

**ALAMEDA COUNTY ARTS COMMISSION  
BYLAWS / RULES OF PROCEDURE**

Article I GENERAL PROVISIONS

Section 1-1 Name of Commission The name of the Commission is the Alameda County Arts Commission.

Section 1-2 Authority for Rules the Commission is created pursuant to Article 5-36 of the County of Alameda Administrative Code. Section 5-36.04 of the Administrative Code requires the Commission to adopt rules and regulations for the conduct of its business.

Section 1-3 Purpose of Commission The Commission's purpose is to provide leadership in encouraging and supporting artistic endeavors in Alameda County.

Section 1-4 Purpose of Rules The purpose of these rules is to provide for the orderly and fair conduct of the business and meetings of the Commission.

Section 1-5 Duties and Powers of the Commission The duties and powers of the Commission are prescribed in Section 5-36.08 of the Alameda County Administrative Code.

Article II ORGANIZATION OF THE COMMISSION

Section 2-1 Composition of the Commission The Commission consists of fifteen (15) Members appointed by the Board of Supervisors and seven ex-officio members, as indicated in Section 2.70.030 (Prior admin. code § 5-36.03) of the Alameda County Administrative Code.

The ex-officio members shall be the following individuals:

1. Director of the Alameda County Community Development Agency;
2. Director of the Alameda County Public Works Agency;
3. Director of the Alameda County General Services Agency;
4. Dean of Fine Arts of the California State University, East Bay at Hayward;
5. Director of the Oakland Museum of California;
6. Director of the Berkeley Art Museum & Pacific Film Archive of the University of California at Berkeley;
7. Dean of the California College of the Arts; or their respective authorized representative.

The fifteen (15) appointed members of the Commission shall serve at the pleasure of their respective appointing supervisor and shall have terms of four years. No member shall serve more than two terms in succession, except the ex-officio members who shall serve as long as they hold the office that qualifies them as ex-officio members. The appointing member of the Board of Supervisors shall fill any vacancy on the Commission occurring among his or her appointees; the person appointed to fill a vacancy shall serve for the unexpired term of the person he or she succeeds and, if reappointed by their respective Supervisor, may serve two additional full terms. In addition to the above twenty-two (22) voting members of the commission, the Board of Supervisors may appoint one of its own members to act as a liaison representative to the Commission, without voting power or office on the Commission. Each appointed member of the Commission shall be a resident of the County of Alameda.

Section 2-2 Officers of the Commission The Officers of the Commission are Chair, Vice-Chair, and Secretary. Officers of the Commission shall serve on the Executive Committee.

Section 2-3 Election of Officers At the regular October or November meeting of the Commission, the Chair shall appoint a three-member nominating committee, which shall present a slate of nominees for offices of the Commission and members of the Executive Committee at the next regular Commission meeting in November or December of each year. At this meeting, the Commission shall select the officers and the Executive Committee members from the entire membership of the Commission, who shall hold their positions for a calendar year,

January through December. There shall be a limit of two successive terms an individual may hold a position as an Officer of the Commission.

Section 2-4 Duties of the Chair The duties of the Chair shall be as follows:

1. Preside at all meetings of the Executive Committee and the regularly scheduled monthly meetings.
2. Be a member ex-officio of all committees and be personally familiar with the status of all committee work to ensure that the Commission's policies and purposes are being adhered to and that programs are being carried forward effectively.
3. Have the power to call emergency meetings of the Executive Committee and the Commission and to appoint special committees as necessary.
4. Appoint the Chair and members of all standing and ad hoc committees, with approval of the Commission.
5. Conduct a performance appraisal of the Executive Director at least semi-annually, presenting it to the Executive Committee for concurrence. Performance appraisal will be forwarded to the County staff who supervises the Executive Director. The Executive Director is responsible for managing the Art Commission Department, including but not limited to matters dealing with administration, personnel and programs, in accordance with standard County policies and procedures.

Section 2-5 Duties of The Vice-Chair The Vice-Chair shall assist the Chair in performance of his/her duties and shall act as and possess the powers of the Chair in the absence of the Chair. In addition, the Vice-Chair has the power to perform special duties as assigned.

Section 2-6 Duties of Secretary The duties of the Secretary shall be as follows:

1. In cooperation with the Executive Director, ensure the recording and distributing the minutes of the regularly scheduled meetings and the Executive Committee meetings.
2. In cooperation with the Executive Director, keep a list of all members.
3. In cooperation with the Executive Director, notify all persons nominated of appointment to any committee.
4. In cooperation with the Executive Director, assume the responsibility of notification of meetings.

Section 2-7 Composition and Duties of the Executive Committee The Executive Committee shall be composed of the Chair, Vice-Chair, and Secretary. In addition, the Commission may appoint one ex-officio member from the County to serve on the Executive Committee if no ex-officio member from a County Department is an elected officer. The Commission may also appoint additional members, not from a County Department, to serve on the Executive Committee. A quorum shall consist of at least half of the Executive Committee members. Officer vacancies shall be filled by a majority vote of the remaining Executive Committee members. An officer so chosen shall hold the position for the remainder of that term.

The duties of the Executive Committee shall be to:

1. Approve the agenda for the Commission meeting at its regular meeting. Commission members may submit items for inclusion in the agenda to any Executive Committee member and may attend Executive Committee meetings.
2. Approve appointments to all Committees.
3. Be responsible for review of all publicity materials submitted by the Executive Director.
4. Be responsible for presenting a budget to the Commission annually for approval prior to the beginning of the fiscal year, which starts July 1.
5. Review the Rules of Procedure as needed to ensure consistency with Commission practice.

Section 2-8 Standing Committees There shall be standing Committees as follows:

1. Executive Committee
2. Public Art Advisory Committee

Section 2-9 Ad Hoc Committees Ad hoc committees may be established as needed by the Chair of the Commission.

Section 2-10 Committee Actions All committees are responsible for informing the Commission of activities, referring policy questions or decisions to the Commission for resolution or approval, and evaluating committee programs periodically. A Committee quorum shall consist of at least half of the members.

### Article III MEETINGS OF COMMISSION

Section 3-1 Meetings Open to the Public All meetings of the Commission and its committees are open to the public except those meetings where items concerning personnel or litigation are to be discussed.

Section 3-2 Regular Meetings Regular meetings of the Commission are held on the second Wednesday of each month, unless an alternative date is designated by the Commission for one or more meetings. In cooperation with the Executive Director, the Secretary shall publicly notify any change at least 72 hours in advance.

Section 3-3 Special Meetings Special meetings may be called by order of the Chair or by a majority of the members. The order calling the special meeting shall specify the time of the meeting and the business to be transacted at such meeting. No other business shall be transacted.

Section 3-4 Regular Meeting Cancellation Any regular meeting of the Commission may be canceled by the Chair or Secretary no less than 72 hours prior to the scheduled date of such meeting if there is insufficient business to warrant a meeting.

Section 3-5 Holiday Conflicts If any meeting day falls on a holiday, the meeting of the Commission shall be held at a time and place agreed to at the previous Commission meeting.

Section 3-6 Quorum A quorum shall consist of seven members of the Commission or during the occasions in which there are 12 or fewer art commissioners (a combination of appointed and active ex-officio members), a quorum shall consist of more than half the members.

Section 3-7 Absence of Quorum In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place, and absent members shall be notified. Commissioners present may choose to discuss issues of interest, but no official Commission action may be taken.

Section 3-8 Notice of Meetings All meetings of the Commission shall be held subject to the provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq. and all other applicable laws of the State of California requiring a notice of meetings of Public Commissions.

The Agenda of each meeting of the Commission shall be delivered personally, by mail or by electronic mail to the members of the Commission at least 72 hours before the time of the meeting. A copy of the minutes of the previous meeting of the Commission will endeavor to be delivered personally, by mail or by electronic mail as soon as possible, or no later than 72 hours before the next meeting to each member of the Commission, and shall be made available to the public at the next meeting.

### Article IV CONDUCT OF MEETING

Section 4-1 Order of Business The order of business indicated on the agenda for each meeting of the Commission shall be arranged as follows:

1. Call to Order
2. Roll Call
3. Approval of minutes of previous meeting(s)

4. Public Forum
5. Executive Committee's Report
6. Executive Director's Report
7. Regular Calendar

Listing under the regular calendar shall include provision for matters continued from a previous meeting, new matters not considered at a previous meeting, committee reports, announcements, matters to be raised by Commissioners or members of the public, and adjournment.

Section 4-2 Parliamentary Rules Robert's Rules of Order (Robert's Rules of Order Newly Revised, 10th edition) shall govern the Commission in all cases in which they are not in conflict with the by-laws and ordinances of Alameda County.

Section 4-3 Vote Required Each Commissioner has one vote on the Commission.

Every member must be present in person to vote and no proxies are to be recognized. However, correspondence germane to the Agenda from excused absent members is to be read and considered as part of the discussion.

No member shall participate in a vote if he or she has a proprietary interest in the outcome of the matter being voted upon. Any member of the Commission who is an officer, Board member or employee of any organization being considered for funding allocations shall abstain from voting, and shall leave the room and not participate in the discussion of voting of this matter by the Commission. No member of the Commission shall participate in any recommendation affecting any work of art in which he or she is interested directly or indirectly.

Members shall give an initial written disclosure to the full Commission of any personal, professional and agency ties which pose a conflict of interest and thereafter, annually.

In the event of a tie vote on a motion, that motion shall be deemed to have failed.

Section 4-4. Qualifications to Vote. Both appointed and ex-officio members of the Commission shall have one vote per person. The Chair shall notify any appointed member and the appointing supervisor if the appointed member has three (3) consecutive unexcused absences, or five (5) absences (excused or unexcused) within a twelve calendar month period.

Section 4-5 Approval of Absences Absences may be excused in advance by the Chair of the Commission.

## Article V ENTITLEMENT TO REIMBURSEMENT

Section 5-1 Entitlement to Reimbursement Members of the Commission and committees, subcommittees, and review panels appointed by the Commission shall be entitled to reimbursement for vehicular parking fees incurred in their attendance at meetings in performance of their official duties to the extent that such fees exceed the amount charged for three (3) hours of parking. No other compensation, honoraria, or other types of reimbursement shall be allowed. Requests for all reimbursements must be submitted in writing with receipts to staff. Claims for reimbursement shall be presented and processed in accordance with the applicable rules, processes and procedures for such claims by County employees against the County. In no instance will members of the Commission be compensated for their time.

## Article VI AMENDMENTS AND ADOPTION OF BY-LAWS

Section 6-1 Amendment and Adoption of By-Laws These by-laws may be amended at any Commission meeting by a 2/3 vote of the members present, provided such motions are submitted to all members of the Commission at least one month prior to the regular meeting at which the changes shall be considered.

Bylaws / Rules of Procedure Approved by Board of Supervisors August 6, 1985. Updated in 2001.