

ARTICLE I - NAME OF ASSEMBLY \*

As established by Section 8.16 of the Broward County Charter 1975, the name of this assembly shall be the Broward Cultural Affairs Council.

*As revised in 2002...* **Section 11.05 - BROWARD CULTURAL COUNCIL** There shall be a *Broward Cultural Council* with such duties, functions, and staff as designated in the County Code and the Administrative Code. The Council's purpose is to further the County's commitment to excellence among its artists and cultural organizations, and to foster a strong and vibrant cultural environment for both the residents of and visitors to the County.

ARTICLE II - PURPOSES \*

As established by Section 12.13a of the Broward County Administrative Code, it shall be the responsibility of the Council to:

- 1 Stimulate greater governmental and public awareness and appreciation of the importance of cultural development within Broward County;
- 2 Advocate and communicate factual information on local (such as county, city, school board, and others), state, and national cultural issues to constituents and elected officials, subject to applicable laws and codes as amended
- 3 Encourage and facilitate greater and more efficient use of governmental and private resources for the development and support of the arts;
- 4 Encourage and facilitate opportunities for Broward County residents to participate in cultural activities;
- 5 Promote the development of Broward artists, cultural institutions, community organizations sponsoring cultural activities, and audiences;
- 6 Survey and assess the needs of the artists, cultural institutions, community organizations sponsoring cultural activities, and people of Broward County relating to the cultural arts;
- 7 Support and facilitate the preservation and growth of Broward County's artistic resources;
- 8 Administer Broward County's Public Art and Design Program pursuant to this Part and the Public Art and Design Program Guidelines; and
- 9 Otherwise serve the citizens of Broward County and the state in the realm of the arts.

As established by Section 12.13b of the Broward County Administrative Code, within the limit of funds available to it the Council (has) such powers and authority as may be necessary and appropriate to give effect to its purposes and duties as established in the Broward County Administrative Code and (these) bylaws.

ARTICLE III - DUTIES \*

As established by Section 12.13c and 12.11h of the Broward County Code, it shall be the duty of the Council to:

- 1 To collect, arrange, record, preserve and disseminate aesthetic and cultural material and data;
- 2 Act as a liaison between the County and other governmental agencies on cultural matters;
- 3 Act as a liaison with private art and culture groups;
- 4 Make recommendations for legislation to the Board of County Commissioners in relation to cultural matters;
- 5 Promote and facilitate artistic and cultural programs and facilities;
- 6 Promote an aesthetic and cultural environment in the community; and
- 7 Prepare a proposed annual plan with recommendations to the Board of County Commissioners for works of art, and shall submit such proposed plan each year to the County Administrator through the capital program.

ARTICLE IV - RULES OF ORGANIZATION AND OPERATION

SECTION I - MEMBERSHIP AND TERM OF OFFICE \*

A. Membership. As established by Section 12.8 of the Broward County Administrative Code, the Council shall be composed of twenty-four (24) voting members. Eighteen (18) members shall be Broward County residents appointed by the Broward County Board of County Commissioners and serve at the pleasure of the nominating commissioner (Section 1-233(a), Broward County Code of Ordinances). Six (6) members shall be appointed pursuant to Section 12.9.(e) as follows:

- A County Commissioner (appointed by the Board of County Commissioners)
- A School Board member (appointed by School Board of Broward County)
- A City Representative (appointed by the League of Cities)
- A Tourism Representative (appointed by the Tourist Development Council)
- The Chair of the Cultural Executives Committee (CEC)
- A business representative Greater Fort Lauderdale Alliance member (appointed by the Greater Fort Lauderdale Alliance)

These six appointees shall serve an annual calendar year term.

As established by Section 12.9c of the Broward County Administrative Code, each council member shall have the responsibility of serving the best interests of the cultural arts in Broward County. No member shall view his or her role on the council as representing any particular interest group, arts institution, community organization, audience, or geographic area of Broward County.

- 1 As provided in Section 1-233(f) of the Broward County Code of Ordinances, members who have three (3) consecutive absences from meetings or miss four (4) properly noticed meetings in a calendar year shall be automatically removed as a member of the Council.
- 2 As authorized by Sections 12.11e and f of the Broward County Administrative Code, the Broward Cultural Council may establish and appoint non-Broward Cultural Council members to its committees, grant panels or artist selection panels as necessary.
- 3 Public Art and Design Committee

\*a. Membership - As established by Section 12.11g 2 of the Broward County Administrative Code, the Public Art and Design Committee shall consist of at least five (5) members and no more than seven (7) members. Up to six (6) members shall be appointed by the Broward Cultural Council and one (1) member shall be the chairperson of the Broward Cultural Council or his/her designee. The Committee shall be chaired by a member of the Council. The members shall serve without compensation.

\*b. Qualification of appointed members - As established by Section 12.11g 3 of the Broward County Administrative Code, membership of the Public Art and Design Committee shall be comprised of artists, arts professionals, architects, designers, collectors and other persons who are qualified to oversee a public art program. Membership on this Committee as well as the Council and any of its other committees is subject to the Sunshine Law, the Code of Ethics for Public Officers and Employees, and Section 1-234, Code of Ordinances regarding voting conflicts.

\*c. Terms of members - As established by Section 12.11g 4 of the Broward County Administrative Code, the Committee members shall serve staggered two-year terms. No member of the Committee shall serve more than two (2) consecutive full terms plus any partial term to which the member may be appointed.

B. Officers

- 1 Officers of the Council shall be Chairperson, First Vice Chairperson and Second Vice Chairperson.
- 2 Officers shall be nominated and elected at the December meeting and shall assume office January 1 of the next calendar year.
- 3 Officers shall serve for one (1) year. In the event of the death or resignation of an officer, his or her successor shall be nominated and elected at the next regular meeting. \* No member of the Council may serve as chairperson for more than two (2) consecutive one-year terms.
- 4 Duties of Officers

**a. Chairperson** - The Chairperson shall in general supervise and control all business and affairs of the Council. He or she shall preside at all meetings of the Council. In general, he or she shall perform all duties incidental to the office of the Chairperson and such other duties as may be prescribed by the Council from time to time.

**b. First Vice Chairperson** - The First Vice Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson. He or she shall perform such duties as may be assigned to him or her by the Chairperson or by the Council.

**c. Second Vice Chairperson** - The Second Vice Chairperson shall perform the duties of the First Vice Chairperson in the absence of the First Vice Chairperson.

**d. Executive Committee** -The Chairperson, First Vice Chairperson, Second Vice Chairperson, immediate past Chairperson, the Chair of the Cultural Executive Committee, and two additional members of the Council elected at large by the Council, shall comprise the Executive Committee. All members of the Executive Committee other than the Chair of the Cultural Executive Committee shall have been on the Council for a minimum of two years preceding appointment to the Executive Committee. The Director shall provide support and assistance to the Executive Committee.

## SECTION II - OPERATION

### A. Meetings

- \*1. As established by Section 12.11c of the Broward County Administrative Code, regular meetings shall be held at least quarter-annually at such and times and places as the Council shall determine.
2. Special meetings may be called by the Chairperson or by a majority vote of the members of the Council.
- \*3. As established by Section 12.11d of the Broward County Administrative Code, the Council shall hold at least one (1) open forum annually.
- \*4. As established by Section 12.11c of the Broward County Administrative Code, one-half of the Council membership, plus one member, shall comprise a quorum for the transaction of business at Council meetings.
5. Voting - All Council members, including the Chairperson, must vote in accordance with the Sunshine Law. No one may abstain, unless there is, or appears to be, a conflict of interest.

B. Administration of Trust Account: All transactions concerning the Broward Cultural Affairs Trust Account shall be in accordance with the establishing Ordinance No. 82-12.

C. Parliamentary Authority: The business of the Council shall be conducted in accordance with the Rules of Procedure of the County Commission set forth in Chapter 18, Broward County Administrative Code, and the Robert's Rules of Order Revised unless otherwise specified in these by-laws. The Chairperson may appoint a parliamentarian.

D. Grant Application Appeals Process: After notification of recommended grant award or denial, an applicant may submit written appeal demonstrating:

- 1 The Council failed to follow published procedures for applications and review;
- 2 The Council acted in an unfair manner; or
- 3 The Council's decision was based on insufficient information through no fault of the applicant.

Council reviews appeals in a public workshop prior to the regular meeting. The applicant may make an uninterrupted presentation for a period of three minutes. Council members hear all appeals without council discussion. After the close of the workshop, the Council votes on each grant application.

E. Project Evaluations: Council members are required to attend a minimum of four applicant events each year for the purpose of evaluation.

F. Committees: Council members are expected to serve on a minimum of one (1) committee.

ARTICLE V - CODE The Broward Cultural Council shall be governed by Chapter 12, Section 12.13. et seq and Chapter 29, Section 29.14, of the Broward County Administrative Code. The Council will function according to these by-laws and the BCC Board Handbook developed by the BCC Board Handbook Committee. ARTICLE VI - AMENDMENT PROCEDURE These bylaws may be amended by a two-thirds (2/3) vote of the members of the Council.

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\*The Code provisions regarding the Council are not subject to deletion or modification without prior approval by the Board of County Commissioners.

## PURPOSE

- 1 Stimulate greater governmental, public awareness and appreciation of the importance of the arts within Broward County;
- 2 Encourage and facilitate greater and more efficient use of governmental and private resources for the development and support of the arts;
- 3 Encourage and facilitate opportunities for Broward County residents to participate in artistic activities;
- 4 Promote the development of Broward artists, arts, institutions, community organizations sponsoring arts activities, and people of Broward County relating to the arts;
- 5 Support and facilitate the preservation and growth of Broward County's artistic resources; and
- 6 Otherwise serve the citizens of Broward County and the state in the realm of the arts.

## DUTIES (BY LAWS)

- 1 Collect, arrange, record, preserve and disseminate aesthetic and cultural material and data; and
- 2 Act as a liaison between the County and other governmental agencies on cultural matters.

## RESPONSIBILITIES

1. Recommend to the County Administrator employment of a competent and qualified Cultural Division Director;
2. Determine the purpose of the Broward Cultural Council and adopt written policies to govern the operation and program of the Council;
3. Promote the development of Broward County artists, cultural institutions, and community organizations sponsoring cultural activities and audiences;
4. Secure funding for the arts grants;
5. Assist in the preparation of the annual Broward Cultural Council budget and keep informed as to how the funds are being spent;

6. Be aware of local, state, and federal laws relative to the arts and to actively support and advocate local, state and national arts legislation;
7. Recommend policies dealing with grant guidelines;
8. Recommend to the County Commission all cultural grants and also notify the Greater Fort Lauderdale Convention & Visitors Bureau of the allocation of tourist tax grants after completing the review process for arts grants;
9. Assist in promoting Broward County as a tourist destination through the support and advancement of cultural institutions;
10. Keep in constant communication with the Convention & Visitors Bureau and the tourism industry in Broward County;
11. Attend all council meetings and keep accurate minutes of all of these meetings which are duly advertised and held in accordance with the "Sunshine Law;"
12. Represent the Broward Cultural Council by attending local, state and national arts meetings coordinated by the Chair to join state and national professional organizations for the arts and report back to the Broward Cultural Council;
13. Participate in the activities of the South Florida Cultural Consortium, within the five county area (Palm Beach, Broward, Dade, Monroe and Martin);
14. Be knowledgeable of the services of the Secretary of State and the Florida Arts Council;
15. Report regularly to the County Commission and the citizens of Broward County; and
16. Appoint seven (7) members to the Public Art and Design Committee.

## CHAIR

The Chair presides at monthly council meetings, executive committee meetings, and keeps current on cultural affairs, with the Director of the Cultural Division. As Chair, he or she must also keep close working relations with the Cultural Council members and the County Commission. The Chair is a member of all committees and receives notification and minutes of all meetings. The other important function of the Chair is the ability to serve as a representative of the Cultural Council to both the public and the County Commissioners. The person who holds this office must also be able to influence the local and state appropriating authorities. Selling the arts to the Broward County Commission and the Florida Legislature is an important facet of this office.

The Chair or designee is also a member of the South Florida Cultural Consortium and is required to attend all full council meetings semi-annually. The Chair also makes appointments to the South Florida Cultural Consortium grants panel and other appointments as necessary. Production of the annual report and speaking at public budget hearings are also part of the Chair's job description. The Chair is required to serve on the Public Art and Design Committee or name a designee.

The Chair should also attend county arts events that are funded by the Cultural Council or send a representative. Visiting Tallahassee and/or Washington D.C. during the session and attending South Florida Cultural Consortium meetings or other Florida arts meetings that impact the arts within Broward County are also essential.

At budget time the Chair should review the Council/Cultural Division budget request for the coming fiscal year with the Director of the Cultural Division. This is important because the Chair must go before the County Commission with adequate knowledge of the funds that are being requested.

Communication between the Convention & Visitors Bureau is essential for the Cultural Council. The Chair must keep the lines of communication open and be receptive to the tourist needs of the County.

The Chair sets a schedule of monthly meetings for the Executive Committee.

## FIRST VICE CHAIR

The First Vice Chair shall serve on the Executive Committee, which meets monthly, and perform the duties of the Chair in the absence of the Chair. He or she shall perform other duties that are assigned by the Chair of the Council.

The First Vice Chair is expected to chair the Planning Committee in order to provide an overview of the council.

## SECOND VICE CHAIR

The Second Vice Chair shall serve on the Executive Committee, which meets monthly, and perform the duties of the First Vice Chair in the absence of the Chair and the First Vice Chair. The Second Vice Chair is expected to chair one committee of the council. PAST CHAIR The immediate past chair shall serve as a member of the Executive Committee.

## COUNCIL OPERATING PROCEDURES

These procedures are designed for the Cultural Council to work as a single body. In order to operate as a unified council, the individual members should follow the procedures listed below:

### 1. COUNCIL AGENDA ITEMS

If a council member wishes to place an item on the agenda, he or she should call the Director of the Cultural Division or the Council Chair one week prior to the Executive Committee meeting.

If an arts organization or private citizen wishes to be added to the agenda, they must submit the item in writing to the Broward Cultural Council, addressed to the Chair, one week prior to the Executive Committee meeting. The purpose of the agenda item should be included in the letter.

### 2. ARTS ORGANIZATIONS/ARTISTS

During consideration of action or grant items by the Cultural Council, council members should direct any questions regarding applicant data to the Director of the Cultural Division to avoid duplication of effort. Staff is then able to coordinate information to the entire council.

### 3. ATTENDANCE

Council members are expected to attend all regular meetings, special meetings, workshops and assigned committee meetings and special events of the Broward Cultural Council. If a member cannot attend, he or she should notify the Broward Cultural Division. If a member misses three consecutive meetings, Broward County Code requires the removal of that person from the board. The Board of County Commissioners requests the attendance records on a semi-annual basis.

#### 4. COUNTY COMMISSIONERS

Council members are encouraged to have frequent discussions and provide information to their appointing Commissioner. In meeting with a Commissioner distinguish between your personal views/values and the BCC position. Unless you tell the Commissioner otherwise, he or she may assume you are representing the entire council. When the council takes a position, you are expected to relate that position to your Commissioner. Attendance at important commission meetings is essential to share council unity and commitment.

#### 5. EVALUATIONS

Council members are required to visit and evaluate at least four arts organizations a year that are funded by Broward Cultural Division. This includes written evaluation forms and a verbal report at a council meeting.

#### 6. STAFF OF BROWARD CULTURAL COUNCIL

Requests from BCC members to the Cultural Division staff are to be made to the Director of the Cultural Division. In the director's absence requests should be made to the acting director.

#### 7. PRESS

**Inquiries from the press on Cultural Council matters should be channeled through the Director of the Cultural Division or the Chair of the Cultural Council.**