

A RESOLUTION

TO APPROVE THE BYLAWS OF THE ARTS IN PUBLIC PLACES COMMISSION

WHEREAS, Section 2-333(a) of the Code of Ordinances of the City of Greenville requires that all city boards and commissions, in consultation with the City Attorney, shall draft and approve proposed bylaws governing the operations of their respective areas of authority; and

WHEREAS, the City's Arts In Public Places Commission has prepared certain bylaws in accord with the City Code and presented the bylaws for consideration and approval of City Council; and

WHEREAS, the City Attorney has reviewed the bylaws and advises City Council that the bylaws comply as required by the City Code.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA that the bylaws of the City of Greenville's Arts In Public Places Commission are approved in the form as attached to this Resolution. The operating procedures, which have also been shared with City Council and which are referenced in the by-laws, may be changed without further review and approval by Council with the understanding that any changes will otherwise comply with the approved bylaws and applicable law.

RESOLVED THIS 14 DAY OF APRIL, 2008.



MAYOR

Attest:



CITY CLERK INTERIM

BYLAWS OF THE CITY OF GREENVILLE
ARTS IN PUBLIC PLACES COMMISSION

Article I – Name

The name of this municipal commission, as established by the provisions of the City Of Greenville Ordinance No. 2004-24, enacted by the city Council on April 12, 2004, shall be the City of Greenville Arts in Public Places Commission.

Article II – Agenda

For each meeting, a written agenda shall be furnished by the staff liaison to each member of the Commission, and shall be published according to the requirements of the South Carolina Freedom of Information Act. The staff liaison shall notify the city clerk reasonably in advance of all meetings. The agenda shall be posted at least five (5) days prior to each regular meeting, and at least twenty-four (24) hours prior to a special meeting. Items may be removed from the agenda, or postponed, at the meeting by majority vote of the members present and qualified to vote.

Article III – Officers

The officers of the Commission shall be a chairperson, and a vice-chairperson, elected for one-year terms by a majority vote of Commission members at the first meeting of the Commission in each calendar year, or upon the sooner occurrence of a vacancy in either office. The sitting chairperson is eligible for re-election unless otherwise disqualified from serving. The vice-chairperson shall serve in the chairperson's absence. In the absence of both the chairperson and the vice-chairperson, the most senior member shall act as chairperson.

Article IV – Duties of the Chairperson

The chairperson shall call meeting of the Commission, unless otherwise regularly set, preside over all meetings and preserve order and decorum of the Commission, while promoting discussion by all members in deliberations, act as spokesperson for the Commission, and perform other duties as may be approved by the Commission.

Article V – Staff Liaison

The staff liaison appointed by the City Manager shall assist the chairperson in setting meetings, preparing agendas and other documentary materials, and coordinating the acquisition of needed materials and training. The staff liaison shall be responsible for ensuring compliance with the Freedom of Information Act and for notifying members reasonably prior to the date and time of each meeting. The staff liaison is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the City Clerk.

Article VI – Term of Office

Members of the Commission shall serve staggered three-year terms, as set out in Ordinance No. 2004-24. Per the requirements of Resolution No. 99-14, no member shall serve more than eight consecutive years without specific approval of the Mayor and Council.

Article VII – Resignations of Members

Resignations shall be submitted in writing addressed to the chairperson and shall become effective upon such date as the resigning member shall specify, and if not specified, upon receipt by the chairperson. Copy of the resignation shall be sent by the chairperson to the Mayor and Members of City Council.

Article VIII – Meetings

The Commission shall hold meetings as determined necessary and called by the chairperson, designating the time and place, and called sufficiently early to meet the requirements of Article II, above. The Commission shall meet at least annually, during the month of January.

Article IX – Quorum

A quorum for all meetings shall be a majority of the membership of the Commission. A quorum shall be present before any of the business of the Commission is conducted other than rescheduling a meeting.

Article X – Attendance

Any member, who, for reasons other than sickness or bona fide emergency, misses three consecutive regular meetings, or 30 percent of all meetings within a calendar year, shall be removed from the Commission, the position shall be declared vacant by City Council, and Council shall fill the vacancy. Any member, who is unable to attend a meeting, whether regular or special, shall notify the staff liaison as soon as possible so that the staff liaison can report to the chairperson whether a quorum can be established.

Article XI – Voting

Commission members, including the chairperson, shall vote and shall not abstain from voting unless such member identifies a conflict of interest, in which event the member shall be excused from voting. The member shall state for the record the basis of the abstention and file a conflict of interest form with the staff liaison. Voting by proxy or absentee is prohibited.

Article XII- Ethics

Commissioners shall be subject to the provisions of the South Carolina State Ethics Act and City of Greenville's Code of Ethics.

Article XIII – Rules of Order

Meetings shall be conducted in an orderly manner to ensure the fair treatment of all persons and issues before the Commission according the Robert's Rules of Order.

Article XIV – Amendments

The Bylaws of the Arts in Public Places Commission may be amended by absolute majority of the total members of the Commission, subject to the approval of City Council as provided for by municipal ordinance.

Article XV – Staff Reports and Recommendations

The staff liaison shall submit reports and recommendations for those agenda items requiring decisions or recommendations by the board, commission or committee. Other staff having experience, education, and professional training in the subject matter may provide input into the reports and recommendations, or may provide supplemental ones. The material submitted may be oral, written, or graphic, or some combination of all. The reports and recommendations shall be accepted as evidence of record to the same extent as oral testimony and exhibits accepted from applicants, opponents, person who are subjects of an inquiry, expert and lay witnesses, and members of the public who provide information for the record of the proceedings.

By-Laws approved by City Council by Resolution No. 2008- 13 on April 14, 2008
2008.