

Carson City Agenda Report

Date Submitted: July 23, 2013

Agenda Date Requested: August 1, 2013
Time Requested: Consent Agenda

To: Mayor and Board of Supervisors

From: Cultural Commission
Parks and Recreation Department

Subject Title: For Possible Action: To approve the Cultural Commission's Mission Statement and Meeting Bylaws. (Vern L. Krahn)

Summary: The Cultural Commission is required by CCMC 2.41.160(6) to adopt meeting bylaws, and these bylaws are required to be approved by the Board of Supervisors. As a result, the Cultural Commission at their June 18, 2013, meeting adopted a mission statement and meeting bylaws. On behalf of the Commission, the Parks and Recreation Department is submitting their approved mission statement and meeting bylaws for Board of Supervisors approval.

Type of Action Requested:

☐ Resolution
☒ Formal Action/Motion

☐ Ordinance
☐ Other (Specify)

Does This Action Require a Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to approve the Cultural Commission's Mission Statement and Bylaws.

Explanation for Recommended Board Action: Chapter 2.41 of the Carson City Municipal Code (CCMC) establishes the City's regulations for the Carson City Cultural Commission. Section 2.41.060(6) states:

6. The commission shall adopt and amend, by the affirmative vote of a majority of the members, rules and regulations for the conduct of the commission's business. Such rules and regulations shall be submitted to the board of supervisors and shall not become effective until approved and ordered.

The Cultural Commission reviewed and adopted a mission statement and bylaws at their regularly scheduled meeting on June 18, 2013. The purpose of this item is to formally approve the Commission's mission statement and bylaws.

Applicable Statue, Code, Policy, Rule or Regulation: Carson City Municipal Code, Chapter 2.41

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

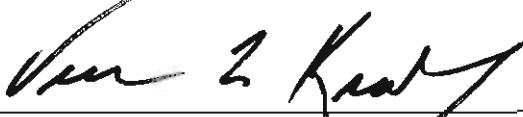
Alternatives: 1) Not approve

2) Refer the mission statement and meeting bylaws back to the Cultural Commission for further consideration.

Supporting Material:

- 1) Cultural Commission Bylaws (Exhibit A) ✓
2) CCMC 2.41, Cultural Commission ordinance (Exhibit B - Page 3 of 4) ✓

Prepared By:


Vern L. Krahn, Park Planner / Cultural Commission Staff Liaison

Date:

7-18-13

Reviewed By:


Roger Moellendorf, Parks and Recreation Director

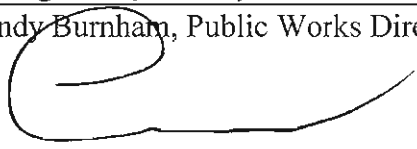
Date:

7/23/13


Andy Burnham, Public Works Director

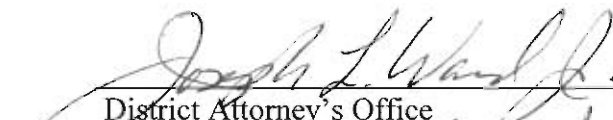
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7-23-13


Larry Werner, City Manager

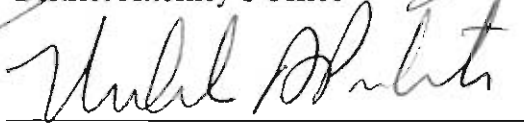
Date:

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District Attorney's Office

Date:

7/23/13


Finance Department

Date:

7/23/13

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

**CARSON CITY CULTURAL COMMISSION
BYLAWS**

I. GENERAL POLICIES AND PROCEDURES

A. Mission of the Carson City Cultural Commission

Mission: The Carson City Cultural Commission will act as the primary advisory body for the Carson City Board of Supervisors for matters relating to arts and culture. The Commission's role is also to widen an extensive appreciation of the community's heritage as it interrelates with culture, history, the arts and humanities. Culture enhances the health, safety, welfare, the physical beauty, the built environment and economic health and prosperity of a community. The Commission serves as the coordinator and catalyst bringing government, the arts & cultural community and the public together for the benefit of all Carson City citizens by making available a current, formal, written plan for financial and programmatic sustainability in terms of economic goals and impact measures.

B. Membership and Terms of Office

1. The Carson City Cultural Commission shall consist of seven Commissioners appointed by the Board of Supervisors.
2. Commissioners shall be appointed for a term of three years, commencing and ending on January 1.
3. Commissioners may serve for twelve years (4 terms).
4. Commissioners shall continue to serve after the expiration of their term until a new appointment or reappointment is made, or the member resigns in writing.
5. Commissioners shall attend at least seventy-five percent (75%) of all meetings in the preceding twelve month period. No differentiation is made between excused or unexcused absences of members.
6. The Parks and Recreation Department assigned to assist the Commission shall advise the Carson City Board of Supervisors of any Commissioner with three absences from regular meetings. Attendance at meetings called outside the regular schedule, are not subject to absence quotas.
7. The Board of Supervisors may, by majority vote, remove any of the appointed members of the Commission for cause based on the Board's reasonable discretion.
8. Vacancies, whether scheduled or unscheduled, shall be filled, by appointment by the Board of Supervisors.

C. Conduct of the Committee Members

1. Conflict of interest.

- a. Members shall comply with State and City regulations related to conflict of interest. However, it is acknowledged any member of the Commission may be indirectly involved with projects under consideration of the Commission.
- b. No member shall participate in, take action, cast a vote or lobby other members in relation to any project or proposal before the Commission that relates to a property, business, or other venture in which the member has a financial or vested interest.
- c. All members of the commission must avoid any conflict of interest. No individual may use an official position to gain personal advantage. If a member of the commission concludes they have a conflict of interest or an appearance of fairness issue with respect to a matter pending before the commission, they must disqualify themselves from participating in the deliberations and decision-making process for the matter under consideration.
- d. Any member disqualifying himself or herself shall have no personal presence before or direct communication with the other members regarding the matter at issue. The member shall announce prior to discussion on the topic, that he or she will be abstaining from this matter.
- e. The failure to disclose a conflict of interest may be cause for removal from the commission.

2. Lobbying

- a. Unless expressly authorized by the Board of Supervisors, no commission or member of a commission or committee shall engage in lobbying on legislative or political matters on behalf of the board, commission, or committee of Carson City. Nothing in this policy precluded individual appointees from lobbying or providing information as a private citizen provided the appointee specifically clarifies that while he or she holds an appointed position, the appointee is acting in a private capacity and not in his or her capacity as an appointed member of a board, commission, or committee or on behalf of the City. In that regard, individual appointees should refrain from lobbying as a private citizen in a way that implies authority to speak on behalf of the City or the public body to which they are appointed.

II. MEETINGS OF THE COMMITTEE

A. Regular Meetings

1. Regular meetings shall be held quarterly, on the third (3rd) Tuesday of the month, and must be made public. A majority of Commissioners present at any regular meeting may reschedule regular meetings to another day in the same month, or another month or may cancel a regularly scheduled meeting.
2. Roberts Rules of Order shall apply at all times for matters under consideration.
3. If a meeting date is a legal holiday, the meeting will be scheduled for the next available date.

B. Special Meetings.

1. The Chairperson may, at any time, call for a special meeting. Each commissioner must receive a timely written explanation of the purpose of the special meeting, the time, date and location of the meeting. Any special meeting must comply with the requirements of the Nevada Open Meeting Law.
2. The Chairperson or a quorum of the Commissioners may also call for "non-decision" making workshops subject to the requirements of the Nevada Open Meeting Law.

C. Notice of Meetings.

Meeting notices must conform to the Nevada Open Meeting Law, Nevada Revised Statutes.

D. Officers

1. At the first meeting of each calendar year, the Carson City Cultural Commission shall pursuant to a noticed agenda item elect a Chairperson who shall preside at meetings. The Commission shall then choose a Vice-chairperson. The Vice-chairperson shall preside in the absence of the Chairperson. In the absence or disability of the Chairperson and Vice-chairperson, the Commission may designate a Chairperson pro tempore with a quorum present by majority vote.
2. Officers may resign at any time, but must communicate the resignation to the Commission and the Parks and Recreation Department in writing. The

Commission will elect a new officer no later than the next regularly scheduled meeting, with an officer pro tempore serving in that interim capacity.

3. Officer terms will be for at least one year, but any officer may be removed by majority vote. Officers removed, except those removed for cause, and officers who resign may remain on the Commission for the appointed duration. Officers removed for cause may be removed from serving on the Commission by action of the Carson City Board of Supervisors.

E. Duties of Chair

1. The Chairperson conducts all the Commission meetings. Staff and the Chair confer on meeting agenda items. The chair shall place items on the agenda and additional items may be included, if requested by three or more Commissioners. The Vice Chairperson and the Chairperson pro tempore assume these duties, if necessary.
2. The Chairperson may only serve for two consecutive years. A Commissioner who has served as Chairperson will qualify to be nominated for Chairperson provided that two or more years have passed since the member last served as Chairperson.
3. The Board of Supervisor member appointed to the Commission shall not serve as Chairperson or Vice-Chairperson.

F. Attendance

1. In each calendar year, Commissioners are expected to attend a minimum of seventy-five percent of regularly scheduled meetings. In addition, Commissioners will make every reasonable effort to attend special meetings, public hearings, workshops and strategic planning sessions.
2. Commissioners may attend meetings by phone, if necessary.

G. Quorum

A majority of Commissioners shall constitute a quorum for the transaction of business. To be considered an approved motion, a vote of a simple majority of Commissioner's present is needed, unless two-thirds vote is required.

H. Resignation

Commissioners may resign at any time by providing written notice to the Parks and Recreation Department and the Carson City Board of Supervisors.

III. DUTIES OF THE COMMITTEE

A. Powers, Duties and Functions of the Commission

The City Ordinance that established the Carson City Cultural Commission delineates the Commission's powers. In addition to those outlined in the ordinance, the Commission's duties may also include:

- If directed by the Board of Supervisors, reviewing and evaluating cultural and special events requests for funding;
- Advising the Board of Supervisors on funding allocations from a Public Art Program fund or other City funds appropriate for cultural purposes;
- Assist City staff with "Request for Proposals" or "Statement of Qualifications" for the selection of professional services firms in the cultural development field; and,
- Collaborating with the Arts & Culture Coalition, Western Nevada College, Nevada Department of Cultural Affairs, Carson City Convention & Visitors Bureau, Carson City Redevelopment Authority, Carson City Chamber of Commerce and the Downtown Business Association.

IV. AMENDMENTS

The Commission may introduce an amendment to these by-laws at a regularly scheduled or special meeting. The amendment requires a two-thirds vote of the Commission's membership. Amendments must be reviewed and approved by the Board of Supervisors prior to becoming effective.

the chair and vice chair, the commission may designate a temporary chair.

2. The commission shall meet at least quarterly and all its meetings shall be open to the public pursuant to the Open Meeting Law.

3. The commission's chair or a majority of the commission may call special meetings.

4. A seat will be deemed filled once the city clerk has sworn in a nominee.

5. The commission shall keep minutes, which shall be available for public inspection, of all of its resolutions, proceedings, and other actions.

6. The commission shall adopt and amend, by the affirmative vote of a majority of the members, rules and regulations for the conduct of the commission's business. Such rules and regulations shall be submitted to the board of supervisors and shall not become effective until approved and ordered.

7. The commission shall submit an annual report and work-plan to the board of supervisors no later than May 1 of each year. Attendance records of members shall be included as part of the annual report.

8. Members of the commission shall be required to file annual statements of economic interest pursuant to the city's conflict of interest requirement pursuant to Nevada Revised Statutes. Members are expected to declare their conflicts of interest on associated agenda items and must abstain from any votes taken in relation to declared conflicts of interest.

9. The commission may create committees and subcommittees to advise the commission on any of the functions, duties or responsibilities of the commission.

(Ord. 2008-4 § 7, 2008).

2.41.070 - Functions of the Carson City cultural commission.

The functions of the Carson City cultural commission include, but are not limited to:

1. Advising the board of supervisors on matters pertaining to the city's arts and cultural programming.
2. Fostering public and private partnerships for providing arts and cultural programs for the citizens of Carson City, without directly engaging in program management deemed in competition with existing constituent organization programming.
3. Promoting access and awareness for the public to the highest quality arts opportunities possible.
4. Promoting an environment that supports the work and advancement of artists and arts groups and celebrate the city for its ethnic diversity, creativity and its leadership in arts and culture.
5. Making recommendations to the board of supervisors regarding grants-in-aid to individual and group of artists, cultural groups and arts organizations.
6. Encouraging the provision of cultural and artistic facilities and features in public and commercial construction.