

October 22, 2019 – 1st Reading
 November 12, 2019 – Presented for 2nd Reading

1 **2019-53 (2ND READING): TO AMEND THE CODE OF ORDINANCES BY DELETING**
 2 **DIVISION 7 (CULTURAL ARTS ADVISORY COMMITTEE), OF ARTICLE V (BOARDS,**
 3 **COMMISSIONS, AND COMMITTEES), OF CHAPTER 2 (ADMINISTRATION) IN ITS**
 4 **ENTIRETY, AND TO ADD NEW DIVISION 9 (CULTURAL RESOURCES COMMITTEE).**

5 **Applicant/Purpose:** Staff (at Council's direction)/ to disband the Cultural Arts Advisory Committee &
 6 replace it w/ a Cultural Resources Committee w/ a broader mission.

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 8 **Brief:**

- 9 • In a previous workshop Council requested that the Cultural Arts Committee to be disbanded & to
 10 replace it w/ a committee w/ broader responsibilities.
- 11 • The proposed Cultural Resources Committee (CRC) was developed through the joint efforts of
 12 the former Chair of the Arts Committee & City staff.
- 13 • No changes since 1st reading.

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 15 **Issues:**

- 16 • As proposed the CRC will:
 - 17 ○ Consist of 9 members (generally City residents or business owners) appointed for 3-
 18 year terms (staggered initial appointments). The initial chair would be appointed by
 19 Council (& thereafter elected by vote of the Committee).
 - 20 ○ Advise Council on the following matters:
 - 21 ▪ Achievement of goals of the Cultural Resources Element of the Comp Plan.
 - 22 ▪ Matters related to Historic Preservation.
 - 23 ▪ Matters related to Community Appearance.
 - 24 ▪ Matters related to Arts & Culture.
 - 25 ▪ Other matters that may be referred by Council or the Manager.
 - 26 ○ Form ad hoc subcommittees as needed to perform studies & make recommendations
 27 in specified subject areas.
 - 28 ○ Adhere to the following reporting requirements:
 - 29 ▪ W/in 10 calendar days of each meeting - minutes & a report on the meeting
 30 accomplishments & concerns.
 - 31 ▪ By the 2nd Regular Council Meeting in January - an annual report of
 32 accomplishments/concerns including funding recommendations for the
 33 ensuing budget & an annual workplan for Council's consideration.

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 35 **Public Notification:** Normal meeting notification.

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 37 **Alternatives:**

- 38 • Modify the proposed ordinance.
- 39 • Deny the ordinance & maintain the existing Cultural Arts Advisory Committee.

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 41 **Financial Impact:**

- 42 • The proposed CRC cannot commit the City to any financial or contractual obligation.
- 43 • The Committee and subcommittee members shall receive no compensation.

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 45 **Manager Recommendation:**

- 46 • I recommend 1st reading (10/22/19).
- 47 • I recommend approval (11/12/19).

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 49 **Attachment(s):** Proposed ordinance.

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

TO AMEND THE CODE OF ORDINANCES BY DELETING
DIVISION 7 (CULTURAL ARTS ADVISORY COMMITTEE),
OF ARTICLE V (BOARDS, COMMISSIONS, AND
COMMITTEES), OF CHAPTER 2 (ADMINISTRATION) IN
ITS ENTIRETY, AND TO ADD NEW DIVISION 9
(CULTURAL RESOURCES COMMITTEE).

IT IS ORDAINED THAT ARTICLE V (BOARDS, COMMISSIONS, AND COMMITTEES), OF CHAPTER 2
(ADMINISTRATION) is hereby amended as shown in the attachment to:

1. Delete Division 7 (Cultural Arts Advisory Committee) in its entirety.
2. Add new Division 9 (Cultural Resources Committee).

It is further ordained that City Council thanks the present and past members of the Cultural
Arts Advisory Committee for their service to the City of Myrtle Beach.

This ordinance is effective upon second reading.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER STANFORD, CITY CLERK

1ST READING: 10-22-19

2ND READING: 11-12-19

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~~DIVISION 7. - CULTURAL ARTS ADVISORY COMMITTEE~~

~~Sec. 2-227. - Cultural arts advisory committee.~~

~~A cultural arts advisory committee for the city is hereby created to consist of nine members who will be appointed by city council for three-year staggered terms. A member who is appointed to fill an unexpired term is deemed to have served a full term if the unexpired term exceeds 13 months. All committee members shall serve at the will of council and may be removed by council for any or no reason at any time.~~

~~Sec. 2-228. - Chairperson.~~

~~One of the members initially appointed shall be designated by city council to be the chairperson for a three-year term. Upon expiration of the initial chairperson's term, the committee shall elect a chairperson from its members.~~

~~Sec. 2-229. - Powers and duties.~~

~~The committee shall meet at least once per annum. The committee shall be an advisory body with no powers to commit the city to any financial or contractual obligation. The committee shall serve in an advisory capacity to city council through the city manager. The committee shall also coordinate its activities with the city planning commission on appropriate elements of the comprehensive plan.~~

DIVISION 9. - CULTURAL RESOURCES COMMITTEE

Sec. 2-230. - Cultural resources committee.

1. Established. The Cultural Resources Committee consists of nine members appointed by City Council for three-year terms, except that, for the initial appointment, three members shall be appointed for terms of three years, three members shall be appointed for terms of two years, and three members who shall be appointed for a term of one year. No member appointed by Council shall serve for more than three consecutive three-year terms after initial appointment and a member who is appointed to fill an unexpired term shall be deemed to have served a full term if the unexpired portion of that term exceeds 13 months.
2. Powers and duties. The committee shall have no power to commit the City to any financial or contractual obligation. The group shall serve in an advisory capacity to City Council through the City Manager, and shall advise the City on the following matters:
 - a. The implementation and achievement of goals of the Cultural Resources Element of the City's Comprehensive Plan.
 - b. Matters related to Historic Preservation.
 - c. Matters related to Community Appearance.
 - d. Matters related to Arts and Culture.
 - e. Other matters that may be referred to the Committee as determined by City Council or the City Manager.

- 1 3. Chairperson. One of the members initially appointed shall be designated by City
2 Council to be the chairperson for a three-year term. Upon the expiration of the initial
3 chairperson's term or upon the resignation or removal of the chairperson from that
4 office, the committee shall elect a chairperson from among its members for a term
5 not to exceed three years.
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- 7 4. Membership qualifications. Generally, appointees shall be residents of the City or
8 have their primary business location within the City. City Council may, however,
9 appoint an exceptionally qualified individual with substantial experience in Myrtle
10 Beach community affairs who neither lives nor does business in the City when it is
11 determined that the individual is available and willing to serve and will devote the
12 time and effort needed to fulfill the duties of a committee member. Any vacancy
13 occurring prior to the expiration of the term for which a member is appointed shall
14 be filled in the same manner as the original appointment for the unexpired term. All
15 committee members shall serve at the will of City Council and may be removed by
16 Council for any or no reason at any time.
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- 18 5. Ad hoc subcommittees. The committee may form ad hoc subcommittees as needed
19 to perform studies and make recommendations in specified subject areas. Each
20 subcommittee will be chaired by a member of the committee (excluding the
21 chairperson) and include other members as needed. Subcommittee members also
22 serve at the pleasure of City Council and may be removed at any time for any or no
23 reason.
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- 25 6. Compensation/staff support. The members of the committee and subcommittees
26 shall receive no compensation. Staff support for committee and/or its ad hoc
27 subcommittees shall be subject to the appointment of the City Manager.
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- 29 7. Reporting requirements. Within 10 calendar days of each meeting, the committee
30 shall provide written minutes of that meeting and a report on the accomplishments
31 of each meeting, and concerns expressed by the Committee members. This report
32 shall be submitted to the City Clerk. In addition to these written reports, not later
33 than the second Regular Council Meeting in January, the Chairperson (or his/her
34 designee) shall present an annual report of Committee accomplishments and
35 concerns to the City Council in a public meeting on its activities, accomplishments of
36 the preceding year. This report shall include recommendations that the Committee
37 would like Council to consider for funding in the ensuing fiscal year budget.
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- 39 8. Development of Annual Work Plan - Not later than the last meeting of each calendar
40 year the Committee shall develop a recommended work plan for the ensuing year. The
41 Chairperson shall provide this recommendation to the City Manager. The City Manager
42 and Chairperson shall then develop a jointly proposed recommended committee work
43 plan by the end of the calendar year. That work plan shall be considered by City
44 Council at its January City Council Workshop, and brought forward for consideration
45 and adoption at the same January City Council meeting in which the Chairperson
46 reports on the previous year's accomplishments and concerns.