

<b>Title:</b> Administrative Policy Cultural Council	<b>Policy No.</b> Part 2, Board Administration Chapter 2, Establishment of Appointed Boards Section 4
	<b>Effective Date</b> March 27, 2007
<b>Policy Custodian</b> Clerk to the Board	<b>Adoption/Revision Date</b> March 27, 2007

**Adopting Resolution(s):** CC07-153

**References (Statutes /Resos/Policies):** §32-13-101, et seq., 13 Colorado Revised Statutes (1989 Supplement);CC89-920, CC92-224

**Purpose:** To establish the Jefferson County Cultural Council, specify its membership and terms, define its responsibilities, and provide procedures.

**Policy:** Cultural Council

A. Establishment

The Jefferson County Cultural Council (the "Council") was established by the Jefferson County Board of County Commissioners in accordance with the Scientific and Cultural Facilities District Act (the "Act") pursuant to the authority conferred by Section 32-13-101, et seq., Colorado Revised Statutes (1989 Supplement).

B. Responsibilities

1. Duties

- a. The Council shall develop and submit to the Board of Directors of the Scientific and Cultural Facilities District an annual plan specifying the distribution of a percent of the revenues, in accordance with the Act, collected in Jefferson County.
- b. Jefferson County's share of the tax revenues generated in accordance with the Act, ("Funds" or the "Fund") shall be used to support non-profit organizations, which meet the requirements of section 501 (c) of the federal Internal Revenue Code of 1986, as amended, whose primary purpose is to provide for the enlightenment and entertainment of the public through the production, presentation, exhibition, advancement, or preservation of art, music, theater, dance, zoology, botany, or natural history or agencies of local government, which have such primary purpose, benefiting Jefferson County residents (in accordance with Section 32-13-103(4),(7) and 32-13-107(3)(b)(I)(A), Colorado Revised Statutes (1989 Supplement).
- c. Distribution of Funds: Funds are available for general operating support, capital improvements, and/or special projects as set forth in the Funding Guidelines Section of this Policy.

2. Staff and Office

The Council may designate locate, and relocate its business office and such other offices or divisions as in its judgment are needed to conduct the business of the Council. The office will be located within the boundaries of Jefferson County.

### 3. Meetings

#### a. Regular Meetings

Regular meetings of the Council shall be held on such dates as may be set from time to time by the Council.

#### b. Special Meetings

Special meetings may be called by the Chairman of the Council whenever, in his or her opinion, such a meeting is necessary or desirable, or whenever the same is requested in writing of the Chairman by three or more members of the Council.

#### c. Notice of Meetings

(1) Notice of regularly scheduled Council meetings shall be in writing and shall be delivered or sent by first class mail, postage prepaid, to each Council member at his or her last known address as shown by the records of the Council. Such notices shall be delivered to the Council members or be deposited in the United States mails at least four (4) days prior to the day of the meeting.

(2) Notices of regularly scheduled Council meetings shall be published in a newspaper of general circulation throughout Jefferson County.

(3) Notice of special Council meetings shall be given to each Council member at least twenty-four (24) hours before the meeting. Notice shall be either oral or written. Oral notice shall be given face-to-face or by telephone. Written notice may be given by mail or personal delivery.

(4) All notices shall contain the following information: (1) the date, time, and place of the meeting; and (2) the agenda for said regular meeting, or the purpose or purposes for which a special meeting is called. Special meetings of the full Council shall be limited to the purpose or purposes set forth in the oral or written notice.

#### d. Meeting Location

All the meetings of the Council or any Committee or Task Force thereof shall be held within Jefferson County and shall be open to the public. No vote or other formal action shall be taken in any session which is closed to the general public.

#### e. Bylaws

(1) The Board may adopt bylaws governing any aspect of its membership, meetings and actions not set forth herein or governed by Federal, State, or other county policy or regulation.

(2) The By-laws may be amended by at least four (4) Council members present and voting at any regularly scheduled meeting of the Council or at any special meeting of the Council called for that purpose, provided that in either instance notice of proposed revisions or amendments has been delivered or mailed to each Council member not less than ten (10) days prior to the meeting at which such revisions or amendments are considered.

### 4. Remuneration

Members of the Committee shall not be compensated.

## C. Membership

### 1. Composition

The Council shall be composed of representatives to be appointed by the Board of County Commissioners as follows: There shall be 7 members of the Council: 2 members shall represent respectively each of the 3 Jefferson County Commissioner Districts, and 1 shall be at large. The composition of the residences of the members shall reasonably reflect the ratio of county citizens residing in incorporated and in unincorporated areas of Jefferson County (the "County").

### 2. Terms

- a. Council Members' terms shall be for three years, or until their successors have been chosen as appropriate.
- b. No Council Officer shall serve more than two succeeding full terms in the same office.

### 3. Vacancies

Vacancies on the Council shall be created either by the resignation of a member, expiration of a member's term or removal of the member from the Council by the Board of County Commissioners. New appointments shall be made in accordance with the Board Appointments Policy.

### 4. Conflict of Interest

- a. Refraining from Participation: Any Council member who is present at a meeting at which any matter is discussed in which he or she has, directly or indirectly, a private pecuniary, property, or other interest shall declare that he or she has a potential conflict, shall refrain from attempting to influence the decisions of the other members of the governing body on the matter, and shall not vote in respect to such matter.
- b. Official Interest Only: No Council member, nor any agent of the Council, shall have any interest in any contract or transaction with the Council except in his or her official representative capacity.
- c. The holding of any office of employment in the government of any municipality, other public body, or the Federal Government, shall not be deemed a disqualification for Council membership.
- d. All members of the Council will annually submit a statement of affiliation with any scientific and cultural facilities, which statement will become a reference document for the Council.
- e. Any Council Member affiliations with any facility submitting a funding proposal will be noted on the proposal cover sheet.
- f. Any member having affiliations with facilities submitting funding proposals will refrain from comment on those proposals, and will absent themselves from the room while those proposals are under discussion and consideration. Such members shall not vote or participate in any other decision-making activity directly related to those proposals.

5. Officers

- a. At the regular meeting of the Council in December of each year, the Council shall elect from its membership a Chairman, a Vice Chairman (and Chairman Pro Tem), and a Secretary, who will assume their offices at the January meeting of the next year. These officers shall serve until their successors have been elected.
- b. The officers shall be elected by an affirmative vote of at least four (4) members of the Council. If two or more candidates are nominated for the office, the vote shall be by secret ballot. In the case of a single nominee for an office, the vote may be by voice.

D. Funding Guidelines

1. The Council shall not discriminate against a grant applicant because of race, creed, color, religion, national origin, ancestry, marital status, gender, sexual preference, age, physical handicap, veteran status, or political service or affiliation.
2. Amount of Funding
  - a. Funds provided to an organization shall be limited in proportion to an organization's operating budget so that the organization's existence does not depend upon Funds.
  - b. Funds shall be used to stimulate an organization's present revenue generating activities, rather than as a substitute for fundraising (i.e. balance in sources of financial support is desired).
3. Distribution: One-third of the Funds will be available for support of capital improvements and special projects. Two-thirds of the Funds will be available for support of an organization's general operations.
4. Capital Improvement and Special Projects Funds
  - a. The organization must meet the threshold requirements set forth in B.1.b. above.
  - b. The organization must have its principal office within the Scientific and Cultural Facilities District, as identified in the Act.
  - c. The organization must conduct the majority of its activities within the State of Colorado.
  - d. Organizations included in Tier II of the Scientific and Cultural Facilities District, may apply for support for special projects benefiting Jefferson County.
  - e. There shall be no categorical limit on the size of a grant which may be received at this level.
  - f. General criteria to be considered in evaluating capital improvement or special project proposals will include:
    - (1) Evidence of programming for Jefferson County;
    - (2) Outlet/avenue for showcasing Jefferson County artists;
    - (3) Demonstrated impact on Jefferson County residents (e.g. number of persons attending, membership base, etc.);

- (4) Documentation of community needs being met by the project;
- (5) Programming for special constituencies (e.g. minorities, senior citizens, children, handicapped, etc.).

5. General Operation Grants:
  - a. Operating Grants will have no set minimum amount.
  - b. Grant shall be limited to a maximum of one-third of the organization's total annual operating budget not including Fund money and not including capital improvements.
  - c. The organization must demonstrate longevity, substantive programming, and a broad base of support from the community (as evidenced by the size of its operating budget).
  - d. The organization must meet the threshold requirements set forth in B.1.b. above.
  - e. The organization must have been in existence for a minimum of five (5) years.