

BYLAWS
OF THE
PUBLIC ART AND DESIGN BOARD

Pursuant to Ordinances No. 563 (2009) and No. 643 (2009) of the City of Raleigh, North Carolina, the following Bylaws are adopted by the Public Art and Design Board (the “Board”):

ARTICLE I.
ORGANIZATION

Section 1. Name: The name of the Board shall be the “Public Art and Design Board” (hereinafter referred to as the “Board”).

Section 2. Membership, Purposes and Activities: The membership, purposes and activities of the Board shall be as provided by City of Raleigh Ordinances No. 563 (2009) and No. 643 (2009).

Section 3. Mission: The mission of the Board shall be to promote and facilitate the inclusion of art into Raleigh's public realm by means of an established process that creates connections between artists, partners, and communities for the purpose of enhancing the City's vitality.

Section 4. Purposes: Pursuant to Ordinance No. 563 (2009), the purposes of the Board shall be as follows:

- A. To enhance the built environment of the City by incorporating the work of artists into Raleigh’s Capital Improvement Projects (CIP) as well as other City sites and projects enabled through the percent for public art ordinance;
- B. To create and administer policies and procedures to commission, install, manage and maintain the City’s percent for public art collection;
- C. To review and select CIP projects and other sites appropriate for public art investment, and monitor progress towards completion of percent-for-art projects;
- D. To establish and periodically review written criteria for incorporating public art into CIP projects and other projects initiated by the Board;
- E. To facilitate collaboration between artists, project managers, designers, architects, and the public-at-large to engender community participation in development of public art projects;

- F. To enrich the lives of Raleigh citizens and visitors by bringing art into everyday life, in order to help define the city's identity and reputation, and encourage a dynamic and creative urban life by nurturing a vibrant arts community.

ARTICLE II MEMBERS

Section 1. Membership: The Board shall consist of seven members appointed by the Raleigh Arts Commission (hereinafter referred to as the "Commission") Chair.

Section 2. Terms: Pursuant to Raleigh City Code Section 1-4001, the length of term of the members shall be two years and members may not serve more than three consecutive terms. All members shall be eligible for reappointment at the discretion of the Commission Chair. Notwithstanding the foregoing, the initial terms of the seven (7) members shall be staggered so as to provide for the terms of three (3) members to expire after one year and the remaining four (4) members to expire after two years.

Section 3. Removal: A recommendation to the Commission Chair for removal of any Board member may be made by the Board. Upon the requisite notice as set forth herein, the Board by a vote of five (5) members, with or without cause, at any regular or special meeting of the Board, may recommend to the Commission Chair that a member be removed, that a vacancy be declared and that the position be filled within sixty (60) days. Any vote for the removal of a Board member shall be considered null and void unless notice of the proposed removal shall have been given to the members of the Board and to the Commission at least 10 days in advance of the meeting. Such notice shall be sent by the Board Chair at the request of the members proposing the removal.

Section 4. Vacancies: In the event of a vacancy, the Commission Chair shall be asked by the Board to fill the unexpired term within sixty days.

Section 5. Compensation: No compensation shall be paid to any officer or to any member of the Board.

ARTICLE III OFFICERS

Section 1. Number: The officers of the Board shall be a Chair, a Vice-Chair, and such other officers as may be elected from time to time by the Board.

Section 2. Election and Term: The officers of the Board shall be elected by a majority of the Board for a one-year term. Such elections shall be held at the Annual Meeting of the Board. The Commission shall be informed of election results in a timely fashion. Each officer shall hold office no longer than one year.

- A. Officers of the Board may be reelected, or elected to a different office. Term limits for any office shall be two years of consecutive service. Term limits for officers may be extended to a third consecutive term by unanimous vote by current members.
- B. Nominations for election to an office may be made by members of the Board at any meeting in which officers are nominated and/or elections to office are held.

Section 3. Removal: Any officer elected by the Board may be removed by the vote of five (5) members of the Board with or without cause at any regular or special meeting of the Board, but no vote for the removal of an officer shall be effective unless notice of the proposed removal shall have been given to the members of the Board and to the Commission at least 10 days in advance of the meeting. Such notice shall be sent by the Board Chair at the request of the members proposing the removal.

Section 4. Vacancies: A vacancy occurring among the officers of the Board may be filled by a majority vote of a quorum of the Board acting at any regular or special meeting of the Board.

Section 5. Chair: The Chair shall be the principal executive officer of the Board. The Chair shall preside at all meetings of the Board. He or she shall be a voting member of the Board and any committee of which he or she is a member. In addition, the Chair shall participate ex officio as a member of all committees created by the Board, the Chair, or these Bylaws; he or she shall represent the Board before the Commission and the City Council of Raleigh; he or she shall have the power to create and appoint committees pursuant to Article IV, Sections 3 and 4 of these Bylaws; and, in general, he or she shall perform all duties incident to the office of Chair and such other duties as may be prescribed by the Board from time to time.

Section 6. Vice-Chair: At the request of the Chair, or in his or her absence or disability, the Vice-Chair shall perform all the duties of the Chair and, when so acting, shall have all the powers of and be subject to all the restrictions upon the Chair. The Vice-Chair shall perform such other duties and have such authority as from time to time may be assigned by the Chair or the Board.

ARTICLE IV. COMMITTEES AND PANELS

Section 1. Artist Selection Panels: The Board shall appoint a five member Artist Selection Panel (“ASP”) to serve in selecting art or artists for each public art project as set forth in Sec. 9-10006 of Ordinance No. 563 (2009).

Section 2. Nominating Committee: The Board at-large will serve as the Nominating Committee.

Section 3. Other Committees and Panels: The Chair or the Board may designate other special or standing committees. Such committees shall report to and be responsible to the

Chair and the Board, and the Board may direct, limit, or control such committees by resolution at any special or regular meeting or by general rules adopted for guidance.

Section 4. Public Committee and Panel Members: The Chair may appoint individuals who are not members of the Board to special or standing committees and panels. Appointment terms may extend up to one-year, plus one reappointment so as not to exceed 2 years of continuous service. Removal of public committee and panel members shall be at the discretion of the Chair. Appointed public committee and panel members shall not be voting members of the Board.

Section 5. Notice of Committee and Panel Meetings: Various committees and panels of the Board shall meet as needed. The time and place of committee and panel meetings shall be determined by the Chair of each individual committee or panel. The usual manner of informing committees and panels of their meeting dates and times is by electronic mail. If it becomes necessary to make any change in the time of any committee or panel meeting, committee and panel members shall be promptly notified.

ARTICLE V. MEETINGS OF THE BOARD

Section 1. Regular Meetings: Unless notified otherwise, regular meetings of the Board shall be held on the last Tuesday of each month in an available meeting room in the Raleigh Municipal Building, the time and location of which will be published subject to Section 3 of this Article. The regular monthly meeting held during the month of June shall be designated the Annual Meeting. Subject to the requirements of Section 3 of this Article, the time and place of the regular meeting may be changed by the Chair.

Section 2. Special Meetings: Special meetings of the Board may be called at any time by the Chair. In addition to the foregoing, any two members may call a special meeting by providing notice as specified in Section 3 hereof.

Section 3. Notice of Meetings: Notice stating the time and place of all regular and special meetings shall be provided in accordance with the Open Meetings Law as specified in NC G.S. 143-318.12.

Section 4. Conduct of Meetings: All meetings shall be open to the public. Any questions concerning parliamentary procedure at meetings shall be determined by reference to Robert's Rules of Order Revised except where such rules conflict with the laws of the State of North Carolina, ordinances of the City of Raleigh, or these Bylaws. Robert's Rules of Order may be suspended by a two-thirds vote of the Board members present at any meeting. Except as otherwise provided in these Bylaws, the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the Board.

Section 5. Quorum: A majority of the Board appointed to office shall constitute a quorum for the transaction of business at any meeting of the Board.

Section 6. Attendance at Meetings: Faithful and prompt attendance at all meetings of the Board and conscientious performance of the duties required of members shall be a prerequisite to continuing membership on the Board. In the event that a Board member must be absent from a meeting, the member shall contact the Board Chair or appropriate Commission staff member before the meeting to advise the Board of the absence. Within a given fiscal year, should a member fail to attend more than one-quarter of the total combined regular and committee meetings to which that member has been assigned without first being excused by the Chair, then the Board, by majority vote, may recommend to the Commission Chair that a vacancy be declared.

Section 7. Proxies: No Board member shall be allowed to cast a vote by proxy.

ARTICLE VI. ETHICS POLICY

Section 1. Ethics. Board Members shall adhere to the City of Raleigh's Ethics Policy for Boards and Commissions as provided for in Resolution No. (1988) 955A.

ARTICLE VII. MISCELLANEOUS PROVISIONS

Section 1. Conflict of Laws: In the event that anything contained herein shall conflict with an ordinance of the City of Raleigh or law of the State of North Carolina, such ordinance or law shall control.

Section 2. Amendment: These Bylaws may be amended by the affirmative vote of five (5) members of the Board appointed to office, provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken.

THESE BYLAWS WERE APPROVED AND ADOPTED BY THE PUBLIC ART AND DESIGN BOARD ON NOVEMBER 16, 2009.

APPROVED BY RALEIGH CITY COUNCIL ON NOVEMBER 17, 2009

AMENDED BYLAWS APPROVED BY RALEIGH CITY COUNCIL ON MAY 3, 2011