TO: Chair and Members  
Emergency & Community Services Committee  
WARD(S) AFFECTED: CITY WIDE

COMMITTEE DATE: October 6, 2010

SUBJECT/REPORT NO:  
Amendments to the Mandate and Terms of Reference for the Arts Advisory Commission (CS10098) (City Wide)

SUBMITTED BY:  
Joe-Anne Priel  
General Manager,  
Community Services Department

PREPARED BY:  
Jennifer Kaye 905-546-2424 x4807

RECOMMENDATION

That the revised Arts Advisory Commission mandate and terms of reference, attached as Appendix A to Report CS10098, be approved.

EXECUTIVE SUMMARY

With each new term of City Council, Citizen Volunteer Committees such as the Arts Advisory Commission (AAC), have an opportunity to review and revise their mandates if needed. The current AAC mandate, which has not been updated since amalgamation, is out of date and does not accurately reflect the work done by the AAC. The primary changes include clearer language, better reflection of the work done by the AAC, removal of the annual review of the Policy for the Arts (which dates to 1984 and is steadily being replaced with more specific policies such as the Art in Public Places Policy) and the addition of the AAC’s role in adjudicating the Community Partnership Program grants application for Culture. The revised mandate and terms of reference for the AAC is attached as Appendix A to Report CS10098 and was endorsed by the
current AAC members. These changes do not materially change the AAC’s role or working methods.

The current AAC mandate is:
- To select and recommend the annual winners of the Hamilton Arts Awards
- To monitor and assist with the implementation of the Public Art Program
- To annually review the Policy for the Arts
- To recommend educational and promotional activities for the strengthening and stabilization of the arts community

The proposed revised mandate is:
- To recommend activities for the stabilization and strengthening of the arts community
- To inform Council of issues and achievements in the Hamilton arts community
- To liaise with and act as a point of contact for members of the arts community regarding issues affecting the arts community
- To monitor and assist with the implementation of the Public Art Program
- To monitor and assist with the implementation of the Arts Awards Program
- To monitor and assist with the implementation of the Community Partnership Program, Culture Stream.

Appendix B to Report CS10098 contains a chart that compares the current and proposed versions of the mandate and provides a rationale for the revisions.

Changes to the terms of reference provide clarity and consistency, and reflect the current AAC sub-committee structure.

Alternatives for Consideration – Not Applicable

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: There are no financial implications associated with the recommendations in Report CS10098.

Staffing: There are no staffing implications associated with the recommendations in Report CS10098.

Legal: There are no legal implications associated with the recommendations in Report CS10098.
HISTORICAL BACKGROUND (Chronology of events)

Volunteer Committees are created by Council and generally their mandates are reviewed every term. Citizen members are appointed to sit on such committees for the term of Council. These committees may report to a Standing Committee of Council when necessary.

The AAC is a Volunteer Committee, reporting to the Emergency and Community Services Committee. It provides a valuable link between the City of Hamilton and the local arts community, providing input into the development of arts policy, processes, and programs. Councillor McHattie is the Council liaison to the ACC. The Culture Division provides a staff liaison.

The mandate of the AAC has not been reviewed or updated since before amalgamation. The current terms of reference for the AAC were approved by Council in 2007.

POLICY IMPLICATIONS

There are no policy implications associated with the recommendations to Report CS10098.

RELEVANT CONSULTATION

The Arts Advisory Commission has approved the proposed mandate and terms of reference at their August 24, 2010 meeting.

ANALYSIS / RATIONALE FOR RECOMMENDATION

The current AAC mandate is out of date and does not accurately reflect the work done by the AAC. The chart in Appendix “B” to Report CS10098 details the proposed changes and their rationale.

The AAC terms of reference are also out of date, in that they do not reflect the current sub-committee structure. The former Education and Communications Sub-Committees have been merged as the Community Engagement Sub-Committee. Also, the role of the Arts Awards Sub-Committee has changed in keeping with the Council-approved changes to the Arts Awards program earlier this year. Section 4 of the terms of
reference in Appendix A reflects these changes. Other changes are of a minor nature, to ensure consistency with the mandate and to provide clarity where needed.

**ALTERNATIVES FOR CONSIDERATION**

None.

**CORPORATE STRATEGIC PLAN**


*Skilled, Innovative & Respectful Organization*

- A culture of excellence

*Social Development*

- People participate in all aspects of community life without barriers or stigma

*Healthy Community*

- An engaged Citizenry

**APPENDICES / SCHEDULES**

Appendix “A” to Report CS10098 – Arts Advisory Commission Mandate and Terms of Reference

Appendix “B” to Report CS10098 – Arts Advisory Commission Comparison Chart of Current and Revised Mandate with Rationale
OVERVIEW
ARTS ADVISORY COMMISSION

Mandate: To recommend activities for the stabilization and strengthening of the arts community; to inform Council of issues and achievements in the Hamilton arts community; to liaise with and act as a point of contact for members of the arts community regarding issues affecting the arts community; to monitor and assist with the implementation of the Public Art Program; to monitor and assist with the implementation of the Arts Awards Program; to monitor and assist with the implementation of the Community Partnership Program, Culture Stream

Composition: Up to 13 Members

Duration: To expire with the 2006-2010 term of Council or at such time as successors are appointed by Council.

Reporting to: Emergency & Community Services Committee

Stipend: No

Staff Liaison: Jennifer Kaye
Manager, Arts and Events
(905) 546-2424 Ext. 4807

Meeting Schedule: 4th Tuesday of each Month
5:45 p.m. to 7:45 p.m.
TERMS OF REFERENCE
ARTS ADVISORY COMMISSION

1. MEMBERSHIP

1.0 The Commission is made up of up to thirteen (13) members representing a balance among artists and the community. One of the thirteen (13) members must be a member of the current City Council and is ex-officio.

1.1 Membership represents a balanced range of artistic disciplines to include but not limited to:

- visual arts,
- literary arts,
- media arts,
- theatre arts,
- music,
- dance,
- crafts.

Every effort will be made to have membership reflect the diversity of Hamilton’s many communities.

1.2 A member may represent more than one of the above disciplines/sectors.

1.3 Based on the above criteria, members of the Commission are appointed by Hamilton City Council.

2. TERMS OF MEMBERSHIP

2.0 Members are expected to serve a term that coincides with the term of Council, and may serve a maximum of two (2) consecutive terms.

2.1 A term extends from the date of appointment in the first year of the four-year term of Council until the expiry of the Council term or until such time as successors are appointed by Council.

2.2 At the end of the second consecutive term, a member may reapply after an absence of at least one (1) year.
2.3 In the event that a vacancy occurs before the end of a term, Hamilton City Council may appoint a replacement on recommendation of the Commission.

3 ROLES AND RESPONSIBILITIES OF MEMBERS

3.0 Members are expected to further the Mission and Mandate of the Commission.

3.1 Members are expected to attend all scheduled meetings of the Commission. If unable to attend, a member is expected to send regrets at least 24 hours before a scheduled meeting. A member who misses three consecutive meetings of the Commission may be asked to resign.

3.2 The Commission, with approval of a majority of the Commission members, may work with other municipal committees and external arts organizations to further the Mission and Mandate of the Commission.

3.3 At the September meeting of each year, the Commission will elect an Executive consisting of a Chair and a Co-Chair or Vice-Chair. The term for any Executive member will be one (1) year, renewable to a maximum of two (2) consecutive years. In the event of a vacancy on the Executive, the Commission will hold an immediate election.

3.4 The Chair will chair all Commission meetings and be spokesperson for the Commission.

3.5 The Co-Chair or Vice-Chair will assume the responsibilities of the Chair in the Chair’s absence. In the absence of the Chair and Vice-Chair, a quorum of Commission members will elect a Pro-Tem Chair.

3.6 The Executive Committee will work with Staff to prepare agendas, monitor the work of the Commission, and work with Staff between meetings to carry out the business of the Commission.

3.7 The Commission will develop an annual Work Plan, and as part of the regular meeting agendas, review the Commission’s progress in implementing the goals and objectives of the Work Plan.
4 COMMITTEES

4.0 There will be two (2) standing sub-committees: Community Engagement and Arts Awards.

4.1 The Arts Awards Sub-Committee will participate in coordination of the annual Arts Awards.

4.2 The Community Engagement Sub-Committee will ensure an effective flow of communication and information between the Arts Advisory Commission and the arts community.

4.3 The Commission may strike ad hoc committees as needed to deal with the implementation of the Mandate, and the goals and objectives of the Work Plan.

5 CONFLICT OF INTEREST AND CONFIDENTIALITY

5.0 Conflict of interest occurs when a member participates in discussion or decision-making about any matter that may financially benefit that member, a member of his/her family, a person with whom the member is in personal or business contact, or any organization with whom the member is affiliated.

5.1 In all cases where the Commission agenda presents such a conflict of interest for a member, that member will declare a conflict of interest, and will abstain from all discussion and voting on the issue.

5.2 All Commission members will refrain from the personal use and communication of any privileged or confidential information.

5.3 All Commission members will sign a conflict of interest agreement reflecting the above.

6 DECISION-MAKING

6.0 Although the Commission should endeavor to reach decisions by consensus, when a vote is necessary a simple majority vote will carry the
question. The Chair does not normally vote, but in the case of a tie vote, the Chair will cast the deciding vote.

6.1 Between scheduled meetings, should a decision be required, the Executive Committee will poll all Commission members and make an objective decision based on that poll. The decision will be communicated to all Commission members.

7 GUIDELINES FOR MEETINGS

7.0 Meeting of the Commission will be held on a monthly basis on a day and time determined by the Commission. Special meetings may be called at the discretion of the Chair, or upon written submission by five (5) members.

7.1 A quorum consists of a majority of total Commission membership seven (7 members).

7.2 If within 30 minutes of the time called for a meeting there is no quorum, the meeting will stand adjourned.

7.3 Only members present at a meeting may cast a vote.

7.4 Meetings of the Commission are open to the public.

8 EDUCATION AND TRAINING

8.0 All members are expected to participate in orientation and training sessions offered by the City of Hamilton for volunteer citizen members.

8.1 All members are expected to attend training sessions for grants adjudication.

8.2 Subject to the Commission’s approval, members may represent the Commission at arts related workshops and conferences as a delegate. At the conclusion of the event the member will provide a report to the Commission.
9. GRANTS ADJUDICATION

9.0 All members are expected to participate in the annual grants adjudication process.

9.1 In accordance with Section 5 (Conflict of Interest and Confidentiality), all members are expected to declare a conflict of interest should such a situation arise in the process of adjudicating grants.
## Arts Advisory Commission
### Comparison Chart of Current and Revised Mandate with Rationale

<table>
<thead>
<tr>
<th>Existing mandate</th>
<th>Proposed mandate</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>To select and recommend the annual winners of the Hamilton Arts Awards</td>
<td>To monitor and assist with the implementation of the Arts Awards Program</td>
<td>This reflects the revised role of the AAC, as approved by Council earlier this year when it approved the revised Arts Awards program.</td>
</tr>
<tr>
<td>To monitor and assist with the implementation of the Public Art Program</td>
<td>To monitor and assist with the implementation of the Public Art Program</td>
<td>No change.</td>
</tr>
<tr>
<td>To annually review the Policy for the Arts</td>
<td>Eliminated</td>
<td>There is no Policy for the Arts – the AAC does not do this work.</td>
</tr>
<tr>
<td>To recommend educational and promotional activities for the strengthening and stabilization of the arts community</td>
<td>To recommend activities for the stabilization and strengthening of the arts community</td>
<td>Removed “educational and promotional” – is overly restrictive without good cause.</td>
</tr>
<tr>
<td>To annually review the Policy for the Arts</td>
<td>To inform Council of issues and achievements in the Hamilton arts community</td>
<td>The AAC has always done this as part of its advisory role to Council. This has been an especially significant part of the AAC’s workplan over the past two years.</td>
</tr>
<tr>
<td>To liaise with and act as a point of contact for members of the arts community regarding issues affecting the arts community</td>
<td>To monitor and assist with the implementation of the Community Partnership Program, Culture Stream</td>
<td>The AAC has done this work for many years, and it is reflected in their terms of reference.</td>
</tr>
<tr>
<td>To annually review the Policy for the Arts</td>
<td>Eliminated</td>
<td>There is no Policy for the Arts – the AAC does not do this work.</td>
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