

ARTS IN PUBLIC PLACES COMMITTEE

BYLAWS OF ARTS IN PUBLIC PLACES COMMITTEE

ARTICLE I

NAME

The name of this board shall be The Arts in Public Places Committee (hereinafter referred to as the "Committee").

ARTICLE II

PURPOSE

Make art accessible to all Erie County residents and visitors and foster a sense of community connection and civic pride.

ARTICLE III

BOARD COMPOSITION

Section 1. Membership

The Board shall be composed of Voting Members and Ex-officio Non-Voting Members. All are subject to the County Code of Ethics, Conflict of Interest Policy, and other related policies and practices as applicable.

Section 2. Voting Membership

The Committee shall consist of five (5) voting members. The County Executive shall appoint three (3) members, and the Majority Caucus and Minority Caucus of the Legislature shall each appoint one member. All five members shall be subject to Legislature confirmation.

The five (5) members shall be experts in the fields of art, art history, architecture or architectural history and must be Erie County residents and may not serve on any other County advisory board or be a County employee or officer. The members shall be professionally associated with local visual arts groups, such as art galleries or art schools, or have at least ten (10) years' experience in creating professional art.

Section 3. Ex-Officio Non-Voting Membership

In addition to the five (5) voting members of the Committee, the County Executive, the Chairperson of the Legislature, the Chairperson of the Legislature's Community Enrichment Committee, the Legislature Minority Leader, and the Commissioner of Public Works or their designees, shall serve as ex officio non-voting members of the Committee.

Section 4. Term of Office

Members shall serve three-year terms and may serve no more than two consecutive terms; those who have served two consecutive terms shall be eligible again after a two-year absence. (Erie County Charter Section 2205)

Section 5. Vacancies

- a. Voting member vacancies: The creating authority shall fill any vacancies within sixty days. If a member leaves a board before the end of his or her term, the replacement shall serve for the duration of the term; if the time remaining in the term is less than eighteen months, the replacement shall still be eligible for two consecutive full terms at the conclusion of the partial one. (Erie County Charter Section 2205)
- b. Officer vacancies: Vacancies occurring during the year shall be filled by action of the Board.

ARTICLE IV

ATTENDANCE POLICY

Members are expected to attend the majority of regular meetings during the year.

After the second consecutive, unexcused absence from the Board meetings within the calendar year, the member will be contacted to see if the attendance problem can be remedied.

If the attendance problem cannot be remedied, the member will be given the option to resign from the Board, otherwise they will be terminated by a vote of the Board.

ARTICLE V

OFFICERS

Section 1. Chairperson

The Chairperson shall be selected from the members of the Committee for a term of one year.

- a. Selection and Term. The Board Chairperson shall be elected by a majority of the board members from their nominations to serve a one-year term as chair; the chair may serve no more than two consecutive terms.
- b. Nomination. The Chairperson shall be nominated at a meeting of the Board during the second quarter of the calendar year with elections held no later than the fourth quarter of the year.
- c. Duties. The duties of the Board Chairperson are to:
 - i. Serve as the official representative and chief administrator of the Board;
 - ii. Preside at meetings of the Board;
 - iii. Call the Board to a special meeting or cancel a scheduled meeting, if deemed necessary;
 - iv. Appoint members of committees;
 - v. Appoint individuals to represent the Board to public bodies, subject to majority approval of the members of the Board;

- vi. Serve as the Board’s representative to the Erie County Legislature and relevant committees; and,
- vii. Provide oversight of the Board members’ roles and responsibilities.

Section 2. Vice Chairperson

- a. Selection and term. The Board Vice-Chairperson shall be elected annually by the voting members of the Board to serve a one-year term as vice-chair; the vice-chair may serve no more than two consecutive terms.
- b. Nomination. The Vice-Chairperson shall be nominated at a meeting of the Board during the second quarter of the calendar year with elections held no later than the fourth quarter of the year.
- c. Duties. The duties of the Board Vice-Chairperson are:
 - i. Serve as Chairperson pro-tem in the absence of the Chairperson, or in the event of a vacancy, until a new Chairperson is elected;

Section 3. Secretary

- a. Selection. The Board Secretary shall be a staff member of the Erie County Department of Environment and Planning as designated by the Commissioner of the Department. The Secretary may, but need not be, the staff liaison. Duties may be divided between the Secretary and staff liaison.
- b. Duties. The duties of the Board Secretary are:
 - i. Ensure the minutes of the Board meetings are taken;
 - ii. Coordinate the setting and distribution of meeting agendas and supporting materials;
 - iii. Handle Board correspondence;
 - iv. Perform research on issues before the board;
 - v. Manage the development and maintenance of the Board webpage; and,
 - vi. Manage and administer the Erie County Arts in Public Places fund in collaboration with Erie County Department of Environment and Planning and Erie County Division of Budget and Management;
- c. The Secretary has no voting authority.

ARTICLE VI

CONDUCT OF MEETINGS

Section 1. Conduct of Meetings

In the conduct of meetings and the transaction of Board business, the presiding officer shall use Robert’s Rules of Order as a guide. Meetings shall be conducted in compliance with the New York State Open Meetings Law (“NYS OML”), per the Erie County Charter.

Section 2. Quorum

A quorum for the transaction of business shall consist of a majority of the current voting members of the Board. A majority of the total current voting membership must vote in the affirmative to take any action, regardless of the number of members present.

Section 3. Voting

Each voting member shall vote in person in compliance with the NYS OML, as agreed by the majority of the Board ahead of a meeting. Proxy voting shall not be permitted.

Section 4. Regular Meetings

The Board shall meet in regular session at least four (4) times a year. Notification will be made to the membership at least one week prior to each meeting, or otherwise in compliance with the NYS OML.

Section 5. Special Meetings

A special meeting may be called at any time by the Chairperson or by any member of the Board upon written request of not less than one-fifth (1/5) of the entire Board. Meeting shall require a minimum of 24 hours notice, when urgent action by the entire Board is needed prior to the next meeting, or otherwise in compliance with the NYS OML.

Section 6. Dates and Deadlines

The Committee shall prepare a Master Public Art Plan annually, which shall be approved by the Erie County Legislature.

- a. The Committee shall hold a public hearing on the Plan prior to its approval.
- b. The Plan shall be approved by the Committee and submitted to the Legislature annually by **March 1**.
- c. The Plan shall be voted on by the Legislature and presented to the Department of Environment and Planning by **May 1st** annually.
- d. The Committee shall, through the Plan and its acquisition efforts, make efforts to call for artist submissions and publicize the intention to find appropriate art **within thirty (30) days of the Plan's approval** annually.

ARTICLE VII

COMMITTEE (PROJECT PANEL) STRUCTURE

The Committee may, for each project, convene a project panel comprised of at least three members of the Committee, one of whom shall be designated Chairperson. The Committee may also appoint additional art experts as members of the project panel. The Committee may appoint additional members to the panel to serve as advisors, who may be community representatives, County employees, project managers or others who will have frequent contact with the public art when it is completed. An architect or engineer shall be an ex officio member of each panel. The panel shall review the scope of each project and shall make recommendations to the Committee on the nature of the public art to be considered for the project, on the method of acquisition for each project, on the specific artist and the specific art for each project and what portion of the

budget for each project shall be used for refurbishing or restoring existing works of art or to be set aside for the maintenance of a work of art.

ARTICLE VIII

POLICIES AND PROCEDURES

At the annual meeting of the Board, each member shall certify that they have received, read, understand, and will comply with the Conflict of Interest and Whistleblower Policies adopted by the Board.

Policies and procedures for the operation of the Board, not otherwise covered herein and within the discretion of the Board, shall be established by action of the Board and may be modified from time to time.

ARTICLE IX

ADOPTIONS AND AMENDMENTS

These bylaws shall be adopted or amended as follows: by motion carried by two-thirds of the voting members at any regularly scheduled or special meeting of the Board, so long as proposed changes to the bylaws were presented in writing to all members at least one week before the meeting.