CITY OF ST. ALBERT

CITY COUNCIL POLICY

NUMBER	TITLE
C-CS-25	Public Art Policy

ORIGINAL APPROVAL DATE	DATE LAST REVISED
May 21, 2024	April 23, 2024

Purpose

To commit to building a diverse Public Art collection that contributes to our communities' sense of belonging, wellbeing, and Wonder. This policy will ensure a consistent approach to acquiring public artworks through purchase or commission for municipally owned buildings and properties, within the City of St. Albert.

Policy Statement

The City of St. Albert believes that art can directly influence the way that people see and connect with each other and their community. This in turn supports tourism and economic prosperity through the activation of Public Spaces. Public Art highlights what is unique about the places where people live, work, and play. The City will maintain a framework for the integration, display, Maintenance, and preservation of Public Art consistent with national standards of best practice. This framework will ensure that artworks and programming are highly visible and Accessible to the public. This objective will be achieved by providing opportunities for community participation through selection, learning, and engagement activities. Ultimately, this will foster a symbiotic relationship between City, artists, and community.

The City of St. Albert supports the display and development of Public Art that:

- Contributes to our community's connection to Public Spaces and fosters a sense of belonging and wellbeing.
- Aligns with the Municipal Development Plan, which includes recommendations from the Payhonin Reconciliation Report, where Indigenous ways of knowing throughout the planning and Acquisition of new Works of Art tied to capital projects which break ground in areas of interest, are incorporated.
- Fosters community dialogue, which leads to a shared understanding of the value of art in society through the activation of Public Spaces, programming, and engagement opportunities.

- Ensures that the Maintenance, Conservation, and Deaccessioning of work within the Public Art Collection aligns with current standards of practice.
- Establishes the City of St. Albert as a municipality that values the arts by aligning with best practices and standards which contribute to an equitable program for artists and industry professionals, further enhancing economic wellbeing.

Definitions

"Accessible" means Public Art works and programming that all people can interact with regardless of their abilities and location.

"Accessioning" means the process of cataloguing an artwork into the City of St. Albert's Public Art Collection once it has been accepted as a new Acquisition.

"Acquisition" means the inclusion of an artwork in the City's Public Art Collection, whether the Acquisition was by commissioning, purchase, or any other means.
"Chief Administration Officer" or "CAO" means the individual appointed by Council to the position of Chief Administrative Officer under section 205 of the *Municipal Government Act* and pursuant to the *Chief Administrative Officer Bylaw*.

"City" means the municipal corporation of the city of St. Albert, or where the context so requires, the area contained within the boundaries of the city of St. Albert.
"Conflict of Interest" means there is a private or personal interest sufficient to influence or appear to influence the objective exercise of someone's official duties.

"Conservation" means all actions aimed at the safeguarding of cultural heritage for the future. The purpose of Conservation is to study, record, retain, and conserve as appropriate, the culturally significant qualities of an object with the least possible intervention. Conservation includes examination, documentation, preventive conservation, preservation, restoration, and reconstruction.

"Consumer Price Index" or "CPI" means changes in prices as experienced by Canadian consumers. It measures price change by comparing, through time, the cost of a fixed basket of goods and services.

"Copyright" means, in relation to a work, the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, and includes the sole rights outlined in section 3(1) of the *Copyright Act*.

"Council" means the municipal Council of the City of St. Albert.

"Deaccessioning" means the removal of an artwork from the Public Art Collection.

"Disposal" means the cessation of the ownership and possession of an artwork by the City.

“Disposition” means the transfer of property from one to another by any of various means or, to plan for a method by which such a transfer is executed.

“Maintenance” means ensuring proper care and handling and upkeep of the Public Art Collection including performing regular housekeeping of the object and spaces in which it is displayed or housed.

“Moral Rights” means the artists right to the integrity of the work as well as the right, where reasonable in the circumstances, to be associated with the work as the artist whether by name or under a pseudonym, and the right to remain anonymous.

“Public Art” is a visual Work of Art or program that is Accessible to all. It addresses a community's values (past, present, and future), and should not only be representative of a community's culture but encourage civic dialogue, intellectual debate, and diverse artistic expression. It reflects how we see the world and is an artist's response to our time and place.

“Public Art Collection” means artworks acquired into the City’s Public Art Collection that are Accessible to the public through means of display within publicly Accessible spaces, or online databases, which are maintained for their intended lifespan by Administration or designate.

“Public Spaces” means municipally owned public streets and rights-of-way, urban squares, parks, community trails, and open spaces.

“Selection Committee” means an advisory group comprised of local community members, artists, and/or subject matter experts whose role is to provide guidance in the commissioning of an artist using open competitions. These groups are formed on an as needed basis and ideally selected based on their knowledge and relationship to the location of the proposed artwork.

“Wonder” is a feeling of surprise mingled with admiration, caused by something beautiful, unexpected, unfamiliar, or inexplicable.

“Work of Art” means an artwork within the City’s Public Art Collection. Examples include but are not limited to paintings, ceramics, prints, fibre arts, sculptures, installations, benches.

Responsibilities

1. Council shall:

    a. Facilitate the appointment of members to ADAC in accordance with the *Arts Development Advisory Committee Bylaw*.

    b. Approve funding for Public Art projects as recommended by the Arts Development Advisory Committee (“ADAC”).

2. Arts Development Advisory Committee shall:

    a. Adhere to the Public Art Policy.

    b. Advocate and champion the visual arts within the City of St. Albert at large and support the activities of Administration to develop and enhance Accessible opportunities.

    c. Review and approve proposed projects and programs on behalf of the community with intentions to support, address, and reflect equity, diversity, inclusion, and accessibility.

    d. As needed, review, and approve new roster applications for Selection Committee Roster members.

3. The CAO shall:

    a. Ensure that Public Art is a consideration in the design objectives of all new municipal capital and building projects including but not limited to:

        i. New construction of publicly Accessible City-owned buildings and infrastructure.
        ii. New above ground engineered structures (e.g., bridges). The structure must be Accessible to the public and/or observed by the public.
        iii. Major renovations to existing publicly Accessible City-owned buildings and infrastructure. Major renovation is defined as an adaptation of an asset which increases material size or capacity, or which changes the intended ordinary/original use of the asset from when originally placed into service.
        iv. Repair, Maintenance, or Replacement of any infrastructure asset as required through the management of the assets' life cycle, where possible.
        v. The development or redevelopment of parks and open spaces.

4. Administration shall:

    a. Collaborate with all affected City departments to identify Public Art opportunities.

    b. Create project scope and manage procurement of artists and artworks from inception to installation.

    c. Administer the annual budget for associated Public Art Collection costs and project specific budgets outlining costs and deliverables.

    d. Acquire artworks in accordance with this policy.

e. Manage the Public Art Collection management, which includes the preparation, processing, and documentation of Works of Art, as guided by Public Art Collection best practice.

f. Provide care and Maintenance of the Public Art Collection.

g. Cultivate public trust through community engagement, programming, stewardship, and Accessible information.

h. Ensure that Deaccessioning and Disposition of artworks follow the standard collection management practice to remove artworks from the Public Art Collection at the end of their lifecycle, based on their curatorial importance, or based on conditions. Industry best practices shall be followed.

i. Arrange artwork appraisals for insurance purposes prior to Accessioning, Deaccession, or as required for insurance or other purposes.

j. Negotiate artist contracts, including Copyright and Moral Rights provisions, with artists granting a license or permission to the City to exhibit or use works for non-commercial purposes.

k. Administer the Selection Committee Roster.

l. Select the Selection Committee members from the Selection Committee Roster for projects on an as-needed basis.

Service Standards / Expectations

1. Ethical Considerations

   a. In managing the Public Art Collection, Administration and ADAC will observe all Canadian and Alberta laws and ensure alignment with current National best practice standards in relation to Public Art creation, Acquisition, and Maintenance of collections.

   b. Administration and ADAC members will avoid all activities that may be construed as an actual, potential, or perceived Conflict of Interest.

   c. Administration and ADAC members shall not represent, or appear to represent, the Public Art Collection without a mandate to do so. They may not use their affiliation with the City for personal gain or to benefit any third party.

   d. The privacy of donors, lenders, members of the public, and other cultural institutions shall be respected in accordance with the Freedom of Inform*ation and Protection of Privacy Act*. Administration and ADAC

members shall avoid the disclosure of sensitive information received because of their position.

2. Funding

    a. There is an annual transfer from the Capital Reserve Fund to the PublicArt Reserve Fund, in accordance with Council Policy C-FS-01. The annual budget will be established based on the prior year's approved budget plus an increase based off the current Alberta CPI index for the Acquisition of Public Art and continued Maintenance, Conservation, Deaccession and relocation. If Council did not approve a budget in the prior year, the budget would be based on the most recent approved budget plus an increase based off the current Alberta CPI index.

3. Maintenance

    a. The primary goal of Maintenance or preventive Conservation of the Public Art Collection is to prevent damage and deterioration of cultural heritage.

4. Selection and Acquisition of Artworks

    a. General – Public Art shall be a consideration in the design objectives for all new municipal capital and building projects. The way of working with artists for each project will be determined early on by identifying the goals of the project, including the extent of community engagement required. All projects will ensure that there is a communications plan for community awareness.

    b. Artist(s) on Design Teams – Artist(s) commissioned to collaborate with architects, engineers, and designers during the early stages of infrastructure design. As a member of the design team, the artists contribute to the overall design process, they may identify opportunities for Public Art or be responsible for the overall design in consultation with project team members.

    c. Site Specific Artwork – An artist is chosen based on qualifications to create an artwork for a specific site within City owned property and facilities.

    d. Community Based – Public Art that is created in collaboration with artist(s) and community members. It is a collective method of art making, engaging artists and communities through collaborative, creative expression.

    e. Special Projects – Projects that encourage artists to explore the process of creating art through alternative approaches such as residencies, media-based projects (documentaries, new media) etc.

f. Selection Committee Roster – The City has an online roster where community members can apply to be considered for upcoming Selection Committees. Administration will select members from the roster based on their expertise and location in proximity to the project being reviewed. All members will be paid current Canadian Artists Representation/ Le Front Des Artists Canadiens (CARFAC) rates for their time and a reading fee per application.

g. Selection Committees – A Selection Committee shall be comprised of a minimum of five and maximum of seven representatives, selected from the Selection Committee Roster. Each Selection Committee will include local arts professionals, community members, and business owners who live or work near the location of the proposed Public Art project. The Selection Committee reviews, advises, and selects artists based on the call for artists and the artists' submission.

h. Evaluation Criteria – Public Art Acquisitions shall consider the following:

   i. Artistic merit/quality
   ii. Relevance to the collection and community
   iii. Public safety
   iv. Authenticity
   v. Maintenance and Conservation requirements
   vi. Cost and value to the City
   vii. Accessibility to the public
   viii. Feasibility.

i. Call for Artists - Request for Qualifications (RFQ) – Public Art commissions are carried out through a request for qualifications (RFQ) process. The competition is open to artists and artist teams. The Selection Committee will review the applicants and select an artist based on their experience and expertise as practicing artists, relevance to the commissioning opportunity, and objectives outlined in the Request for Qualifications document.

j. Call for Artists - Request for Proposals (RFP) – RFPs are used to ask artists to create and submit plans for the production of a desired public artwork. Those plans are then evaluated by the Selection Committee, which makes their selection based upon the proposals and the selection criteria as set out above and in the Request for Proposals document.

k. Call for Submissions for Art in Municipal Buildings – The City will open a call for submissions as funds allow to acquire two-dimensional artworks for display within municipal buildings. A Selection Committee will be formed to review the submissions and make final selections. Artworks will be selected based on the criteria outlined in this policy and if selected, displayed in areas Accessible to the public.

5. Intellectual Property

    a. As a beginning principle, the City will acknowledge an artist as full owner of Copyright including Moral Rights, except in instances where the Copyright has been passed into the public domain or the artist has requested to remain anonymous.

6. Deaccessioning

    a. Responsible collection management practices may require the removal or Disposal of an artwork from the Public Art Collection. Given that Disposal of artworks is irrevocable, Deaccessioning is a deliberate procedure. The City will not dispose of a work simply because its original aesthetics are not popular and will be considerate not to dispose of works whose worth might not yet be recognized.

    b. Works being considered for deaccessioning must meet Deaccessioning criteria.

    c. Administration shall prepare a report regarding the Deaccessioning of a work for review and acceptance by ADAC.

    d. Disposal of the work will meet the Public Art industry best practices and City guidelines.

Legal/Industry References

CARFAC – standard practice
City of St. Albert Diversity and Inclusion Declaration
CMA ethics guidelines
Copyright Act, R.S.C. 1985, c. C-42
Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25
Municipal Development Plan (MDP) – Cultural Richness Section 9
Trade laws/agreements
What is Conservation - https://www.cac-accr.ca/CONSERVATION/

Cross References

Bylaw 09/2020 *Arts Development Advisory Committee*
Bylaw 13/2002 *Chief Administrative Officer*
C-FS-01*Financial Reserves Council Policy*

Attachments

n/a

DATE REVIEWED	NEXT REVIEW DATE	REVISIONS
April 25, 2024	April 25, 2028	N/A