



City of
Peterborough

TO: Members of the Arts, Culture & Heritage Advisory Committee

FROM: Becky Rogers, Manager Arts, Culture & Heritage Division

MEETING DATE: March 8, 2012

SUBJECT: Report ACHAC12-003
Interim Public Art Advisory Committee

PURPOSE

A report to recommend that the Arts Culture and Heritage Advisory Committee (ACHAC) receive the report "Procedures for Public Art" from the Interim Public Art Advisory Committee.

RECOMMENDATIONS

That the Arts Culture and Heritage Advisory Committee approve the recommendations outlined in Report ACHAC12-003 dated March 8, 2012, of the Manager, Arts, Culture & Heritage Division as follows:

- a) That the Arts Culture and Heritage Advisory Committee receive the "Procedures for Public Art" report from the Interim Public Art Advisory Committee at the March 8, 2012 meeting,
- b) That ACHAC dissolve the Interim Public Art Advisory Committee, and
- c) That City staff begin the process to create the Public Art Advisory Committee as outlined in the Public Art Policy and the Public Art Procedures developed by the Interim Public Art Advisory Committee.

BUDGET AND FINANCIAL IMPLICATIONS

There are no direct budget or financial implications resulting from this report.

BACKGROUND

At its January 14th, 2010 meeting ACHAC approved the creation of an Ad Hoc Public Art Committee, to function as a sub-committee of ACHAC and chaired by a member of ACHAC. Its mandate was to develop terms of reference for Public Art in Peterborough, including role, responsibilities, size, composition and proposed membership of the Public Art Advisory Committee. This committee was re-named the Interim Public Art Advisory Committee at the February 11th, 2010 meeting of ACHAC. Since then, the IPAAC has met eleven times, under the chairmanship first of Iga Janik and latterly John Summers.

At its December 9th, 2010 meeting, ACHAC approved five priorities for public art:

1. To complete the inventory of existing public art;
2. To assess the condition of existing public art works;
3. To develop procedures for new public art works;
4. To undertake a public art project at Market Hall; and
5. To undertake one of the remaining "Benchmarks" projects.

At subsequent IPAAC meetings, priority 5 was removed from the list and priorities 3 and 4 were identified as most important. The work of the committee has therefore focused on those two, whose present status is as follows:

Priority 3: To develop procedures for new public art projects

- A comprehensive set of procedures has been developed incorporating best practices from other municipal public art programs including those of Vancouver and Toronto. A copy of these procedures is attached for information.

Priority 4: To undertake a public art project at Market Hall

- Members of IPAAC met with the Market Hall Board of Directors on July 20th, 2011 to discuss a public art project. The Market Hall Board confirmed that they were interested in pursuing a project, and agreed to submit a written request to IPAAC.
- Their request identified possible locations, media and themes for a public art project.

- Following completion of the procedures as noted above, members of IPAAC will shortly be meeting with the Market Hall Board to begin work on the project.

SUMMARY

The creation of the Public Art Advisory Committee as a sub-committee of ACHAC will provide a planning context for potential projects over the next several years. The Committee will encourage opportunities for public involvement and feedback on the selection of Public Art to ensure that selections reflect the diversity of the community, its values, history, culture and goals.

Submitted by,

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Attachments:
Appendix A – Procedures for Public Art

APPENDIX A

City of Peterborough Procedures for Public Art

GENERAL

Public art is defined as artwork in the public domain.

PURPOSE

The following procedures are designed to act as guidelines to ensure art is selected by a publicly accountable process combining expert evaluation and community input in accordance with the City of Peterborough Public Art Policy. The procedures describe the process for developing new public art, managing existing works, and set out the roles of City Council, City staff, Art Gallery of Peterborough staff (AGP), the Arts, Culture and Heritage Advisory Committee (ACHAC) and the Public Art Advisory Committee (PAAC).

PUBLIC ART PROGRAM GOALS

- a) To enrich the community by means of public art;
- b) To raise awareness and understanding of the importance of public art in the City;
- c) To provide leadership in public art planning and seek its inclusion in the public sector;
- d) To extend participation of citizens in the cultural and physical development of the City;
- e) To ensure the quality of art and its relevance to the community and site, by selecting it through an arm's length process incorporating community input and professional advice.
- f) To increase opportunities for the community and artists to participate in the design of the public realm;
- g) To develop original site-specific works of art in order to contribute to cultural vibrancy;
- h) To ensure that a public and transparent process is maintained to develop and accept public art;
- i) To enter into partnerships to further public art in the City; and
- j) To ensure that public art is maintained in a manner that will allow for continued public access to, and enjoyment of, these artworks in appropriate settings.

PUBLIC ART ADVISORY COMMITTEE

The mandate of the Public Art Advisory Committee is to administer the Procedures for Public Art for The Corporation of the City of Peterborough, and to make Public Art recommendations to the Arts Culture & Heritage Advisory Committee and Council.

The Committee's purposes are to:

- a) Advise on strategies, policies and programs to achieve excellence in art in the public realm;
- b) Provide advice and act as a resource to City staff on the City's Public Art Program by:
 - 1. recommending project priorities;
 - 2. developing short and long-term Public Art Plans;
 - 3. developing terms of reference for artist selection and participation in Public Art projects;
- c) Propose and support City programs, initiatives and events that benefit and advance public art in the City.

Committee Composition:

The Public Art Advisory Committee is a sub-committee of the Arts, Culture, and Heritage Advisory Committee and it will conduct its activities in accordance with its Terms of Reference and related procedures. The Committee is composed of two members of the ACHAC and three additionally appointed members of the public.

Appointments of Members:

- a) Public members of the PAAC must have an interest or expertise in art, architecture, planning, building construction, cultural tourism or history; and
- b) Represent a variety of professions, which may include, but are not limited to any of the following:
 - i. Artist
 - ii. Arts Administrator
 - iii. Art Historians
 - iv. Art Conservators and Curators
 - v. Architects
 - vi. Landscape Architects

- vii. Design Professionals
 - viii. Engineers
 - ix. Business Representatives
 - x. Community Representatives
- c) At the first meeting in a new term, the Committee shall elect from their number a Chair who shall hold office at the pleasure of the Committee for a one-year term and is eligible for re-election.

Reporting Structure

The Public Art Advisory Committee will give direction and make recommendations regarding public art to the Arts Culture & Heritage Division staff and through staff to the Administrative Staff Committee and/or Council.

Committee Term

The term of office for PAAC members is for the duration of term of Council (four years). If a committee is struck mid-term for Council, the PAAC term will be for the remaining term of Council. No member of the PAAC will receive remuneration for serving on the Committee however; a member is entitled to reimbursement (based upon submitted receipts) for any out-of-pocket expenses incurred on behalf of the PAAC, provided such expenses were previously approved.

Code of Conduct

The PAAC members are expected to be respectful and work cooperatively to achieve the common goals of the Public Art Program.

The Committee is drawn from the spectrum of community interests. The expectation is that each member will conduct himself in the best interest of the community and the Public Art Program.

PROJECT IDENTIFICATION

The PAAC, in consultation with City staff and the community will identify opportunities according to the following criteria:

- a) Projects should have a high degree of public use or public impact and lend themselves to an artist's intervention;

- b) Projects should enrich the City's Public Art collection;
- c) Public art should advance a project's goals or readily achieve other stated civic objectives;
- d) Projects providing for an enriched community process; and
- e) Factors such as the presence of other art works or amenities in the area; the opportunity for an art project to respond successfully to a need identified in the community; or the availability of other funding, are also considered.

PUBLIC ART WORK PLAN

The PAAC will work with City staff and the AGP to prepare a four-year Work Plan for the implementation of the Public Art Program.

The Work Plan will consider:

1. Status of the Public Art Collection (Collection management, conservation issues and maintenance);
2. City and/or community planned projects which are slated to occur over the next 4 years and which would be appropriate for public art involvement.
3. Possible sites, project and concepts for public art initiatives to occur over the next 4-years which take into account the following criteria:
4. A 4-year budget to support these projects ensuring that funds are responsibly spread over a long period of time and not utilized all within the 4 years
5. The Work Plan will remain flexible in order to response to new opportunities as they arise within the 4-year term.
6. A public art schedule to articulate the timing and implementation of various projects.

Public Art Project Planning

The PAAC will work with City staff and the AGP to prepare Public Art Project Plans for projects entering development.

The Public Art Project Plan describes the selected public art site(s) and concept; budget allocations; terms of reference for site and artist selection; schedule for design, construction, installation, and documentation; public participation proposed; progress reports; anticipated needs for property dedication or encroachment; and proposed maintenance plan.

SELECTION PROCESS

The Public Art Program will ensure a fair, informed and competitive artist selection process. Depending on the site opportunities and the budget allocation, artists may be selected through an invitational competition, an open competition, invited submission, or a direct commission.

Acquisitions of art, artist or artist proposals including gifts of artwork are generally selected by a juried process. Recommendations for the jury's composition will be made by the PAAC in conjunction with City staff and the AGP. The intent is to ensure artists are selected on merit by a process informed by expertise and community input.

Depending on the site opportunities and overall budget, local, national and international artists may be considered for the public art project.

Anyone involved in the development project team cannot apply to be the artist.

Forms of Artist Calls

Request for Proposals - An artist call soliciting a concept proposal for a public art project.

Open Call – A widely publicized call for interested artists to submit their project proposals and/or qualifications.

Invitational Call – A number of specific artists are invited to submit their project proposals and/or qualifications.

Direct Selection - After consulting with curators and/or other art professionals, an invitation to submit a project proposal is issued to a specific artist or artist team.

The form of selection to be used for a particular project is to be determined by the City staff in consultation with the Public Art Advisory Committee and the project manager, should there be one for the project.

Jury Composition

A jury usually consists of three to five voting members and non-voting advisors as needed to supply technical information or community advice. The jury process may provide for neighbourhood input or representation, and panelists should reflect community diversity. A typical jury might consist of, but is not limited to, the following: artists, community representatives, curators or other visual arts professional, project engineers, architects, landscape architects or representatives

Typical advisors might consist of, but are not limited to, the following: project staff, technical staff and residents.

City staff and AGP will maintain a list of candidates for selection juries.

When appropriate, a jury will include City staff, AGP staff, and members of ACHAC and/or PAAC.

Art dealers are not to participate on selection jury due to potential conflict of interest.

Jury composition is to be reviewed by City staff and the AGP prior to the start of the jury's work.

Once the jury has begun, the jury will choose from among its members a chair.

Jury members and/or others consulted or asked to provide an evaluation of proposals or artists' qualifications will be paid an honorarium.

Documentation of the selection process will be maintained in compliance with the City's Records Retention Policy.

Selection Criteria

Proposals are selected, by majority vote, for their artistic merit; responsiveness to project terms of reference; capacity to advance Public Art Programs goals; responsiveness to the site and community; capacity to work in the demanding environments as intended, technical feasibility, and their probability of success. Technical feasibility is considered with respect to the artist's intentions. When applicable, the selection jury and its technical advisors will consider the proposal's materials, construction, intended durability, maintenance, public access, safety, and environmental sustainability. City staff will act as a resource to the selection jury, providing technical review and an analysis of proposals as related to the ability of the City to maintain and/or accommodate the proposed artworks. A selection jury may determine that none of the submissions fulfill the project criteria. In this case, the selection process may, with the advice of the PAAC, be re-opened.

PROPOSAL ACCEPTANCE

The selection jury chair will report the panel's recommendation in writing to the City.

The PAAC reviews the jury's decision along with City staff, the AGP, and the ACHAC. City staff makes a recommendation to the City Council on the proposal.

If the proposal is accepted by City Council, a formal agreement will be negotiated outlining the responsibilities of each party (the City, the artist and outside contractors where applicable). The agreement will address project funding, insurance, siting, maintenance, project supervision, vandalism, signage, the right of removal or transfer, public safety and other issues as necessary.

PROPOSAL REVIEW

City staff will ensure all proposals are reviewed prior to final approval for safety and liability, compliance with City by-laws and requirements, technical feasibility, cost, and other aspects as needed. No final selection will be made or announced until any question on these issues is resolved.

If the City decides against selecting the proposal, City staff will notify the PAAC and the ACHAC.

ART DOCUMENTATION AND REGISTRATION

The following documentation must be filed with the City's Public Art Registry at the completion of the public art project:

- a) Name of artwork;
- b) Name and biographical details of the artist(s) including city, province and web-site;
- c) Artist statement and/or brief description of the work, including a statement on how it relates to its environment, and/or area history, and/or community as applicable;
- d) Specifications of the artwork including medium, method of construction and installation and dimensions;
- e) High resolution electronic images showing the artwork close-up, details, and in context;
- f) Contact information (including mailing address, telephone, e-mail address) for the following as applicable:
 - Owner (e.g. Developer's company name or City of Peterborough)
 - Donor
 - Selection Panel
 - Sponsor
 - Artist
 - Fabricators

- g) Other related materials as necessary to reveal the artwork and/or artist intentions (e.g. film, video clips, book works, etc.); and
- h) A copy of the artist's maintenance plan, including method, materials and frequency of inspections or maintenance and person or organization responsible for maintenance.

CONDITION INSPECTIONS

If the annual Work Plan review identifies issues, conditions inspections will be carried out and recorded.

PUBLIC ART DEACCESSION

The City will be the owner of the artwork and reserves the right to move or alter the work to meet public safety or other City concerns. Any such change will be made in consultation with the artist and sponsor, City staff, the AGP, the ACHAC and the PAAC.

CONFLICT OF INTEREST

Any participant in the City's public art processes, including staff, members of the ACHAC and associated sub-committees, their advisors or representatives, must declare any direct or indirect benefit to themselves, or their respective employers, partners, families or associates, which may arise from the City's acquisition or deaccession of any public artwork or related activities, and will be required to remove themselves from such processes.