

City of Newburgh

BY-LAWS OF THE ARTS AND CULTURAL COMMISSION OF THE CITY OF NEWBURGH

These by-laws are being established pursuant to City of Newburgh Ordinance No. 10- 2005 adopted December 12, 2005, Section 14-2.D.

ARTICLE I

(Commission Name)

The official name is:

THE ARTS AND CULTURAL COMMISSION OF THE CITY OF NEWBURGH

ARTICLE II

(Mission Statement:)

To advise and make recommendations to the City Government and its agencies on issues related to the development of art and culture and to ensure and manage public funding for the arts and arts education. To promote the arts and culture as an integral part of community life. To foster a creative environment reflective of the multi-cultural nature of the City of Newburgh and to guarantee equal access to the arts. To enhance access to, appreciation of and participation in the arts for all persons. To provide more educational opportunities for all persons to learn about the arts in all its forms, and to increase the role played by the arts in education.

ARTICLE III

(Membership)

- A. The Commission shall be composed of volunteers who by their background, qualifications and life's activities shall have demonstrated a sincere commitment to arts and culture and to the City of Newburgh. The Commission shall consist of no more than fifteen (15) and no fewer than nine (9) members. The City Council shall make appointments to the Commission. At all times a majority equivalent to two-thirds of the members shall be residents of the City of Newburgh. Commission members who are not City of Newburgh residents shall have a demonstrated investment in the City of Newburgh.
- B. Members shall serve terms of three years, dating from the date of their appointment. Vacancies occurring other than by expiration of a term shall be filled by the City Council for the balance of the unexpired term. A member whose term has expired may hold over until replaced by the City Council. A member whose term has expired may be recommended for reappointment by a majority vote of the commission. Members shall

not serve more than two (2) consecutive full terms. Members who have served two full terms may be reappointed to the commission after an absence of one (1) year.

- C. All members shall serve without compensation and shall not be deemed employees of the City of Newburgh.
- D. In addition to the foregoing, the City Council may appoint up to five (5) additional advisory members to the Commission. Such advisory members shall not have voting rights for the conduct of the business of the Commission. They shall be selected on the basis of their experience and background, and may but need not be residents of the City of Newburgh.
- E. All Commission vacancies shall be filled by recommendation of the Arts and Cultural Commission to the City Manager. The City Manager will then notify the City Council, who will appoint new members from a pool of applicants collected by the Arts and Cultural Commission. All applicants shall be seated according to The City Ordinance 10 - 2005 and the Commission's By Laws.

ARTICLE IV

(Officers)

At the first regular meeting in March of each year, the Commission members shall elect from the entire Commission a Chairperson, Vice-Chairperson, and Treasurer, and Secretary, who shall hold office for one year. No member shall hold office for more than three (3) consecutive terms. The Commission may elect from its membership other officers, as it deems necessary.

Duties of each officer are described as follows:

The Chairperson shall preside at all meetings of the Commission, execute all documents authorized by the Commission, present agendas for all meetings, and distribute committee reports to all members. The Chairperson shall present Commission resolutions to the City Manager and City Council. The Chairperson shall serve as voting member of all committees and perform all duties associated with the office.

The Vice-Chairperson, Serves as Chairperson whenever the Chairperson is unable to act in that capacity.

The Treasurer shall report at a balance of revenue expenditures and receivables and shall keep a running balance of accounts deemed the responsibility of the Commission. Copies of all bank statements will be kept by the treasurer and reviewed by the Commission upon reasonable request. The Treasurer will supervise the preparation of all financial documents and will present an annual financial report to the Commission.

The Secretary shall be a voting member of the Commission. The secretary shall to record minutes of all Commission meetings, keep a record of its proceedings and transactions, issue notices of all regular and special meetings, and shall perform all other duties as are generally associated with this office. These minutes and all records and publications of the Arts Commission shall be open to public inspection, and shall be maintained at the City of Newburgh Government official business office.

ARTICLE V

(Duties And Responsibilities of Commissioners)

The Commission shall have any and all powers and shall undertake such duties and responsibilities as may be necessary to meet its **Mission, Goals and Objectives**, as set forth in the City of Newburgh Ordinance NO.: 10-2005.

Additional Duties and Responsibilities of the Commission,

- A. Act as liaison with all organizations and bodies in and outside of Newburgh to assist in the promotion of arts and culture within the City of Newburgh.
- B. Review and recommend applicants for the Cultural & Economic Director of the City of Newburgh.
- C. Review applicants for Commission membership.
- D. Develop strategies and recommend priorities for arts & culture within the City of Newburgh.
- E. Respond to requests from Newburgh's arts and cultural community and act as liaison and facilitator for the City of Newburgh and its Agencies.
- F. Create, collaborate, plan and or manage arts and cultural facilities in and for the City of Newburgh.
- G. Seek and secure funding for arts and culture from public and private organizations.
- H. Manage, authorize and approve the disbursements of funds for the City of Newburgh's public arts projects and cultural events.
- I. Create, facilitate and assist the sponsoring of Newburgh arts and cultural projects and or events.
- J. Create and implement an annual work plan and budget.
- K. Create and deliver, on or before May 1st of each calendar year, a written report on the Commission's functions, operations, projects and status covering the preceding twelve-month period, to the City Manager.
- L. Demonstrate on a continuing basis the economic benefits the arts and culture contribute to the enhanced quality of life in the City of Newburgh.
- M. Promote awareness and appreciation of Newburgh history and cultural heritage.
- N. Promote collaboration among Newburgh schools, colleges and youth groups in the areas of arts education and community arts programs.
- O. Collaborate with the City Of Newburgh and its agencies to revise its codes and regulations for the establishment of artist live-work studio space.
- P. Appoint qualified independent juries for the selection of recipients to be awarded contracts for the creation of public art, performances, and other cultural projects. Jury members cannot have a direct or indirect financial interest in the outcome of the jury selection.

ARTICLE VI

(Meetings)

The Commission meets monthly at a predetermined time and location. Additional meetings may be called by the Chairperson as needed. The Chairperson will notify the Secretary who will give no less than three days notice to all Commissioners. Presence of a quorum of Commissioners at a special meeting shall be deemed as acceptance that notice was given.

Proper notice must be given for the addition or cancellation of any meeting, in accordance with state open meeting law. .

ARTICLE VII

(Attendance)

A commission member may be excused from a meeting by providing advance notice to the Chairperson, Vice-Chairperson or Secretary.

In the event any commission member has either (a) unexcused absences from three or more consecutive meetings or (b) four total absences in a calendar year the Commission may require that the member resign from the Commission.

(Resignation:)

Any Commissioner may resign at any time by delivering written notice of such resignation to the Chair, Vice-Chair or Secretary. The resulting vacancy shall be filled in accordance with these By-Laws.

ARTICLE VIII

(Conduct of Meetings)

The Commission shall conduct its business for regularly scheduled monthly meetings in the following order: Call to Order, Minutes Read and Approved, Treasurers Report, Committee Reports, Old Business, New Business, Public Comments, Discussion, Adjournment.

Except as provided by these rules and regulations, Robert's Rules of Order will govern the conduct of all Commission meetings.

A quorum for the meeting shall be half the number of voting members plus one.

All Commission actions must be made by resolution. Unless specifically provided for in these by-laws, a resolution is adopted if (a) a quorum is present, and (b) a simple majority of the commissioners present vote in the affirmative.

Approval by a super-majority, namely 2/3 of all commissioners, is required to pass a resolution to (a) amend these by-laws, or (b) request the resignation of a commissioner.

The Commission may, when necessary, establish committees or task forces of a permanent or temporary nature to provide investigatory or advisory assistance or to carry

out specific tasks in support of Commission initiatives, provided that the Commission cannot delegate its mandate or responsibilities as set out in this by-law.

The Commission may request persons with a particular expertise to make presentations before the Commission on matters relating to arts and culture.

Public Input. All Commission meetings will be open to the Public and will accept relevant public comments at any meeting. If the Commission requests public input on a specific issue, the sequence of presentation shall be: committee reports of pertinent information, public comment, Arts Commission comments and questions, Arts Commission deliberation and recommendation.

ARTICLE IX

(Agendas, Committee Reports and Minutes)

A copy of the Agenda, Committee Reports and previous Commission meeting minutes will be sent to all Arts Commissioners no less than one week prior to the date of the next meeting. Agenda items requested will be submitted to the Chairperson at least 14 days prior to the next meeting.

Last-minute agenda items may be submitted and added based their timely relevance.

The recording of minutes of all Commission meetings will be delegated to the Secretary. All minutes will be made part of a permanent record and forwarded to the Clerk of the City of Newburgh.

ARTICLE X

(Conflict of Interest)

Commission Members having a direct or indirect financial interest in any matter before the Commission must disclose this interest and refrain from deliberating and voting on the matter. The direct interest of a family member is considered an indirect interest and must be treated as a conflict of interest.

ARTICLE XI

(Amending the By-Laws)

These by-laws may be amended by the Arts Commission at a regularly scheduled meeting. All changes must be approved by a 2/3 majority vote of the entire Commission.