

ART IN PUBLIC PLACES COMMITTEE

TERMS OF REFERENCE

1. GENERAL PROVISIONS

- 1.1. The mandate of the Art in Public Places Committee is to provide advice and guidance to the City of Orillia on matters related to policies, projects, and procedures related to the provision and installation of public art within the community.
- 1.2. The Art in Public Places Committee will work with the City to carry out the objectives outlined in [Policy 1.12.6.1](#). This includes, but is not limited to:
 - a) Develop an Art in Public Places Plan identifying potential sites, projects and priorities for Council's consideration;
 - b) Provide advice and guidance to Council and City staff on matters related to Public Art policies, procedures, guidelines, plans and issues;
 - c) Develop guidelines, criteria, and procedures for the acquisitions, maintenance, and deaccession of public art;
 - d) Review all acquisitions, commissions, and donations of Public Art in accordance with the criteria set out within this policy and make recommendations to Council for ratification;
 - e) Develop annual priorities and project budgets which includes a funding strategy;
 - f) Report to Council as necessary on project updates;
 - g) Coordinate request for proposals (eg applications, jurying, notifications, and installations);
 - h) Provide guidance and advice to City departments, agencies, boards and commissions in the initial design phase of capital and Public Art projects falling under the Policy;
 - i) Review and make recommendations to Council on the Public Art Policy;
 - j) Monitor and update the City of Orillia's Public Art inventory and maintenance plans.
- 1.3. The Committee shall endeavour to consult with arts, heritage and cultural organizations on projects and calls for public art.
- 1.4. The Committee shall be advisory in nature. and shall report to Council through Council on all matters required by it to do so pursuant to the terms of reference, unless submitting a joint report.
- 1.5. The Committee will prepare a yearly work plan and report to Council on acquisitions, donations, commissions, and loans as required.

- 1.6. Work with the City to seek out external funding such as government grants, donations, sponsorship, and bequests for the commission, acquisition and maintenance of Public Art;
- 1.7. All external funding will be managed by the OMAH on behalf of the APPC or submitted to the City's Finance Department with specific instructions that it be used for Public Art, as determined on a case by case basis depending on funding requirements.
- 1.8. Requests to draw from the City's Reserves for Public Art will be subject to Council approval and part of the annual budget process.
- 1.9. The Committee shall provide such services under the general direction of the Manager of Culture.

2. COMMITTEE MAKE UP

- 2.1. The Art in Public Places Committee shall be managed by the Orillia Museum of Art & History (OMAH) and be comprised of seven members, one of whom shall be a representative of the OMAH, and six of whom shall be citizens-at-large.
- 2.2. Members of the Committee must be eligible electors of the City of Orillia with the exception that a maximum of two of the five citizen members may be non-residents from a neighbouring municipality, provided those non-residents bring the particular qualities and skills to the Committee set out below.
 - a) Two members shall be practicing artists.
 - b) Other citizen members shall include representation from a broad range of individuals with expertise and knowledge from a variety of arts, culture and creative disciplines including, but not be limited to:
 - Arts Administrator or Educator
 - Business Owner/Operator
 - Art History
 - Community Builder
 - Civil Engineer
 - Curator
 - Design Professional
 - Heritage Research or Planning
 - Landscape Architect
 - Local Indigenous Art, Culture and Heritage
 - Urban Planning or Development

- c) Members must demonstrate a significant and current knowledge of arts and culture, with experience working on public art projects an asset.
 - d) As a committee of the OMAH, members are required to take out a membership in the OMAH if they are not already members.
- 2.3. The City's Manager of Culture and OMAH's Executive Director, or their designate, shall provide administrative support to the Committee on behalf of both organizations.

3. TERM

- 3.1. Committee members are appointed for two-year (2) staggered terms, so that approximately half of the members' terms come due in any given year.
- 3.2. Appointments or reconfirmations occur after each OMAH AGM.
- 3.3. Committee members may only serve on the committee for six (6) consecutive years and must be off for one (1) year to return.
- 3.4. In the event of a resignation, the remainder of the term shall be filled by appointment.

4. CONFLICT OF INTEREST

- 4.1. No member of the board of directors, officers, employees or members of related public art committee may submit, during his or her tenure, for public art commissions, acquisitions or projects unless they remove themselves from their respective position.
- 4.2. No member sitting on a jury selection panel or a member of that person's household may compete for public art commissions, acquisitions or projects for which the panel was formed.
- 4.3. No member of the jury selection panel who is a representative of, or who is a member of a household of, an artist whose work is being considered for a public art commission, acquisition or project may vote during such panel.

5. MEETINGS

- 5.1. Minutes must be kept of all meetings.
- 5.2. Quorum will consist of four (4) out of the seven (7) members of the group in attendance.
- 5.3. Decisions will be made by consensus whenever possible and by majority vote if necessary.
- 5.4. At minimum, meetings will be held monthly and will be no longer than two (2) hours in length. Additional meetings or longer meetings may be scheduled at the call of the chair as required.

5.5. There will be no financial remuneration for sitting on the committee.

6. COMMISSIONING OF PUBLIC ART

6.1. The commissioning of public art shall be governed by Policy 1.12.6.1.

6.2. All work commissioned, created, acquired, and otherwise attained under the policy shall remain the sole and exclusive property of the City of Orillia, unless a temporary installation.

6.3. Temporary installations remain the property of the owner and shall be subject to a Memorandum of Understanding (MOU) between the owner/lender and the City of Orillia.

7. COMMUNICATION

7.1. External Communications will be developed with the City of Orillia's Communications Manager or Marketing Manager.

8. CONFIDENTIAL INFORMATION

8.1. Members shall not use confidential information including information that they have knowledge of by virtue of their position that is not in the public domain, including e-mails and correspondence from other members, or third parties, for personal or private gain, or for the gain of relatives or any person or corporation or cause detriment to the City, Council, OMAH, Committee, local board, or others.

8.2. Confidential information shall include information in the possession of the Committee that the City is either prohibited from disclosing, or is required to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), or other legislation. Generally, MFIPPA restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific, or technical nature, information that is subject to solicitor-client privilege and information that is deemed to be personal information. Under MFIPPA, "personal information" means recorded information about an identifiable individual, including:

- (a) Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- (b) Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) Any identifying number, symbol or other particular assigned to the individual;

- (d) The address, telephone number, fingerprints or blood type of the individual;
- (e) The personal opinions or views of the individual except if they relate to another individual;
- (f) Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
- (g) The views or opinions of another individual about the individual; and
- (h) The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

8.3. It also means any information that is of a personal nature to Committee members, employees, volunteers, or clients of either OMAH or the City, or information that is not available to the public and that, if disclosed, could result in loss or damage to either corporation or could give the person to whom it is disclosed an advantage. Confidential information includes, but is not limited to the following information:

- (a) Disclosed or discussed at a Closed Session meeting of the Committee;
- (b) Circulated to members of the Committee and marked "Confidential"; and
- (c) Information that is given verbally in confidence in preparation of or following a meeting that is closed to the public and includes, but is not limited to the following types of information:
 - (i) Personal matters about an identifiable individual(s);
 - (ii) Information about suppliers provided for evaluation which might be useful to other suppliers;
 - (iii) Matters relating to legal affairs;
 - (iv) Sources of complaints where the identity of the complainant is given in confidence;
 - (v) Items under negotiations; and
 - (vi) Matters identified as solicitor-client privileged.

9. REVIEW

9.1 The Terms of Reference will be reviewed annually at the October meeting.

Review Dates:

November 10, 2020

March 9, 2021

October 13, 2022