 3531

Or join by phone: 1-669-900-6833

The meeting set-up is in line with the recommendations of the COVID-19 White House Task Force, which notes no more than ten (10) people gathering. The Chair will be present for the meeting with the staff liaison and commissioners participating remotely.

CALL TO ORDER AND ROLL CALL

The meeting was called to order by Chair von Huene at 7:03 p.m.

Present 6 - Commissioner Siddarth Sundaram, Commissioner Louis Samara, Chair Debra von Huene, Vice Chair Candida Diaz, Commissioner Jonathan Marinaro, and Commissioner Paul McNamara

Absent 1 - Commissioner Jennifer Vega

CONSENT CALENDAR

1.A [21-1094](#) Cultural Commission Regular Meeting Minutes of August 2, 2021

Recommendation: Approve the Cultural Commission Regular Meeting Minutes of August 2, 2021.

A motion was made by Vice Chair Diaz, seconded by Commissioner Samara that this item be approved. The motion passed with the following vote:

Aye: 6 - Commissioner Sundaram, Commissioner Samara, Chair von Huene, Vice Chair Diaz, Commissioner Marinaro, and Commissioner McNamara

Absent: 1 - Commissioner Vega

1.B [21-1275](#) Cultural Commission Calendar of Meetings for 2022

Recommendation: Recommend that Council approve Cultural Commission Calendar of meetings for 2022.

A motion was made by Vice Chair Diaz, seconded by Commissioner Samara that this item be approved.

Aye: 6 - Commissioner Sundaram, Commissioner Samara, Chair von Huene, Vice Chair Diaz, Commissioner Marinaro, and Commissioner McNamara

Absent: 1 - Commissioner Vega

PUBLIC PRESENTATIONS

None.

GENERAL BUSINESS

2. [21-1267](#) Discussion and Updates to Cultural Commission Work Plan Goals and Activities for FY 2021/22

Recommendation: Provide updates to Cultural Commission work plan goals and activities for FY 2021/22.

Commissioners reported the following updates to the Work Plan FY 2020/21.

Goal #1-Summer Concerts- Concerts can resume in July 1, 2022.

Goal # 2-Public Art- Chair von Huene and Commissioner Samara will follow up with Gloria Cox regarding the Art Campaign and the National Fitness Campaign. They will notify them via email that the Commission will not move forward with the project this year.

Utility Boxes- Vice Chair Diaz reported three (3) of the six (6) Utility Boxes have been completed. Two (2) additional boxes are in the painting process and one (1) artist is still waiting for insurance to clear.

Halloween and Holiday Home Decorating Contest- Commissioner Marinaro reported that the contest is underway. He asked the Commission to get the community involved. Seven (7) awards will be given. Six (6) districts and one (1) Best of the Best. Total price per sign is \$390.

Public Art Map- Vice Chair Diaz will add the completed utility boxes to the map.

Breaking Free Sculpture Exhibition- Award checks were mailed in Sept.. Top three (3) winner sculptures are on display in the Triton Museum lobby for 45 days.

Surviving COVID Art Exhibition- Semi finalists have been selected. Waiting for agreements to be approved and sent to the artists.

Goal #3-Expand social media presence- Commissioner Garcia Vega is working on drafting templates for a marketing plan. Commissioner McNamara will follow up with Commissioner Garcia Vega on the project. Facebook, Instagram and Twitter was discussed.

Coloring Book- The Commission discussed the coloring book project and possibly a monthly post to highlight specific months.

Goal #4-Marketing and Communication strategy- Commissioner McNamara will discuss metrics and logistics with Commissioner Garcia Vega. Reports will be a co-function of the marketing strategy to see what

is meaningful to the commission.

Goal # 5-Citywide Master Art Plan- Chair von Huene provided a summary of the strategy. She discussed potentially partnering with Santa Clara University. Deadline is August of each year. Will apply for grant next year. She discussed possibly working with stake holders, art festivals and community.

STAFF REPORT

Recreation Manager Castro mentioned a variety of projects the City is working on, including the Westwood Oaks Park Playground Rehabilitation Project Survey. She mentioned City Hall facilities opened on Oct. 4 and Parks & Recreation facilities have remained open and serving the public. She mentioned the Department is hiring part time staff. She informed everyone that Zoom meetings would continue until further notice. She informed everyone that she would like to take a photo of the Commissioners at a painted Utility Box for the 2022 City Calendar.

COMMISSIONERS REPORT

Chair von Huene reported that the Triton Museum has Cultural Commission Sculptures currently on exhibit. She encouraged people to visit.

Commissioner Marinaro attended a Electronic Music Festival in Oakland. It was an artist focused concert. He announced he bought a new home in Santa Clara.

Commissioner McNamara has a friend who attended a Publishing as an Art Form Exhibit that he is interested in. He has been looking at online plays and art exhibits that are impressive and creative.

Commissioner Samara has been busy spending time with his family. He is on the Board for Santa Clara Youth Soccer League and is one of the coordinators on the recreational side. He is happy to see the children playing soccer again.

ADJOURNMENT

A motion was made by Vice Chair Diaz, seconded by Commissioner Marinaro, that the meeting be adjourned at 8:07 p.m.

Aye: 6 - Commissioner Sundaram, Commissioner Samara, Chair von Huene, Vice Chair Diaz, Commissioner Marinaro, and Commissioner McNamara

Absent: 1 - Commissioner Vega

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Agenda Report

21-1279

Agenda Date: 11/1/2021

REPORT TO CULTURAL COMMISSION

SUBJECT

Discussion of Commission Budget Allocations

BACKGROUND

The Cultural Commission's program budget was approved in the amount of \$3,941 for FY2021/22. During the City Council's budget review process and adoption of the FY 2021/22 fiscal year budget, several program areas and departments' budgets and staffing were reduced as a result of the pandemic's economic impacts on City revenues. In turn, the Commission must prioritize programs and activities offered to the community within the approved budget amount.

At the August 2021 Cultural Commission meeting, the Commission discussed strategies to fund programs given the City budget reductions in FY 2021/22. The Commission requested an item be placed on an upcoming Commission agenda to discuss the potential for the City to solicit new funding through business and individual sponsorships to fund programs that are unfunded such as the Summer Concert Series and the Street Dance.

DISCUSSION

The citywide special events are approved as part of the City budget which is the financial policy document of the City Council. The Department staff manage the approved events within the approved General Fund subsidy and expenditure levels, and collects revenues through fees, donations and sponsorships. The Parks & Recreation Department is tasked with developing sponsorship opportunities for individuals and businesses.

The Department does not have the discretion to offer events nor to solicit funds for events that have not been approved as part of the City budget review and approval process. For example, the Art & Wine Festival was not approved and did not take place in FY2021/22, but a smaller event, Celebrate Santa Clara, was approved to be held instead. In addition, the Department carefully budgets and allocates its staffing levels required to plan and implement events. Additional hours are not available to support activities that have been eliminated from the City budget.

The Commission will discuss the current fiscal limitations and program planning for the Summer Concert Series and/or the Street Dance in FY 2022-23. Should fundraising be added as Commission Goal for FY 2022-23 events, fundraising efforts will have to follow the City's Donation Policy (Attachment 1), avoid any potential conflicts of interest including conflicts under CA Gov't Code section 1090 and the Political Reform Act (CA Gov't Code section 81000 et seq.). In addition, General Fund expenditures or revenues from a potential event sponsor program would require Council approval of a budget amendment for allocation of funds. Based on current practice, funds solicited for citywide special event support will need to be managed by assigned City staff and in conformance with applicable state and local laws and regulations.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The fiscal impact is unknown at this time. The City’s adopted budget has eliminated the subsidy for program costs associated with additional Commission events. Any additional expenditures or revenues would require budget amendment and allocation of funds.

COORDINATION

This report was coordinated with the Finance Department, City Attorney’s Office, and City Manager’s Office.

PUBLIC CONTACT

Public contact was made by posting the Commission Agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

Continue Commission activities within the currently approved budget levels.

Prepared by: Kimberly Castro, Recreation Manager

Approved by: James Teixeira, Director of Parks & Recreation

Attachments

1. Council Policy & Procedure 051 - Donations to the City



DONATIONS TO THE CITY

PURPOSE

To establish the process and provide guidance when individuals, community groups, and businesses wish to make donations to the City. This policy does not apply to the donation of tickets to events.

POLICY

Donations may be offered in the form of cash, real or personal property.

For the purpose of this policy, the term “designated donation” is used to include any donation where the donor specifies intended use by a particular City department, location, or purpose. An “undesignated donation” is used to include donations that are given to the City as a whole, for an unspecified use. Donations of any kind which might be perceived or interpreted as an attempt to influence actions of the City Council or City Administration will not be accepted.

Under this policy, all donations must be presented to the City Manager for compliance with this policy. If the City Manager approves acceptance of an undesignated donation, he/she shall determine which City service shall benefit from the donation.

Designated donations may only be accepted when they have a purpose consistent with the City’s goals and objectives and are in the best interest of the City.

For accepted donations, the City Manager will process the donation in accordance with the donor’s request. Designated donations benefitting particular employees or departments shall comply with CMD 067.

Implementation of this policy must comply with Santa Clara City Code Chapter 2.155, Regulation of Lobbying Activities, Section 2.155.130, entitled, “Gifts” which clearly forbids any lobbyist to deliver or cause to be delivered any donation to any City official, and for any City official to accept any donation from a lobbyist.

All non-monetary donations must adhere to City standards, including size and inscription on monumental signage; make and model of equipment; and must fit an otherwise unmet need.

As part of the annual budget process, for anticipated monetary donations, staff will bring forward for Council consideration a balanced appropriation for revenue and expenditures to facilitate the acceptance of donations throughout the fiscal year.

DONATIONS TO THE CITY (cont.)

PROCEDURE

1. Based on the value of the donation, the City Manager will review the conditions of any designated or undesignated donation and determine if the benefits warrant acceptance of the donation. Requirements for accepting donations include:
 - a) Reasons for the offer
 - b) Conditions attached to the donation
 - c) Potential liability to the City, the donor, or the public
 - d) Benefits and drawbacks
 - e) Ongoing costs to the City, including estimated maintenance and repair
2. If the City Manager approves a donation valued over \$100,000, the City Manager will submit a Report to Council for Council acceptance of the donation and appropriation of funds for monetary donations or other action; the donor shall be invited to a Council Meeting to be recognized under Special Order of Business; and a letter of acceptance and appreciation signed by the Mayor and City Manager shall be transmitted to the donor(s).
3. If the City Manager approves a donation valued at more than \$1,000, but less than \$100,000, the donor shall be invited to a Council Meeting to be recognized under Special Order of Business, and a letter of acceptance and appreciation signed by the Mayor and City Manager shall be transmitted to the donor(s). Based on the adoption of the annual budget, the City Manager is authorized to make the monetary donations available to department(s) for expenditure without further Council action.
4. If the City Manager approves a donation under the value of \$999, a letter of acceptance and appreciation signed by the Mayor and City Manager shall be transmitted to the donor(s). Based on the adoption of the annual budget, the City Manager is authorized to make the monetary donations available to departments for expenditure without further Council action.
5. If the City Manager determines it is not in the best interest of the City to receive the donation or gift, a letter declining the offer signed by the City Manager will be transmitted to the donor(s).
6. The City Manager shall prepare a report of all donations received by the City and present it to the City Council on a quarterly basis.

RESOLUTION NO. 18-8608

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
TO ADOPT DONATIONS TO THE CITY POLICY**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, establishing a policy on donations to the City as a whole will help ensure that the City of Santa Clara maintains a clear and consistent procedure to accept donations in an ethical, efficient, and transparent manner;

WHEREAS, a policy on donations will provide guidelines for the acceptance and refusal of donations to the City of Santa Clara, and will assist the City with adhering to the highest ethical standards; this policy provides the procedure for the acceptance of designated and undesignated donations, as well as provides the procedure appropriately acknowledging the generosity of the donor; and

WHEREAS, a policy on donations help ensure that the City of Santa Clara is not only in compliance with the Santa Clara City Code and with FPPC regulations, but also serves to reinforce the City's commitment to uphold City's Code of Ethics & Values, which includes maintaining the highest standards of personal and professional conduct and to meeting the most demanding ethical standards;

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Donations to the City policy is hereby adopted, and the City Manager is directed to number (and renumber, as appropriate) the policy in the manual such that it is organized in a logical fashion.

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2. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 2nd DAY OF OCTOBER, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Davis, Kolstad, O'Neill, and Watanabe and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: Mahan

ABSTAINED: COUNCILORS: None

ATTEST:



JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA



Agenda Report

21-1500

Agenda Date: 11/1/2021

REPORT TO CULTURAL COMMISSION

SUBJECT

Discussion and Updates to Cultural Commission Work Plan Goals and Activities for FY 2021/22

BACKGROUND

Annually, the Cultural Commission considers three to five specific, measurable, attainable, realistic, and time-bound goals and/or activities for the Fiscal Year (FY). These goals are intended to focus the Commission's efforts and respond to City Council priorities within the existing budget direction and resource limitations.

For FY 2021/22, the Cultural Commission adopted the goals listed below and assigned commissioner subcommittees.

1. Host and enhance multicultural events to encourage and acquaint Santa Clara residents with cultural diversity.
2. Develop and encourage interactive art opportunities to provide temporary, performing, cultural, and public art in the City.
3. Raise visibility of commemorative month celebrations.
4. Enhance communication and media strategy to increase community awareness of the Cultural Commission.
5. Prepare for Citywide Arts Master Plan Process

At the regular monthly meeting, the Commission discussed and updated work plan goals and activities for the FY 2021/22.

DISCUSSION

The Commission may provide updates and take action on the activities noted in the attached work plan (Attachment 1).

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

PUBLIC CONTACT

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RECOMMENDATION

Provide updates to Cultural Commission work plan goals and activities for FY 2021/22.

Prepared by: Kimberly Castro, Recreation Manager

Approved by: James Teixeira, Director of Parks & Recreation

ATTACHMENT

1. Cultural Commission Work Plan FY2021/22 & FY2022/23



**City of
Santa Clara**

Cultural Commission

**Mission, Priorities and Work Plan
FY 2021/22**

MISSION STATEMENT

The Cultural Commission acts in an advisory capacity to the City Council in matters pertaining to the enhancement of multi-cultural experiences and beautification of the City through art.

VISION STATEMENT

Enriching the lives of our residents and beautifying the City with an inclusive variety of multicultural and relevant programs and the arts.

VALUES

- We are inclusive and diverse.
- We are stewards of the quality of life in our community.
- We are accessible to all demographics, age groups, income levels, and abilities.
- We are collaborative with the community and innovative in our exploration of arts & culture.

PRIORITY

1. Provide inclusive, diverse, multicultural programs for the Community.
2. Increased collaboration and outreach with the community, other civic and corporate Santa Clara organizations, and interdepartmentally to further the mission of the Commission and build on our knowledge base for future leadership.
3. Develop and preserve a variety of art forms and interactive, expressive programming events that complement each other.

GOALS

The Santa Clara Cultural Commission has defined its vision, priorities, and articulated goals for their 2021/22 (\$3921) and 2022/23 (\$48,138) work plan. These goals incorporate the combined theme of civic leadership, multicultural diversity, visible public art, and improved communication with the community as the fundamental platform upon which more cultural and arts activities can take place in Santa Clara. The goals are:

GOAL #1: Host and enhance multicultural events to encourage and acquaint Santa Clara residents with cultural diversity.			
Objectives	Ad Hoc Sub-Committee	Timeline	Current Status & Budget Allocation
Consider hosting free outdoor event in different districts.	Samara	Spring 2022	
Plan for summer concerts in 2022.	Samara	Planning begins Winter, 2021	Concerts can begin after July 1, 2022

GOAL #2: Develop and encourage interactive, art opportunities to provide temporary, performing, cultural, and public art in the City.			
Objectives	Ad Hoc Sub-Committee	Timeline	Current Status & Budget Allocation
Advise and recommend public art to City Council	Samara/von Huene	Ongoing	Presentation for outdoor fitness cluster with mural.
Identify available Utility Boxes in the City for Artist Utility Box Program	Diaz	Call for Artist 4/19-5/3/21 Agreements completed. 3 out of 6 boxes completed.	\$750.00 stipend per artist allocated = \$4500.00 Paid in 20/21 Work to carry into 21-22.
Host Halloween and Holiday	Halloween – Diaz/Marinaro	Make interactive map	Six Districts plus Best of the Best. \$390.00

Holiday Home Decorating Contests and recognition	Holiday – Diaz/Marinaro		Encourage participation from historic home decorating contest and represent D5. = \$390
Update and maintain City interactive web-based public art map	Diaz/Garcia Vega	Ongoing Completed Utility Boxes will be added to the map	
Develop Breaking Free Sculpture Exhibition 2020	von Huene	Awards mailed Sept. 2021 “Breaking Free” winners on exhibition at Triton for 45 days	*Complete recognition and promotion for 2020 Sculpture Exhibit in 21/22
Complete Surviving COVID exhibition		Finalize awards, recognition, and publicity	\$2500 allocated from budget in 2021/22.

GOAL #3: Raise visibility of commemorative months. (Garcia & McNamara)			
Objectives	Ad Hoc Sub-Committee	Timeline	Current Status & Budget Allocation
Partner with community groups to host and promote commemorative month’s honoree	Sub-Committee to develop objectives		
Expand social media presence by sharing online cultural events	Sub-Committee to develop objectives		
Promote and create activities to promote coloring book or shared diversity experience.	Marinaro	Highlight a month at a time	Coloring Book posted on Commission page

GOAL #4: Enhance communication and media strategy to increase community awareness of the Cultural Commission.			
Objectives	Ad Hoc Sub-Committee	Timeline	Current Status & Budget Allocation
Develop a Marketing and Communication strategy to promote Cultural Commission events and activities with specific measurables	Garcia/McNamara		
Ensure Cultural Commission events and reports are marketed and archived	Chair or Vice Chair		Update website
Present regularly to City Council	Chair or Vice Chair	As needed	
Review calendar and find efficient ways to deliver Commission priorities and collaborate.	Chair or Vice Chair		

GOAL #5: Prepare for Citywide Arts Master Plan Process (vonHuene/McNamara)			
Objectives	Ad Hoc Sub-Committee	Timeline	Current Status & Budget Allocation
Develop partnership and stakeholders Interested in citywide Arts Master Plan	Von Huene/McNamara	August 2022	
Develop funding strategy for funding a citywide Arts Master Plan	Von Huene/McNamara	August 2022	Meetings with SCU, to discuss the work and interest for a joint application for National Endowment for the Arts

