

PROVINCE OF QUÉBEC
CITY OF POINTE-CLAIRE

BY-LAW NUMBER PC-2907

BY-LAW APPOINTING THE POINTE-
CLAIRE PUBLIC ART COMMITTEE

In force on December 11th, 2019

AT THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE,
HELD AT CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUÉBEC,
DECEMBER 5 AT 7:30 P.M.

PRESENT: Councillors C. Homan, T. Stainforth, K. Thorstad-Cullen, P.
Bissonnette, C. Cousineau, B. Cowan, E. Stork and D. Webb,
chaired by His Worship Mayor John Belvedere, forming a quorum
of Council.

THE BUSINESS TRANSACTED AT THIS MEETING INCLUDED:

BY-LAW NUMBER: PC-2907

RESOLUTION NO.: 2019-740

MOVED BY COUNCILLOR HOMAN

SECONDED BY COUNCILLOR COWAN

AND RESOLVED:

WHEREAS the City of Pointe-Claire (“the City”) wishes to display public art on its territory;

WHEREAS the City recognizes the importance of promoting and showcasing public artworks already presented on its territory and continuing to develop structuring public art projects for the community;

WHEREAS the City of Pointe-Claire recognizes the potential of public art as a tool for community development, reinforcement of citizens’ sense of belonging to their environment and their city, and improvement of the quality of life by the enhancement and beautification of public spaces and the citizens’ living environment;

WHEREAS a draft of this by-law was presented and notice of motion thereof was given at the meeting held on November 5th, 2019.

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

DEFINITIONS

1. Unless the context indicates a different meaning, the following words and expressions have the meaning ascribed to them in this article:

- (1) “public art”: Any artwork located outside gallery spaces or museums, in public spaces accessible to all, including murals, sculptures, installations, etc.
- (2) “committee”: The Public Art Committee appointed under the provisions of this by-law.
- (3) “council” or “municipal council”: The Municipal Council of the City of Pointe-Claire.
- (4) “manager”: Employee whose job title is “Art Gallery Manager” or “Art, Culture and Library Planner” in the City’s Culture, Sports, Leisure and Community Development Department.
- (5) “employee”: Any employee assigned to the task by the Council or by another person to whom this power has been delegated.
- (6) “member”: Any person appointed by the Council to act on the Committee and who has a right to vote.
- (7) “council member”: Council member designated to be part of the Committee.
- (8) “expert member”: Arts community professional who has expertise in public art, appointed by the Council to act on the Committee, who has a right to vote and is compensated.
- (9) “city”: The City of Pointe-Claire.

COMPOSITION, ROLE AND MANDATE

2. The “Public Art Committee” (the Committee) is constituted and established.
3. The Committee has the mandate:
 - (1) To generate ideas, concepts and themes for public art projects and to provide advice and recommendations to the Council in carrying out public art projects, whether these are initiated by the City or by citizens, merchants or institutions located on its territory;
 - (2) To propose and recommend locations for public art projects to the Council on its territory;
 - (3) To ensure the implementation of the mural policy and the public art policy on the territory of Pointe-Claire;
 - (4)° To submit recommendations to the Council on the maintenance of public artworks already displayed on the territory, whether they are the property of the City of Pointe-Claire or the property of an individual;
 - (5) To ensure monitoring of the maintenance of public artworks belonging to the City through the Art Gallery Manager;
 - (6) To promote public art throughout the City of Pointe-Claire.

COMPOSITION

4. The Committee is composed of five (5) members who have a right to vote, designated by the Municipal Council;
 - Two (2) Pointe-Claire citizens;
 - One (1) Pointe-Claire citizen artist;
 - One (1) West Island artist;
 - One (1) professional from the Montréal arts community; and

Three (3) members who do not have the right to vote, designated by the Municipal Council:

- the Art Gallery Manager;
- a Council member;
- an employee of the Planning Department.

During the selection process for a public artwork, an ad hoc selection committee, approved by management, will be formed to allow individuals who have special expertise related to the project to assist the Public Art Committee in its decisions. This expanded Committee will have the role of jury during the selection process.

APPOINTMENT CRITERIA

5. The following criteria will be taken into account when the Committee members are appointed:

d) For Pointe-Claire citizen members:

- (1) Resident of the City of Pointe-Claire;
- (2) Bilingual;
- (3) Involvement in the community;
- (4) Interest in the cultural development of the community and the visual arts in particular.

e) For artist members:

- (1) One (1) being a resident of Pointe-Claire and one (1) being a resident of a Montréal West Island municipality;
- (2) Bilingual;
- (3) Involvement in the community;
- (4) Recognition in the West Island arts community either by reputation, peer recognition or community recognition, member of artists associations, etc.

f) For the Montréal arts community professional (public art expert):

- (1) Bilingual;
- (2) Recognized expertise in the art community;
- (3) Specialized expertise in public art

APPOINTMENT PROCESS

6. A nomination committee, composed of the Council member, the Art Gallery Manager and an employee of the Planning Department, receives and studies the applications submitted by the interested persons.

No later than June 1 of each year, the Manager publishes, on the City's website and on the City's electronic bulletin boards, a notice indicating that no later than June 15 of each year, candidates must submit a curriculum vitae and a cover letter expressing their interest in being appointed to the City's Public Art Committee.

By November 1 of each year, the nomination committee recommends a list of potential candidates to the Council.

The Council uses this list to select and appoint the members of the Public Art Committee for a single mandate, which begins on January 1 following the appointment.

TERM OF APPOINTMENT

7. The term of appointment of a member of the Public Art Committee is maximum four (4) years; the term may be renewed for successive periods of three (3) years.
8. The term of appointment for members of the Public Art Committee must be staggered over periods of two years (two members), three years (two members) and four years (one member) to ensure continuity.
9. The term is renewable once. However, the Member must continue to meet all the criteria at the time of renewal and for the entire term of appointment.
10. Any vacancy in a member position of the Public Art Committee shall be filled for the remainder of the replaced member's term of appointment.
11. The appointment process described in Article 6 applies, with the necessary modifications in the event of appointment, for appointment to a vacant position.
12. A member's term of appointment ends automatically on the date of resignation or death, or on the date on which failure to attend two consecutive regular meetings of the Committee is determined. The Manager shall inform the Municipal Council of the Committee's decision.
13. Notwithstanding the preceding paragraph, the Committee may decide that failure to attend two consecutive regular meetings shall not result in the end of the term of appointment if such failure is due to a serious reason, beyond the member's control, and that it does not adversely affect the Committee's work.
14. The Municipal Council reserves the right to end a member's term of appointment at any time, based on review of a recommendation to this effect from the Manager.

The Municipal Council shall then appoint a new member to fill a vacant seat until the end of the original term of appointment.

The time elapsed between the appointment by the Council of a new member to fill the vacant position and the end of the original term of appointment is not considered a first term.

15. Each year, the Committee shall hold its first meeting before February 15.

SECRETARY

16. The Manager acts as Secretary of the Committee.
17. The Secretary prepares the meeting schedule and agenda, and notifies the members thereof.

- 18.** The Secretary drafts the minutes after each meeting and submits them to the City Manager to be submitted to the Municipal Council.

REPORTS

- 19.** The Committee reports on its work and its recommendations by means of minutes signed by the Secretary.
- 20.** Following any meeting of the Public Art Committee, the minutes must be sent to the Municipal Council within thirty (30) calendar days after the date the meeting is held.

MEETINGS

- 21.** A Public Art Committee meeting may not be held at the same time as a Municipal Council meeting.
- 22.** Notice of a meeting shall be given at least seven (7) days before it is held, unless all members waive this prior notice.
- 23.** A Committee meeting may be held only if there is a quorum.

The simple majority of the Committee members who have the right to vote constitutes a quorum.

- 24.** The Committee holds at least three (3) meetings per year.
- 25.** The Committee Secretary may invite any other person whose expertise or services may be useful to the Committee.
- 26.** The Committee reports on its recommendations and work in the minutes submitted to the Municipal Council. Any recommendation shall take effect only if it is adopted by the Municipal Council.

No recommendation shall take effect unless it is adopted by the Municipal Council.

- 27.** Every Committee meeting is chaired by the Secretary.
- 28.** This by-law comes into force in accordance with the law.

John Belvedere, Mayor

Me Caroline Thibault, City Clerk