

RESOLUTION NO. 04-17

A RESOLUTION AMENDING THE GRAND JUNCTION COMMISSION ON ARTS AND CULTURE BYLAWS

Recitals:

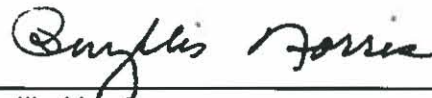
On October 26, 2016, the Arts and Culture Commission approved the amendment of the current bylaws to include the addition of several articles and revision of two articles to mirror the language used for other boards.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

1. The Commission on Arts and Culture bylaws are amended to include minor changes to Article II, Membership, Article IV, Officers, and Article V, Meetings.
2. The Commission on Arts and Culture bylaws are also amended with the addition of Article VII, Ethical Conduct, Article VIII, Conflicts, Compensation, Expenses; Article IX, Contracts, Expenditures; Article X, Notices; and Article XI, Legal Advice, Finances, Insurance.
3. The revisions provide consistent language among other boards and commissions and result in minimal impacts to operation of the Commission.


This Resolution shall be in full force and effect from and after its passage and adoption.

Passed and adopted this 18th day of January, 2017.



Phyllis Norris
President of the City Council

ATTEST:



Stephanie Tuin
City Clerk



**GRAND JUNCTION COMMISSION ON ARTS AND CULTURE
BY-LAWS**

ARTICLE I: NAME

The name of this commission shall be the Grand Junction Commission on Arts and Culture.

ARTICLE II: STATEMENT OF MISSION

The mission of the Grand Junction Commission on Arts and Culture shall be to help create and nurture a climate and conditions in Grand Junction in which the arts and culture can thrive and grow.

The goals of the Commission are as follows:

- ~Complete, implement, and periodically revise a community strategic cultural development plan.
- ~Encourage and facilitate cooperation, collaboration, and partnerships with and between the arts community, local government, education, and the business community.
- ~Provide information and education to local artists and arts agencies to enhance funding, management, and marketing skills.
- ~Provide advice to the Grand Junction City Council concerning the establishment of community arts priorities and criteria for expenditure of public resources.
- ~Increase both private and public resources for the arts.

ARTICLE III: MEMBERSHIP

1. The Commission shall consist of no fewer than nine and no more than thirteen members.

2. Composition and Selection:

- A. All members shall be appointed by the Grand Junction City Council.
- B. Members shall serve without compensation, except for those expenses incurred in connection with the work of the Commission as approved by the City Manager or his/her designee.
- C. Members shall be selected without regard to race, color, religion, sex, age, sexual orientation, national origin, marital status, or physical handicap.
- D. The Commission shall include at least five (5) members of acknowledged accomplishment as either amateurs or professionals in one or more of the following fields: architecture, art criticism, art education, art history, choreography, dance, communicative arts, crafts, folk and ethnic arts, literature, media arts, music, opera, painting photography, sculpture, theater (including community theater), and urban design.

E. If requested by City Council, a nominating committee shall be appointed from among the Commission members to recommend and/or review candidates for Commission membership.

3. Term

Beginning in 1992, the terms of the Commissioners shall be three (3) years. The terms shall be staggered so that one-third of the members shall be appointed each year. No Commission member shall be appointed for more than two (2) consecutive full terms.

4. Vacancies

In the event of death, resignation, or removal of any member, his/her successor shall be appointed in the manner prescribed in Section 2 above, for the duration of the unexpired term.

5. Removal

A. Failure to attend four (4) regularly scheduled meetings of the Commission within a calendar year without excused absence may result in a recommendation to the City Council for removal of the member.

B. The Commission may recommend to City Council in writing, by formal two-thirds vote of the membership, to remove any Commissioner who is failing to fulfill the duties and responsibilities of office, including regular attendance, provided the individual is notified of such action and is given the opportunity to address the Commission prior to tendering of such recommendation for removal to the Council for consideration.

ARTICLE IV: OFFICERS

1. Chairperson

A. The Commission shall elect one member to serve as Chairperson for a term of one year.

B. The Chairperson shall:

- Preside at meetings of the Commission.
- Serve as ex-officio member of all committees.
- Appoint members to represent the Commission to the City Council.
- Arrange for production and presentation of the Annual Report to the City Council.
- Meet with the City Manager and Council concerning implementation of Commission recommendations.

C. No Commission member elected Chairperson shall serve more than two (2) consecutive terms in that office.

2. Vice-Chairperson

A. The Commission shall elect one member to serve as Vice-Chairperson for a term of one year.

B. In the absence of the Chairperson, the Vice-Chairperson shall assume the duties of the Chair.

- C. The Vice-Chairperson shall be assigned other specific duties by the Chairperson as required to assure efficient operation of administrative functions of the Commission.
- D. No Commission member elected Vice-Chairperson shall serve more than two (2) consecutive terms in that office.

3. Secretary

- A. The Secretary shall be chosen by Commission action.
- B. The duties of the Secretary shall be determined by the Chairperson and Commission members, as deemed appropriate; generally, the Secretary shall coordinate administrative matters for the Commission.
- C. The duties of the Secretary may be rotated among the Commission members.

ARTICLE V: MEETINGS

1. Number

The Commission shall meet monthly. Meetings can be cancelled with the discretion of the chair.

2. Notice

Notice of each meeting of the Commission shall be given no less than five (5) days prior to the date of the meeting to each Commissioner personally or by mail.

3. Place

Meetings shall be held at such place or places designated within Grand Junction as the Commission considers appropriate.

4. Quorum

A majority of Commissioners of record shall constitute a quorum. In the absence of a quorum at any meeting, a majority of the Commissioners present may adjourn the meeting for up to thirty (30) days without further notice. The Commissioners present at a duly constituted meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough Commissioners to leave less than a quorum.

5. Special Meetings

Any three (3) Commissioners may convene a meeting with due notification as set out in Section 2 above.

6. Voting

Each Commissioner shall be entitled to vote. With prior authorization by the chair, members are allowed to participate and vote via speakerphone. When a quorum is present at any meeting, the affirmative vote of a majority of those present shall decide any question brought before such meetings unless a different vote is required by ordinance or these by-laws, in which case such

express provision shall control. In order to vote on certain items (such as grant awards), attendance is required.

7. Rules of Procedure

All regular and special meetings of the Commission and its committees shall be open to the public, and shall be conducted in accordance with *Roberts Rules of Order*, except where in conflict with these by-laws, in which case such express provision shall control.

Affairs of the Board shall be governed by the Open Meetings Law and the Open Records Act, as amended, including but not limited to the posting of notices, designating annually the location for the posting of notices, and the taking of minutes.

ARTICLE VI: COMMITTEES

The Commission shall establish committees, including task forces and special projects, as deemed necessary or appropriate, and shall prescribe the duties, functions, and duration of each.

ARTICLE VII: ETHICAL CONDUCT

Board members shall comply with the City of Grand Junction Resolution No. 79-06, and as subsequently amended, which establishes ethical standards for members of the City's boards, commissions and similar groups.

ARTICLE VIII: CONFLICTS, COMPENSATION, EXPENSES

A. No compensation shall be paid to any member of the Board for his/her services. The Board shall not enter into any contract with any member or pay or authorize any remuneration to any member. The rules and requirements of the City Charter and state law that apply to volunteer board members regarding conflicts of interest, disclosure, gifts and appearances of impropriety, as well as the City Resolution referred to in Article 2, shall apply to each member of the Board.

B. In accordance with the rules and requirements of the City, a member may be reimbursed for his reasonable expenses that are allowed by motion of the Board prior to being incurred. Expenses so authorized must be incurred in the performance of the Board member's duties. All such expenses shall be paid with Board funds.

ARTICLE IX: CONTRACTS, EXPENDITURES

The Board and its members do not have authority to bind the City, unless the City Council has specifically granted such authority in writing. Authority to bind the City shall be limited to the specific act(s) described in such writing. Expenditures on behalf of the Board and its work shall be granted such authority exclusively through the City Finance Department.

ARTICLE X: NOTICES

Any notice of claim, demand or other legal process served on or received by the Board or any of its members should be immediately delivered to the City Clerk or the City Attorney.

ARTICLE XI: LEGAL ADVICE, FINANCES, INSURANCE

The City Attorney shall serve as the legal advisor for the Board. The City's Financial Operations Director shall serve as the treasurer for the Board. The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member's actions are not malicious, criminal, or with deliberate intent to violate a law or regulation or with intent to injure. A Board member shall immediately contact the City Attorney if such losses, cost or expenses arise or if there are any questions about coverage.

ARTICLE XII: AMENDMENT

The by-laws of the Commission shall be subject to alteration, amendments, or repeal, and new by-laws may be adopted by the affirmative vote of a majority of the members of the Commission. Such changes shall be presented in writing to, and ratified and approved by the City Council. If the proposed by-law amendments are ratified and approved by the City Council, those amendments shall be available and distributed to the membership ten (10) days before the meeting at which the change will be considered. By-law amendments which are not ratified and approved by Council shall be void and to no effect.

Amended by the Commission August 24, 2016
Approved by the Commission October 26, 2016

Approved by the Commission March 20, 1991
Amended and approved by City Council May 1, 1991

Amended by Commission January 22, 1997 (Article III 5 B)
Amendments approved by City Council February 5, 1997

Resolution 44-89 expanding number of members adopted by City Council Feb. 18, 2009
By-laws amended by Commission Feb. 25, 2009