City Of Durham
CULTURAL ADVISORY BOARD
Durham, North Carolina

OPERATING PROCEDURES

ARTICLE I
NAME

SECTION 1: The name of this Organization shall be the Cultural Advisory Board, hereinafter referred to as the "Board".

ARTICLE II
PURPOSE

SECTION 1: This Board has been established as an advisory body to the Durham City Council and the City Manager.

The functions of the Cultural Advisory Board shall be to:

(a) Assist the City’s Office of Economic and Workforce Development and to advise the City regarding the implementation of The Cultural Master Plan, hereinafter referred to as "The Plan", and to act as a community advocate for The Plan.

(b) Promote economic and workforce development through arts and culture, including the recruitment and retention of cultural non-profit organizations and for-profit cultural businesses. It shall advise on the development of cooperative projects with the Office of Economic and Workforce Development and other departments and agencies to use cultural components to advance these goals.

(c) Advocate for cultural development.

(d) Advise the City on funding for local arts and cultural organizations and facilities and advocate for private funding and for federal, state and county funding for Durham cultural organizations, programs and facilities.

(e) Advise on the Implementation of any public art program the City might establish and advise the City on matters relating to public art. Advocate for public and private funding for local cultural organizations and facilities.

SECTION 2: The Board is a public body, and as such, shall be subject to the requirements of Chapter 132 and Article 33C of Chapter 143 of the General Statutes of North Carolina.

ARTICLE III
MEMBERSHIP OF THE BOARD
Appointment, Qualifications, Tenure, Compensation

SECTION 1: The Board shall consist of thirteen members appointed by the Durham City Council. Members of the former Cultural Master Plan Advisory Board, whose terms have not expired as of the date of approval of these Operating Procedures shall continue to serve until the scheduled expiration of their terms. The Council shall appoint such additional members as are necessary to complete the full membership of the Board.
SECTION 2: The Durham City Council shall appoint one member of the Council to serve as an
ex-officio voting member of the Board.

SECTION 3: Following the initial appointments, attempts shall be made to assure that all
appointments represent a cross section of the community and reflect the interests of City and
private sectors.

SECTION 4: The Board may recommend to the City Council individuals for appointment to the
Board.

SECTION 5: Members shall be residents of the City of Durham or persons who work within the
City of Durham and actively contribute to the cultural and economic sectors. Applicants shall meet
those general qualifications specified by the City, which are requirements for individuals serving
on an advisory board.

SECTION 6: Each member, other than the ex officio member, shall be appointed for a two-year
term and may be reappointed for an additional term. After two consecutive full terms, members
must step down for a period of at least two years before being considered for appointment.
Vacancies occurring for reasons other than the expiration of Terms shall be filled by the City
Council as they occur for the period of time of the unexpired term. No person shall be appointed to
more than two consecutive terms, except that an appointment for the remainder of a vacant seat
does not preclude a member from being appointed to serve two full two-year Terms. Six members’
terms shall expire each year.

SECTION 7: A full term shall consist of two years, beginning on July 1 of the initial year and
expiring on June 30 of the second year. The City Council may remove any member from The
Board at any time with or without cause.

SECTION 8: The Board may appoint no more than three voting student representatives, from
Durham area secondary schools and schools of higher learning, to advise it regarding youth
interests in cultural planning. Student member terms shall be for one year. Student members may
serve two terms.

ARTICLE IV
OFFICERS AND EXECUTIVE COMMITTEE

SECTION 1: The Board shall elect a Chairperson, Vice-chairperson, and two additional members
to comprise an Executive Committee at its first meeting and at the first meeting of each fiscal year
thereafter. Terms of office shall be for one fiscal year, beginning upon election and terminating
upon the following election. Officers are eligible for re-election. The Fiscal Year is designated as
beginning on July 1 and ending twelve months later on June 30.

SECTION 2: The Executive Committee shall act on behalf of the Board on matters requiring
action between board meetings. Such actions shall be subject to report and approval at the next
Board meeting.

SECTION 3: The Board may elect one student member as an additional member of the Executive
Committee.
ARTICLE V
MEETINGS

SECTION 1: The Board shall have no fewer than four regularly scheduled meetings per fiscal year. The Chairperson of the Board may call such special meetings of the Board as may be required.

SECTION 2: Public notice of all meetings shall be made in accordance with N.C.G.S. 143-318.12. The public shall be informed of all regularly scheduled meetings by posting of the same with the Office of the City Clerk of Durham, at a minimum. All meetings shall be open to the public, to the extent required by N.C.G.S 143-318.10. Meetings may be closed to the public only as prescribed by state law.

SECTION 3: Board meetings will be conducted according to the most recent edition of "Robert's Rules of Order." The members present at a meeting of the Board shall constitute a quorum.
   a. All votes taken shall be based upon a simple majority of those votes cast as "yea" or "nay".
   b. The Chairperson shall preside at all meetings of the Board and shall have authority to execute any document that may be lawfully executed on behalf of the Board, when so designated by the Board.
   c. In the absence of the Chairperson, the Vice-chairperson shall preside at a Board meeting. Upon the Chairperson's entry, the Vice-chairperson shall relinquish the post.
   d. The Board, at the discretion of the Chairperson, may request that individuals not currently members make presentations to the Board.
   e. Board meetings are open to the public. Public comment at any meeting is subject to the discretion of the Chair and should be limited to a maximum of 3 minutes of total speaking time, regardless of the issue or issues.

ARTICLE VI
ATTENDANCE

SECTION 1: If a member of the Board will be unable to attend a regularly scheduled meeting of the Board, the member shall notify the designated coordinator of the Board prior to the time of the meeting. The coordinator shall then record such absences as excused absences. Any other absence is unexcused.

SECTION 2: Board members failing to attend fifty-percent of a Board meeting shall be counted absent for the entire meeting.

SECTION 3: If a member is absent from fifty percent (50%) of regularly scheduled meetings of the Board in a given twelve month period, it shall be the policy of the City Council, exercisable in its discretion, to remove that appointee, in the absence of showings of good cause, and to make another appointment. The Council may remove any member at any time, in its discretion.

SECTION 4: The Board shall, at the end of each fiscal year, submit to the City Council, a written report of Board activities performed during the fiscal year.

ARTICLE VII
ETHICS AND BEHAVIOR
SECTION 1: Board members shall refrain from voting on any item which is or may be perceived
as a conflict of interest, and shall so state during any vote. No member of the Board shall cast a
vote on any matter that has a direct bearing on services to be provided by that member or by any
organization or business with which that member or his/her immediate family is associated. Any
dispute about such a conflict shall be settled by reference to the conflict of interest rules for elected
and appointed officials for the City of Durham. Matters that directly involve a Board member
financially shall require at least a 2/3 vote of the quorum that is present.

SECTION 2: Board members shall, at all times, respect the viewpoints of other members of the
Board and resolve any differences of opinion in a professional manner, such manner to be
determined by the Chairperson of the Board. Neither Board members nor attending members of the
public shall shout or act in an aggressive or intimidating manner toward Board members or any
other person. Such action shall result in the member's expulsion from that meeting and a count of
"absent" for the entire meeting, or the expulsion of such member of the public from that meeting.

ARTICLE VIII
COMMITTEES AND TASK FORCES

SECTION 1: The Board may establish any committee or task force it deems necessary to carry out
the functions of the Board. The Chairperson shall appoint committee Chairpersons, Vice-
chairpersons, and committee members, including, in addition to members of the Board, artists and
others reflecting the diversity of the community, as needed.

ARTICLE IX
NOTICE

SECTION 1: Regular meetings of the Board may be held without further notice if the date, time
and place of the meeting previously have been fixed by the Board. If not, regular meetings must be
preceded by at least five working days notice to each member of the date, time and place of the
meeting. Special meetings of the Board cannot be called with less than two days notice to each
member of the date, time, place and purpose of the meeting. Notice required by the foregoing
provisions may be given by any usual means of communication, including telefax, e-mail,
overnight or other hand delivery, or first class or certified delivery by the U.S. Postal Service and
must be written.

SECTION 2: A member may at any time waive that member's right to any notice required by law
or these operating procedures. Except as hereinafter provided in this section, the waiver must be in
writing, signed by the member entitled to the notice, and filed with the minutes or the Board
records. A member's attendance at or participation in a meeting waives any required notice of the
meeting unless the member upon arriving at the meeting or prior to the vote on a matter not noticed
in conformity with law or these operating procedures objects to lack of notice and does not
thereafter vote for or assent to the objected action.

ARTICLE X
STAFF

SECTION 1: The Director of the Office of Economic and Workforce Development shall designate
a member of the staff of that office to serve as the coordinator of the Cultural Advisory Board.
SECTION 2: The designated coordinator shall be responsible for preparing and distributing in a timely manner all agendas, minutes and other materials necessary to the operation of the Board.

SECTION 3: The designated coordinator shall be responsible for other functions of the Board and its projects and activities as shall be assigned by the Director Office of Economic and Workforce Development, the City Manager or the City Council.

ARTICLE XI
AMENDMENTS

SECTION 1: The Board shall have discretion to approve changes to these Operating Procedures by a two-third vote of the members present and voting, provided that the proposed amendments shall have been submitted to the membership in writing at least 5 days in advance of the meeting. The City Manager or the Manager’s designee may change the Operating Procedures at his or her discretion.