



# WILLIAMSBURG PUBLIC ART COUNCIL

Approved By-Laws

## Bylaws of the Williamsburg Public Art Council

### **Preface**

The Williamsburg City Council identified its desire to create Public Art Program as an initiative in the City's 2021/22 Goals, Initiatives and Outcomes. On February 11, 2021, City Council created the Williamsburg Public Art Council to curate a public art program that includes a review process, funding strategy and placement planning.

### **ARTICLE I. AUTHORIZATION**

1-1 This Williamsburg Public Art Council is established in conformance with Ordinance #21-01 adopted by the Williamsburg City Council on February 11, 2021, which created the Williamsburg Public Art Council.

### **ARTICLE II. PURPOSE**

2-1 The purpose of the Williamsburg Public Art Council ("WPAC") is to make recommendations and administer programs, policies, and grants for the development of a cohesive public art program in the City of Williamsburg.

### **ARTICLE III. POWERS AND DUTIES**

- 3-1 The WPAC shall advise the Williamsburg City Council ("City Council") on the acquisition, donation, commission and/or funding of public art and the acceptance of gifts and loans of public art and the deaccession of public art from the city's collection.
- 3-2 The WPAC will develop policies regarding determination of artist qualifications, specific site attribution criteria, maintenance of public art, and develop a plan for the further implementation of a robust public art program.
- 3-3 The WPAC shall maintain an inventory, a maintenance plan and a deaccession plan for city owned public art.
- 3-4 The WPAC shall establish and administer a public art application program. Organizations shall apply to the WPAC for City approval and/or public funding under the application program. Except as provided in Ordinance #21-01 and Resolution #21-03, the authority to acquire, accept, commission or fund public art rests solely with City Council.
- 3-5 The WPAC shall establish appropriate formal and specific guidelines for its own use in administering the public art application program. These guidelines will be made available to any organization requesting them.
- 3-6 The WPAC shall solicit public art and donations for public art to the extent authorized by City Council.

- 3-7 WPAC members who are paid employees of eligible arts organizations applying to the WPAC for funding may not participate in WPAC discussions related to the grant allocation for that particular organization.
- 3-8 The WPAC shall monitor each approved application and/or funding recipient to ensure it complies with the terms of its approval. The WPAC shall require each approved applicant to make a formal report regarding the installment of the public art and/or the use of funds appropriated under this program.
- 3-9 The WPAC shall provide an annual report to City Council regarding the activities of the WPAC, including but not limited to funds expended, grants made and status of awarded grants, art inventory maintenance, and status of the public art program.

#### **ARTICLE IV. MEMBERSHIP**

- 4-1 The WPAC shall consist of nine (9) members appointed by Williamsburg City Council:
  - a. Two (2) members of Williamsburg City Council.
  - b. One (1) member representing each of the following (5) Boards and Commissions: Economic Development Authority, Architectural Review Board, Planning Commission, Tourism Development Grant Review Committee, the City-appointed membership of the Williamsburg Area Arts Commission.
  - c. Two (2) members being selected at-large.
- 4-2 No member shall receive monetary compensation.

#### **ARTICLE V. TERMS OF OFFICE**

- 5-1 Members shall be appointed for terms of two (2) years.
- 5-2 Members are eligible for re-appointment to serve three (3) consecutive terms (for a total of six years). The first two appointments will be staggered with one at-large member appointed for one (1) year and the other at-large member appointed for two (2) years.
- 5-3 WPAC members must be residents of the City or represent a business or nonprofit located in the City of Williamsburg.
- 5-4 If vacancies shall occur on the WPAC, City Council shall appoint new members to fill the vacancies for the unexpired term of said offices.

#### **ARTICLE VI. OFFICERS**

- 6-1 Officers of the WPAC shall consist of a Chairperson, a Vice-Chairperson, and a Secretary. Additional officers may be appointed by the Chair as needed.
- 6-2 Officers shall be elected following a process of soliciting nominations from the members of the WPAC. A candidate receiving a majority vote of the entire membership shall be declared elected to that office.
- 6-3 All appointed members are eligible for election to any office.
- 6-4 Officers shall be elected for twelve-month terms.
- 6-5 Terms of all officers shall expire on June 30.
- 6-6 Nominations and elections must be held each year on or prior to June 30. The Secretary has responsibility of informing the WPAC of the forthcoming election date.

- 6-7 There are no restrictions regarding re-nomination and/or re-election of officers to the same or to other offices in the WPAC.
- 6-8 Duties of officers follows:
- a. Chairperson. The Chairperson shall preside at all meetings of the WPAC and shall be authorized to sign all documents related to the WPAC that require the signature of the Chairperson. The Chairperson shall be authorized to perform any duties as required by the laws of the Commonwealth of Virginia, by the laws of the City of Williamsburg (“the City”) or by the bylaws of the WPAC, and shall exercise such other powers and duties as shall be prescribed by the WPAC.
  - b. Vice-Chairperson. The Vice-Chairperson shall, in the absence or disability of the Chairperson, exercise the powers and perform the duties of the Chairperson. The Vice-Chairperson shall also generally assist the Chairperson and exercise such other powers and duties as shall be prescribed by the WPAC.
  - c. Secretary. The Secretary or a designated representative shall keep the minutes of all proceedings of the WPAC; the Secretary shall give all notices required under these bylaws and shall have charge of the minute books of the WPAC. All such minutes shall be open to public inspection at all times at the office of the WPAC.
  - d. Treasurer. No Treasurer is required because the City of Williamsburg Department of Finance shall act as the WPAC’s financial agent. The fiscal year of the WPAC shall begin on the first day of July and end on the last day of June next following.

#### **ARTICLE VII. VOTING**

- 7-1 A “quorum” shall be defined as a simple majority of the WPAC.
- 7-2 No action of the WPAC shall be valid unless a quorum is present to authorize the action.
- 7-3 In all actions, a simple majority carries the issue unless otherwise specified.

#### **ARTICLE VIII. OPEN AND CLOSED MEETINGS**

- 8-1 Normal meetings of the WPAC shall be considered “public.” The public and press may attend if they so desire.
- 8-2 Closed Sessions may be conducted pursuant to the Virginia Freedom of Information Act, Section 2.2-3700 *et seq.* of the Code of Virginia (1950) as amended.

#### **ARTICLE IX. CONDUCT OF BUSINESS**

- 9-1 Parliamentary procedure in WPAC meetings shall be governed by Robert’s Rules of Order.
- 9-2 The Chair shall rule on all procedural questions, subject to a reversal by a two-thirds majority vote of members present.

**ARTICLE X. THE WPAC'S "YEAR"**

10-1 For purposes of defining terms of office that members serve, or length of term members serve, or for other definitions as may be necessary, the WPAC shall consider its year as ending on June 30.

**ARTICLE XI. STANDING OR SPECIAL COMMITTEES**

11-1 The WPAC shall establish such Standing or Special Committees as it sees fit, and it shall draw upon interested members to serve in areas of their expertise on a special Committee as needed.

**ARTICLE XII A GRANT APPLICATION PROGRAM**

12-1 The WPAC shall draft a detailed Grant Application Program for its use and for the use of organizations applying for Grants. The WPAC shall draft guidelines and criteria for the organizations interested in applying for Grants and set forth reporting these guidelines and criteria by the organizations receiving grants so they will make proper detailed reports to the WPAC.

**ARTICLE XIII. AMENDMENTS TO THESE BYLAWS**

13-1 These Bylaws may be amended by a simple majority of the entire membership; notice to amend must be given to the membership at least thirty (30) days before the vote. Consideration to amend may be made at one meeting and the vote taken at the next meeting if it is thirty (30) days later.

**ARTICLE XIV. REGULAR MEETINGS**

- 14-1 This WPAC shall meet at least twice every year.
- 14-2 Notice of meetings shall be communicated to the membership (a) at the meeting preceding, and (b) by the Secretary in a written memo.
- 14-3 The WPAC shall meet more frequently as needed.

**ARTICLE XV. MEMBERSHIP ATTENDANCE**

- 15-1 All members are expected to attend all meetings of the WPAC.
- 15-2 Any member who fails to attend at least 75% of regularly scheduled meetings in a calendar year will be deemed to have rendered an implied resignation. The Chairperson shall notify the Clerk of Council by December 1 of each year of any absences exceeding the standard of this policy during the prior eleven months. The Clerk shall report these findings to City Council in December. Appointment by Council of another person to the WPAC shall constitute an acceptance of such resignation. On advice of City Council, however, the Mayor may override the implied resignation and extend the appointment if extenuating circumstances so dictate.

*Bylaws of the Williamsburg Public Art Council, Adopted July 26, 2021.*