

THE CORPORATION OF THE
CITY OF WHITE ROCK

15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



POLICY TITLE: **TERMS OF REFERENCE:**
PUBLIC ART ADVISORY COMMITTEE
POLICY NUMBER: **COUNCIL POLICY 147**

<i>Date of Council Adoption:</i> May 10, 2021	<i>Date of Last Amendment:</i> April 7, 2021
<i>Council Resolution Number:</i> 2015-214, 2016-483, 2020-155	
<i>Originating Department:</i> Recreation and Culture / Corporate Administration	<i>Date last reviewed by the Governance and Legislation Committee:</i> April 7, 2021

1. Mandate

The Public Art Advisory Committee will make recommendations for updates to the City's Public Art Policy to ensure it reflects best practices and community values for the selection, placement, funding, and maintenance of the City's Public Art Program, and will update and monitor the Public Art workplan to ensure Public Art activities align with the Public Art Policy.

The Committee may consider, inquire into, report, and make recommendations to Council about matters referred to Committee by Council, the Chief Administrative Officer, Staff Liaison, or items brought forward by Committee members that are aligned with the Committee's mandate/Terms of Reference (if there is time for the committee to discuss or add to their agenda working within their regular meeting schedule).

They will make efforts to buy local artwork and from local artists when possible.

2. Annual Work Plan

Council will participate in a workshop with staff prior to the Advisory Body/ Committee (AC) appointments being made where they will give input that would be developed to bring forward to the AC regarding elements of work that the AC would include in it as annual work plan to support Council's Strategic Priorities. This would not be intended to limit the AC from undertaking other initiatives that are in line with Council's Strategic Priorities but rather to assist the AC in more efficiently developing an effective work plan that would assist Council in accomplishing their Strategic Priorities in a timely manner.

The annual work plan will be prepared by the AC for their term and submitted to Council within two (2) months of its appointment by Council. It is recognized that other work items may arise during the course of the term and that additions to the work plan may be recommended by Council, staff or the AC itself. Additional items requested to be added to the work plan by the AC should not require additional meetings from their meeting schedule. The purpose of the AC is to advise Council on items linked directly within their mandate, which correlate to Council's Strategic Priorities.

Any amendment to the AC's approved work plan must be approved by Council.

3. General Terms

Appointments will be made by Council for a two (2) year term. The term appointments will not exceed the current Council term.

Subsequent appointments by Council to the AC's will be preferred to address the replacement of members who resign mid-term. The Chairperson and Vice-Chairperson will determine if it is necessary that further recruiting is required for anything other than mid-term appointments.

4. Membership

The Public Art Advisory Committee will consist of up to seven (7) voting members; some of which will bring expertise /experience in the area of the mandate of the AC, and some will be representatives of the community-at-large. These members would be in addition to the two (2) Councillors, who will be named as Chairperson and Vice-Chairperson (non-voting members).

The membership will include members from community-based arts and culture organizations where the mandate of the organization aligns with the mandate of the AC (non-voting members).

A member of the Public Art Advisory Committee is to be appointed to the City's Advisory Design Panel (ADP) as a non-voting member who will be invited to ADP meetings when there is a public art component proposed or expected based on Council Policy 511 Density Bonus / Amenity Contribution.

The following considerations will be made by Council when appointing members to the AC's: diversity including age, gender, ethnicity, etc.

Note: Anyone that has been removed from an AC, due to a breach in the Code of Conduct will not be considered for future appointments to an AC, under the current Council term.

5. Chairperson/ Vice-Chairperson

The two (2) members of Council on the Committee will serve as the Chairperson and Vice-Chairperson. The positions of Chairperson and Vice-Chairperson will alternate on an annual basis between the two (2) Councillors and will serve as non-voting members on the AC.

6. Meetings

- a) The AC will meet on a monthly basis.
- b) Corporate Administration will distribute a meeting schedule at the first meeting to be reviewed and adopted. The meeting schedule will be published and updated as needed by the Committee Clerk.
- c) The agenda will be created and distributed by Corporate Administration, including a standing item with a review of the AC's progress toward completion of its current term work plan, as endorsed by Council.
- d) If there are no agenda items for the meeting received by noon on the day that is one (1) week prior to the meeting, the meeting will be cancelled. The Committee Clerk will inform the Chairperson, Vice-Chairperson, staff liaison(s) followed by committee members.
- e) Staff will inform the Chairperson and Vice-Chairperson in the circumstance a meeting must be cancelled prior to an official notice going to the AC. A meeting may be called, cancelled or rescheduled by the Chairperson. Notice of a meeting, cancellation or rescheduling must be received by the Committee Clerk by 8:30 a.m. the day prior to the proposed meeting.
- f) AC members must advise the Committee Clerk of their intent to attend or to be absent from a meeting. If the majority of members indicate that they will not be attending the meeting, the Committee Clerk will cancel the meeting by first attempting to notify the Chairperson, Vice-Chairperson and staff liaison(s), followed by informing all members.
- g) On occasion, Corporate Administration may be required to cancel or reschedule meetings. On such occasions, notice will be given to all members following notification of the Chairperson and staff liaison, followed by all members.
- h) At the initial Public Art Advisory Committee meeting:

An orientation process for new members will be prepared for presentation at the first meeting after appointments are made by Council. Including but not limited to within the orientation:

- Summary of the mandate;
- Overview of the current or previous work plan;
- Recent successes;
- How the AC fits within the broader organization of the City;
- Overview of the correlating supplemental material (ex: Master or Strategic Plans);
- Summary of Council's Priorities in relation to the mandate;
- Process and procedures in meeting conduct; and
- Overview of the City's Code of Conduct, Respectful Workplace Policy and Anti-Racial Discrimination and Anti-Racism Policy;

- i) Due to the COVID-19 pandemic, meetings will be held only through electronic means. Once the COVID-19 pandemic/ related Provincial Health Orders permit then all meetings will be open to the public, and held in person unless designated as closed to the public pursuant to Sections 90 and 93 of the *Community Charter*, and held in person.
- j) The public may attend meetings to observe only. Members of the public must maintain decorum at all times. Interruptions of any kind are not permitted while the meeting is in progress.
- k) When deemed relevant to the discussion of a particular item of business under consideration, the AC will take into account the meeting business, the permitted time to conduct the remaining business and the Chairperson may, with majority consent of those committee members in attendance, give permission to a member of the public in attendance to speak to the item. The speaker will deliver their comment(s) within a limited time as determined by the Chairperson.
- l) Meetings shall last no longer than two (2) hours, except under extraordinary circumstances as agreed to by the committee members present.
- m) Members are expected to attend all regularly scheduled meetings. Corporate Administration will keep an attendance log and notify the Chairperson where there have been three (3) consecutive absences without knowledge/ reason. Council may determine that prolonged unexcused absences may result in the removal of the member.
- n) Any person with particular expertise, including staff, may be invited by the Chairperson or staff liaison(s) to attend a meeting in order to provide information or advice.
- o) An AC must hear and consider representations by any individual, group or organization on matters referred to the AC by Council.
- p) An AC does not have the authority to commit funds, enter into contracts or commit the City to a particular course of action.
- q) An AC cannot direct staff to act without the endorsement of Council. They cannot direct staff to take any action which is contrary to existing policies or directives or establish policies for the City.
 - i. Any such action must be referred to Council for consideration and adoption; and
 - ii. Staff liaisons may advise of existing policies or Council directives, and the need to refer the matter to Council prior to taking any action.
- r) On broader matters, such as organizing or setting up major/ unusual events or projects which do not have budget implications, the AC must receive prior approval from Council.
- s) Where a Member, their family, employer, or business associates have any interest in any matter being considered by the AC, that member will absent themselves from all aspects of consideration of that matter by declaring a Conflict of Interest. In this circumstance they are not to participate in any discussion nor the vote on the matter.

- t) Members are not permitted to speak directly with the media on behalf of the AC.
- u) Members will not represent themselves as having any authority beyond that delegated in the Terms of Reference approved by Council.

7. Meeting Quorum

- a) Quorum for meetings shall be a majority of all voting members. Quorum is the minimum number of voting members who must be present in order to conduct meeting business. Actions cannot be taken without quorum.

If during the meeting the Chairperson is aware that there is no longer a quorum present then they must announce the fact that quorum has been lost before taking a vote or presenting another motion and conclude the meeting.

- 7 members (majority) = four (4) voting members
 - 6 members (majority) = four (4) voting members
 - 5 members (majority) = three (3) voting members
 - 4 members (majority) = three (3) voting members
 - 3 members (majority) = two (2) voting members
- b) If there is no quorum present within 15 minutes of the scheduled start time, the Committee Clerk will:
 - i. Record the names of the members present, and those absent; and
 - ii. Conclude the meeting until the next scheduled meeting.

8. Meeting Minutes

- a) The meeting minutes will be action based and will only include:
 - i. Attendance
 - ii. Items discussed
 - iii. Resolutions that were adopted
 - iv. Action Items that were directed
 - v. Recommendations that were directed or adopted by the AC

9. Staff Support

- a) The relevant department(s) will provide the staff liaison(s) and technical support. Support functions include:
 - i. Participate in the orientation of AC members at the beginning of each term, and to new members as they are appointed, in regard to the mandate, work plan suggestions of Council, or adopted work plan, previous successes, how the AC fits within the organization and supplemental materials given for information purposes;
 - ii. Forward all agenda items to Corporate Administration at least one (1) week prior to the meeting date for agenda preparation and to post on the Public Notice Posting Place;
 - iii. Prepare reports on behalf of the AC;
 - iv. Review and return draft minutes to Corporate Administration prior to adoption;
 - v. Report back with status updates agenda items as required; and
 - vi. Prepare an Annual Report to be submitted to Council for information. The report will be forwarded to the AC prior to going to Council so their feedback can be considered.
- b) Corporate Administration will provide meeting management and recording support. Support functions include:
 - i. Provide members with orientation at the beginning of each term, and to new members as they are appointed, in regard to meeting process and procedures including review of the City's Code of Conduct, Respectful Workplace Policy and the Anti-Racial Discrimination and Anti-Racism Policy;
 - ii. Receive and prepare correspondence;
 - iii. Maintain a list of outstanding issues for action (Action Tracking);
 - iv. Organize and prepare meeting agendas, in conjunction with the Chairperson and staff liaison
 - v. Receive and organize all agenda-related presentation materials and/or hand-outs;
 - vi. Distribute agenda packages to members;
 - vii. Post all notices, agendas and minutes for the public record;
 - viii. Prepare and provide minutes to the Director of Corporate Administration and staff liaison;
 - ix. Provide minutes, with recommendations, to Council;
 - x. Update the Terms of Reference policy; and
 - xi. Create, amend and post, as needed, the AC meeting calendar.

10. Procedures

Unless otherwise provided for in these Terms of Reference, the procedures of the Committee will be governed by the City's Council and Committee Procedure Bylaw.

Sub-Committees and Working Groups (as noted in the City's Council and Committee Procedure Bylaw)

- a) Sub-committees: A committee may appoint members to a sub-committee to inquire into matters and to report and make recommendations to the committee for a specific purpose. A sub-committee may be formed in the circumstance there is a heavy workload and there are items that can be broken down and worked on with the sub-committee's advice and recommendations coming back to the originating committee. Meetings of the sub-committee are open to the public (subject to statutory closed meeting matters under s. 90 *Community Charter*), must include agenda, meeting minutes and be posted as a AC meeting held by the City of White Rock.

Note: Dedication of resources may be difficult to provide in view of competing priorities by staff.

- b) Working Groups: A committee or sub-committee may form a working group (2 or 3 persons) as an alternate to sub-committees for the limited purpose of:
- i. Gathering, summarizing or preparing a presentation of information, including research and analysis, to deliver to the originating Advisory Body of Council, or
 - ii. Carrying out a specific prescribed activity (e.g. parade float production, taking available information and placing it into a specified format for the originating AC).
- c) Due to the limited nature of the working group, they would perform their work on their own. If a working group provides advice and recommendations or an opinion on matters of policy to Council, an AC then may be characterized as a sub-committee and not a mere working group – this type of work is to be done in the committee or sub-committee format so the public have the opportunity to see and hear how recommendations to Council are formed. A working group does not meet in a formal circumstance (i.e. no agenda, meeting minutes, meeting notice is required).

11. Code of Conduct

AC members will be required to sign a statement agreeing that they have read, understood, and will conform to the City's Code of Conduct as defined in the Council policy regarding Code of Conduct for Committee Members, the Respectful Workplace and Anti-Racial Discrimination and Anti-Racism policies. This will be required immediately upon appointment. The statement / agreement for signature is attached to, and forming, part of this policy.

Note: Anyone that has been removed from an AC due to a breach in the Code of Conduct, under the current Council term, will not be considered for future appointments to an AC.

CITY OF WHITE ROCK COMMITTEE CODE OF CONDUCT STATEMENT / AGREEMENT

This will confirm that as of _____ (DATE), I have read the following policies adopted by City Council:

- Policy AC No and AC Name_____, Committee Terms of Reference;
- Policy 120, Code of Conduct for Committee Members;
- Policy 405 Respectful Workplace Policy; and
- Policy 406 Anti-Racial Discrimination and Anti-Racism.

I understood the policies and I will conform to the City's Code of Conduct as outlined in these policies.

(PRINT NAME)

(SIGNATURE)