

# CITY OF MILPITAS

## ARTS COMMISSION

### BYLAWS

The Arts Commission was established by the Milpitas City Council on July 6, 2000.

#### Section 1. Purpose

The purpose of the Arts Commission is to work in an advisory capacity to the City Council on matters pertaining to supporting and promoting the Arts in the City of Milpitas.

#### Section 2. Membership

The Arts Commission is composed of seven (7) members (one of which is a Milpitas Unified School District Board Member) and two (2) alternates appointed by the Mayor and approved by the City Council. All members and alternates shall be Milpitas residents or residents within the boundaries of the Milpitas Unified School District. In addition, the City Council may appoint a Council liaison to serve on the Commission in a non-voting capacity.

#### Section 3. Term of Office and Removal

The term of office for Commission members is three years, or until reappointed or a successor is appointed. The term of office for alternates is two years, or until reappointed or a successor is appointed. Members and alternates are expected to attend all meetings. When any member or alternate has three or more unexcused absences in a 12-month period, the Commission shall forward this information to the City Council for review and possible removal of the member or alternate from the Commission. Any member or alternate of the Arts Commission may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.

Members and alternates may apply for reappointment by submitting a letter or e-mail of interest or email to the Mayor with a copy to the Commission Chair one month prior to the expiration of his/her term of office. Any member or alternate of the Commission who wishes to resign should submit a letter of resignation or email to the Mayor with a copy to the Commission Chair.

#### Section 4. Vacancies

Vacancies will be filled for the unexpired portion of the term in the same manner as the original appointment.

#### Section 5. Officers

A Chair and Vice Chair will be selected annually at the first meeting of the calendar year from the appointed members for a term of one year. The Chair will call for meetings and preside over all sessions. In the absence of the Chair, the Vice-Chair will preside. In the absence of both the Chair and Vice Chair, the member with longest continuous service on the Commission will preside.

Section 6. Meetings

The Arts Commission shall hold regular meetings on the fourth Monday of every other month at 6:00 PM. All meetings shall be open to the public. Should a scheduled meeting occur on a holiday, said meeting will be deferred to the same day of the following week or to a date agreed upon by a majority of the Commission. Special meetings of the Arts Commission may be called by majority of the members, Chair, or City Council. Notice of any special meeting shall be given as required by law. Except as otherwise provided by these Bylaws, the Arts Commission will follow the latest edition of Robert's Rules of Order for the orderly conduct of meetings.

Section 7. Quorum

Any four (4) members of the Commission shall constitute a quorum for the transaction of business.

Section 8. Voting and Seating of Alternates

Voting authority is extended to seven (7) members. An alternate member shall vote only if seated in the absence of a regular member. In the event that a regular member is absent, alternate members shall be seated in order of their alternate position. If a member arrives after an alternate has been seated, the alternate shall remain as the voting member until the end of the meeting.

Section 9. Duties of Commission to be Advisory Only

It is intended that the Commission shall be an advisory body to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel which are under their jurisdictions.

Section 10. Designation of Committees

The Arts Commission may designate committees to advise the Commission in the planning or operation of special programs. Such committees shall be designated by the Commission with at least one non-voting Arts Commissioner serving as liaison to the committee.

Section 11. Assistance of Staff

The City Manager of the City of Milpitas shall provide the Arts Commission with such information and staff assistance as the Arts Commission may from time to time request subject to limitations imposed by the City Council. The staff member designated by the City Manager shall attend meetings of the Arts Commission and submit such reports as said Commission may request and as deemed necessary or desirable, subject to limitations imposed by the City Council.

Section 12. Amendments

These Bylaws and operating procedures may be amended by simple majority of those voting at any regular Arts Commission meeting, subject to approval by the City Council.

PASSED AND ADOPTED by the Arts Commission on the 27<sup>th</sup> day of November, 2001.

PASSED AND ADOPTED by the Milpitas City Council on the 19th day of August, 2003.

PASSED AND ADOPTED by the Milpitas City Council on the 2<sup>nd</sup> day of June, 2009.