

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 - 147**

<i>Date of Council Adoption: June 15, 2015</i>	<i>Date of Last Amendment: March 9, 2020</i>
<i>Council Resolution Number: 2015-214, 2016-483, 2020-155</i>	
<i>Originating Department: Recreation and Culture / Corporate Administration</i>	<i>Date last reviewed by the Governance and Legislation Committee: March 9, 2020</i>

Mandate

The Public Art Advisory Committee will advise Council on the implementation of public art policies and projects for the City of White Rock. To meet its mandate, the Public Art Advisory Committee will advise on:

- The development of an annual public art plan in conjunction with the budget review process to identify and prioritize appropriate projects and locations for public art in White Rock.
 - Developing and ensuring the application of established procedures and guidelines on a project-by-project basis, including selection process.
 When calling for artists, the selection committee must endeavor to select only local artists from White Rock, South Surrey, or Semiahmoo First Nation.
- Note:** For any procurement where the value is equal to or greater than \$75k the following trade agreements apply and must be adhered to:
- Northwest Partnership Trade Agreement
 - Canadian Free Trade Agreement
- Project design, development, implementation and maintenance issues.
 - Issues, new trends and future needs related to the delivery of the Public Art Program in White Rock and recommend changes as required.

Committees 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.

Definition:

Advisory Body means any committee, sub-committee, task force, board or panel that has been established by Council.

Member means those appointed by Council to an Advisory Board.

Annual Work Plan

An annual work plan will be prepared by the Advisory Body and approved by Council prior to work commencing. It is recognized that work items may arise during the course of the year and that additions to the work plan may be recommended by Council, or staff or the Advisory Body itself.

Council must adopt any amendments to the Advisory Body's approved work plan.

General Terms

Term

Appointments will be made by Council for a two (2) year term.

In the circumstance of a Task Force or a task oriented Advisory Body to Council, the appointments will be made by Council for a two (2) year term or until duties are complete whichever were to occur first.

Membership

- a) The Public Art Advisory Committee will consist of up to seven (7) voting members appointed by City Council from the community at large following a public recruitment process, two (2) non-voting member of Council (1 member, 1 alternate) and City staff as required.
- b) A majority of voting members must be:
 - i. City of White Rock residents
 - ii. Artists or representatives of local arts or cultural organizations.
- c) Non-voting staff liaisons are:
 - i. Director of Recreation and Culture
 - ii. Manager of Cultural Development
 - iii. Committee Clerk
- d) Members shall serve as volunteers without remuneration or gifts.

Chairperson / Vice-Chairperson

A Chairperson and Vice-Chairperson will be appointed from among its appointed voting members. The term of Chairperson and Vice-Chairperson will be for (1) one year and may be renewed to a maximum of (2) two years unless otherwise approved by Council.

Meetings

- a) At the start of each calendar year, Corporate Administration will distribute a meeting schedule to be reviewed and adopted. The meeting schedule will be published and updated as needed by the Committee Clerk.
- b) Staff will attempt to inform the Chairperson in the circumstance a meeting must be cancelled prior to an official notice going to the Advisory Body. A meeting may be called, cancelled or rescheduled by either the Council representative or by the Chairperson in consultation with

the Council representative. 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.

- c) 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 Committee Clerk will inform the Chairperson, Council and staff Liaisons and will cancel the meeting.
- d) Advisory Body members shall advise the Committee Clerk of their intent to attend or to be absent from a meeting. If a majority of members indicate that they will be absent from the meeting, the Committee Clerk will cancel the meeting by first attempting to notify the Chairperson and Council Liaison, and inform all members.
- e) On occasion, Corporate Administration may be required to cancel or reschedule meetings. On such occasions, notice will be given to all members following an attempt to notify the Chairperson and Council Liaison followed by all members.
- f) Quorum for meetings shall be a majority of all voting members.
- g) 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.
- h) All meetings are open to the public unless designated as closed to the public pursuant to Sections 90 and 93 of the *Community Charter*.
- i) 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.
- j) When deemed relevant to the discussion of a particular item of business under consideration, the Advisory Body 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 comments within a limited time as determined by the Advisory Body prior to speaking.
- k) Meetings shall last no longer than two (2) hours, except under extraordinary circumstances as agreed to by the committee members present.
- l) Members are expected to attend all regularly scheduled meetings. Corporate Administration will keep an attendance log and notify the Chairperson and Council representative 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.
- m) Any person with particular expertise, including staff, may be invited by the Chairperson or Staff Liaison to attend a meeting in order to provide information or advice, but only voting members appointed by City Council may vote on matters.

- n) An Advisory Body must hear and consider representations by any individual, group or organization on matters referred to the Committee by Council.
- o) An Advisory Body does not have the authority to commit funds, enter into contracts or commit the City to a particular course of action.
- p) An Advisory Body cannot direct staff to take action without the endorsement of City 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;
 - 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.
- q) On routine matters such as organizing or setting up yearly or ongoing events or projects which do not have budget implications or have received prior budget approval, the committee may make decisions without the approval of Council, provided that the Advisory Body works with the staff member assigned to that committee on those matters.

Note: This clause only applies to event oriented Advisory Bodies to Council (ex: Sea Festival and Tour de White Rock).

- r) On broader matters such as organizing or setting up major or unusual events or projects which do not have budget implications, the committee 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 committee, that member will excuse themselves from all aspects of consideration of that matter by declaring a Conflict of Interest.
- t) Members are not permitted to speak directly with the media on behalf of the committee.
- u) Members will not represent themselves as having any authority beyond that delegated in the Terms of Reference approved by Council.

Sub Committees and Working Groups

- 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 just as a committee meeting held by the City of White Rock.
- b) Working Groups: A committee or sub-committee may form a working group 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 (ex. parade float production, taking available information and placing it into a specified format for the originating Advisory Body of Council).
- 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, or an Advisory Body of Council then it 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 (no agenda, meeting minutes, meeting notice is required).

Staff Support

- a) The relevant department(s) will provide the staff liaison(s) and technical support. Support functions include:
- i. Forward all agenda items to Corporate Administration at least one (1) week prior to the meeting date for agenda preparation and on the Public Notice Posting Place;
 - ii. Prepare reports on behalf of the Committee;
 - iii. Review and return draft minutes to Corporate Administration prior to adoption;
 - iv. Report back with status updates on agenda items as required;
 - v. Prepare an Annual Report to be submitted to Council for information. The report will be forwarded to the Advisory Body 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. Receive and prepare correspondence;
 - ii. Maintain a list of outstanding issues for action (Action Tracking);
 - iii. Provide members with orientation at the beginning of each term (and to new members as they are appointed);
 - iv. Organize and prepare meeting agendas, in conjunction with the Chairperson, staff liaison and Council representative;
 - 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.

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.

Code of Conduct

Appointees 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 No. 120 - *Code of Conduct for Committee Members*. This will be required immediately upon appointment. The statement / agreement for signature is attached to, and forming, part of this policy.

Rationale:

The purpose of the Public Art Advisory Committee is to provide advice and act as a resource to City Council and staff in regard to the City's Public Art Program.

**CITY OF WHITE ROCK
COMMITTEE CODE OF CONDUCT
STATEMENT / AGREEMENT**

This will confirm that as of _____, I have read Council
(DATE)
Policy 120, “Code of Conduct for Committee Members” and Council Policy _____,
Committee Terms of Reference and I understood and will conform to the City’s Code of
Conduct as outlined in these policies.

(PRINT NAME)

(SIGNATURE)