

**BYLAWS FOR THE
PUBLIC ART COMMISSION
OF THE CITY OF REDONDO BEACH, CALIFORNIA**

ARTICLE I. NAME

The name of this Commission shall be the Public Art Commission of the City of Redondo Beach, established by Ordinance No.3030-08 on December 2, 2008.

ARTICLE II. OBJECT

The object of this Commission shall be to act as adviser to the Mayor and City Council on matters pertaining to public art in Redondo Beach, to stimulate public interest in such public art programs, and to perform such other such duties as directed by the City Council. The Commission shall make recommendations to the City Council for public art program guidelines, the artistic criteria for public art, the acquisition of public art, artwork commissioning and deaccession, the creation of public art infrastructure, and the preservation and maintenance of public art in Redondo Beach. The Commission shall make recommendations for a prioritized list of public art projects to be considered as part of the City's strategic planning and annual capital project and budgeting processes. Public art in Redondo Beach shall be defined as artworks that are identified through a gift, City purchase, artist commission as well as relocated City owned artwork, temporary exhibits and loaned art, that are displayed in any public owned property or right of way area including parks, City buildings and facilities, streets, medians, sidewalks, plazas and in any other public location determined by the City Council.

ARTICLE III. MEMBERS

Sec. 1 Appointments

The Commission shall consist of seven (7) members appointed by the Mayor, subject to approval by the City Council. Two (2) members shall be appointed from among professionals in the following disciplines: architecture, landscape architecture, urban planning, engineering, design and/or other related cultural and arts disciplines; provided, however, that such professionals are available to the City, two (2) members from a recognized arts and/or artists organization, and three (3) at-large residents. Each Commissioner shall serve for a term of four (4) years, commencing March 25, 2009 and ending March 25, 2012 or as soon thereafter as his/her successor is appointed and qualified. No Commissioner shall serve more than two (2) consecutive terms. No member shall serve simultaneously on more than one (1) board or commission.

Sec. 1 Vacancies

In the event that any member of the Commission shall be absent from the regular meetings for a period of sixty (60) days consecutively following the last regular meeting attended by such Commissioner, unless permission of the City Council expressed in its

official minutes, or in the event such Commissioner shall be convicted of a crime involving moral turpitude, or ceases to be a registered voter of the City, his/her office shall become vacant and shall be so declared by the City Council.

ARTICLE IV. OFFICERS

The Commission shall elect a chairperson and Vice-Chairperson at its regular meeting in October of each year. The Liaison shall be the Secretary of the Commission.

ARTICLE V. MEETINGS

Sec. 1 Time of Meetings

Unless otherwise directed by a majority of the Public Art Commission, the Commission shall meet regularly on the fourth Wednesday of every other month at 7:00 p.m. or on such other day and time, as a majority of the Commission shall establish. If the fourth Wednesday of the month is a recognized public holiday, the regular meeting of the Public Art Commission shall be held on the subsequent Wednesday.

Sec. 2 Place of Meetings

All regularly scheduled meetings of the Public Art Commission shall be held in the City Hall Council chambers, 415 Diamond Street, Redondo Beach, California, or in any other place designated by the Commission. Except for investigative purposes, all meetings shall be held within the City of Redondo Beach.

Sec. 3 Special Meetings

The presiding officer or a majority of the body may call special meetings. Written notice must be sent, and received by each member of the body and by each local newspaper of general circulation so requesting. Notice (agenda) must be posted no less than 24 hours prior to the meeting and only the business stated on the notice may be considered in accordance with Government Code Section 54950 et seq and the Brown Act.

Sec. 4 Adjourned Meetings

The Commission may adjourn any meeting to a time and place specified in the order of adjournment, in accordance with the Brown Act.

Sec. 5 Open Meetings

All meetings of the Commission shall be open to the public.

Sec. 5 Quorum

A quorum will be a majority of the Commissioners (4). If a quorum is not present the Secretary of the Commission will adjourn the meeting and post a notice of adjournment to include time, place and date of the next meeting.

ARTICLE VI. BUSINESS

Sec. 1 Agenda

All matters intended for action or information, whether originating with the public or City officials, shall be submitted to the Commission in an agenda prepared by the City Clerk or his/her designee and/or pursuant to instructions by the Commission.

Sec. 2 Chairperson as Presiding Officer

The Chairperson shall take the chair at the hour appointed for the meeting and shall call the Commission to order and shall act in all respects as the Chairperson. In the absence of both the Chairperson and the Vice-Chairperson, the remaining members shall elect a Chairperson pro-tempore who may act as Chairperson in all respects at the meeting and for the purpose of signing documents.

Sec. 3 Order of Business

At the time set for commencement of the meeting, the members of the Commission, the Secretary, and such city officials as are present, shall take their regular stations in the meeting place and the business of the Commission shall be taken up for consideration and disposition in the following order, except as may be otherwise ordered by the Commission:

- 1. Opening Session**
 - a. Call to Order
 - b. Roll Call
 - c. Salute to the Flag
- 2. Approval of Order of Agenda**
- 3. Consent Calendar**
 - a. Approval of the Affidavit of Posting
 - b. Approval of Minutes
 - c. All other appropriate items
- 4. Public Participation**
- 5. Excluded Consent Calendar**
- 6. Ex Parte Communications**
- 7. Public Hearings**
- 8. Unfinished Business**
- 9. New Business**
- 10. Subcommittee Reports**
- 11. Members items and referrals to staff**

12. Adjournment

Sec. 4 Approval of Minutes

Unless a reading in full of the minutes of a Commission meeting is requested by a member, such minutes (if the Commission has previously been furnished a copy) may be approved without reading.

ARTICLE VII. MOTIONS

Sec. 1 Making of Motions

Except as hereinafter provided, when any subject is opened for consideration by the Commission, whether before or after the debate thereon, a motion shall be made by a member. Where a motion is made and seconded, the Chairperson may rule the motion out of order if in violation of the Roberts Rules of Order. The mover, with the consent of the second, may withdraw or amend the motion at any time before a decision or amendment.

Sec. 2 Amendment

Any motion may be amended with the consent of the maker and the second.

Sec. 3 Seconding of Motions

The following motions do not require a second:

Question of order
Division of the question
Nominations

ARTICLE VIII. VOTING

Sec. 1 Disposition by the Chairperson

Except where a vote is otherwise required, the Chairperson may order the disposition of matters coming before the Commission; provided, however, that if a member objects, a vote shall be taken. Where a motion is made and seconded, unless a vote is required by law or desired by any member, the Chairperson may order the disposition of the matter in accordance with the motion. Such decision of the Chairperson shall be deemed to be the action of the Commission.

Sec. 2 Recording of Votes

When a vote on any matter is called for, it shall be voice vote unless any member shall request a roll call vote. On a tie vote, the motion is lost. The roll call vote shall be taken in rotation, with the Chair voting last. The chair shall announce the result of the vote and any member can then explain his/her vote if it is in opposition to the motion. The Chair shall then announce the next order of business.

Sec. 3 Abstaining from Voting

When a roll call vote is being taken on a motion and a member declines to vote for any reason, his/her vote shall not be counted in determining the passage of the motion and such member shall be recorded as having abstained from voting.

Sec. 4 Explanation of Vote

A member shall be allowed to briefly explain his/her vote while the roll is being called.

Sec. 5 Change of Vote

A member shall be allowed to change his/her vote only until the next item of business is announced by the Chairperson; provided, however, that this rule may be suspended by a vote of two-thirds of the members present.

Sec. 6 Roll Call Vote

Any member may demand that a roll call vote be taken on any motion.

Sec. 7 Majority Vote

All motions will be carried by a majority vote unless otherwise required by law. A majority of members present, if a quorum, is a majority for the passage of motions.

ARTICLE IX. RULES OF CONDUCT

Sec. 1 Addressing the Commission

- A.** No person shall address the Commission without first securing the permission of the Chairperson; provided, however, that permission shall not be refused except for a good cause.
- B.** Remarks before the Commission shall be limited to three (3) minutes. The Chairperson may aggregate time of the hearing or discussion.
- C.** After a motion is passed or a hearing closed, no person shall address the Commission on the matter without first securing permission of the Chairperson.

Sec. 2 Manner of Addressing the Commission

- A.** Each person addressing the Commission shall step up to the lectern and shall clearly state his/her name and city for the record, state the subject he/she wishes to discuss, and proceed with his/her remarks. The Chairperson may limit the time allowed for testimony on any matter before the Commission. Unless otherwise designated, speakers shall be limited to three (3) minutes on any one agenda item.
- B.** Unless otherwise ordered by the Commission, the Chairperson may limit the number of speakers where, in his/her opinion, the facts or arguments advocated are cumulative in nature. Unless otherwise ordered by the Commission, the Chairperson may limit the aggregate time of hearing or discussion. The time may be extended for a speaker(s) by a majority vote of the Commission.
- C.** No person shall speak twice on the same agenda item unless a majority of the Commission grants permission.

Sec. 3 Relevancy

Speakers shall confine their remarks to those which are relevant to the subject of the hearing. Attacks against the character or motives of any person shall be out of order. The Chairperson, subject to appeal to the Commission shall be the judge of relevancy and whether character or motives are being impugned.

Sec. 4 Decorum

Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Commission, shall be forthwith barred from future audience before the Commission, unless permission to continue be granted by the Chairperson.

Sec. 5 Enforcement of Decorum

The Chairperson, or a majority of the members present, may at any time request that a police officer be present to enforce order and decorum. The Chairperson or such majority may request that the police officer eject from the place of meeting or place under arrest, any person who violates the order and decorum of the meeting.

Sec. 6 Disorderly Conduct

In the event that any meeting is willfully interrupted so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals willfully interrupting the meeting, the Commission may order the meeting room cleared and continue its session in accordance with the provisions of Government Code subsection 54957.9 and any amendments thereto.

ARTICLE X. HEARINGS

Sec. 1 Scope of Rules

- A.** The rules set forth on this Article shall govern all hearings before the Commission.
- B.** Absent statutory and City Charter requirements for public hearings, the Commission may elect to hold public hearings on Commission proposals or recommendations determined to be of general public interest.

Sec. 2 Reports

Any reports or recommendations from staff, the Commission, or other agencies that are the subject of a public hearing shall be made available for public inspection prior to the hearing and become part of the record of the hearing.

Sec. 3 Calling for Hearing

- A.** When the hearing is reached on the agenda, the Chairperson shall announce that it is the time and place for the hearing. The Chairperson or staff shall briefly describe the purpose for the hearing.
- B.** A matter set for hearing may be withdrawn, continued, or referred to at any time before, during or after a hearing.
- C.** At the request of the Commission, City staff members may make a report at the beginning of the hearing, explaining or supplementing written reports.

Sec. 4 Action by the Commission

- A.** After close of comment from the public, the Commission may close the hearing.
- B.** After closing the hearing, the Commission may debate and take whatever action it deems appropriate.

Sec. 5 Record of Hearing

The Secretary shall make a permanent record of the hearing, which shall include; the time the hearing was opened and closed; the motions make by he members; the vote thereon; and a digest of the testimony and comments given at the meeting.

Sec. 6 Voting by Absent Members

A Commissioner, absent during a hearing, may vote on any hearing matter after he/she has familiarized himself/herself, with the presentation at the hearing where the matter was considered.

ARTICLE XI. POINTS OF ORDER

Sec. 1 Generally

Any Commission member may raise a point of order (procedure). The Chairperson shall decide all questions of order; provided, however, that any two members shall have the right to appeal his/her decision, in which case the question shall be decided by a majority of the members present. The Chairperson, or any other Commission member, may request advice of the City Attorney thereon.

Sec. 2 Parliamentary and Legal Advisor

The City Attorney, or his/her designee, shall be the Parliamentarian for the Commission and shall act as legal counsel on all Commission business. In the absence of the City Attorney, or his/her designee, the City Clerk, or his/her designee, shall act as Parliamentarian. In the absence of either the City Attorney or his/her designee or the City Clerk or his/her designee, the Chairperson may act as Parliamentarian.

Sec. 3 Suspension of Rules

Unless otherwise enforced by law, any provisions of these procedures may be waived by a unanimous vote of the Commission members present.

ARTICLE XII. AD HOC COMMITTEES

The Commission may vote to create such ad hoc committees as the Commission members may deem appropriate. These ad hoc committees would be formed for the purpose of evaluating specific public art projects and activities. These ad hoc committees shall be comprised of Commission members only and may not include more than three voting members.

ARTICLE XIII. AMMENDMENT OF BY LAWS

These bylaws may be amended at any regular meeting of the Commission by a two-thirds vote. Any amendment made by the Commission must then be submitted to the City Clerk's Department for processing and inclusion in the Historical Records.

Adopted: