

Art in Public Places Program

Appendix #1

City of Burnaby

**ART IN PUBLIC PLACES
PROGRAM**

1.0 Art in Public Places Program

1.1 Art in Public Places Organization and Procedures

The establishment and management of an Art in Public Places Policy require a commitment to providing the appropriate human, fiscal, physical and legal resources. This is based on the premise that when a government collects art on behalf of the public it does so with permanence intended. Moveable or fixed cultural property is a fact and symbol of our culture and it contributes to our identity and community pride. It therefore must be acquired with integrity and treated with respect. Traditions and international professional practices and protocols related to art apply in the local domain.

Fair practice is required in the recruitment of submissions and the selection of artists for commissions and acquisitions. Traditionally, this is provided for through professional staff, advisory bodies, expert juries and an "arm's length" distance established from government. Still, art in public places programs must stand the test of public scrutiny and therefore all of the policies, procedures are approved and evaluated by elected officials on behalf of the public.

1.2 Resources

The resources needed to responsibly manage this program are critical to its viability.

1.2.1 Human Resources:

Professional staff provides the skill and leadership in the management of the program and collection. The Cultural Services Division of Parks, Recreation and Cultural Services will lead the program. A portion of the Visual Arts Coordinator/Curator position is assigned to this duty. Museum curatorial and conservation staff will support the program as will the department's cultural program, publicity and promotion staff, with additional resources added as needed. A project manager will be engaged on a temporary basis to manage each acquisition project. Expertise from City Planning, Parks Planning, Engineering, Finance and Legal will contribute in project planning and management. The community will contribute its expertise for advisory committee and jury duties, and the arts community will provide the most important resource: individual creative artists.

1.2.2 Fiscal Resources:

Civic Project Funding:

Public art projects may be initiated for new City capital projects or for existing buildings and spaces. Finances are required for artists' fees, production, installation, promotion and maintenance costs and for the project management costs, committee, jury and staff costs. Funds will be assigned on an annual basis. Funds from other sources (donations, grants, sponsors, etc.) may also be solicited. Of the funds assigned for each public art project, a percentage will be dedicated to project administration and promotion.

Operating Funding:

Funding is required for collections records management and for the maintenance and restoration of existing works of public art. Condition reports and long range maintenance plans will chart the resources required over a period of time and support will be requested and assigned in annual budgets.

1.2.3 Physical Resources:

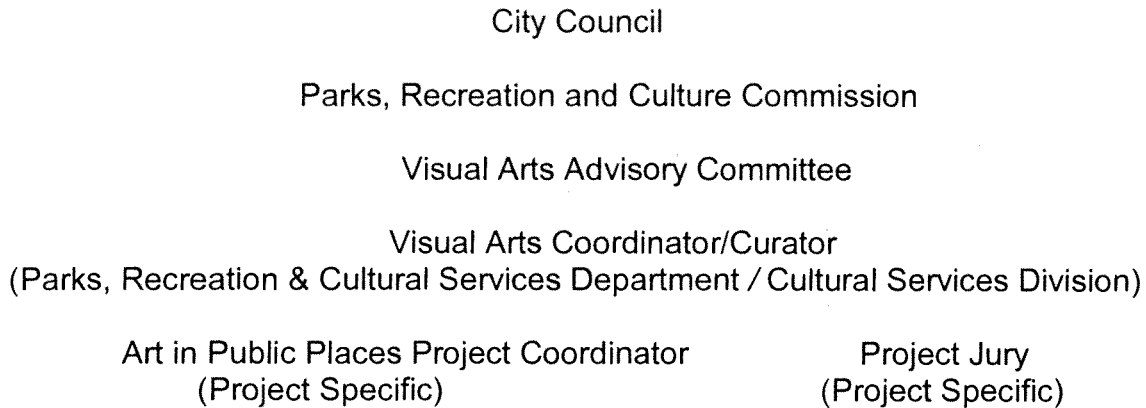
City-owned buildings and parks and other relevant public spaces are a key resource in accommodating art. Adorning and celebrating structures and spaces that are freely accessible to the public, both residents and visitors, is a positive addition to the community and it illustrates refinement and confidence in a maturing city. Sculpture parks and gardens serve as tourist attractions, encouraging visitors to come and enjoy local amenities while contributing to the local economy. This program will contribute to the economic and social well-being of the community helping ensure sustainability in an environmentally-friendly fashion.

1.2.4 Legal Resources:

Burnaby City Council has the ability and authority to adopt policies, create bylaws, create organizational structures and assign resources for an excellent art in public places program. The City manages the City of Burnaby Permanent Art Collection, the collection of the Burnaby Village Museum and it also owns a considerable number of designated heritage properties protected by legislation.

1.3: Roles and Responsibilities

The management of Art in Public Places Policy and Program in Burnaby will be conducted according to the organizational chart as follows:



- Burnaby City Council:
Council is the authority for the establishment of the policy, program and organizational structure. It authorizes municipal funds for the program operations, acquisitions and maintenance.
- Parks, Recreation and Culture Commission (PRCC):
Appointed by Council, the Commission acts as the liaison to the community, to which the Parks, Recreation and Cultural Services Department relates directly.
- Visual Arts Advisory Committee (VAAC):
Appointed by the Parks, Recreation and Culture Commission, it provides advice to the Commission and the visual arts staff, ensuring a balanced approach to the selection and delivery of gallery and community outreach exhibitions, programs and services.
- Visual Arts Coordinator/Curator:
Reporting to the Cultural Services Division head (or designate) this officer is responsible for the Burnaby Art Gallery, other civic exhibition spaces, programs and services, and is manager of the City of Burnaby Art Collection.

With the support of the Visual Arts Advisory Committee, this officer will manage the Art in Public Places Program. On a temporary basis, a project coordinator will be engaged. Working relationships will be established with City staff in Parks Planning/ Operations, Community Arts Development, Engineering and Planning Departments, the Risk Manager, Solicitor and Cultural Services. The Visual Arts Coordinator/ Curator will ensure that the following procedures are followed:

- Implement the established procedures;
- Determine the eligibility of each project proposal in the program;
- Set the financial parameters and establish a project budget;
- Determine the type of acquisition: direct purchase, receipt of gift or commission competition;
- Determine the medium of the work;
- Establish the time frame for the project;
- Determine the lines of communication and decision-making for the project;
- Establish the time-line for public information sharing;
- Coordinate with the relevant design consultants and city staff;
- Monitor the project;
- Contribute to project evaluations;
- Provide periodic reports.

• Project Coordinator:

The Visual Arts Coordinator/Curator will engage a project coordinator on a project-by-project basis for commissions. This officer will:

- Research artist lists for specific commissions;
- Manage the commission competition;
- With the Visual Arts Coordinator/Curator, recruit and select the jury;
- Generate and manage the artist contracts;
- Provide liaison with the relevant artists, departments and others regarding the fabrication and installation of works of art in public places prior to and during construction;
- Provide liaison with artists, project partners, the community and the media;
- Ensure the proper documentation, installation, insuring and maintenance of works of art in public places;
- Ensure that all works are properly accessioned into the City of Burnaby Art in Public Places Collection;
- Participate in the public opening of the art work;
- Advise on the educational interpretation of the art work;
- Provide reports as required.

- **Art in Public Places Jury:**
Convened when deemed relevant, when an Art in Public Places project is initiated, these juries are asked to provide advice and recommendations on the process of acquisition of works of art, the selection of the specific work, and its appropriate placement in a public facility or space. To ensure appropriate representation, the members of the jury will be from the communities of visual artists; landscape architects; architect/designers; gallery directors; curators; art administrators; educators; planners; business and community representatives.

The Jury will follow the established procedures and conditions and receive and review project submissions, prepare written assessments; rank submissions; select an artist/work, and sustain confidentiality.

1.4: Program Components

1.4.1: Acquisition Procedure

Acquisition of works of art for public places can be done through outright purchase from artists or agents. Art works may be acquired as well through competitions and commissions, or through receipt of gifts. This policy governs art work acquired in all ways that are owned outright by the City of Burnaby on behalf of its citizens, received and kept without conditions (copyright agreements will be honoured), and are subject to the stated rules on accessioning and deaccessioning. All professional standards established and maintained in the business of acquiring cultural property by a government will apply as will the provisions of Section 31 of the Canadian Cultural Property Export and Import Act (Bill C-33).

1.4.2: Guidelines for Public Art Competitions

Competitions are a method whereby a greater and broader public participate in the process of determining what is suitable for a particular art in public places project. The selection of an artist by competition involves the observance of process ensuring fair conduct on the part of all participants and established equitable relationships between artists and the project sponsor. It guarantees the best interests of all participating partners are maintained. This relationship is managed by the project coordinator.

The intention is that commissions and competitions are to be conducted with simplicity and without complication. While standards will be maintained, the City retains control over the processes and the outcomes, and remains responsible for the use of all City property.

1.4.3: Selection of Works of Art: Competitions

Acquiring works of art for public places via competition enables the City to customize the call for submissions around a specific site. The architectural, environmental and neighborhood features can be taken into account when establishing criteria for the competition, helping to integrate the work well in the area by design.

The selection of works of art for public places via competition can occur as follows:

- *Open Competition:*
The sponsor of the project invites all interested artists to submit proposals for jurying using advertisements in selected media and/or through artists' networks. Some established artists do not participate in these competitions because they are so broad and general in scope, and they are also more expensive to manage because of the many responses possible.
- *Invitational Competition:*
The project sponsor invites a limited number of artists to submit proposals for jurying. The lists are created through contact with previous competition managers in the region, agents, curators and dealers, artists associations, collectors and network relationships. More established artists respond and administrative costs are typically lower due to lower response volume.
- *Open/Invitational Competition:*
Several specific artists as well as other interested artists are invited to submit proposals for jurying. This format provides the opportunity for lesser known artists to participate while assuring the more established artists participate as well.

1.4.4 Commission Procedures

To commission a work of art for a public place, a procedure is followed which ensures clarity and transparency in applying the principles and objectives of the policy on behalf of the City. The coordinator is responsible for managing the process. The steps include:

1. Plan the commission:
Identify the kind of art work, the site and the purpose of the particular commission. Research the site and ensure it is within the plan and pre-approved. Create project description documents including site and technical specifications and site photographs for committee and call to enter uses.

2. Prepare a budget:
Identify the amount to be granted the artist to produce the work of art. Include the costs of project management, competition advertising, jury costs, maquette (scale model) production, transportation, travel and handling, insurance, installation, opening event, exhibitions and catalogues, legal fees, storage, documentation, etc. Consider maintenance requirements for the specific work and estimate costs for future annual maintenance budgets.
3. Create the project time frame:
Establish the amount of time needed to complete each phase of the project and ensure completion according to the schedule.
4. Secure authorization and approvals:
The coordinator confirms the schedules, budgets and jury selection. All relevant consultation with other departments is completed and project permits approved where relevant. Further periodic reports can be advanced through senior staff to the Visual Arts Advisory Committee, Commission and Council as needed.
5. Select qualified artists for an invitational competition:
The coordinator conducts research into the artists to be invited to compete, secures approval, and makes initial contacts. A competition brief is sent to interested respondents, and appropriate compensation is offered to each responding to each stage of the process.
6. Initiate competition call to enter:
For open competitions or open/invitational competitions, a call to enter is initiated by public advertising, selected journal ads, and direct mail. Respondents receive the competition brief. Information in the call includes identification of the sponsor, the site, media required, application deadline, resume and slides, installation deadline, payment schedule and amounts for competition stages, dollar value of the award for creating the work, allowance value for support costs, etc.
7. Provide public promotion and publicity:
As needed, public meetings will be hosted or awareness initiatives undertaken about the project and its purposes and values. Inquiries are encouraged and responded to promptly.
8. Collect background research material:
From the Art in Public Places Plan, all available technical data is made available related to the project site, scale, media and conditions such as exposure to light, moisture, wind and temperature, base or wall conditions, fire and other safety regulation issues, structural and technical elements including sight lines, setbacks, environmental features, electrical, water and lighting service availability,

description of neighbours, site specific workers and patrons, and related information.

9. Brief the jury:

The coordinator will assess the submissions according to a criteria checklist that measures the meeting of entry requirements, suitability of the submission based on creative concept, public engagement values, site compatibility, permanence, durability of materials, safety values, artist track record, and feasibility of the project.

10. Select the artist:

With the jury recommendation and committee approval, an artist is selected. If a short list is prepared and artists then asked to prepare maquettes and/or additional graphic or written materials, then appropriate notice and disbursements are given and the final selection made thereafter. This can include briefings for the finalists to provide more detail. An alternate should also be selected in case the first chosen withdraws or defaults.

11. Negotiate the contract:

Prior to awarding the commission or public notice, contract negotiations are required to specify the details of the work approved, materials, location, positioning, dollar amount to be paid, production and payment schedule, approvals of phases if relevant, ancillary cost values, cancellation clauses, insurance coverage, warranty, maintenance requirements and schedules, contract alteration terms, sub-contract terms for fabrication and installation, copyright matters, titling and credits, dispute resolution mechanism, death of artist in production clause, and related terms and conditions.

12. Notification:

The finalist is contacted and contract negotiated. All others are notified of the decision and proposal materials collected are subsequently returned to the artists not selected. A public notice follows.

13. Fabrication and installation:

The contract is signed, the work is fabricated and installed according to the schedule.

14. Exhibitions, educational programming and promotions:

To celebrate the process and the products, special events including exhibitions of aspects of the proposal submissions, maquettes, drawings and plans can be held. An opening ceremony is conducted and interpretive and educational information and/or programs provided.

15. Documentation and accessioning:
The work is properly documented and accessioned into the collection. Information and imagery are made available for promotional, interpretive and educational activities.
16. Maintenance and conservation:
Using appropriate fiscal resources and professional services, the work of art is properly cared for into the future, respecting the artist's intentions and materials as detailed in the maintenance manual supplied by the artist. A conservator will be engaged to assess the condition of works on a regular basis and advise on cleaning, repair and related maintenance. Keeping the work looking good and in stable condition are priorities. Public safety is a priority as well. A work of art should not be altered, removed or replaced without the artist's consent. If the artist is not available after reasonable efforts to make contact, and/or if agreement cannot be gained, the disposition of the work will be considered by the Visual Arts Coordinator/Curator and the Visual Arts Advisory Committee.
17. De-accessioning:
A work of art in this program can be deaccessioned if:
 - it is damaged beyond repair;
 - it is deemed a public safety hazard due to damage or decay;
 - the cost of repair is deemed excessive;
 - no agreement on remedial treatment of a damaged work can be gained with the artist;
 - it is deemed to cease to have local relevance and/or aesthetic value.

De-accessioning Procedures:

- A complete assessment report with recommendations will be prepared by the Visual Arts Coordinator/ Curator (with Conservator input) for the review of the Assistant Director Cultural Services. If the value or significance of the item is significant, the Visual Arts Advisory Committee and/or Parks, Recreation and Culture Commission will be consulted.
- Where relevant, an appraisal of the work will be conducted to assess the market value of the piece for exchange or sale purposes;
- Where relevant, other institutions will be advised of the availability of the piece for sale or exchange;
- Full consideration of retaining some or all of the material for museum purposes will be undertaken;
- If no options remain, the piece may be discarded;
- Full documentation will be assembled of all deaccessioned material.

1.4.5: Donations

1. Art Donations:

Works of art can also be acquired as gifts from donors. This may be appropriate if the work is offered and received free of all conditions. A tax receipt may be issued by the City to the donor, if requested. Major collectors may help enhance an art in public places program through giving excellent works by prominent artists to the City, as can be done for gallery collections.

Through the Art in Public Places Plan, spaces and places identified to receive works of art will be known in advance, and the suitability of the works offered as a gift can be assessed against the relevant criteria for the available space. The plan maintains standards for the quality of the works acquired and their locations and provides for consistency in the program across the City.

2. Financial Donations:

Funds can also be donated by citizens, business and groups, and this represents the recommended way to partner with the community in acquiring new works of art for public places. Cash donations will be held in reserve that will be dedicated to a specific competition project or City site. When sufficient funds are in place for an acquisition and installation, and approvals granted, the project can proceed.

2.0: Summary:

The visual appearance of the City of Burnaby is manifest in spaces and buildings owned both by the City and the private sector. It is important to provide a positive and attractive visual experience for both residents and visitors in all aspects of City planning. This includes works of art accessible to the public. The Art in Public Places Program outlines an organized approach for the acquisition and care of public art and provides for a procedure that includes evaluation and accountability. Establishing and maintaining high standards will ensure only the best quality of artistic expressions will be collected and that the public art collection is enduring and noteworthy.

The future consideration of the inclusion of the private sector within the program guidelines would advance the application of standards for public art in private developments, adding unity to the public art experience in Burnaby.

