

# Bylaws of the San Diego County Arts and Culture Commission

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## **Article 1 Mission, Purpose, and Authority**

Section A - The mission of the Commission is to support and sustain the growth and vitality of San Diego County's diverse arts and culture communities.

Section B - The purpose of the Commission is to promote cultural diversity, equity, access, and inclusion; advocate for arts and culture as essential to education and daily life; invest in creating vibrant, interconnected communities; shape innovative cultural policy; and communicate the value and importance of artistic and cultural expression and traditions.

Section C - The legal authority for the establishment and operations of the San Diego County Arts and Culture Commission ("Commission") is set forth in the San Diego County Administrative Code, Article IIIw.

Section D - The Commission is a non-partisan, non-sectarian, non-profit making body. It does not take part officially in, nor does it lend its influence to, any political issues.

Section E - Commissions are advisory to the Chief Administrative Officer and the Board of Supervisors only. The Commission is not empowered by ordinance, establishing authority or policy to render a decision of any kind on behalf of the County of San Diego or its appointed or elected officials, except as specified in Article IIIw of the County of San Diego Administrative Code.

## **Article 2 Membership and Term of Office**

Section A - The Commission shall be comprised of thirteen (13) members appointed by the Board of Supervisors. Each member of the Board of Supervisors shall nominate two members for appointment to the Commission. Additionally, there shall be three youth members (age 16-24 at the time of appointment) who shall be nominated by the Chief Administrative Officer. All members shall be residents of the County of San Diego.

Section B - The Commission is limited to thirteen (13) members in accordance with the establishing authority.

Section C - Term of office as set forth in the establishing authority as follows: Each Commissioner shall serve a term which shall run concurrently with the term of the member of the Board of Supervisors who nominated that Commissioner. The term shall expire on the date of expiration of the term of the nominating member of the Board of Supervisors, or at such time as they cease to hold office, whichever first occurs. Youth Commissioners nominated by the Chief Administrative Officer shall serve a term of two years. Any Commissioner whose term has expired hereunder shall continue to discharge their duties as a Commissioner until their successor has been appointed and qualified. The reelection of a member of the Board of Supervisors for a succeeding term shall not automatically extend the term of any member of the Commission.

Section D - A vacancy shall occur on the happening of any of the following events before the expiration of the term:

- a) The death of the incumbent,
- b) The resignation of the incumbent,
- c) Removal at the pleasure of the appointing or nominating authority,
- d) The ceasing of the incumbent to be a resident of the County of San Diego, or

- e) Unexcused absence from more than one-third of the regular scheduled meetings in any 12-month period or three consecutive meetings. When a vacancy occurs as the result of missing more than one-third of regular scheduled meetings in one 12-month period or three consecutive regular meetings both the member and the appointing authority shall be notified.

Vacancies shall be filled by the appointing authority when a vacancy occurs.

**Article 3 Duties and Responsibilities**

The Commission shall have the duties and responsibilities as set forth in Article IIIw, Section 84.808 of the San Diego County Administrative Code.

**Article 4 Officers**

Section A - The election of officers is a responsibility of the Commission members and is governed in accordance with the establishing authority. If not addressed in the establishing authority, the following Sections B through F are in force.

Section B - The Commission annually elects from its members the following officers: Chairperson and Vice-Chairperson (Co-officers may be elected, if deemed necessary).

Section C - If an office is vacated, the Chairperson will temporarily appoint a member of the Commission to fill the vacancy until a new officer is elected. Such election shall be held within 30 days of the vacancy.

Section D - The Chairperson provides general guidance to the Commission, set the agenda, and presides over its meetings. Administrative staff and Commission members may propose items to the agenda by submitting to the Chairperson and administrative staff. The Chairperson and administrative staff will finalize the agenda. The Chairperson assigns coordinating duties to the Vice Chairperson as necessary. The Chairperson is the sole official spokesperson for the Commission unless this responsibility is delegated in writing.

Section E - In the absence of the Chairperson, the Vice Chairperson assumes the duties and responsibilities of that office.

**Article 5 Subcommittees**

Section A - If formation of subcommittees is not addressed in the Commission establishing authority, then the following Sections B through E are in force.

Section B - The Commission may select from its membership, subcommittee chairpersons and/or members to direct studies, conduct research or make recommendations on committee activities.

Section C - The purpose and scope of each subcommittee shall be outlined in writing.

Section D - Each subcommittee chairperson shall coordinate with administrative staff for the keeping of records of all actions and reports of the subcommittee. The subcommittee chairperson, or designee, shall report to the Commission on a regular basis. A subcommittee chairperson shall not act as spokesperson for the Commission unless authorized to do so in writing as set forth in Article 4, Section D, of these By-laws.

Section E - A coordinating committee comprised of the chairpersons of the subcommittees may be formed to assemble information from each subcommittee for

presentation to the Commission. The Chairperson or Vice-Chairperson shall act as the chairperson of the coordinating committee.

## **Article 6      Organization Procedures**

Section A -      Robert's Rules of Order govern the operation of the Commission in all cases not covered by these by-laws. The Commission may formulate specific procedural rules of order to govern the conduct of its meetings.

Section B -      Any group voting is on the basis of one vote per person and no proxy, telephone or absentee voting is permitted except as specifically authorized by the Ralph M. Brown Act (Gov. Code 54950 et seq.).

Section C -      All meetings of the Commission and its subcommittee are open to the public to the extent required by the Ralph M. Brown Act. Meetings are to be held in accessible, public places. Notice of all Commission meetings shall be posted in a publicly accessible place for a period of 72 hours prior to the meeting (Special meetings require 24-hour notice). In addition, such notice will be mailed on request.

Section D -      A majority of members currently appointed to the Commission shall constitute a quorum. A majority of members in attendance shall be required to carry any motion or proposal. No vote of the Commission shall be considered as reflecting an official position of the Commission unless passed by a majority of its quorum present at the specific meeting.

Section E -      Code of Conduct. All members of the Commission are expected to abide the Code of Conduct for County of San Diego Boards, Commissions, Committees, Planning and Sponsor Groups, which can be found at [Board and Commission Code of Conduct \(sandiegocounty.gov\)](http://www.sandiegocounty.gov).

Section F -      Any Commissioner may be publicly censured or removed from the Commission by a 2/3 vote for substantial neglect of duty, gross misconduct, engaging in disparaging and/or derogatory communication or direct action, inability to discharge the powers and duties of office, or violation of the Code of Conduct.

A 2/3 vote is defined as a vote by the commissioners present at a meeting when or where the vote takes place.

A public censure is defined as a formal statement of disapproval from the Chair and Vice Chairs of the Commission.