

REPORT: The Blue Mountains Public Art Evaluation Committee



REPORT TO: Council
MEETING DATE: December 12, 2011
REPORT NO.: PAECOMM.11.1
SUBJECT: Display of Two Hartman Paintings
PREPARED BY: Lisa Kidd on behalf of The Blue Mountains Public Art Evaluation Committee

A. Recommendations

THAT Council receive The Blue Mountains Public Art Evaluation Committee Report PAECOMM.11.01 "Display of Two Hartman Paintings"; and

THAT Council approve the following Public Art Evaluation Committee Recommendations:

- (i) That the Hartman "Farm Landscape" Painting be displayed on the West Wall of the Building Meeting Room; and
- (ii) That the Hartman "Tall Ships" Painting be displayed on the wall directly in front of the Building and By-law Services Desk, behind the front counter.

B. Background

The purpose of this Report is to bring forward two recommendations for the placement of art in Town Hall.

Council established a Public Art Policy (Interim) COR.11.10 on September 26, 2011.

As stated in the Policy, Council was to appoint a Public Art Evaluation Committee of Council to coincide with the Council Term.

On October 24, 2011 Council appointed the following individuals to The Blue Mountains Public Art Evaluation Committee:

Chair	Barbara Hector
Member	Carol Cooley
Member	Peter Tollefsen
Member	Aдриene Veninger

Lisa Kidd is the Staff Resource for the Committee.

The Public Art Policy (Interim) states that the Public Art Evaluation Committee shall be responsible for the following:

- Make recommendations to Council on the acquisition, safe-keeping, and de-accessioning of public art;

- Draft a permanent policy for the acquisition, safe-keeping, and de-accessioning of public art, to be brought before Council for review and consideration within twelve months of enactment of this interim policy;
- Create a Committee Terms of Reference to be brought before Council for review and consideration, within twelve months of enactment of this interim policy; and
- Meet bi-monthly, or at the request of Council or the Staff Designate.

Safe-keeping of art includes the placement of art. As such, and as per these terms of reference, the Committee is bringing forward the above-noted recommendations for Council's consideration.

The Committee notes that the Director of Planning and Building Services and the Manager of Building and By-law Services have been consulted on these recommendations and approve of the proposed placement of art.

C. The Blue Mountains' Strategic Plan

The recommendations in this report are consistent with and support the following Strategic Plan Goal: "Encourage and promote theatre and the arts".

D. Environmental Impact

This proposal does not appear to generate any special or significant environmental impacts.

E. Budget Impact

None.

F. In Consultation With

This report was prepared in consultation with:

- David Finbow, Director of Planning and Building Services
- Greg Miller, Manager of Building and By-law Services
- Lisa Kidd, Communications and Economic Development Coordinator

G. Attached

Public Art Policy (Interim)

Respectfully submitted, on behalf of The Blue Mountains Public Art Evaluation Committee

Lisa Kidd, Communications and Economic Development Coordinator

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TOWN OF THE BLUE MOUNTAINS

POLICY & PROCEDURES

Subject Title: Public Art Policy (Interim)

Corporate Policy (Approved by Council)	<input checked="" type="checkbox"/>	Policy Ref. No.:	POL.COR.11.10
Administrative Policy (Approved by CAO)	<input type="checkbox"/>	By-law No.:	N/A
Department Policy: (Approved by Mgr.)	<input type="checkbox"/>	Name of Dept.:	Administration
Date Approved: September 26, 2011		Revision Date:	N/A

Policy Statement

Public art contributes to the Town’s unique and vibrant community. This interim public art policy will serve as a tool to ensure that the Town has public art which:

- reflects The Blue Mountains sense of place;
- strengthens connections between people and our community;
- celebrates any or all aspects of the Blue Mountains’ social, historical, culture or natural environment;
- is created by an artist with ties to The Blue Mountains, or the art itself is relevant to The Blue Mountains; and
- Contributes to and reflects the notion of The Blue Mountains as a sustainable community.

Purpose

The overarching purpose of this policy is to ensure that public art in municipally owned public space is consistent with the Policy statement outlined above.

In addition, this policy provides guidelines for the administration, acquisition, safe-keeping, and de-accessioning of public art, as defined herein.

Application

This interim public art policy applies to all public art that is displayed in or on municipally-owned public space.

The policy has application for those involved with the administration, acquisition, safe-keeping and de-accessioning of public art. Those persons and groups include, but are not limited to: Council, Staff, a Public Art Evaluation Committee, artists and donors.

This policy will be used as a reference tool for the Public Art Evaluation Committee (see Section 1.2). The policy will be approved by Council and monitored and adhered to by Staff.

Definitions

Acquisition is defined as obtaining ownership. Acquisition can take the form of purchased art, commissioned art or donated art.

Artist is defined as a person who possesses skill, training and/or expertise in an artistic discipline, is active in and committed to his or her art practice and has a history of public presentation.

Commissioned Art is defined as a work of art created by a selected artist and for a specific site.

Donated Art is defined as existing artwork given to the Town in the form of a bequest or a gift.

De-accession is defined as movement, sale, destruction or return of public art to the artist or donor.

Public Art is defined as:

- An original work of art;
- Located in or on municipally-owned public space;
- Accessible to the public;
- Created with the intention of engaging the community; and
- Work of a permanent, temporary or mobile nature.

Purchased Art is defined as artwork that is bought by the Town from an artist, gallery or through another direct method.

Safe-keeping is defined as reasonable and best efforts to care for public art, including site selection, installation, maintenance, storage and insurance.

Procedures

1.0 Administration

The Corporation of the Town of The Blue Mountains, Administration Services, Communications and Economic Development Designate will provide administrative services for all matters relating to the administration, acquisition, safe-keeping, and de-accessioning of public art.

A Public Art Evaluation Committee will make recommendations to Council with respect to the acquisition, safe-keeping, and de-accessioning of public art, using this policy as a reference tool, until such time as a public art policy is approved by Council.

1.1 Registry System

Administration of the interim public art policy shall include the implementation and maintenance of a registry system. Registry information for each piece of public art shall include, but is not limited to:

- a digital photograph before and after installation and annually from thereon;
- a description of the condition of the public art before and after installation;
- the appraised value at time of acquisition;
- any signed agreements relating to the acquisition of the public art;
- any proposal and related documents for donation, commission or purchase of public art;
- a maintenance plan; and
- location of the public art.

Information shall be updated to the Registry as required.

1.2 Public Art Evaluation Committee

Council will appoint a Public Art Evaluation Committee of Council to coincide with the Council Term.

The Public Art Evaluation Committee shall consist of up to a maximum of 7 members of the community-at-large.

The Public Art Evaluation Committee shall be responsible for the following:

- Make recommendations to Council on the acquisition, safe-keeping, and de-accessioning of public art;
- Draft a permanent policy for the acquisition, safe-keeping, and de-accessioning of public art, to be brought before Council for review and consideration within twelve months of enactment of this interim policy;
- Create a Committee Terms of Reference to be brought before Council for review and consideration, within twelve months of enactment of this interim policy; and
- Meet bi-monthly, or at the request of Council or the Staff Designate.

2.0 Acquisition

Public art will be accepted by donation, or purchased or commissioned. Only Council has the authority to accept Public Art.

Non-anonymous donors of public art will be offered a charitable tax receipt and sent a thank you letter with respect to the donation.

Proposed public art may be purchased, commissioned or donated in consideration of at least one of the following criteria:

- reflects The Blue Mountains sense of place;
- strengthens connections between people and our community;
- celebrates any or all aspects of our social, historical, culture or natural environment; and
- Contributes to and reflects the notion of The Blue Mountains as a sustainable community.

2.1 Application Form for Donation

A Donation Application Form shall accompany all public art proposed as a donation to the Town (see Schedule "A").

Completed Donation Application Forms shall be received by the Staff Designate and forwarded to the Public Art Evaluation Committee for consideration and recommendation to Council.

2.2 Agreements

If the proposal is accepted by Town Council, a formal agreement will be drawn up outlining the responsibilities of each party (the Town and the artist or donor and outside contractors, where applicable). The agreement will address funding and safe-keeping of the public art, and other issues as necessary.

Public art will be registered in the Public Art Registry as noted in Section 1.1.

3.0 Safe-keeping

Safe-keeping of public art includes site selection, installation, maintenance, storage and insurance.

3.1 Donated, Purchased and Commissioned Art

The Town shall consider safe-keeping (i.e. site selection, installation, maintenance, storage and insurance) of the public art as part of the costs of the acquisition. The long-term costs of maintaining art shall be considered as part of the budgeting process annually.

A bona fide maintenance plan shall also be completed prior to the donation, purchase or commissioning.

3.2 Site Selection

Through a decision of Council, the Town of The Blue Mountains will coordinate site selection of public art in or on municipally-owned public space.

Where possible, the artist or donor will be consulted before any modification to the site that significantly affects the intent of the work is undertaken.

3.3 Installation

Staff, or an artist or contractor under the supervision of Staff, will be responsible for the installation of all public art. Any contractual requirements with an artist or contractor will be overseen by the Town.

3.4 Maintenance

Staff will be responsible for the maintenance of public art, in accordance with the maintenance plan for each acquisition and submitted to the Registry (see Section 1.1).

3.6 Storage

The Town shall ensure appropriate short-term storage as needed. This does not include a work in progress by an artist.

Town-owned facilities used for temporary storage of public art, are not to be considered proper long-term storage facilities for art due to fluctuations in light, heat and humidity.

3.7 Insurance

All permanent, temporary or mobile public art work owned by the Town through purchase, commission or donation is the property of the Town and shall be insured under the Town's insurance policy and budgeted for accordingly through the Town's annual budget process.

3.8 De-accessioning

De-accessioning may take the form of moving the art, selling the art, returning the art to the artist, or in rare cases, destruction.

De-accessioning should be a deliberate and seldom-used procedure. The Town shall not dispose of artwork simply because it is not currently in fashion, and not to dispose of work whose worth might not yet be recognized.

De-accessioning of public art may occur under any of the following situations:

- the public art is deteriorating and restoration is not a feasible solution;
- the public art is no longer relevant to the Town's public art inventory;

- the public art is discovered to have been stolen or was offered to the Town for acquisition using fraudulent means;
- there is no longer a public facility or public space appropriate in space or design for display of the public art;
- the art installation has become unsafe or has been deemed unsafe by existing or new policies or legislation;
- destruction of or changes to the site threaten the artwork's survival or result in diminishing artistic integrity and effectiveness;
- a written request from the artist has been received; and/or
- as per an agreement between the Town and the donor or artist, the art shall be de-accessioned under specified conditions.

3.9 De-accessioning Procedures

In the event that de-accessioning of public art is considered by the donor, artist, Town Staff or relevant party, a Staff designate shall assemble the following information in the form of a staff report for Council's consideration:

- reasons for the proposed de-accessioning;
- opinion of the Town's Legal Solicitor (as necessary);
- acquisition method and cost;
- informal estimate of the current value of the work;
- cost of de-accessioning or removal;
- any documented public response to the work;
- suggested or alternative course of action such as:
 - donate, sell, auction or trade the artwork;
 - give the artist or sponsor first opportunity to receive or buy back the work at the current appraised value, to be transacted by a specific date;
 - relocate the work;
 - store the work temporarily;
 - retain the work; or
 - destroy the work (in rare circumstances).
- Where applicable and achievable, the artist or donor whose work is being considered for de-accessioning will be notified and invited to comment in-writing or in-person by a specified deadline.

4.0 Revenue From De-accessioning

Any monies received through the sale of de-accessioned public art will be placed into a newly formed Public Art Reserve Fund for acquisition and safe-keeping of the Town's public art.

Exclusions

Previously acquired public art is excluded from the policy.

Corporate awards and plaques are excluded from the policy. Such items will be located in or on municipally-owned public space at the discretion of a Staff designate, or through a decision of Council.

The Blue Mountains Public Library, the Craigleith Heritage Depot and enclosed administrative office space within Town Hall are excluded from this policy.

References and Related Policies

None.

Consequences of Non-Compliance

None.

Review Cycle

This policy is an interim policy. There is no review cycle for this policy.

(Signature)