



PUBLIC ART AND PRIVATE DEVELOPMENT RESOURCE GUIDE FOR DEVELOPERS

“States have an opportunity to both improve livability and boost state and local economies by investing in the arts and culture.”

National Governors Association

1. WHY IS THE CITY REQUIRING THAT MY DEVELOPMENT INCLUDE PUBLIC ART?

Public art is an integral element in private development that offers a city or municipality many possibilities: the opportunity to make a place exceptional, to honor local tradition and/or history, to illuminate the City’s aspirations. Art can bring its viewers joy, surprise, stimulation, and reflection in a way that is unique to a specific place. Notable art projects can put a City “on the map” in a way that brings national, and even international attention to a site. This can make the City a more competitive location for business and tourism alike. In addition, public art supports the local economy through the processes of design, fabrication, and installation.

Development is good, but thoughtful development is even better. Private development is critical to a City’s growth: thoughtful development that respects local history, culture, and customs can be integrated into the life of the City’s citizens,

as well as its urban landscape in a way that adds to the City’s cultural as well as its economic life. Successful public art projects have the ability to infuse new development with a strong connection to the community, giving both residents and visitors a vibrant sense of place, and helping to both express and forge local identity.

2. WHAT IS A WORK OF PUBLIC ART?

City codes typically specify that the public art project is an original, site-specific work of art, constructed of durable materials such as, but not limited to, metal, glass, stone, light, or mosaic.

The most important aspect of a work of public art is that it is created by a professional working artist of recognized achievement in the field of public art. The artist may work *with* architects, landscape architects, engineers, lighting designers and/or other professionals, but he or she must be the primary designer of the project, and must hold the contract with the developer for the work of art.



Richard Deutsch *Against the Day*
Chevy Chase Center, MD
Photograph: Joseph Romeo

3. WHAT ARE THE CITY'S REQUIREMENTS FOR PUBLIC ART PROJECTS?

Understanding the City's requirements for public art projects is the critical first step in any successful project. Nearly 100 cities and municipalities across the U.S. have a requirement for public art in private development, and no two programs are the same. Therefore, it is important to research the particular requirements in the jurisdiction in which your development is located.

Requirements for public art projects generally fall into three categories: **Guidelines, Policies, and Ordinances.**

Guidelines are typically suggestions issued by City staff and approved by elected officials. Guidelines state desired outcomes concerning new private developments. Guidelines may address matters such as FAR (foot/area ratio), public space amenities, illumination, the character of the architecture, and the inclusion of public art. Guidelines may be flexible, and they may not be enforceable. Guidelines often require discussion with City representatives to ensure that there is a clear understanding of what is expected. There may be some flexibility regarding the placement of the art project, the scale of the work, etc.

Policies are typically more specific; they are spelled out in municipal documents, and are often designed to address a particular area where

several independent developments are being planned. They are meant to affect the character of an existing community, or create a new area of the City.

Policies express "the way we do things" within a community. They are often used to help give cohesion to a private development area in which several independent developments will be affecting the character of a neighborhood, or in redevelopment or new developments in expanding city boundaries.

Policies are more enforceable than guidelines, particularly when a precedent has been set by past developments. For the developer they also allow for some flexibility, as explained?

Ordinances are enforceable laws passed by elected officials. Ordinances are used to define very specific requirements for public art projects, such as the artist selection process; options for the nature of the project (materials and methods); maintenance requirements; and other matters pertaining to the creation and life of the public art project.

Building permits are issued only when compliance with these city codes is met. Ordinances can be very definite about matters such as the look of a building. The benefit of ordinances is that they are objective, clear, and enforceable: the drawback is that they are rigid,

which can discourage innovation and in some cases may present obstacles to choosing the best options for solving problems or challenges that arise.

Reviewing the existing public art projects in the City or municipality may help developers come up with creative ideas for various possibilities and opportunities, while also giving them an overview of the City's public art collection. This can help the developer see how the new public art project may complement other works in the City's collection.

“Arlington's program is governed by a Public Art Policy, not ordinance, and public art on private property is always negotiated, never required. The strength of the program is the long cultivated expectation for public art.” Brooks Barwell, Arlington County, Virginia

4. WHAT IS THE CULTURAL LANDSCAPE OF THIS CITY?

When a developer understands the cultural landscape of a City or municipality, a more positive outcome is likely to result, both for

the developer and for members of the community.

Here are a few good questions for developers to ask:

- a. Does the City, Town, or Municipality have a Cultural Arts Department? If so, who is the Director?
- b. Is there an appointed Arts Commission, or an established cultural council?
- c. Does the Commission have legal authority?
- d. Has the Commission been involved in previous public art projects (or is it a new program)?
- e. Do the City and /or community produce an annual program of cultural events?
- f. Who are some of the artists living and working in this community?
- g. Are there any local or regional organizations that can help foster connections between local artists (particularly artists working in public art), nationally known artists, and the entities charged with supervising the installation of public art?

- h. Does the City/municipality/ area have a Public Art or Cultural master plan?

**5. “How can I do the right thing for my project and for the City?”
(In other words, how can a developer go about meeting the City’s requirements in a way that benefits his or her development project as well as the City?)**

The developer has a vision for what his or her development will be. For its part, the City has created public art policies that support its vision for future growth, with hopes of gaining visibility in a national and international market, and a global world. By deciding to develop a project within a particular City, the developer accepts responsibility for being an active and informed citizen of that community even if he or she does not live there.

Investing in public art may offer benefits in the form of opportunities for trade-offs regarding, for example, flexibility in FAR requirements, expedited permitting, additional building height, massing options, and a range of other possibilities.

There are many other benefits for developers to realize in creating public art, including gaining visibility, making their properties more attractive to both business and residential markets, and promoting good relationships within the community.

“The arts are the best insurance policy a city can take out on itself.”

Woody Dumas, Mayor of Baton Rouge

6. How can a public art requirement become an asset for the developer?

Many developers and owners who were initially skeptical about the requirements of public art projects have become unequivocal in their support for such projects, and the benefits to their developments, after participating in the process.

A public art project that is generated by thorough discussions first between the developer and the City staff, and then with the artist; and that follows a clear and

transparent process, can often enhance the vision of the developer, and make the development both a destination and a local landmark.

“Don’t just pay for art because it is required. Work hard to get the best possible solution for the site and project. The end result of this should be something you will enjoy seeing every time you visit the project. If you are not proud of the art, it is just an expense.”

David Jury | Vice President, Support Services & Facilities Development | Palo Alto Medical Foundation



Larry Kirkland *Garden Gifts*
Sunnyvale Clinic of the Palo Alto Medical
Foundation, CA
Photographer: Craig Collins

7. Why is it a good idea to hire a public art consultant?

Many developers are understandably unfamiliar with the process of commissioning and supervising the construction of a work of public art. An experienced public art consultant brings a unique set of skills to oversee the process, from the initial discussions, to selection of the artist, to design development, and throughout the approval process, fabrication, and installation.

Commissioning an artist to create a work of public art is different than working with architects, landscape architects, engineers and contractors. The public art consultant can bring an invaluable amount of professional experience and insight to the process. The public art consultant is the owner's (or developer's) representative in all phases of the project, ensuring that the work of public art is achieved within budget and on schedule, and that it meets the aesthetic goals of all involved.

A public art consultant has the expertise needed to work with the developer, the developer's team, the artists, and City staff to commission and create a unique, site-specific public art project for either a public or private development. The public art consultant is retained to oversee the selection of an artist and to ensure that the finished project is of the quality promised by the artist and meets the expectations of the commissioning entity. His or her experience includes coordinating and

managing a variety of personalities, skills, interests, and regulations. The specific experience and expertise of the public art consultant (which is quite different from that of a corporate art consultant) can save the developer considerable time and effort, and will contribute to the realization of an exemplary project.

An experienced public art consultant is invaluable in assuring that communication among the various participants is clear, and that all stages of the process are anticipated and discussed well in advance. The public art consultant can assist the client in a range of ways.

For example:

- Recognizing opportunities within the public art project, such as a shade structure, or a seating element, or the enhancement of a planned water feature;
- Understanding and coordinating the municipal approval process;
- Communicating with the City staff to insure a smooth process from beginning to completion;
- Soliciting portfolios from a variety of artists to consider for the project.
- Working closely with the artist to ensure the highest quality of work;
- Ensuring that deadlines are met;
- Helping to manage budget issues.

In addition, the public art consultant can ensure that the work is successfully integrated into the built environment of the development project, in cooperation with the developer's design team and contractors.

For public art projects in private development, the public art consultant is paid by the developer, and the fee is negotiated between the two parties. It is important to confirm with the City representatives whether this fee is an allowable expense within the art budget. Payment is either based on an hourly fee with an upset limit, or a set fee based on a percentage of the overall budget. For example, an ordinance may limit the consultant's fee to 5% of the overall art budget. Of course, fees paid to the public art consultant must be transparent. An art consultant's fee is not a percentage of the artist's contract for the commission.

The public art consultant represents the developer's interests and concerns throughout the project, including the final achievement of the best possible public art project for the owner, the artist, and the community.

8. What specialized experience does an experienced public art consultant bring to the developer's team?

- Experience in and understanding of the building construction process.
- Experience in timely decision-making and negotiating skills.
- A detailed and comprehensive understanding of the unique challenges and opportunities in creating a site-specific work of public art.

- Experience in dealing with the dynamics of City politics.

9. What are some of the key questions to ask a public art consultant you are considering hiring?

- Do you have experience in overseeing a range of public art projects (different budgets, locations, sites)?
- Can you provide references from developers or city administrators with whom you have worked?
- What are some of your initial thoughts about possible ways to achieve my goals for this project?

The City's Arts and Culture Council should be able to recommend a few qualified public art consultants.

10. What makes for a good public art process? And how does this contribute to the realization of a successful public art project?

A well-considered public art process includes a thorough, transparent artists' search and selection process. It is essential to a good project outcome that this process is clear, that everyone involved knows the steps in the process, and that they understand how and why they are there. As in construction projects, this is the critical underlying infrastructure of the public art project.

Questions to ask:

- **Does the City define the process?**
Some City ordinances and guidelines

specify that City staff, as well as the developer's team, must be involved in the selection of both the site for the work and the project artist, and may have a clear process for including them in place. Other Cities and municipalities may have less well-defined requirements. It is very important that the developer work closely with the City staff to become familiar with the process and understand the requirements.

- **If the City has not specified the steps in the public art process, an experienced public art consultant can be very helpful in working with the developer and the City to achieve a positive process and outcome.**



Lynn Basa *The Grove* (with wedding party)
Village Square, Claremont, CA
Photograph by Artist

11. Who should the developer include on his team?

It is of crucial importance for the developer to assemble a team of knowledgeable, engaged, experienced individuals to participate in the public art process. These individuals may include:

- A public art consultant;
- City officials;
- Art educators and curators;

- An architect (the project architect, and/or an architect not directly involved in the development project);
- A landscape architect experienced in public art,
- Other experienced artists.

While it is understood that the developer will make final decisions about the public art project, the input, discussion, and counsel of the advisory group and City staff can be invaluable in creating a positive outcome. The role of the advisory team is to help the developer gain knowledge of and insight into a range of possibilities in selecting both the public art site and the artist.

Commissioning a work of public art is a major decision that will have a long-term impact on the development, as well as on the community. The advisory team can assist the developer by making the City approval process more streamlined, and by providing professional support throughout the selection and approval process and throughout the project's development.

12. How is the cost of the public art project determined?

Typically, the cost of the public art project is calculated as a percentage of the hard construction costs of the development project. Each City or municipality sets its own percentage, usually (but not always) 1%. This number represents the total budget for the public art project, and covers all costs related to the public art project, including artist selection and fees, the artist's consultants and engineers, fabrication, shipping and transportation,

installation, and construction costs related to installation of the public art project.

It is important to discuss the budget with City staff, to ensure that all the costs that are to be included in the budget are understood and accounted for.



Richard Deusch *Fragments*
 Blu Plaza, San Francisco, CA
 Photograph by Artist

13. How is the best and most appropriate site for public art determined?

Even if sited on private land, the public art project will become an important part of the City's landscape. Depending on the available siting for the public art project, City codes often require that the work of art work is visible and/or accessible to the public.

Each development project and site area is unique, and determining the best location for the work of public art in a way that also enhances the development project should be a part of early discussions. The developer's concept and goals for the development project are a critical part of this discussion. By reviewing the project site plan, the developer's advisory group, working with City staff, may find unique ways of realizing opportunities that are not apparent during the initial review.

Sometimes there will be several different possible sites to consider: in other cases, one site will be immediately apparent as the best location. Most experienced artists will want to be able to contribute to this discussion. For many artists who do public works, understanding a site with as much clarity and perception as architects and landscape designers is an important part of their professional expertise. Bringing an artist onto the development team early in the design phase allows for his or her vision to be optimally realized.



Anne Marie Karlsen *Wheels*
Santa Monica Place Parking Garage, CA
Photographer: William Short

14. How is the artist selected?

Through a site plan review process, with the developer, advisory committee and City staff working together, typically several possible location(s) for the public art project are selected.

Some locations will suggest a particular type of public artwork (landscape, lighting, mosaic, metal, etc.). When this is the case, the search for an artist or group of artists experienced in that particular medium marks the beginning of the search process.

In other projects there may be various possibilities for both the site and the type of work, thereby allowing for a wider range of potential artistic opportunities.

Some experienced artists work in a variety of media. Another way of approaching this process is to bring an artist or artists to meet with the team prior to selecting a site.



Larry Kirkland *Around About*
Westgate Center Pasadena, CA
Photograph by Artist

There are several ways to seek appropriate, experienced artists. Public art consultants have comprehensive knowledge of and experience with qualified artists. Typically, the advisory team, as well as the City's arts and culture staff, will also have recommendations for artists to consider. In some cities there is a pre-qualified pool of artists to be considered for art commissions, selected by a jury process.

One type of selection process, coordinated by the public art consultant or City Staff, might include the following steps:

- Request for qualifications (RFQs) from artists to be considered for the project are collected.
- The developer, the advisory committee, City staff, and the public art consultant review artists' materials submitted.
- Working together, the advisory team and City staff determines a short list of 3-5 artists to be considered.
- The short-listed artists visit the site, meet with the developer and the team, and review the site plan and architectural drawings for the project.
- Artists present their concepts and ideas to the selection committee (the developer, members of Advisory Committee, City officials and staff)
- After discussion by the selection committee, the artist is selected. (If additional information is needed before a decision can be made, the committee decides next steps.)

In another approach to the selection process an artist is selected after a review of his or her qualifications and an interview with the Committee. This artist is then retained to develop a concept, working with the design team of architects and landscape designers. The concept is then subject to review and acceptance by the developer, the Advisory Committee, and City officials and staff.

decision-maker for the public art project.

15. How can developers and artists do their best work together?

“During the design process it is important to create opportunities for discussions about budget, theme, size, colors, materials, style and how to best work with whatever approvals are necessary. A very collaborative relationship will result in a product that is far better for both parties than a project created in a vacuum. If the developer does not have the temperament for working with an artist in this fashion, recognize that fact and appoint someone else to do so.”

David Jury | Vice President, Support Services & Facilities Development | Palo Alto Medical Foundation

- Begin to discuss the project with City staff and the public art consultant as early in the process as possible -- the earlier, the better, to allow for proactive planning.
- Establish a clear and transparent process and schedule for reviews of the project. (Typically the reviews are related to contract phases and the payment schedule outlined in the artist's contract.)
- Articulate the vision for the development project, and express ideas about how the public art project might be best integrated into the development project overall.
- Clarify the roles of members of the advisory team. This is particularly important if the developer has designated someone on his/her staff as a key representative and

16. What should be included in the artist's contract?

- The public art consultant and/or City staff will have experience with public art contracts. Unlike other building, design, and construction contracts, the artist's contract includes the artist's right to retain intellectual property rights to his or her ideas, concepts, models, samples, drawings as well as the finished work of art.
- The artist is responsible for the supervision and/or execution of all aspects of the public art project.
- The contract must be directly between the developer and the artist (not through a third party, such as the project architect or general contractor).
- Once the art project is complete, the title of ownership passes to the developer. The artist or artist's estate retains the copyright in perpetuity.



Larry Kirkland *Wonder Wander*
Gateway Center at Potomac Yards,
Arlington County VA.
Photographer: Craig Collins

17. What happens after the artwork is installed and approved?

- The finished and installed public art project is part of the developer's agreement with the City. The project's Certificate of Occupancy may depend upon the completion of the art project and its acceptance by the City.
- As part of the developer's agreement with the City, the art project and the entire site must be maintained in accordance with guidelines supplied by the artist.
- No alterations, removal, relocation, or de-acquisition may take place without the approval of both the City and the artist.
- Should the property be sold, these requirements remain in place as part of the property, and are the responsibility of the new owner.
- City codes specify the process when a work of art is damaged or removed due to mitigating factors, as determined by the City.

18. Frequently asked questions:

- ***Is it preferable to hire a local artist?***
This often depends upon the scale and scope of the project. Smaller project budgets suggest that, to hold down costs, an artist from the region should be sought. Larger projects may attract an artist of greater reputation and expanded vision. Finding the right artist for a particular project may mean expanding beyond the region.
- ***Should the artist be required to use local fabricators?*** Artists create their artworks in many ways: some in their own studios, and some using a variety of artisans and fabricators. Artists often develop strong working relationships with these fabrication teams. These specialists are uniquely qualified to help realize the vision of the artist. A local fabricator might be suggested to a good end result, but this decision should be left up to the artist.
- ***What happens if the developer and the developer's team are not satisfied with the artist's proposals?***
A good contract will define the process. Most often if the developer or City is not satisfied with the proposed concept, a frank discussion among all involved will help define the problematic issues. The artist is then offered the opportunity to refine or reconceptualize the proposal, for an additional fee. If the new concept is still unacceptable, the developer has

the right to release the artist from the contract and find another artist.

mutually respectful relationship between owner and artist is very important.

- ***What are some safeguards for ensuring that the public art project will stay within budget and on schedule?*** Be very clear what the established budget is. Have a thorough understanding of the artist's previous projects, the budgets for them, and whether there were budget over-runs in the past. Ask for a complete budget breakdown of all materials, labor, overhead, crating, shipping, consultant fees, installation, and artist oversight and fee. Insist that the artist carry a contingency, and make sure the developer has a contingency as well. As with all building projects, running into the unexpected is to be expected.
- ***Are artists hard to work with?*** Artists ask the reverse: "Are these people hard to work with?" Artists, like many others, are creative, visionary, hardworking and dedicated people. Those who are involved in creating works in the public arena understand the complicated demands of schedules, reviews, and working with large, complex groups of people. Prior to hiring an artist, it is important to talk with those who have worked with him or her previously. It is also important to understand that artists are not like traditional construction workers. Artists make one-of-a-kind objects, and it requires great skill and attention to realize their visions. Establishing an involved and



Michael Stutz *Flamethrower*
Westin Gaslamp Quarter, San Diego, CA
Photograph by Artist

This document was written by Susan M Miller, with contributions by Janet Hulstrand, Janet Kagan and Larry Kirkland

www.AmericansForTheArts.org/PAN

public art toolkit



Creative City Network of Canada

public art toolkit

The **Public Art Toolkit** is a project of the Creative City Network of Canada and has been generously supported by

Canada



Patrimoine
canadien

Canadian
Heritage



CreativeCity.ca
réseau des villes créatives
creative city network

Published **2010**

© **Creative City Network of Canada and the authors**

Layout and Design: John McLachlan

The **Creative City Network of Canada/Réseau des villes du Canada** (CCNC) is a national non-profit organization that operates as a knowledge-sharing, research, public education, and professional development resource in the field of local cultural policy, planning and practice.

Through its work, the Creative City Network helps build the capacity of local cultural planning professionals—and by extension local governments—to nurture and support cultural development in their communities.

By doing so, the Creative City Network aims to improve the operating climate and conditions for artists and arts and cultural organizations across the country, and the quality of life in Canadian communities of all sizes.

The members of the Creative City Network are local governments across Canada.

For more information, contact

Creative City Network of Canada

#415 – 402 West Pender Street

Vancouver, BC, V6B 1T6 Canada

info@creativecity.ca

creativecity.ca

604-688-2489

Author Biographies

BARBARA COLE

Barbara Cole is an artist, independent curator, educator, project manager, and curatorial consultant in public art. As the Principal of Cole Projects, she has developed and overseen curatorially rigorous artist selection processes, assisted artists through all phases of their artwork production and designed innovative public art plans for government agencies, private development clients and non-profit societies. In recent years, she has specialized in developing frameworks to support changing programs of public art including the South Hill Public Art Program—a series of projects implemented through a network of partnerships with community organizations, local businesses and learning institutions; and initiatives like the Langara College Centre for Art in Public Spaces; the East Fraserlands proposal for a Centre for Public Art and Artist Residency; and the VPL Art in the Library Program and Aperture Project. She is the founder and Executive Director of Other Sights for Artists' Projects, a non-profit society that seeks to create a presence for art in highly visible sites that are accessible to a broad public. Curatorial projects include "Marble Infrastructure Project" by Cameron Kerr (2006), "Vox Pop" by Antonia Hirsch (2008) and a post-Olympic series with T&T, Koebberling & Kaltwasser, and the Bomfords.

LORNA BROWN

Lorna Brown is a Vancouver-based artist, writer and curator and has taught at Emily Carr University of Art and Design and Simon Fraser University. Brown was the curator of *Group Search: art in the library*, the inaugural project of the "Art in the Library" program at the Vancouver Public Library from 2006 to 2008. In 2008 to Spring 2009, Brown led the development of the Langara College Centre for Art in Public Spaces in Vancouver, and managed the first Artist-in-residence program featuring Kristina Lee Podesva's Vehicle project as well as a Speakers Series. Brown was the Editor and Project Manager for the digital archive *Ruins in Process: Vancouver Art in the Sixties*, www.vancouverartinthesixties.com which archives over 1,000 images, films, and documents as well as essays and video interviews. Her work has been exhibited at Presentation House Gallery, North Vancouver; Canadian Museum of Contemporary Photography, Ottawa, Dazibao, Montreal, the Contemporary Art Gallery, Vancouver, the Koerner Library, University of British Columbia as well as international venues such as the Fine Arts Museum, Taipei.

KAREN HENRY

Karen Henry is an independent curator and has worked as a public art consultant since 1998, developing art plans, managing selection processes and production of artworks for local governments and private corporations. She also includes public projects as part of her curatorial practice. She served on the Public Art Committee in Vancouver from 1993 – 1996. In 2003 she worked with Grosvenor to select artist Liz Magor for a major commission in Coal Harbour and in 2006 she produced the Carrall Street Greenway Art Plan for the City of Vancouver. Recent projects include an ongoing artists' banner project with the Vancouver Public Library and the commission and installation of a work by Coast Salish artist Susan Point for Stanley Park in Vancouver (2008). She was project manager with the team of Cole Brown Henry to develop opportunities and selection for artworks at the Richmond Oval (2008-09). She is currently working with Via Partnership (St. Louis) to assist in commissioning artist-initiated projects for 2010 in Vancouver and managing the artists call for the Vancouver Olympic and Vancouver Paralympic Centre in Hillcrest Park.

Table of Contents

Click on
a chapter
heading to
go to that
chapter

| | |
|--|----|
| Introduction | 4 |
| 1 WHAT | 5 |
| Definitions of public art | |
| Points of View: | |
| The Artist | |
| The Agency | |
| The Publics | |
| Further Reading in Print | |
| Online Resources | |
| 2 WHY | 9 |
| Points of View: | |
| The Artist | |
| Form | |
| Technique | |
| Location | |
| Audience | |
| Creative Challenge | |
| The Agency | |
| The Publics | |
| Excellence | |
| Points of View: | |
| The Artist | |
| The Agency | |
| The Publics | |
| Case Study: “Yellow Fence,” Erica Stocking, UniverCity, 2009 | |
| 3 WHEN | 13 |
| Artists Call Phase | |
| Points of View: | |
| The Artist | |
| The Agency | |
| Contracting Phase | |
| Points of View: | |
| The Artist | |
| The Agency | |
| Concept Proposal Phase | |
| Points of View: | |
| The Artist | |
| The Agency | |
| Detailed Design Phase | |
| Points of View: | |
| The Artist | |
| The Agency | |
| Fabrication and Installation Phase | |
| Points of View: | |
| The Artist | |
| The Agency | |
| Public Relations | |

| | |
|--|----|
| Points of View | |
| The Artist | |
| The Agency | |
| Evaluation Phase | |
| Points of View: | |
| The Artist | |
| The Agency | |
| The Publics | |
| Public Relations: In Context | |
| Case Study: “People Amongst the People,” Susan Point, 2008 | |
| Case Study: Laneway Commissions, Melbourne, On-going | |
| Selection Process Checklist | |
| 4 WHERE | 18 |
| The Specifics of Site | |
| Platform-based Projects | |
| Expanded Sites | |
| Points of View: | |
| The Artist | |
| The Agency | |
| The Publics | |
| 5 HOW – The Mission | 22 |
| Operating Principles | |
| 6 HOW – Funding and Partnerships | 24 |
| Private Development “Percent for Art” Programs | |
| Civic Capital Projects | |
| Partnerships with Other Departments | |
| Partnerships with Local Businesses | |
| Partnerships with Transit and Pedestrian Projects | |
| Partnerships with Arts and Cultural Organizations | |
| Artist-led Projects | |
| Partnerships with Industry or Academic Research | |
| Case Study: “Yellow Fence,” Erica Stocking, UniverCity, 2009 | |
| Case Study: “People Amongst the People.” Susan Point, 2008 | |
| 7 HOW – Acting on the Mission | 30 |
| Program Focus | |
| Funding and Partnerships | |
| Roles and Expertise | |
| Arms-Length Peer Review | |
| Acceptance of Proposals | |
| Maintenance of the Collection | |
| Donations | |
| Education and Development | |
| Working Backward | |
| Working Forward | |
| Resources | |
| 8 HOW – Points of View on the Mission | 35 |
| The Artist | |
| The Agency | |
| The Publics | |
| 9 HOW – The Art Plan | 36 |
| The Master Plan | |
| The Art Plan | |
| Points of View: | |
| The Artist | |
| The Agency | |
| The Publics | |
| Case Study: “Yellow Fence,” Erica Stocking, UniverCity, 2009 | |

| | |
|--|----|
| 10 HOW – Art Opportunity and Selection | 38 |
| Art Opportunity | |
| Selection | |
| The Terms of Reference | |
| Selection Methods | |
| An Open Competition | |
| A Limited or Invitation Call | |
| Direct Selection | |
| Peer Selection Panels | |
| Points of View: | |
| The Artist | |
| The Agency | |
| The Publics | |
| Case Study: “Yellow Fence,” Erica Stocking, UniverCity, 2009 | |
| Case Study: “People Amongst the People,” Susan Point, Stanley Park, 2008 | |
| 11 HOW – The Contract | 43 |
| Concept Proposal | |
| Detailed Design | |
| Fabrication and Installation | |
| Some Notes about the Maintenance Manual and Documentation | |
| Intellectual Property Rights | |
| Copyright | |
| Moral Rights | |
| References | |
| Points of View: | |
| The Artist | |
| The Agency | |
| 12 HOW – Concept Proposal, Detailed Design and Fabrication & Installation | 47 |
| Concept Proposal | |
| Detailed Design | |
| Fabrication & Installation | |
| Points of View: | |
| The Artist | |
| The Agency | |
| The Publics | |
| Case Study: Laneway Commissions, Melbourne, On-going | |
| 13 HOW – Maintaining the Collection | 49 |
| Documentation | |
| Maintenance | |
| De-accessioning | |
| Points of View: | |
| The Artist | |
| The Agency | |
| The Publics | |
| 14 HOW – Animating the Collection... | 51 |
| The Artist | |
| The Agency | |
| The Public | |
| WHO | 54 |
| BIBLIOGRAPHY | 56 |
| Case Study: Laneway Commissions, Melbourne, On-going | 60 |
| Case Study: “People Amongst the People,” Susan Point, Stanley Park, 2008 | 63 |
| Case Study: “Yellow Fence,” Erica Stocking, UniverCity, 2009 | 65 |

Introduction

Welcome to this public art management resource for Creative City Network of Canada members. This Toolkit is intended as a guide when planning a public art Program or evaluating an existing one, and contains further resources for the management of public art projects as well. The material is organized in a series of chapters much like the W's of news reporting — What, Why, When, and How.

If you are just getting started, we have included information about developing a Program mission, operating principles and policies; if you are further along in managing public art, we have included details about selection processes, contracting, and the other important phases of completing a public art project.

Throughout the Toolkit, we have included links to examples and resources from around the world, that you may find useful in building support for public art within your agency, crafting a Program or project, and deepening its impact in your community.

Our approach is to characterize the process as a series of dynamic relationships of production and reception involving different Points of View: the **artist**, the commissioning **agency**, and the **publics** who encounter the artwork. There are many individuals involved along the way including local community members, developers, architects, staff, engineers, curators and other art professionals.

Our hope is that this toolkit will inspire and assist in achieving excellence in all areas of your work, regardless of the scale of the project—in the artwork itself and the ways in which it is selected, produced and presented.

We have provided detailed Case Studies that we consider to represent good practices and have indicated “How” they relate to our guidelines. Examples vary from small to large projects—excellence is not a factor of budget. These projects, and the agencies presenting them, respond to both the problems and the potential inherent in public spaces; they are flexible, nimble, creative and rigorous in how the work is

planned and implemented and this is reflected in the resulting artwork. The toolkit information is linked internally and externally and meant to be used interactively according to your own priorities. Terms like “artist,” “agency,” “developer” and so forth are linked to the “Who” section that describes the roles of the many individuals necessary to bring a work of art to completion. Other terms may be found in a glossary of definitions that stem from the worlds of contemporary art, engineering, architecture and the diverse disciplines that converge in public art projects.

We wish to thank the Creative City Network of Canada for the opportunity, the staff in Vancouver who facilitated and assisted the process, associates who provided feedback, and the artists who inspire our work.

CBH Consultants

Barbara Cole
Lorna Brown
Karen Henry

1 What

“

Public art can be more than amenity, entertainment, or ornamentation. It can be a very energetic investigation. Public art is not a discipline or profession. It is an idea and way of thinking about art. What makes it public is that it is situated at the congested crossroads of aesthetics, public life, cultural ideas, and political issues. It is an art which is absolutely engaged with the world and this engagement often invokes spirited disagreement... Absolute consensus is not necessarily a happy state. A public art that excites the imaginative potential of many unique individuals in a variety of different ways, is, albeit, a little bit unruly. But a less cautious, less constrained strategy may lead to the best in public art, as it has in all art.”

Phillips, Patricia C. quoted in Korza, Pam. “Evaluating Artistic Quality in the Public Realm.” *On View: Journal of Public Art and Design*, Spring/Summer (1990)

“

Public art is art when it encourages and expedites connections between the private and public, the intimate place and the municipal space, the body and the community. There are moments of reflection when an image, or sound, or space allows individuals to embody, in a unique and often specific way, the vast and various issues of public life...”

Phillips, Patricia C. “Public Art: A Renewable Resource.” In *Urban Futures: Critical Commentaries on Shaping the City*, edited by Tim Hall and Malcolm Miles, 131. New York: Routledge, 2003.

Providing a definition of “public art” is a tricky task. **Art**, as a developing practice, continually challenges and rewrites its own definition—through its materials, and methods and the value it places on innovation and change. Similarly, **public** is a shifty term, its definition outpaced by the creation of “spaces” such as the internet, or changing notions of ownership of “air space,” airwaves, easements and commons. Writer and public art critic Patricia Phillips defines the idea of public space as a creative commons in the classic sense of the word—a space for debate and multiple voices, that stimulates democratic process, transition and change.

For our purposes, the best definitions of public art rely upon verbs rather than nouns, and focus upon activities rather than objects. We have included a number of diverse examples that can be used as references in helping you introduce the scope of public art practice within your agency.



Nicolson, Marianne, *Pictograph*, 1998

The artist scaled a vertical rock face in Kingcome Inlet to paint a massive pictograph to mark the continued vitality of her ancestral village of Gwa'yi. Photo: Judith Williams

“

I used to like the phrase “art in the public sphere” to describe what public art could be. As catchphrases go it’s out of fashion now but still valid. By it I understand that it supports practice, meaning: it’s whatever you do as an artist, just placed in a more public context. My favourite public art connects directly to the differently public world of the gallery or museum, never dumbing down the work just because it has some different notion of a greater audience to negotiate.”

Alan Phelan, artist, writer and curator. Arts Council of Ireland and the Department of Arts, Sports and Tourism, “Public Art Definitions,” Arts Council of Ireland and the Department of Arts, Sports and Tourism

www.publicart.ie/main/critical-contexts/definitions/alan-phelan

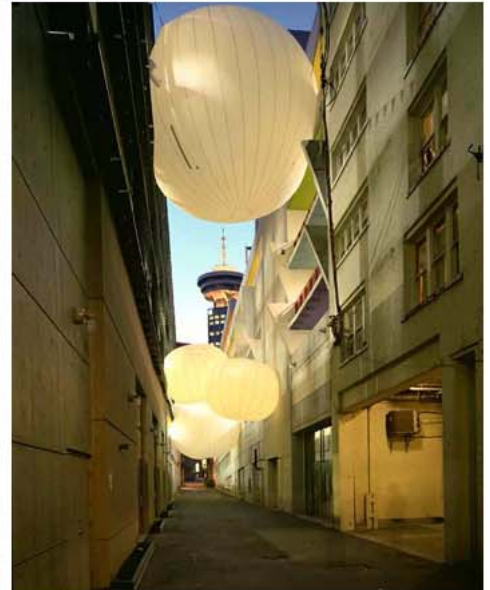
“

Public art is a part of our public history, part of our evolving culture and our collective memory. It reflects and reveals our society and adds meaning to our cities. As artists respond to our times, they reflect their inner vision to the outside world, and they create a chronicle of our public experience.”

Adapted from Balkin Bach, Penny. *Public Art in Philadelphia*. Philadelphia: Temple University Press, Philadelphia, 1992.

Working in the area of public art, we often encounter opinions that define it in altogether different terms, artfully summarized in this [Andy Rooney clip](#).

Andy’s “spirited disagreement” with certain artworks—and contemporary art itself—is an impassioned engagement with public space and why (and for whom) it is there.



Matsuoka, Satoshi & Tamura, Yuki, *Balloons Caught*, 2005

FrontierSpace called for innovative proposals to transform a laneway in Gastown, Vancouver, into a viable public space. The winning entry, *Balloons Caught*, was installed in Trounce Alley for three days and drew thousands of visitors. www.urbanrepublic.ca/frontier.htm
Photos: Gavin Mackenzie



Twilight Reading at Yorkshire Sculpture Park by poet Simon Armitage
YSP Visiting Artist 2007

Marking YSP’s 30th anniversary, poet and 2007 visiting artist, Simon Armitage, delivered five extraordinary twilight readings in a variety of YSP settings. The venues, both in and out of doors, included buildings within the Park and artworks by Andy Goldsworthy and James Turrell.

www.ysp.co.uk/view.aspx?id=473

Photo: Jonty Wilde



Cardiff, Janet, *The Missing Voice* (Case Study B), 1999

Commissioned and produced by Artangel. An audio walk for London’s inner city, the work lasts 50 minutes, tracing a route through Spitalfields and towards the City of London.

www.artangel.org.uk

Photo by Gerrie Van Noord



Public art is not the grinding, arduous discovery of a common denominator that absolutely everyone will understand and endorse. It actually assists in identification of individuals and groups and what separates them, so that agreement on a common purpose is an impassioned deliberation rather than a thoughtless resignation.”

Phillips, Patricia C. “Public Constructions” In *Mapping the Terrain; New Genre Public Art*, edited by Suzanne Lacy, 69. Seattle: Bay Press, 1995.

POINTS OF VIEW

Public art is defined differently even by the people who come together to make it happen:

THE ARTIST

Public art is an opportunity to actively investigate these “congested crossroads” as a creative individual, with a permanent or temporary gesture, intervention or statement; to work on a grand scale and in relation to multiple audiences.

THE AGENCY

Public art is a way of connecting the imaginative potential of artists and the lived experience of our shared environment: to facilitate a dynamic cultural life.

THE PUBLICS

Public art is an occasion to engage with a unique creative form and reflect on the circumstances, freedoms and constraints, of the spaces we deem “public.”



[murmur], Toronto and 11 other cities worldwide, 2003-present

A locative media project that records 1st-person stories and memories related to specific geographic locations. At each storied spot a [murmur] street sign is mounted, indicating a telephone number people can call by mobile phone to hear stories related to that place. Stories, story maps and location photos for each collection are also available online.

<http://murmurtoronto.ca>

Images courtesy of [murmur]. Maps: Marlena Zuber. <http://marlenazuber.com>



Pinsky, Michael, *Horror Vacui*, 2007

A database of Portuguese tile motifs is used to create a puzzle, mutating the diverse repeating patterns. 100 individuals from across the globe converged in Torres Vedras, Portugal to construct the floor. www.michaelpinsky.com Photos: Courtesy of artist.

FURTHER READING IN PRINT

Finkelpearl, Tom; Acconci, Vito; Ahearn, John; et al. *Dialogues in Public Art*. London: MIT Press, 2000.

Goldstein, Barbara. *Public Art by the Book*. Seattle: University of Washington Press, 2005.

Phillips, Patricia C., "Points of Departure: Public Art's Intentions, Indignities, and Interventions," *Sculpture Magazine*, March 1998, Vol. 17, No. 3
www.sculpture.org/documents/scmag98/phllps/sm-phllps.shtml



Deller, Jeremy, "New Commissions: It Is What It Is: Conversations About Iraq," 2009. Installation view, New Museum, New York.

Over a six-week period at the New Museum in New York, British artist Jeremy Deller invited journalists, Iraqi refugees, soldiers, and scholars to share their memories of the last decade in and out of Iraq. Their one-on-one conversations elucidate the present circumstances in Iraq from many points of view. In March 2009, "It Is What It Is: Conversations About Iraq" travelled from New York to California, with conversations conducted at more than ten public sites along the way. Sergeant Jonathan Harvey, an American veteran of the Iraq War, Esam Pasha, an Iraqi citizen, and Deller were aboard a specially outfitted RV, along with Nato Thompson, Creative Time Curator, who documented the journey. www.conversationsaboutiraq.org/description.php

Photo: Benoit Pailley

ONLINE RESOURCES

Fairmount Park Art Association, "What is Public Art?"

www.fpaa.org/what_is_pa.html

Hunting, Daniel, Students of Public Affairs Network, "Public Art Policy: Examining an Emerging Discipline" Students of Public Affairs Network
www.asu.edu/mpa/Hunting_Public%20Art.pdf

Phillips, Patricia C. Forecast Public Art, "Dynamic Exchange, Public Art At This Time," Forecast Public Art

www.forecastpublicart.org/anthology-downloads/phillips2.pdf

Phillips, Patricia C., Forecast Public Art, "Everybody's Art, Long-term Supporters of Temporary Public Art," Forecast Public Art

www.forecastpublicart.org/anthology-downloads/phillips.pdf

Public Art Online

www.publicartonline.org.uk/casestudies/

Case Studies

Public Art Online has extensive case studies including sections on design team collaboration, lighting, regeneration, environmental, temporary projects, etc. Most case study projects have initial documents, sample policies, planning, maintenance, public relations, education and more. A few examples are:

- Broward Lighting Project, Florida, includes maintenance planning sheet, policies on artists' rights, outreach, and local artists
- Luci di'artista, Turin includes reference to working with a theatre company to manage production and installation
- Making Waves: public consultation and marketing strategy
- Quarry 2: partnerships, temporary projects, public reactions, artist-initiated projects

RSA Arts and Ecology

Public art and environmental projects www.rsaartsandecology.org.uk

Urban Screens

Electronic projects www.urbanscreens.org

2 Why

Public Art, like any other cultural activity, requires that the agencies charged with its support consider it to be intrinsically valuable to the communities in which it happens. A number of resources are available to support us in “making the case” for art as an important part of our public life:

Creative City Network of Canada, “Toolkit: Making the Case”

creativecommons.ca/index.php?option=com_content&task=view&id=235&Itemid=205

Creative City Network of Canada, “Toolkit: Cultural Planning”

creativecommons.ca/english/component/docman/doc_download/76-cultural-planning-toolkit

While art activities that take place in cultural institutions have a well-established history to draw upon, public art relates to different political and social histories and a broader set of overlapping interests. It’s helpful to consider the different motivations and viewpoints that are brought to a public art project:

POINTS OF VIEW

Public art is defined differently even by the people who come together to make it happen:

THE ARTIST

Artists are motivated by a number of factors to create work for public spaces. They are trained to consider general and specialist audiences, and to think about public spaces in literal, figurative and speculative ways.

Form and Material:

Their practice may be based on responding to the architecture or the social conditions of a site, or involve a material, such as bronze, that has a history of exterior use, and suggests a permanent or exterior location.

Technique:

Their work may use techniques such as video or texts that relate to advertising or signage, and communicate well in relation to the street.

Location:

Artists may be compelled to respond to a particular site for personal or aesthetic reasons and respond to its potential for an intervention through a permanent or temporary artwork.



Nauman, Bruce, *Vices and Virtues*, 1988

Proposal drawing, Stuart Collection
University of California San Diego

Placed above a laboratory where engineers erect and then stress parts of buildings to test their resistance to earthquakes, this cataclysmic list of moral opposites, created long ago, takes on special significance and dramatizes the instability of any ethical judgment.

stuartcollection.ucsd.edu/StuartCollection/Nauman.htm



Pipilotti, Rist, *Open My Glade*, 2000
Vancouver installation, 2009, Other Sights for Artist's Projects Photo: Colin Griffiths

Video: Allora & Calzadilla, Chalk www.youtube.com/watch?v=e5HE5uA_BGk

Audience:

The ideas that some artists investigate may translate well to audiences outside the gallery and suggest a broader viewership. Specific audiences that frequent particular sites may inspire an artistic strategy and be seen as a unique opportunity for exploration.

Creative Challenges:

While it may be assumed that artists are interested in public art opportunities in order to have a larger “profile” or for financial gain, the creative challenges of audience, location, scale and form are more likely to motivate an artist to take on the complex and often difficult process of making work for public space.

THE AGENCY

In considering the “Why” of public art, agencies have garnered a substantial catalogue of benefits and enhancements to their communities. Contributing resources to a Public Art Program:

- encourages engagement with the city
- enhances our relationship to the spaces we share
- develops the special identity and character of neighbourhoods
- tells the story of people, places and events
- highlights and plays on social, political or historical themes
- offers engaging alternatives for the commemoration of individuals, groups or events

“

The qualitative arguments that articulate how art in the city improves our quality of life and creates spiritual, emotional, and intellectual well-being are sharing the stage with the kinds of reasoned, quantitative arguments more commonly used in the sphere of public sector management. Claims about public art’s abilities to: revitalize and renew neighbourhoods in decline; play a leading role in attracting cultural tourism; attract high-level workers; incubate commercial technology and innovation; build community identity and pride; address specific challenges facing communities in need; and engage citizens on the margins who have been difficult to reach, especially youth, are getting the attention of both public and private sector funders. One of the benefits to making these kinds of claims is it allows us access to other budgets earmarked for social and urban policy.

The danger of using them too much, is that we can lose sight of what is central to cultural value. The generative seed of cultural activity should not be overlooked or overshadowed by the secondary arguments that use the social and economic benefits of art as the high card in the deck. This dialectic between artists, stakeholders, and funders about the function and value of artistic production is yet another test of maturity for Canada’s cultural community.”

Cole, Barbara, “Canadian Report: Public Art in Vancouver” *Revista do Instituto Arte das Americas* 3, no. 1,(2006): 15 – 30.

- addresses ideas of sustainability and environmental awareness in unique ways
- results in landmark focal points and destination places
- attracts visitors to the city
- instigates creative planning and design objectives when developing plazas, parks and open spaces, and streetscape elements
- stimulates the public and private economy through job creation for arts-related professionals, engineers, architects, landscape architects, fabricators, construction workers, equipment operators and labourers

While all of these rationales can be used to advocate for public art, they stem from a belief that art is a valued activity, and demonstrate a willingness on the part of the agency to see culture as a vital part of urban life, to be open to experimentation and to commit adequate resources to a successful Program.



Millennium Park Opening Weekend July 2004

Millennium Park is an award-winning center for art, music, architecture and landscape design. The result of a unique partnership between the City of Chicago and the philanthropic community, the 24.5-acre park features the work of world-renowned architects, planners, artists and designers. Anish Kapoor’s hugely popular Cloud Gate sculpture is located on the AT&T Plaza. www.millenniumpark.org/artandarchitecture
Photo credit: Peter Schulz

THE PUBLICS

For individuals, publics and communities that are invested in their public spaces, a new work of art stimulates discussion and evokes every response imaginable—from indifference to delight to antagonism. The presence of an artwork changes public space and this change may be seen as intrusive or the expression of “private opinions” or interests. Responses to public art are often responses to change—to a familiar park, public square or streetscape—whether positive or negative. Over time, the artwork becomes part of where it is placed and contributes to the unique identity of its location. As Public Art Programs expand over time, and the number of artworks grow, expectations for a complex and engaging public realm advance and develop.



Miller, Bernie & Tregobov, Alan, *Street Light*, 1997

The subject of controversy around blocking views and light when it was installed prior to the development build-out, the Street Light now “fits” into the urban landscape of Vancouver’s False Creek.

Bringing these Points of View to the planning process allows us to evaluate the areas in which they overlap, intersect and diverge, and identify the potential for both cooperation and conflict.

Excellence

Excellence is a key value in the field of art, and it is worthwhile to consider how it may be viewed from different points of view.

POINTS OF VIEW

THE ARTIST

For artists, excellence is a value that is key to their training, to their recognition as artists, and to the language of their profession. Artists are familiar with positive and negative responses to their work and learn, as part of their training, to defend their work in relation to excellence. Artists respond to excellence as part of the criteria for selection, and look for it in the Program as a whole.

THE AGENCY

For agencies that commission artworks, artistic excellence can be supported with processes and methods that place the same value upon excellence: best practices in the selection, production and interpretation of the artwork. These best practices relate to the standards developed in the network of cultural organizations and professionals locally, nationally and internationally. Public art is part of a larger conversation, nurtured by cultural institutions such as museums, galleries, libraries, universities, by organizations such as artist-run centres, performing arts companies, publishing houses, and by the many individuals who contribute as artists, curators, consultants and volunteers. Producing and presenting art in public works best when connecting with this broader field of institutions, organizations and individuals in your community to create a respectful and resilient web of mutual support. Keeping in touch with this network will result in opportunities to gain advice, build support for a program or project, improve its impact, and enrich your Program through partnerships.

THE PUBLICS

Members of the public value creative excellence in art, music, books, performance, design, fashion and media that they consume. Public opinions about what is ‘excellent’ also reflect the divergent definitions of the term – is it ‘universal and timeless’ or ‘defined differently by different cultures’; ‘new and cutting edge’ or ‘recognized only in retrospect’? These necessarily unresolved questions are an excellent opportunity for healthy discussion and debate.

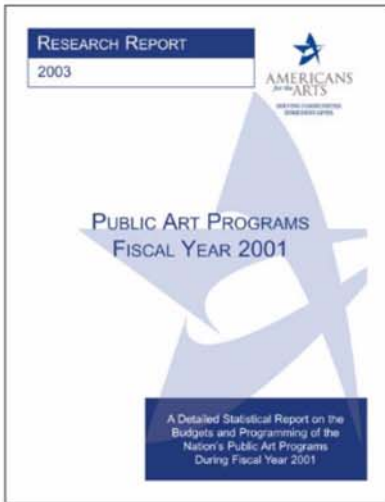
See video 

Echelma, Janet, *She Changes*, 2005, Waterfront plaza, Porto and Matosinhos, Portugal

Case Study: “Yellow Fence,” Erica Stocking, UniverCity, 2009

Point of View: The Agency

3 When



"An average public artwork takes two years from the contracting stage." Americans for the Arts, Public Art Report, 2003 (PDF)

In art as in life, timing is everything. As a preview to the step-by-step tools in the "How" section, we have outlined the phases of a public art project and the tasks within each stage of the research, production and presentation, to indicate the time frame necessary for success. Detailed information about each stage can be found in "How."

Establishing the foundation for a project can take several months even after funds have been secured. Working in advance, you will want to consider these questions as you establish a vision for the project, create an excellent process to implement the vision and plan how to support the outcome:

- Does the project vision suit the scale and circumstances?
- Who are the artists you hope to attract?
- Is the opportunity interesting, desirable, relevant? (In other words: is it a good idea?)
- How is the art opportunity articulated?
- Is there an established community of local artists with the necessary skills and expertise? Would guest speakers, workshops or seminars assist in their professional development?
- Are there funds for a series of commissions or is a one-time pilot more appropriate?
- Does the opportunity suit a local, national, or international artists call?
- Should the commissioned artwork be temporary or permanent?
- Is there administrative and political support for the process? If not, can you adapt its scale to a manageable level?
- Who are your potential partners and allies?

In thinking about the time frame of a public art project, it's helpful to consider the different points of view at each stage.

ARTISTS CALL PHASE

POINTS OF VIEW

THE ARTIST

Imagine you are an artist. You learn about an art opportunity through a phone call, a list-serve announcement or email, an ad in the newspaper, an invitation to submit credentials, a news story, through word of mouth.

It comes at a time when you are busy working towards an exhibition, teaching at a university or college or completing another commission. You will need to:

- Update your CV
- Collect and organize relevant visual materials including images of your work, formatted to comply with the specifications of the artist's call
- Consider the context and develop a response
- Write a letter of interest

For the best possible response from artists, allow 4-6 weeks to circulate an open call or 3-4 weeks for an invited call (a direct request for credentials)

THE AGENCY

In developing a commissioning opportunity, agencies need to consider the time it takes to create a successful process. The agency may need to:

- Hire a consultant with the necessary expertise to lead them through all phases of the project
- Ensure there is effective management and administrative support for the project
- Develop contact lists of artists, organizations and arts information resources for distributing the artists call
- Consult development or planning documents for the area
- Develop advisory groups that have input into the nature of the project and can support the decisions of selection panels, advocate for the project without conflict of interest, and celebrate the achievements
- Develop clear roles and responsibilities for the technical aspects of the project
- Integrate the art project into the planning and construction time frames
- Consider the best models for the selection, fabrication and installation of the specific art opportunity
- Establish clear criteria for the acceptance of a proposal
- Compile the results of your research into a Terms of Reference (allow at least four weeks)
- Work with a consultant to write and circulate the artists call

CONTRACTING PHASE

The detailed work of the contracting process can take from 3 – 5 weeks.

POINTS OF VIEW

THE ARTIST

Artists will have the following questions about the contracting process:

- What are the criteria for decision-making?
- Are the deliverables, schedule and fees feasible?
- Are the artist's rights considered?
- Who will be the primary contact within the agency?
- What will the agency will provide?
- Is there time to consult legal counsel?

CONCEPT PROPOSAL PHASE

THE AGENCY

- Who will manage the communications with the artist?
- Has the technical team contributed to and reviewed the list of deliverables and schedule?
- Are the acceptance and technical review processes defined?
- Has the legal department been consulted regarding contract details?

POINTS OF VIEW

THE ARTIST

Once the shortlisted artists or artist is chosen, they will need approximately four to six weeks, depending on the complexity of the project, to orient, research and respond with an initial concept and another six to eight weeks for a detailed design.

To make a meaningful proposal the artist will want to:

- Research the site and how it is used, its incidental and particular audiences, its history, its visual conditions, traffic and/or pedestrian patterns, sound-scape, how it operates in the daytime and at night, its infrastructure, its engineering specifications, the architecture, sightlines, and other conditions
- Consult with design and technical professionals involved in the site
- Create visual materials, write prose that supports the ideas, and carefully consider whether the budget and time frame is adequate to execute the idea

THE AGENCY

- Ensures the design and technical team are available to work with the artist and respond to questions
- Manages the technical reviews and acceptance of the concept proposal
- Manages communications to the selection panel, staff, council members and other stakeholders

DETAILED DESIGN PHASE

POINTS OF VIEW

THE ARTIST

- Review deliverables and monitor production and fee schedules
- Research, test and re-evaluate prototypes
- Research and establish materials and resources, consultants, and team members needed to execute the design and construction
- Obtain estimates from fabricators and suppliers
- Develop and revise budgets to establish financial feasibility
- Research specifications and resources for maintenance
- Revise documents, report and invoice

THE AGENCY

- Manages the technical review at the beginning of the Detailed Design process and provides the artist with a checklist of required materials, drawings, and documents
- Manages the technical review that assesses the completed Detailed Design submission and follows the process of acceptance outlined in the artist's contract

FABRICATION & INSTALLATION PHASE

The fabrication and installation timeline will vary depending on the nature of the project and the overall construction schedule. Estimate at least 6 months.

POINTS OF VIEW

THE ARTIST

- Contracts the fabrication and construction team
- Monitors fabrication and field reviews for construction
- Keeps a close watch on the budget
- Provides documentation of the finished artwork as per contract requirements
- Reports and invoices as per the contract fee schedule

THE AGENCY

- Provides contacts and resources for permitting
- In some cases, manages part of the fabrication and installation with other departments of the agency
- Coordinates reviews and signs off at defined stages
- Processes reports and invoices
- Manages communications

PUBLIC RELATIONS

Public Relations should be integrated into the overall timeline of the project and include detailed planning to celebrate the presentation of the work to the public.

POINTS OF VIEW

THE ARTIST

- Provides a statement about the work
- Provides images for promotional use
- Provides a mailing list of associates to be invited to celebrate the completion of the project

THE AGENCY

- Establishes a resource of press, media and art community contact information
- Collects the artist's documentation and manages the design of publicity materials
- Develops a well-considered communication plan for advisory groups, council members, the community, advocates and supporters leading up to the public announcement
- Develops a media strategy to promote the artwork and the overall Public Art Program, and cultivates long-term relationships with media contacts
- Anticipates any controversial issues and strategizes responses to discourage sensationalism and encourage meaningful discussion
- Cultivates relationships with curators, educators and other professionals to encourage learning opportunities for students and the public in general

EVALUATION PHASE

After a project has been accomplished, take the time to review the process with staff, have a coffee with the artist and gather feedback about the successes and challenges. Questions to consider:

POINT OF VIEW

THE ARTIST

- Was adequate creative time provided?
- Was the commission process supported by the stakeholders?
- Was the work celebrated and defended?

THE AGENCY

- Were communications effective?
- Were there internal and external snags and roadblocks in the process?
- How can we focus energy on problem-solving?



Urban Screens Conference, 2008
Federation Square, Melbourne

- Were new relationships formed for the Program?
- Was data gathered for policy development and Program expansion?

THE PUBLICS

- Were the relevant communities informed about the work?
- Were there opportunities to celebrate and learn about the artwork and the goals and achievements of the Program?
- Is there access to information about the artwork and the Program?

Resources for Evaluation:

Ixia Public Art Think Tank www.ixia-info.com/research/evaluation/

Public Relations: In Context

The communications and collaborative networks you develop among departments, cultural institutions, organizations and individuals will work in your favour in a number of ways:

- Enhanced distribution of information about the Program
- Valuable feedback about the effectiveness of communication materials
- Enhanced knowledge of the expertise and opportunities to collaborate within your community
- Critical support for your Program and individual projects
- Long-term enrichment of the Program through education, partnerships and collaboration

Case Study: "People Amongst the People," Susan Point, 2008

Public Consultation prior to Artist Call Phase

Case Study: Laneway Commissions, Melbourne, On-going

Artists Call, Concept Proposal, Contracting, Detailed Design, Fabrication/Installation

| Weeks | Milestones | Who is Responsible | Tasks |
|---------------|--|------------------------------------|---|
| 0 - 1 weeks | Research and Initial Public Consultation | Staff & Consultant/Leader | Research culture and technical parameters of opportunity, conduct key interviews, final scope groups and the project design and implementation team |
| | | Consultant/Leader | Conduct portfolio of opportunities relevant to the site |
| | | Consultant/Leader | Present opportunities, establish process and identify potential for partnership |
| | | Consultant/Leader | Research artists for potential calls specifically, help to set up and help in conducting the opportunities and providing the call |
| | | Staff & Consultant/Leader | Staff & Consultant/Leader |
| | | Design and Technical Site Team | Review Terms of Reference and provide feedback |
| | | Public & Committee of Stakeholders | Review Terms of Reference and comment |
| | | Staff | Investigation, research and complete Terms of Reference, identify potential sites and consider other |
| | | Staff & Consultant/Leader | Establish Public Selection Panel and confirm meeting schedule |
| | | Staff & Consultant/Leader | Selection Panel Meeting 1: Discussion of the terms of the project and the call |
| 1 - 3 weeks | Artist Call | Staff & Consultant/Leader | Issue artists call, allow time for consultation and response |
| | | Staff & Consultant/Leader | Provide a meeting venue for artists with access to the site if available |
| | | Staff & Consultant/Leader | Conduct site visits and provide to all artists |
| 3 - 7 weeks | Artist Selection | Staff & Consultant/Leader | Review and prepare submissions for review |
| | | Staff & Consultant/Leader | Review and prepare submissions for review |
| | | Staff & Consultant/Leader | Selection Panel Meeting 2: Discuss submissions and identify alternative for |
| | | Staff | Staff |
| | | Staff & Consultant/Leader | Consult identified artists in regards to response |
| | | Staff & Consultant/Leader | Finalize and complete call rules and establish conditions for applicant artists |
| | | Staff & Consultant/Leader | Selection Panel Meeting 3: Interview artists, select artists to develop Concept Proposals |
| 7 - 8 weeks | Concepts | Staff & Consultant/Leader | Contract artists to produce Concept Proposals (this may be a letter of Agreement, depending on the final response) |
| | | Staff & Consultant/Leader | Review and present staff, committee and Site Design and Technical team of the selection process outcomes |
| | | Staff & Consultant/Leader | Finalize other aspects of conditions, final design |
| 8 - 11 weeks | Contract | Staff & Consultant/Leader | Finalize and complete with the design and technical team |
| | | Staff | Staff |
| 11 - 12 weeks | Installation | Staff & Consultant/Leader | Support Staff Change Program |
| | | Staff & Consultant/Leader | Staff & Consultant/Leader |
| 12 - 13 weeks | Review | Staff & Consultant/Leader | Technical Review of Staff Change Program |

Selection Process Checklist (PDF)

4 Where

An artwork and its site are inseparable. When we identify a location for an artwork, we are determining part of its form, setting its visual and social parameters, and contributing to its meaning. Like the formal choices of material, colour, scale and shape, the site has a history and a set of associations. A new concrete and steel tower, an historic park, or a bustling market street affect us differently and influence the ways we move through them, how much time we spend there and what we expect to occur.

The Specifics of Site

An awareness of site specificity is an important aspect of public art that has developed over the last 30 years in reaction to the earlier practice of “plop art”—buying a sculpture and bringing it in to fill an empty space. Site-specific art has contributed greatly to the textures and experiences in the public realm. It’s important to re-

member that some site specific work relates more to the built forms, colour and texture of its environment and less to its social reference points, acting on a creative whim that may enliven a location in uncanny ways.

Involving an artist early in the project, and nurturing their relationship with the architects, landscape architects and engineers for a new building will help to sidestep the limitations of a rigidly defined site and enhance the imaginative response of the artist—which is why they are there in the first place. The artist will often see the site differently and suggest approaches that have never occurred to anyone.

While all artwork is influenced by its site, some projects place more emphasis on investigating the physical, historical or social aspects of where they are placed, and lean heavily on these aspects to inform the meaning of the work. This “site-specificity” is such that, should the work be placed elsewhere, its meaning would be completely altered or lost.



Nicolson, Marianne, *Pictograph*, 1998

The artist scaled a vertical rock face in Kingcome Inlet to paint a massive pictograph to mark the continued vitality of her ancestral village of Gwa’yi. Photo: Judith Williams



Platform-based Projects

“Platform-based” projects are on-going opportunities that are defined by the materials and/or the placement, that support consecutive, temporary artworks. Artists are given specific parameters such as scale or duration that the work must fit within. This limits the individual artist’s choice of how the work is made, but lessens their time commitment and gives them the opportunity to present work on similar platforms in multiple cities. Examples of platforms include digital works on dedicated video screens, large scale photographic works in dedicated advertising spaces, and banners. A fixed plinth or other support may be a staging point for consecutive artworks. Artists have taken the role of curator for platforms they have created by inviting other artists to respond to the conditions they have set up.

Hirsch, Antonia, *Vox Pop*, 2008

Presented by Other Sights for Artists Projects on advertising screens managed by Bonnis Media, at Robson and Granville Streets, Vancouver. A one-minute video depicts a solitary “fan” performing *The Wave* in the Pacific Coliseum. www.othersights.ca/projects.html (composite video still) 2-channel video installation: silent, HD/SD versions available dimensions variable © Antonia Hirsch, 2008

Photo: Loe Russell



Kelly, Deborah, *Beware of the God*, documentation of cloud projection, October 2005

Deborah Kelly's project *Beware of the God* was part of the exhibition *Interesting Times* at the Museum of Contemporary Art, Sydney in the fall of 2005. The project consisted of an animation shown on 42 projection screens in the underground rail network across Sydney, 40,000 sticker postcards by Avant Card, a limited edition metal plaque, night-time projections onto clouds, and an on-going blog.
Photo: Alex Kershaw

Expanded Sites

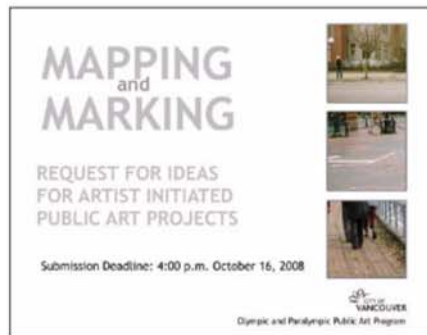
An “expanded” site is a very current approach to public art. It looks beyond the built environment to include more dispersed forms of public space. This can include vehicles, cell phones, the internet, printed materials, sky-writing, projected video—any available means of communication, including simple conversation between people.

A city itself can be proposed as a site for artists’ responses. In this approach, artists are invited to propose a location or a set of possible locations that interest them and the staff and consultant/curator then negotiates securing the site on their behalf. This idea of “site” mirrors how we live in a city, as mobile and curious members of diverse and interconnected communities.

City of Vancouver: Mapping & Marking

“Mapping and Marking was born from one of the most innovative recommendations Vancouver City Council adopted last year to reinvigorate the Public Art Program. The initiative encourages artists with strong connections to Vancouver to propose works of art based on their own ideas and art practice, at sites of their own choosing. Mapping and Marking is the pilot project for this initiative and lends itself to the City’s new vision of supporting and investing in the creative arts and culture of Vancouver over the next decade.”

<http://olympiccity.vancouver.ca/cityhighlights/thecreativecity/publicartprogram/mapping-marking.htm>



[artistinitiated2010 Mapping & Marking.](#)
(PDF)

POINT OF VIEW

THE ARTIST

- considers the site as integral to the artwork
- evaluates its social, historical and physical conditions
- responds to both the potential and the frustration it can present
- is inspired by new approaches to the idea of site

THE AGENCY

- considers the site as the meeting place of a variety of interests
- enhances a site's potential and mitigates its challenges
- is informed about new definitions of "site"
- avoids setting too-rigid parameters

THE PUBLICS

- responds to new ways of seeing familiar places
- moves through, lingers and remembers a site in particular ways

5 How

The Mission

A Program mission is the touchstone to which an agency can refer for making policy decisions, fine-tuning activities and planning for the future, as well as a benchmark to use in evaluating progress. A mission statement communicates the values and operating principles of the Program to the public, the art community and to colleagues within the agency.

In developing or evaluating a Public Art Program mission you will want to consider the Program's key values. Does the mission:

- Acknowledge its audiences?
- Value the work of artists?
- Seek inspiration from exceptional artworks?
- Celebrate the role of art in enriching the experience of urban space?
- Consider each artwork as part of a growing collection?

Resources:

Creative Time "Mission Statement" www.creativetime.org/about/index.html

Public Art Online (Extensive tools, links and resources divided into sections for artist, commissioner, local authorities, researcher and consultants)
www.publicartonline.org.uk/

Americans for the Arts (Goals, Planning Tools, Selection Process, "percent for art")
www.americansforthearts.org/networks/public_art_network/default_004.asp

Ixia Public Art Think Tank "Good Practice"
www.ixia-info.com/about-public-art/good-practice/

Operating Principles

Operating principles express the values of the Program and guide the development of policies. Principles such as these can inspire a Program to excellence:

- Sustainable forward-thinking policies and practices that foster innovation
- Public art opportunities that are unique and meaningful to each specific site
- Willingness to seek curatorial expertise for research and artist selection
- Consideration of new and unique platforms for artist opportunities
- Consideration of emerging and under-represented artists by providing diverse opportunities, clear guidelines and management support
- Encouragement of creative dialogue between artists, architects, engineers and trades, arts organizations and the public
- Clear criteria and processes for the acceptance of artworks including donated works or funds
- Celebration of and discussion about public art through openings, presentations, forums and events
- Consideration of the collection as a whole
- Planning for maintenance and conservation

Program development is an on-going and exciting international conversation, and this example will give you an indication of the depth and momentum of activities in the field:

Birkbeck: University of London, “Manifesto of Possibilities”

wiki.bbk.ac.uk/Buildingcultures/index.php/Manifesto_of_Possibilities

The values and operating principles, resulting from an informed and inspired mission, will be embedded in the policies your agency creates to address excellence, funding, decision-making authorities, selection panels, arms length practices, maintenance, and donations.



Lum, Ken, *Four Boats Stranded, Red and Yellow, Black and White*, 2001
Vancouver Art Gallery

6 How

Funding and Partnerships

As public art has been embraced by agencies around the world, models for funding are developing and evolving. We have outlined several approaches and provided examples of interesting established and emerging models. You will notice that Public Art Programs rely upon partnerships and collaboration, which reflects the nature and conditions of working in public spaces.

Private Development “Percent for Art” Programs

A private sector “percent for art” Program allows a city or region to attain the advantages of public art in exchange for negotiated benefits for the developers, such as height and density bonuses. The development sector often embraces public art as a way to enhance their own image in the marketplace, while providing alternative and interesting amenities for their employees and residents to enjoy. The contribution for art projects can be used for the public areas of the development site or allocated to the Public Art Program in general, and managed by the city.

Partnerships with private development work best when the Public Art Program:

- establishes the principles and standards to which all parties will adhere
- clearly defines the role of developers in the process and the terms of their contribution
- involves art professionals with curatorial and management expertise
- employs an Art Plan to outline an opportunity and selection process prior to announcing a competition
- is flexible in making exceptions for non-profit organizations, social housing, neighbourhood leisure centres, etc.
- offers an option for the developer to contribute to a Public Art Reserve managed by the agency as an alternative to offering a commission
- is willing to consider new, entrepreneurial approaches to addressing the public art requirement
- requires that a percentage of the public art budget be contributed to a maintenance fund

Large scale developments can contribute significant funds for major public art opportunities. The standard requirement in North America has been One Percent for Public Art, and some programs have recently been increased to 1.3% or 2%, reflecting the rising costs of constructing specialized elements and the growing market value of art internationally. While these standard formulas exist as benchmarks,

alternate formulas should not be ruled out. The funds resulting from public art requirements generally include the consulting and selection process as well as all costs and fees for the project.

City of Vancouver “Private Sector Program” vancouver.ca/commsvcs/oca/publicart/

Private sector public art policies were designed to ensure that developers recognized the standards of contemporary art in selecting projects. Over the years, companies have embraced public art and become informed about the practice—and have begun to “think outside the box,” sometimes taking on projects even when there is no specific requirement. As the awareness of the developer community (along with the public in general) grows more curious and experimental, it is important to allow flexibility within the Program. This will encourage entrepreneurial thinkers to creatively address the spirit of the public art requirement in new ways. Recent examples include ongoing temporary projects, as well as editions of variations of commissioned artworks. In keeping with trends in contemporary art, some developers with public art experience acknowledge the role of curation and the potential of art to animate a site in diverse ways.

In the following example, Westbank/Peterson Group offered to cover the costs of an elaborate photo shoot by artist Stan Douglas, even though no public art commission was required for the Woodwards development in the Gastown area of Vancouver. Douglas produced a major photographic work for the Woodwards development as well as an edition of smaller scale photographs that he can exhibit and sell as he chooses.

Kamping-Carder, Leigh, “At the Gastown Riot”

The Walrus Magazine, www.walrusmagazine.com/articles/2009.07-profile-at-the-gastown-riot-stand-douglas-walrus-vancouver-art/

Meyer, Tini, “A Patron, An Artist, The Public,”

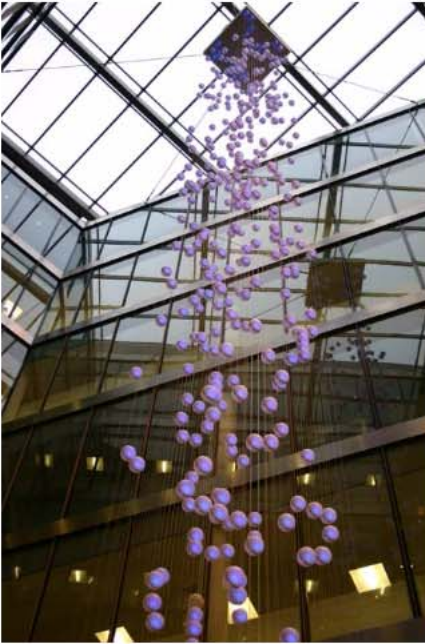
The Vancouver Sun, www.ampri.ca/home/WestCoast_Homes.pdf

In another upcoming example, ParkLane Homes is undertaking a development on a much longer timeline. The project, sited on the banks of the Fraser River, British Columbia will continue into the next two decades. Rather than opting for a permanent, large scale sculpture, the company became interested in “a changing program of artwork that would permeate the social fabric of the community; a program that would evolve as the community grew and one that would emphasize the processes of investigation, inquiry, and public engagement.” This approach parallels the scope of the development, and is a strategy to ensure the public art requirement remains current and responsive to the site over time.

In the creation of a new corporate headquarters, the Lufthansa Aviation Centre “wanted to invite artists to work here with the architecture and create artworks that relate specifically to the building, the Lufthansa identity and the construction process. We therefore selected artists who are on the brink of an important stage in their careers. Lufthansa will continue to follow their progress.” This on-going commitment to an expanding art Program reveals a desire to integrate artistic practice into a corporate culture.

Lufthansa

“Cerith Wyn Evans,” <http://lac.lufthansa.com/en/html/kunst/evans/index.php>



Greyworld, *The Source*, 2004,

An eight storey kinetic sculpture, sited at the London Stock Exchange. Every morning the installation comes to life, signifying the opening of the London Markets. The grid of cables support nine spheres that rise and fall in relation to market activity.

www.greyworld.org/#the_source_/1

Photo: Copyright © greyworld 2010.

Civic Capital Projects

A civic Public Art Program can provide leadership to potential partners and demonstrate their commitment to art on public lands by dedicating funds from the city capital budget for the development and management of public art projects.

The two funding methods commonly used by municipalities involve:

- Levying a percentage against hard and soft capital project construction budgets. This can be an overall levy on the capital base or can be applied to projects of a minimum size. It may be used on the project site or pooled towards overall Program plans and costs.
- Allocating a fixed amount of the overall city capital budget for public art projects. The amount depends on the size of the city or the profile of the special projects. Since public art projects most often develop over more than one year, the Program should be allowed to accumulate at least a percentage of these funds in order to facilitate larger projects and to collect the necessary financial resources before a project is undertaken.



North, Peter and Alyssa, *The Verdant Walk*, 2008 – 2010

This City of Cleveland Public Art project uses more than 4,000 square feet of native Ohio grasses and seven sculptures. In the warm months, the sculptures are covered with form-fitting fabric sheathing and are lighted internally at night. The lights are powered by energy generated from solar panels woven into the fabric of the covers. In the winter, the covers are removed from the sculptures, leaving their intricate metal frameworks exposed. www.clevelandpublicart.org/projects/completed/the-verdant-walk

Photo: Pete North of North Design Office.

San Francisco Arts Commission programs “integrate the arts into all aspects of City life” through storefront projects, online activities and neighbourhood initiatives.

San Francisco Arts Commission www.sfartscommission.org/

Some civic Programs operate outside the city bureaucracy, working in partnership with other government or non-profit groups to provide public art services on a regular or project-specific basis. This model has the advantage of operating at “arms-length,” minimizing political interference and creating more resilient and art-focused organizations. The city provides a base level of funding for the operations and project budgets. This model may also have an

advantage—as an arms-length entity, the organization may be eligible for contributions from other sources of government funding or private donations.

In Memphis, The UrbanArt Commission is “funded in part by the City of Memphis, ArtsMemphis, the Tennessee Arts Commission and the financial contributions of culturally committed private citizens and patrons of the arts.”

UrbanArt Commission www.urbanartcommission.org/about.html

The Winnipeg Arts Council is funded by the City of Winnipeg to manage their art Programs including public art. www.winnipegarts.ca/index.php?/public-art/
4Culture in Washington State is a tax-exempt public corporation that operates as a cultural service agency for the County. Experienced public art staff work on a consulting basis to plan and manage projects and partnerships between the County and others. www.4culture.org/publicart/index.htm

Partnerships with other Departments

Public Art Programs may augment limited budgets by partnering with Planning, Engineering, and Parks and Recreation Departments. Planning Department funds can assist the development of public art plans, as shown in the development of the Carrall Street Greenway project linking Gastown and Chinatown in Vancouver.

City of Vancouver, "Carrall Street Art Plan"

<http://vancouver.ca/commsvcs/oca/publicart/pdf/carrallpublicartplan.pdf>

Public infrastructure such as utility covers, benches, and street paving offer opportunities for artist design commissions with production costs already in place for replacing city infrastructure.

Art Under Foot invited "anyone who lives, works, or goes to school in Vancouver to submit design ideas for new manhole covers, the lids that mark the entrances to our underground network of sewers. The Public Art Program received more than 640 entries from Vancouverites of all walks of life and ages."



Weih, Jen, *Art Underfoot*, sanitation sewer cover, 2004

<http://vancouver.ca/commsvcs/oca/publicart/artunderfoot/index.htm> Photo: Barbara Cole

For smaller civic projects, a pre-adjudicated pool of artists available for public art projects is one way to keep budgets manageable and respond to limited timelines. This pool of approved artists can be a resource for Engineering, Streets and other city departments when projects arise. Direct selection from the list is possible, but most often several artists are interviewed for a specific opportunity, with input from art professionals on the interview team.

Washington State Arts Commission, "Art in Public Places – Public Art Roster"

www.arts.wa.gov/public-art/roster.shtml

Libraries are often natural partners in the public art process. As hosts for artists in residence programs, as commissioners for temporary or permanent artworks, or as



White, Pae My-Fi, 2007

Installed in the window of Café Leinmann, Muenster, these marzipan sculptures of Los Angeles taco trucks were produced in collaboration with confectioners.

www.lwl.org/LWL/Kultur/skulptur-projekte/kuenstler/white/ Photo: Barbara Cole



Batchelor, David, *Ten Silhouettes*, 2005, commissioned by Art on the Underground.

Installed in the Gloucestro Road Tube Station, London, the work includes 10 arched niches with suspended found metal objects, illuminated from behind.

www.tfi.gov.uk/tfi/corporate/project-sandschemes/artmusicdesign/pfa/artists/batchelor.asp Photo: Daisy Hutchinson



presentation venues for talks and workshops, libraries place a high value on public access to culture.

Vancouver Public Library worked with the city Public Art Program to host curatorial proposals and with The Aperture Program, a series of artists' banners in the library. The VPL also assisted with fundraising and collaborated with non-profit arts groups in the implementation of aspects of these Programs.

Partnerships with Local Businesses

Local Business Improvement Associations and ratepayer groups can provide funding to help improve community spirit through public art initiatives. Incentives can be created through a granting process or providing matching funds for an artist to develop a concept proposal. These partnerships increase the number of interests involved in a project and require more investment in managing communication and dialogue.

Partnerships with small business works best when:

- all proposals are subject to the best practices of selection and production
- the roles of the collaborators are clearly stated
- initiatives reflect existing area plans and art plans

The South Hill Art Plan was commissioned by the South Hill Business Improvement Association in Vancouver.

[South Hill Art Plan \(PDF\)](#)

Partnerships with Transit and Pedestrian Projects

Major infrastructure projects, sometimes involving more than one municipality as well as a transit corporation, can provide ample resources for a coherent and vital Program that interacts with a large cross section of residents and visitors. Budgets will vary, as there may be no consistent mechanism for public art allocations, but it may be to everyone's benefit to revitalize the corridor with art projects. Bus wraps, transit shelters and billboards are relatively inexpensive and accessible advertising formats that can easily be adapted to artists' projects.

Main Street Public Art Urban Transit Showcase

A collaboration between Translink, the City of Vancouver and Transport Canada, the inaugural project, 88 Blocks by the artists collective Instant Coffee included bus wraps, signage and a transit shelter.

Instant Coffee, "A Bright Future" www.instantcoffee.org/home.html

Translink, "Main Street public art program has its official launch," *The Buzzer Blog*, <http://buzzer.translink.ca/index.php/2009/01/main-street-public-art-program-has-its-official-launch/>

[Main Street Public Art Plan](#)



Kusama, Yayoi, *Dot Obsession*, 2009
Part of the "Walking in my Mind" exhibition at the Hayward Gallery, London, this row of wrapped tree trunks is placed at the halfway point of a 45m walk along the Thames. Photo: Barbara Cole

Partnerships with Arts and Cultural Organizations

Art organizations are natural allies for public art and can play a significant role in the development of your Program and in promoting your activities. Galleries and museums, collectives and service organizations may have access to sources of funding and expertise to contribute and have an important part to play in the promotional strategy for your Program and projects through their networks and membership. In addition to co-sponsorships of artworks, they may offer opportunities for partnering on education programs, artists' lectures, or panel discussions.

Offsite is a recent initiative of the Vancouver Art Gallery. "Offsite: O Zhang"
www.vanartgallery.bc.ca/the_exhibitions/public_art.html

Organizations formed specifically to present public art can provide inspiring ways of working with artists, new forms of public art, and innovative marketing methods.

Toronto Sculpture Garden, www.torontosculpturegarden.com/history.htm

Madison Square Park Conservancy,
www.madisonsquarepark.org/Programs/MadSqArt.aspx

Artist-led Projects

Artists with secured project resources may approach a Public Art Program for assistance with additional funding, site procurement or to manage the requirements for the use of a public space.

Knowles.Harbourside.Bristol.pdf

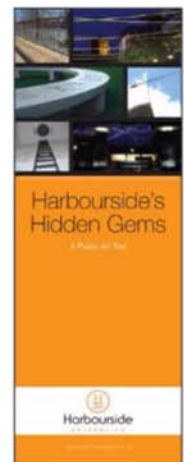
Partnerships with Industry or Academic Research

Agencies may create research opportunities for artists to collaborate with other disciplines, sharing a creative approach to geography, natural sciences and environmental studies. These Programs often employ partnerships with post-secondary institutions and senior government departments.

Royal Society for the encouragement of Arts, Manufactures and Commerce,

Arts and Ecology Program, www.rsaartsandecology.org.uk

Art Angel, "Roni Horn, Vatnasafn/Library of Water, Stykkisholmur, Iceland"
www.libraryofwater.is/flash/standaloneMM.html



Case Study: "Yellow Fence," Erica Stocking, UniverCity, 2009

Partnership with the Private Development Industry

Case Study: "People Amongst the People," Susan Point, Stanley Park, 2008

Partnerships with other Departments

7 HOW

Acting on the Mission

The basic task of any Public Art Program is to support the production of excellent artwork. To do this, it should nurture best practices using policy statements as a guide.

Program Focus

Working from the Program mission, you may wish to establish policies that state the focus of the Program as a way to clarify objectives and create manageable parameters.

Funding and Partnerships

As we discussed in the previous chapter, a range of funding models are at play in the production of public art. Policies that outline the funding relationships within and beyond the agency will determine the feasibility of the Program.

Roles and Expertise

Establishing policies that support curatorial and artistic expertise is central to the success of the Program. This includes clearly defining the roles and expertise of staff, committees, selection panels and technical review committees. Public art involves the expertise of many departments from engineering and planning to permits. Policies should outline the major reporting relationships.

Arms-Length Peer Review

Arms-length is a term particularly pertinent to the arts. In order to keep decisions about the quality of art free from political interference, arms-length peer review panels are charged with applying rigorous artistic standards in reviewing proposals. Considered a best practice by foundations, granting agencies and post-secondary institutions, this policy will protect elected officials from external pressures and lends legitimacy to the selection process. Peer review panels involve artists, curators and other professionals with expertise in the field of contemporary art.

Acceptance of Proposals

The CEO or city council may be the ultimate decision-making authority, however, the public art review process involves input and expertise at many levels from both inside and outside the agency. A proposal must meet the requirements of the opportunity as defined through community and technical consultation with staff and site professionals. The Terms of Reference are reviewed by staff, the site team, and

the public art advisory committee. It provides guidelines to the peer review panel and lays out the technical parameters established by engineers and planners. Both the art and the politicians are best served by supporting the outcomes of a rigorous selection and review process.

Maintenance of the collection

Adequate funding and staffing resources are needed for the long-term maintenance of the artworks. A maintenance fund should be established either with funds from the Program budget or a percentage of the artwork budgets (often 10%). Processes for reviewing the condition of works and procedures for maintenance can be planned with other departments within the agency. It should be noted that artworks have very specific maintenance needs often requiring consultation with the artist and art conservation professionals.

Donations

Many public art collections are based on passive collecting—accepting things as they come. To have an active Program, the art needs to be considered as a collection of works that relate to each other, to the agency and to the public. Donations of artworks or funds towards a commission should be balanced against the necessary commitment of a viable public space and the responsibility to care for the work in the future. The criteria and process for the acceptance of donations should reflect the Public Art Program mission, operating principles, artistic excellence and an appropriate and fair use of public space.

Some Public Art Programs form independent assessment committees to evaluate the proposed artwork's value, relationship to the proposed location/site, and whether it is a good fit with the rest of the collection. The membership of the committee changes according to the kind of expertise needed for each donation.

Education and Development

Since agency staff, politicians and publics learn through the association with experienced artists, consultants and curators (and vice versa), a policy statement to guide the long-term development of the Program may emphasize opportunities for mentorship, research and discussion.

Public art policy examples online:

Regional Arts and Culture Council, (Portland)
(Policies on gifts and deaccessioning, and “percent for art”)
<http://racc.org/public-art/policies-and-guidelines>

City of Calgary,
(Public Art Policy, ‘percent for art’, Selection Processes, Public Art Committee)
http://www.calgary.ca/portal/server.pt/gateway/PTARGS_0_0_104_0_0_35/http%3B/content.calgary.ca/CCA/City+Hall/Business+Units/Recreation/Arts+and+Culture/Public+Art+Program/Public+Art+Program.htm

City of Auckland, (Public Art Policies and long-range Development Plan)
<http://www.aucklandcity.govt.nz/council/documents/artpolicies/default.asp>

San Francisco Arts Commission, (Program Structure, Roles & Responsibilities, Selection Criteria) www.sfartscommission.org/pubartcollection/documents/pa01-policies-and-guidelines/

Public Art Scotland,
(Commissioning, funding, project management, education resources)
www.publicartscotland.com/tools

City of Vancouver, (Public Art Committee, Private Development, Considerations for Artists, Donations deaccessioning)
www.vancouver.ca/commsvcs/oca/publicart/resources.htm

Acting on the Mission

Working Backward

Every city has a public art collection—a mural in the bank, a fountain in the park, a bust of the first mayor, the twisted metal form in the median on the way to the airport—a landmark that you take for granted, but have come to identify an area and mark its history.

How did it get there?

Who was the artist?

What is it made of?

Who fabricated it?

Who takes care of it?

The first step is to take inventory. It's a good project for partnering with an art school by hiring art student interns. Photograph the work, find out when it was made, what it is made of, who made it and something about the artist. Are there local resources and expertise available through art professionals in the community, universities and galleries? Is there existing documentation of the work that can be compiled through agency files, newspaper stories or reviews? Is there a coherent group of works by the artist that has been put together by a philanthropist, a university, a gallery?

This information and documentation can form the basis of a database to record the artist's name, the title and date of the work, the occasion of its production, the artist's intent, its materials and maintenance needs and the artist's contact information. Once established, a public art database will be invaluable as the collection grows, providing a resource for staff and the public.



MacCarthy, *Coeur de Lion, Angel of Victory*, 1921

Angel of Victory is one of three identical statues commissioned by the Canadian Pacific Railway in 1921 to honour their workers who answered the call of "king and country" and made the ultimate sacrifice. The others are in Winnipeg and Montreal. The angel originally held a full wreath in her upraised hand.

http://vancouver.ca/PublicArt_Net/ArtworkDetails.aspx?ArtworkID=24&Neighbourhood=&Ownership=&Program=

Photo: Barbara Cole

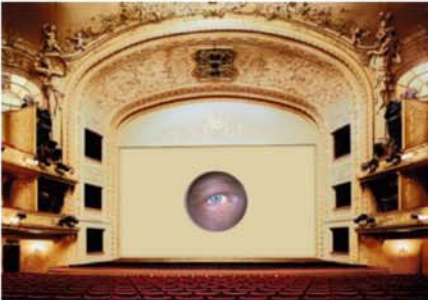


Vancouver Aids Memorial, 2004

The desire to commemorate events or people often marks the beginning of a public art collection. The AIDS Memorial Society selected the design before funding was secured or a location approved. After 10 years of fundraising and a lengthy public consultation process, the memorial was sited at Sunset Beach and overlooks English Bay.



Richard Hamilton, "Retard en Fer – Delay in Iron," *Safety Curtain* 2001/02, Vienna State Opera



Michael Elmgreen & Ingar Dragset, "Looking Back," *Safety Curtain* 2002/03, Komische Oper Berlin

Safety Curtain is a collaboration between Museum in Progress and the Vienna State Opera House, which transforms the safety curtain into a temporary exhibition space for contemporary art. The images are printed on plastic-nets using the CALSI-System (Computer Aided Large Scale Imagery), and are fixed with magnets on the safety curtains, which in Vienna is an officially preserved monument.

© museum in progress, www.mip.at

Working Forward

A cohesive, integrated, flexible, Program considers new developments in contemporary art and new models of art in public spaces. As we presented in *How: Funding and Partnerships*, some of the most innovative Programs are based on collaboration with like-minded organizations.

Some manageable kinds of projects are:

- Pilot projects
- "Platform" based projects
- Event-based projects
- Electronic media

Looking around your community will suggest potential areas for feasible initiatives. A good private development Program, either by civic requirement or by individual partnerships with developers may be the catalyst that the development community is waiting for. Is a new park being planned or a local business group looking for a way to infuse interest in their area? Would a residency at a college or university—an environment science department, for instance—provide an opportunity for cross-disciplinary exchange and art production?

One substantial opportunity, done well, can be the foundation for the growth of an ongoing Program.

Pilot projects that involve temporary works can be a good introduction to the public, either on their own or as



Hirsch, Antonia, *Vox Pop*, 2008

Presented by Other Sights for Artists Projects on advertising screens managed by Bonnis Media, at Robson and Granville Streets, Vancouver. A one-minute video depicts a solitary "fan" performing *The Wave* in the Pacific Coliseum. www.thersights.ca/projects.html (2-channel video installation: silent, HD/SD versions available dimensions variable © Antonia Hirsch, 2008) Photo: Loe Russell



Perschke, Kurt, *RedBall*, 2001 – ongoing

A temporary project that has traveled to Barcelona, Chicago, Sydney and Toronto, the RedBall Project is eased into entranceways, beneath bridges or wedged into alleyways, allowing viewers to see their city afresh while they follow the project. www.redballproject.com



All photos © Kurt Perschke



part of a community event. This can involve a curated series of temporary installations of sculptural work, an interactive media work on video screens, performance art, or signage projects. There may be a dreary plaza, a blank wall or banner supports that can be programmed with rotating commissions.

Regardless of where you start, the basic policies you create will allow the projects to form a cohesive identity for the Program that matches your resources, and can be communicated well.

Resources:

Drift 10

DRIFT 10 is a series of strategically placed artworks in, alongside, and over the River Thames in central London. The biannual event enhances London's vibrant art scene, by making the most of one of the best-known rivers in the world to generate a dramatic visual landscape that will continue to inspire and fascinate community, national and global audiences.

www.illuminateproductions.co.uk/default.aspx

The Snow Show

The Snow Show investigates issues related to art and architecture by creating works from the ephemeral materials of snow and ice. An artist was partnered with an architect and invited to develop a work together. This conversation created a bridge between the art and architectural worlds. Conceived in 2000 by independent curator Lance Fung, *The Snow Show* has since constructed 17 structures.

www.thesnowshow.com/

SITE Santa Fe International Biennial

Although SITE offers exhibitions year-round, its international biennial involves choosing a curator, who in turn proposes a thematic exhibition of international stature, that can provide both regional and visiting audiences an opportunity to view some of today's most advanced contemporary art. The biennial curator is selected by SITE's director, in collaboration with SITE's board of directors, exhibition subcommittee and international advisory committee.

www.sitesantafe.org/exhibitions/past.html

City of Melbourne Laneway Commissions

"Unlike Melbourne's grand facades and imposing main streets, our laneways were built to human scale. Since their construction in the mid-1800s they have continued to capture and reflect the more intimate details of Melbourne's urban history. Today, these laneways hold secrets to our past even while continuing to offer a world of exploration, discovery and adventure.

As unique spaces for public art, our laneways represent an opportunity to illuminate Melbourne's past, reflect its present and grasp its future."

www.melbourne.vic.gov.au/AboutMelbourne/ArtsandEvents/Pages/Lanewaycommissions.aspx

8 How

Points of View on the Mission

The mission reflects the values of the agency and will be considered from different points of view:

POINTS OF VIEW

THE ARTIST

Experienced artists will look to the mission as they consider whether or not to respond to an artists' call, to lend their support to the Program, to serve on a peer review panel, or to recommend the Program within the art community.

Their questions include:

- Does the mission inspire a creative response?
- Are there structures in place for supporting the development of the art and maintaining the artworks?
- Is the mission informed by the values of contemporary art and relevant to contemporary art practice?

THE AGENCY

Within the agency, the mission sets out the framework and scope of the Program. It is a touchstone for making internal decisions and communicating to all your stakeholders.

- Is the mission flexible enough to accommodate growth and changing circumstances?
- Is it clear enough to guide actions and working relationships?
- Does it inspire the confidence of the art community, business community, council members?
- Does it communicate clearly to networks of contacts and supporters?
- Does the mission match the commitment of the agency?

THE PUBLICS

The Program is accountable to a range of publics and they will look to the mission to anticipate how it will benefit and impact their shared spaces:

- Does the mission clearly state its values and inspire interest?
- Are all areas of the city or region considered?
- Are there opportunities to learn more?

9 How

The Art Plan

A good public art plan is integrated into the planning framework for the city or area. A Master Plan is a broad working document that identifies the potential for civic public art in the context of the cultural life of the area. It is supported by an interdepartmental planning process that brings together relevant input from departments, partner agencies, area planning and may include input from artists. It should identify priorities that are consistent with the goals of the city and the mission of the public art program as they relate to upcoming public or private developments within a given timeframe, usually three to five years.

The Master Plan:

- Provides a framework of possibilities and priorities as groundwork for specific art opportunities
- Encourages information exchange and buy-in from other city departments and partners
- Identifies the financial resources available for art projects

Resources:

City of Scottsdale, “Public Art Master Plan” www.scottsdalepublicart.org/about.php

City of Toronto, “Public Art Planning”

www.toronto.ca/culture/public_art/planning.htm

The Art Plan:

The Art Plan pulls in the focus by identifying a range of opportunities that are possible in a specific area, such as particular street or neighbourhood. The Art Plan should be revisited frequently to reaffirm the goals and keep the opportunities current.

- Identifies local communities of interest and documents their input and priorities
- Brings together relevant input from city departments, partner agencies, collaborating developers, architects and designers, and the art community
- Explores the material, technical and conceptual potential unique to the area
- Provides a framework of possible sites, approaches and priorities for specific art opportunities
- Identifies the resources available and needed for specific public art opportunities
- Proposes opportunities from the perspective of in-depth knowledge of current art practices

10 How

Art Opportunity and Selection

Art Opportunity

Identifying public art opportunities early in the process of a development or building project is the best way to ensure the most successful art outcome—and the most cost effective. This strategy allows for fruitful relationships between the artist, architects, engineers and other design professionals, resulting in artworks that are creatively integrated with the architectural vision as well as construction schedules. It can result in efficiencies in fabrication and installation, and provides the time needed to support the creative process. The earlier the artist comes into the project, the more opportunities for collaboration, problem-solving and creative solutions there will be, and the greater chance the artist will become an important member of the design team.

Selection

Terms of Reference

The Terms of Reference is a comprehensive, detailed document that guides the process of selecting a proposed artwork. Written for artists, the document brings together all the necessary information for their consideration of the opportunity.

If you are creating a Terms of Reference document without having the benefit of past preliminary, detailed or area art plans, you may want to make sure local stakeholders are informed. This may take different forms: public meetings to familiarize people with the process, or direct meetings with key groups or individuals. This process is an opportunity to introduce people to the project and the broad range of potential art approaches, and is most productive when conducted by a consultant or curator who is familiar with presenting contemporary art practices to a broad audience. The purpose of a public information session is not to define the art opportunity so much as to articulate the context, priorities and local interests in the Terms of Reference and to ensure support for the project.

The Terms of Reference:

- are specific to each opportunity
- are prepared for each competition with input from an experienced, knowledgeable public art consultant or curator
- provide information to artists while allowing space for their creative interpretation
- provide an overview of the historical, geographic and cultural context of the site

- contain technical and design details about the site, gathered from key design and development professionals
- refer to civic priorities
- place the opportunity within the context of other artworks in the area and/or an existing Art Plan
- record input from local residents
- provide the preliminary schedule for the work
- detail the selection criteria including relevance to the site, artistic quality, and criteria that are specific to the opportunity.
- outline the selection process, schedule and the membership of the selection panel
- indicate the expected experience level of the artist and any specific skills required

If the agency requires the use of standard Request For Proposal documents, it is optimal to use the Terms of Reference as the principal document for information and keep the RFP as simple as possible.

The Terms of Reference can be posted online, with a protected password for limited calls, as a strategy to reduce printing costs. The online TOR may be helpful in managing communications with short-listed artists by sharing their questions and your responses, and therefore keeping the competition process equitable. Online TORs are very useful in national or international artists' calls, reducing the need for long distance phone calls and mailing expenses.

The distribution of the Terms of Reference differs according to the selection methods that are used.

Selection Methods

Selecting an artwork proposal can involve an open call to artists, a limited or invited call, or in some cases direct selection may be justified. A proposal may be chosen on the basis of an artist's submitted credentials or on their submitted preliminary ideas. In any case, having the selection panel interview the shortlisted artists before the final selection is often the best way to assess the scope of their ideas and skills.

Choose a selection method that is in keeping with the size and scope of the art opportunity. Some relevant questions are:

- What expertise is required?
- Who do you hope to attract and how will you capture their attention?
- How much time is there for completion? *An open call elicits a large number of responses, many of which may be from artists who do not have the necessary experience for a complex project or one with a short timeline.*
- What are the resources for selection and management of the process? *Numerous submissions may be a challenge to a sole staff person, who must manage the questions and concerns of design and technical professionals as well as communication with the artists. It is important to handle the process in a professional, respectful manner.*
- Is there time for staff or a consultant to assist a less experienced artist through the process?
- What other kinds of opportunities does the Program offer? *Opportunities for emerging artists place more demands on the staff and consultants, since it is*

necessary to orient the artist to their responsibilities and resources. Balancing access to opportunities by a range of artists is a goal for a well-rounded Program, but need not be reflected in every project.

An Open Competition

- encourages a broad range of artists
- should clearly define the expertise and experience required
- is widely advertised in newspapers, industry periodicals, email and internet sites
- most often selects a short list on the basis of artists' credentials
- may be anonymous or not, depending on the circumstances

Open competitions are democratic and may encourage younger artists or those new to public art if the parameters of the project are very focused. Open competitions can be time-consuming, advertising is costly, and they require communication with many people and lots of staff and selection panel time to review proposals. Experienced artists often do not apply to open competitions because of the creative time and energy involved in responding to the many opportunities that arise and the uncertainties of the process. Sometimes, a hybrid between the open call and invitational method is employed.

The first phase of an open competition may result in

- the selection of the successful candidate who is invited to create a concept proposal or
- a short list of candidates who are invited to develop concept proposals for the second phase of selection

Expect to pay fees to the artists who are invited to develop concept proposals. These fees will vary depending on the nature and budget of the project and the level of detail required in the proposal. \$1,000 is usually a minimum. Larger projects for experienced artists may vary from \$10,000 to \$30,000 or more for a detailed concept proposal that includes engineering drawings. Most artists consider the concept to be the most essential part of their work.

A Limited or Invitation Call

- is based on the research of a professional knowledgeable in contemporary public art
- involves the selection panel choosing a short list of artists to be invited for the first stage from a long list of appropriate artists presented by the consultant
- is advised when the project requires a fairly experienced artist with specific skills or knowledge
- requests a written expression of interest from the artists and documentation of related art works, which may include works for public spaces and works for gallery exhibitions

The first phase of an invitation call may result in

- a shortlist of one or more candidates who will be interviewed by the selection panel for a final decision or
- a shortlist of candidates who will be commissioned to create models or maquettes that are presented to the selection panel for their final decision

Energy is focused and productive in invitational calls and the artists and selection panel members have an opportunity to address the objectives fully. Artists are more likely to respond meaningfully to the first stage of an invitation, since it is clear that their previous work has been recognized and that they have a level of ability and expertise that is appropriate to the opportunity.

Direct Selection

- May be appropriate where there is a very short timeline and/or a highly specialized opportunity
- May involve asking the selection panel to recommend an artist to develop a concept proposal
- May involve drawing from a pre-selected pool of artists compiled periodically by a selection panel
- May commission a curator to select an artist
- May involve the program manager identifying an artist based on previous competitions

Direct selection is a practical approach for smaller projects or for a special commission when it builds on the advice of a peer selection panel. Pre-adjudicated lists may be established through an application process every two to three years. It is still good practice for the selection panel to interview several candidates for a specific opportunity.

The appropriate Selection Process, the expertise of the selection panel and the quality of the Terms of Reference directly affect the art outcomes and the success of the project.

Peer Selection Panels

A peer selection panel is made up of practicing art professionals, key project design personnel who provide input, and member(s) of the local community who may or may not have a vote. Qualified candidates are identified by the consultant, or knowledgeable art professional, and presented for review by staff and any existing public art advisory bodies. The selection process is facilitated by the consultant, or staff person, and their main objectives are to ensure that the appropriate expertise is brought to bear on the decision, and that ethical and professional standards are maintained.

Peer Selection Panels

- demonstrate the integrity and professionalism of the program
- consists of a majority of artists and art professionals
- may include a key design team member
- may include a community member
- often includes five members but may effectively range from three to seven
- may include non-voting advisors with specialized technical or cultural expertise
- may include observers who do not participate in the discussion but are there to witness the process
- may be invited from the regional, national or international art community depending on the scope of the competition

Peer selection panel members are paid to review submissions and attend selection meetings with the exception of contracted design team members. The panel may also be involved in visiting the studios of prospective artists, providing input into technical reviews, providing support through the final acceptance of the proposal, and participating in the inaugural celebrations.

There are many advantages to having a majority of art professionals on the selection panel. Serving on juries and review panels for granting agencies is a familiar activity for art professionals, and therefore contributes to a knowledgeable discussion and productive debate about the aesthetic merits of the proposed artwork. It creates credibility for the program within the professional art realm. Most importantly, it gives weight to the ideas and values of contemporary art practice as part of a creative exchange with the technical and design personnel and the community representative.

Selection panel members, staff and observers should be reminded of the need for confidentiality regarding the discussions.

POINTS OF VIEW

THE ARTIST

- Are the timing of the opportunity and the deadlines reasonable?
- Are the Terms of Reference comprehensive and clearly communicated?
- Is the selection process informed by art professionals?
- Is there room to creatively interpret the opportunity?
- Is the process credible, transparent and fair?
- Is the managing professional available, helpful and ethical?

THE AGENCY

- Is the process clear and easy to communicate?
- Do the Terms of Reference provide a schedule and priorities to guide the process?
- Have the necessary people been consulted and informed?
- Are the resources and expertise in place?
- Does the process inspire confidence in a good outcome?

THE PUBLICS

- Is the process transparent?
- Were those affected informed of the project?
- Is the outcome announced and communicated thoughtfully?

11 How

The Contract

The contract forms the legal basis of the relationship between the artist and the agency. It should reflect in the simplest terms the understanding of both parties. A single contract may be used to define the deliverables and acceptance procedures for each phase of the project, however, given the complexity of the public art commissioning process, two or three separate agreements may work better for the different phases of the artwork's development: Concept Proposal, Detailed Design and Fabrication/Installation. The original proposal may change in the course of negotiating the practical considerations of Detailed Design, affecting scheduling, placement, fabrication, moral rights, etc. Neither the artists nor the owner wants to be bound to provisions that do not apply to the final process or the completed artwork. If separate agreements are used, it is beneficial to show all of them to the artist at the beginning so that the terms and conditions of subsequent phases come as no surprise later on.

The contracting process will establish the nature of the working relationships between all parties. Many artists have not previously entered into formal contracts, so avoid legalese, use plain English as much as possible. As an agency that wishes to have ongoing relationships with artists, it's important to build in respect for artists' rights, which may mean educating the legal staff about copyright, moral rights and accessible communications. Artists should be encouraged to seek legal advice. Legal costs are considered a reasonable item in the project budget.

Concept Proposal:

A separate letter of agreement for the Concept Proposal may be simple and does not need to include all of the liability and extensive requirements of the production phases. The agreement should include:

- Where, when, and to whom the proposal should be delivered
- The Concept Proposal fee
- List of deliverables (for example, visual representation of the artwork proposed, written description of the project, materials and technologies being proposed, material samples, preliminary budget, and project schedule)
- The amount allocated for the artwork budget and what it includes (for example, all artist, management and consulting fees, material, fabrication and installation costs, and an amount stated for contingency)
- Copyright and ownership of the proposal

- The number of designs or revisions the artist may be asked to produce
- The Concept Proposal review and approval process

Detailed Design:

The legal agreement for this phase of work can be a separate contract or be combined with the Fabrication/Installation phase. One of the benefits of being a stand alone contract is that it sets out a distinct scope of work and a finite set of deliverables, thereby allowing both parties an opportunity to assess and adapt for the next phase. If it is a combined contract, there should still be a review and acceptance procedure prior to starting fabrication.

During the Detailed Design phase, the artist produces and assembles all of the necessary documents and materials to guide the successful fabrication and installation of the artwork. The Detailed Design submission is usually assessed according to maintenance and safety standards. In general, the legal agreement for this phase should address:

- The responsibilities of various parties in regard to the project—staff, design team, technical review team, artist, etc.
- The expected schedule and process for changes to the schedule
- Review and acceptance of the Detailed Design submission
- Total artwork budget
- Responsibility for insurance
- Copyright and ownership of the Detailed Design submission

Deliverables for the Detailed Design submission may include:

- Prototypes or mock-ups
- Stamped engineering drawings (structural, electrical, mechanical, etc)
- Material samples and/or specification sheets
- List of fabricators and installers
- Estimates or quotes
- Detailed budget
- Project schedule
- Proof of insurance

Attached schedules may include:

- Invoicing and fee payment schedule
- List of deliverables
- The approved Concept Proposal

Fabrication and Installation:

As stated above, this contract may also include the Detailed Design phase, however a separate contract allows for defining the unique fabrication or construction details specific to the project. The nature of the work may require contracting a third party with all the necessary insurance and WCB coverage for fabrication.

Most artists are small contractors and will require a substantial portion of the funds up front to be able to produce the work. The fee schedule needs to reflect this and provide the funds in a timely way to keep the work going.

The contract should address:

- The responsibilities of various parties in regard to the project—staff, design team, technical review team, artist, etc.
- The expected schedule and process for changes to the schedule
- Contingency in the case of delays (i.e. extra storage costs or loss of other work)
- Identify key meetings and reporting relationships
- Review, criteria and acceptance procedures
- Total artwork budget
- Responsibility for insurance and WCB
- Responsibility for maintenance and provision of maintenance manual
- Copyright in the completed work
- Moral rights and responsibility to consult regarding changes or restoration
- Responsibility for documentation and use of images
- Timely communications and Dispute resolution procedures

Attached schedules may include:

- Invoicing and payment schedule
- List of deliverables, delivery or completion date
- The approved Detailed Design submission

Some Notes about the Maintenance Manual and Documentation

- The Maintenance Manual supplied by the artist will provide a list of materials, specifications and resources as well as specific maintenance requirements and schedules.
- Reproduction quality photographs of the artwork should be supplied by the artist unless the agency has a regular program of professional documentation of artworks. Provide specific details about the number of images required, their size (especially in relation to digital images) and the need for photographers' credits.

Intellectual Property Rights

Ethical relationships with artists are central to the purposes of a public art program. Contracts should reflect an understanding of standards of practice regarding the integrity of the artwork and artists' legal rights as creators. Intellectual property rights protect artists and other creators and are separate legal rights from the artwork itself. Intellectual Property Rights are defined by federal statute in Canada and include copyright and moral rights.

Copyright:

- Grants the author of a work the sole right to reproduce, distribute, display, and alter their works of art
- Expires 50 years after the artists death
- May be assigned or licensed to another individual or institution
- May be assigned exclusively or jointly
- Extends to the use of images of the artwork for promotional or educational purposes
- Copyright can be held jointly by owner and artist, though this may be complicated administratively
- Licenses for the right to reproduce images of artworks for non-commercial purposes are often included in the contract.

Moral Rights:

- Include the right to the integrity of the work in regard to associations or modifications
- Include the right to be associated with the work as its author by name, pseudonym or the right to remain anonymous
- Are non-transferable and endure even after copyright has been assigned
- May be waived by the artist agreeing to not exercise them in whole or in part

Examples of violation of Moral Rights:

- Through an act or omission contrary to moral rights or that affects the honour or reputation of the artist.
- Changing the colour of the artwork or adorning it with additional elements
- Does not generally include changing the location of the work or taking steps to restore or preserve it as long as these are done in good faith

There are many experienced colleagues and examples of contracts to draw on. Seek advice as needed.

References:

Laura J. Murray and Samuel E. Trosow. *Canadian Copyright: A Citizen's Guide*. Toronto: Between the Lines, 2007.

Alliance for Arts and Culture, Artists' Legal Outreach Program, "Making Art Public: Artists, the Law, and the Making of Art in Public Spaces"

www.allianceforarts.com/assets/files/olympics-handout2.pdf

Canadian Intellectual Property Office, "A Guide to Copyrights"
[Canadian Copyright Guide \(PDF\)](#)

Canadian Intellectual Property Office, "Copyrights"

www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr00003.html

Saskatchewan Visual Arts Sector Best Practices Development, "Industry Standards/ Best Practices: Public Art Commissions" www.bestpracticestandards.ca/docs/1_standardsdrafts/Public_Art_Commissions_REV_2010-03.pdf



POINTS OF VIEW

THE ARTIST

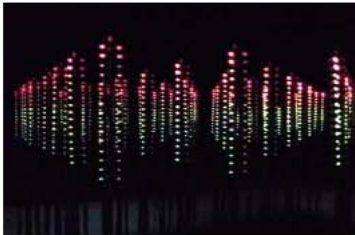
- Recognizes the rights of the creator
- Clarifies the expectations and reporting relationships
- Confirms the nature of reviews, the criteria and acceptance process
- Confirms fees and process of payment

THE AGENCY

- Identifies the tasks and expectations
- Defines stages of deliverables and payments
- Defines responsibilities and liabilities
- Identifies review stages and authorities

12 How

Concept Proposal, Detailed Design and Fabrication & Installation



Heimbecker, Steve, *Wind Array Cascade Machine*, 2003

A wind-mapping kinetic system, in which each of the 64 motion sensors move and bend like stalks of wheat as they measure the wind force and changes in direction. The data generated by the system can be recorded and archived like a video or photograph, or streamed over the internet to Heimbecker installations designed to use this wind data such as an array of LED lights creating a silent representation of wave patterns of the wind. www3.sympatico.ca/qubeassm/WACM.html

Photos: Steve Heimbecker

Tracking a project through the production stages relies on a pro-active approach to communication with everyone involved including the artist, advisory committees, design and technical professionals, and agency staff.

The reviews and approvals that you manage at significant stages throughout the different phases of work will serve to flag issues early and involve the appropriate personnel in streamlining the process.

Concept Proposal

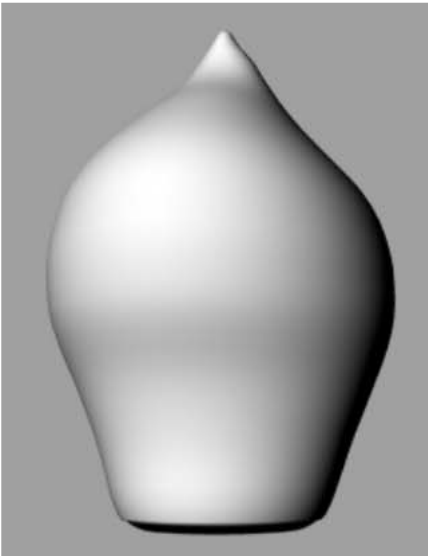
Developing a concept or idea for an artwork is perhaps the most important phase of the artwork's development—it is a sensitive process and crucial to the outcome. The artist needs the time, resources and support to get an in-depth understanding of the site and the creative potential of the project. For out of town artists, this will involve travel fees to do site visits.

Concept Proposal Review

A preliminary or schematic design review of the Concept Proposal by key staff, and design and technical team members, provides the artist with feedback on technical, maintenance and safety issues. This review gives the artist an opportunity to amend the proposal before it is presented for final approval. If there are insurmountable technical issues, the artist may be asked to propose an alternate design. If other official approvals are required for the artwork, this should be done in a timely fashion at the schematic review stage. The artist then presents the revised Concept Proposal for acceptance. Upon acceptance of the Concept Proposal, the artist can proceed to the Detailed Design phase.

Detailed Design

At the beginning of the Detailed Design phase the same design and technical team members should review the accepted Concept Proposal for continuity. This review determines what the Detailed Design submission should include in its deliverables. A checklist is created and used as a reference when the completed Detailed Design submission is received. Depending on the artist's experience level, they may need assistance with finalizing the budget or locating engineering, fabrication or other resources. Written acceptance of the Detailed Design submission leads to the Fabrication/Installation phase. The timeliness of the written acceptance of the Detailed Design is important, since the fabrication and installation schedule depends upon it.



MacWilliam, David, *Luminaires*, 2009
3D rendering for a street light globe prototype
Photo: Courtesy of the Artist

Fabrication & Installation

Depending on the type of production involved in the project, the fabrication and/or installation of the artwork may be managed by:

- The artist
- A project manager working for the artist
- The project architect
- A local or distant fabricator
- The commissioning agency

Informal fabrication reviews may be carried out by the agency, through visits to the studio or fabrication facility. Formal fabrication reviews by the relevant technical personnel take place prior to installation. Once the agency has approved the fabrication, the installation can begin.

The installation of the work is reviewed by the relevant engineers and will require their final approval prior to the agency taking possession of the work. The artist is usually responsible for insuring the artwork throughout the process of fabrication and installation.

POINTS OF VIEW

THE ARTIST

Concept Proposal:

- Represents the prime creative opportunity for the artist
- Establishes the working relationship with the agency and determines the level of support needed for gathering information and testing ideas.

Detailed Design:

- Provides the opportunity to test the feasibility of their concept and to assemble their production team

Fabrication and Installation:

- Takes responsibility for oversight in managing and producing the work, or for quality control of the production at pre-determined check points

THE AGENCY

Concept Proposal phase:

- Provides the opportunity to articulate the priorities and parameters of the project
- Brings together the artist, architect, landscape architect, relevant planning and production staff, and any local groups directly affected by the artwork

Detailed Design:

- Provides the opportunity to test the feasibility of the project and to ensure it meets standard safety, maintenance and liability criteria

Fabrication and Installation:

- Monitors the fabrication and installation and coordinates technical reviews
- Pro-actively manages communication about the project internally and to the public

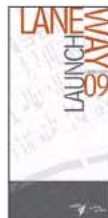
THE PUBLICS

Concept Proposal phase:

- Appreciates being informed that an artwork is being prepared for the area and an opportunity to meet the artist if possible

Fabrication and Installation:

- May be curious and may react when the artwork appears in their neighbourhood
- May respond in blogs, press and media. Look for opportunities to provide useful information about the artist and artwork



Case Study: Laneway Commissions, Melbourne, On-going

Detailed Design | Fabrication | Installation

13 How

Maintaining the Collection

Even a single artwork is the basis of a collection. It is important to begin an inventory of the existing works and plan for new acquisitions. Once an artwork is acquired, the organization has a responsibility to document, conserve and maintain it.

Documentation

A database is an invaluable resource for the agency and for the public. It can be searchable by neighbourhood to create local maps of the artworks for schools, residents and visitors. It can link to works by the same artist in the collection as well as the artist's own website. A good registry is also a resource for curators and other public art professionals worldwide.

The public records generally include:

- the materials and measurements of height, width and depth
- location
- artist's biographical notes
- a description and artist's statement about the work
- photographs

The internal records include:

- maintenance and conservation information and schedule
- the Terms of Reference for the project
- contact information for the artist, architects, selection panel, consultant, fabricators and other contractors
- press clippings, copies of or links to media coverage, publications about the work

City of Vancouver, "Public Art Registry" http://vancouver.ca/publicart_wac/publicart.exe/indiv_artwork?pnRegistry_No=204

Maintenance

Public artworks are exposed to natural forces such as weather conditions and the human forces of pollution, acts of vandalism and accidents. Ideally, regular condition reviews should be carried out. Maintenance reviews and plans can be developed in collaboration with other city departments which are responsible for public spaces.

The agency will need to develop a maintenance fund to cover future conservation

and maintenance costs for all artworks. Ten percent of the project budget is a good guideline, and may be included in the project budget requirements at the time of the commission. The technical review of any public art proposal should consider the anticipated maintenance cost over time.

Each artwork should have a maintenance manual supplied by the artist at the time of completion. This lists specifications of the materials and where they were sourced, relevant fabricators and skilled tradespeople. The manual includes a preferred maintenance schedule.

Routine maintenance of artwork may be within the scope of regular city departments, but exceptional maintenance or repairs often require expertise beyond the normal maintenance of city property. Whenever possible, the artist should be contacted regarding any repair to the work. Specialized maintenance and conservation duties can be outsourced to the artist or art conservation professionals. The agency will need to keep a list of such resources.

City of Toronto, "Maintenance" www.toronto.ca/culture/public_art/maintenance.htm

De-accessioning

On rare occasions, if the condition of a work has deteriorated substantially, public safety is at risk or the circumstances of the use of the space have changed, it may be necessary to de-accession a work. This is a delicate matter requiring serious consideration and thorough communications.

The Public Art Program should develop the criteria to guide the process of de-accessioning work within its collection. In keeping with moral rights legislation, professionals with conservation and collection management should be engaged to evaluate the condition of the artwork and the circumstances of the location before acting to remove. The artist must be notified and any stipulations in the contract considered. Citizens, donors and others who may have an interest in the work and the site need to be considered in the process of reaching a decision.

POINTS OF VIEW

THE ARTIST

- wants assurance that the work is maintained in keeping with professional standards
- wants assurance that they will be contacted when maintenance issues arise, as a continuation of the relationship established during the production of the work

THE AGENCY

- ensures civic pride in the collection through their maintenance policies
- ensures that the database is a versatile resource for city departments and the public
- ensures that the required resources and planning are in place
- ensures communication with other departments, the artist and conservation experts

THE PUBLICS

- want to know that safety issues are addressed
- want to see vandalism addressed promptly
- want civic pride maintained



Langara Centre for Art in Public Spaces, Spring 2009 Speakers Series. Members of the Instant Coffee artist collective present research and images about their work-in-progress.



YouTube website: Shaun Gladwell, *Storm Sequence*, Robson and Granville advertising screens, curated by Karen Henry, presented by Other Sights.

Documentation of temporary projects can be posted to sites such as YouTube where an expanded audience has the opportunity to review and respond to an otherwise fleeting event.

Education opportunities include:

- a dedicated website promoting upcoming events, opportunities and public art program activities
- presentations to staff, council, partners and committees about the artworks as well as the processes and professional practices that support them
- workshops for local artists and other sectors about the Program, its process and new opportunities as well as the resources and skills necessary for success
- public forums on the public art possibilities of an area
- mentorship of emerging artists by established colleagues
- talks by artists about works-in-progress
- forums on art in public space
- public dialogue events about temporary installations or performance works
- Youtube and blog posts to animate and encourage ongoing dialogue locally and internationally
- networking with artists, arts organizations, universities and colleges, curators, writers and consultants to keep the Program current and stimulating

POINTS OF VIEW

THE ARTIST

- values Programs that support and encourage new practices
- is stimulated by innovative opportunities
- is enriched by a vital discussion of professional practices, new artistic approaches and debates
- learns from the opportunity to talk with or work with more experienced artists

THE AGENCY

- promotes and celebrates the collection to create a wider understanding of the nature and practices of public art
- takes action to create support for the Program and its potential
- informs about the necessary level of professionalism and commitment to enhance the quality of artist's proposals
- enhances the profile of the Program on the local, national and international scene

THE PUBLICS

- respond, through educational opportunities, to the capacity of art to engage different communities
- are encouraged to appreciate the cultural field as a whole
- are encouraged to consider the identity of a site and take ownership of their shared spaces
- respond to the experience of living in a vital, contemporary and changing environment



public works, *Park Products*, 2004

A series of collaboratively produced products, using resources found in Kensington Gardens, London, are exchanged in a non-monetary mini-economy. The exchange trades a task or action that have been suggested by park staff or other groups for a specific product.

www.publicworksgroup.net/parkproducts

Photograph © David Bebbler 2004



Boyle, Gwen, Suan Phan: *Abacus*, 2005

Photo: courtesy of the artist



Case Study: “Yellow Fence” Erica Stocking, UniverCity, 2009

Interpretive Essay and Video

Case Study: “People Amongst the People” Susan Point, Stanley Park, 2008

Celebration and Educational Opportunities

Who

“Who” outlines the definitions, roles and responsibilities of individuals and groups in relation to public art.



[LegNow Curatorial Toolkit \(PDF\)](#)

Agency: the agency is defined in this Toolkit as the commissioning body including the managers, technical staff and decision-making authorities.

Architect: the registered coordinating design professional on a development project.

Area Working Group or Area Planning Group: these bodies are made up of representatives of a local area as well as design personnel and city staff involved in a specific project. This may be a formal or informal association. The group may have input into the development of the Art Plan or Terms of Reference for artists and may respond to and support the selection and acceptance process.

Artist: a professional artist is defined by the Canada Council and similar granting organizations as meeting the following criteria:

- produced an independent body of work
- maintained an independent professional practice for at least three years after receiving specialized training
- made at least three public presentations of work in a professional visual arts context over a three year period

Community: a loose-knit assembly of individuals who share something in common, which may be as specific as one particular interest or as broad as living in the same locale.

Conservator: a professional with art historical expertise who specializes in the technical conservation and restoration of artworks.

Critic or art writer: a professional art writer for regional, national or international print or on-line publications. Creative writers can also be engaged to respond to an artwork for brochures or other promotional or educational texts.

Curator: a visual art professional with a knowledge of art, has specialized training in the field and experience in coordinating exhibitions and maintaining a collection.

2010 Legacies Now, “Curatorial Toolkit: A Practical Guide for Curators”

Decision-Making Authority: the department head, person or group with the power to confirm the acceptance of a public art project. This may be a different person for distinct parts of the process: Selection, Concept, Technical Review, Final acceptance.

Developer: a company involved in developing residential or commercial properties, and a potential partner in public art programs.

Engineer: the registered technical professional on a development project.

Fabricator: an individual or business who may be contracted by the artist or the agency to build or construct the artwork or elements of the artwork.

Landscape Architect: a professional who designs and oversees the technical elements of an exterior site.

Maintenance Team: includes agency staff from relevant departments including Streets Engineering, Lighting and Electrical, and Public Art who review the status of artworks and manage regular maintenance. The work is overseen by the Public Art staff who will involve the artist and art conservation experts as needed.

Master Planning Group: a high-level planning group with representatives from such departments as Planning, Engineering, Development and Public Art who review the overall scope of public art possibilities and prioritize opportunities.

Partner: can include private sector corporations, public sector or non-profit organizations, individuals or groups that commit resources or expertise to a public art project.

Peer Selection Panel: a peer selection panel is made up of practicing art professionals—artists, curators, gallery directors, art writers. Qualified candidates are identified by the consultant, or knowledgeable art professional, and presented for review by staff and any existing public art advisory bodies. The selection process is facilitated by the consultant, or staff person, and their main objectives are to ensure that the appropriate expertise is brought to bear on the decision, and that ethical and professional standards are maintained. The panel may also include key project design personnel and member(s) of the local community who have input and may or may not have a vote.

Publics: Throughout the Toolkit, we have used the term 'Publics' in order to emphasize that multiple communities or groups of people use public space. This term reflects the diversity of cultural viewpoints and backgrounds that make up our social context.

Public Art Committee: This may be a committee of professionals such as a design review panel or it may bring together expertise in contemporary art practices with representation from development, urban design and the public. The committee reviews and recommends policy, considers program priorities, and oversees the working process to ensure program standards are met.

Public Art Consultant: an art professional with expertise in public art practices. This person has knowledge in the field of contemporary art or works with other art professionals that have specialized knowledge.

Public Art Manager: coordinates a public art program, plans and manages resources; liaises with artists, consultants, committees, other staff and associates, the press and the public, and oversees contracting and communications.

Technical Team: is made up of architects, engineers, and/or specialized technical professionals to conduct Technical Reviews of a Concept Proposal in order to evaluate the technical feasibility of an artwork.

Bibliography

Print Publications

Cole, Barbara, “**Canadian Report: Public Art in Vancouver**”

Revista do Instituto Arte das Americas 3, no. 1, (2006): 15 – 30.

Finkelpearl, Tom; Acconci, Vito; Ahearn, John; et al. *Dialogues in Public Art*.

London: MIT Press, 2000.

Goldstein, Barbara. *Public Art by the Book*. Seattle: University of Washington Press, 2005.

Laura J. Murray and Samuel E. Trosow. *Canadian Copyright: A Citizen's Guide*.

Toronto: Between the Lines, 2007.

Phillips, Patricia C. “**Public Art: A Renewable Resource.**” In *Urban Futures: Critical Commentaries on Shaping the City*, edited by Tim Hall and Malcolm Miles, 131. New York: Routledge, 2003.

Phillips, Patricia C. quoted in Korza, Pam. “**Evaluating Artistic Quality in the Public Realm.**” *On View: Journal of Public Art and Design*, Spring/Summer (1990)

Phillips, Patricia C. “**Public Constructions**” In *Mapping the Terrain; New Genre Public Art*, edited by Suzanne Lacy, 69. Seattle: Bay Press, 1995.

Online Publications

4Culture www.4culture.org/publicart/index.htm

4Culture, “Southeast False Creek Art Master Plan”

<http://vancouver.ca/commsvcs/oca/publicart/pdf/SEFCartMasterPlan.pdf>

Alliance for Arts and Culture, “Artists’ Legal Outreach Program”

www.allianceforarts.com

Americans for the Arts

www.americansforthearts.org/networks/public_art_network/default_004.asp

Art Angel, “Roni Horn, Vatnasafn/Library of Water, Stykkisholmur, Iceland”

www.libraryofwater.is/flash/standaloneMM.html

Arts Council of Ireland and the Department of Arts, Sports and Tourism, “Public Art Definitions” www.publicart.ie/main/critical-contexts/definitions/alan-phelan/

Birkbeck: University of London, “Manifesto of Possibilities”

http://wiki.bbk.ac.uk/Buildingcultures/index.php/Manifesto_of_Possibilities

Canadian Heritage Information Network, “Copyright Guide for Museums and Other Cultural Organizations” www.chin.gc.ca

Canadian Heritage Information Network, “Developing Intellectual Property Policies: A How-To Guide for Museums” www.chin.gc.ca

Canadian Intellectual Property Office, “Copyrights”
www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr00003.html

City of Auckland
www.aucklandcity.govt.nz/council/documents/artpolicies/default.asp

City of Calgary
http://www.calgary.ca/portal/server.pt/gateway/PTARGS_0_0_104_0_0_35/http%3B/content.calgary.ca/CCA/City+Hall/Business+Units/Recreation/Arts+and+Culture/Public+Art+Program/Public+Art+Program.htm

City of Scottsdale, “Public Art Master Plan” www.scottsdalepublicart.org/about.php

City of Seattle, “Art Plans” www.seattle.gov/arts/publicart/art_plans.asp

City of Toronto, “Maintenance”
www.toronto.ca/culture/public_art/maintenance.htm

City of Toronto, “Public Art Partnerships”
www.toronto.ca/culture/public_art/partnerships.htm

City of Toronto, “Public Art Planning”
www.toronto.ca/culture/public_art/planning.htm

City of Vancouver, “Art Underfoot”
<http://vancouver.ca/commsvcs/oca/publicart/artunderfoot/index.htm>

City of Vancouver, “Carrall Street Art Plan”
<http://vancouver.ca/commsvcs/oca/publicart/pdf/carrallpublicartplan.pdf>

City of Vancouver, “Private Sector Program”
<http://vancouver.ca/commsvcs/oca/publicart/>

City of Vancouver, “Public Art Registry”
http://vancouver.ca/publicart_wac/publicart.exe/indiv_artwork?pnRegistry_No=204

Creative City Network of Canada, “Toolkit: Making the Case”
http://creativecommons.ca/index.php?option=com_content&task=view&id=235&Itemid=205

Creative City Network of Canada, “Toolkit: Cultural Planning”
http://creativecommons.ca/english/component/docman/doc_download/76-cultural-planning-toolkit

Creative Time, “Mission Statement”
<http://www.creativetime.org/about/index.html>

Fairmount Park Art Association, "What is Public Art?"

http://www.fpaa.org/what_is_pa.html

Hunting, Daniel, Students of Public Affairs Network, "Public Art Policy: Examining an Emerging Discipline" http://www.asu.edu/mpa/Hunting_Public%20Art.pdf

Instant Coffee, "A Bright Future" www.instantcoffee.org/home.html

Ixia Public Art Think Tank, "Evaluation Toolkit"

www.ixia-info.com/research/evaluation/

Ixia Public Art Think Tank, "Good Practice"

www.ixia-info.com/about-public-art/good-practice/

Kamping-Carder, Leigh, "At the Gastown Riot" *The Walrus Magazine*

www.walrusmagazine.com/articles/2009.07-profile-at-the-gastown-riot-standouglas-walrus-vancouver-art/

Lufthansa, "Cerith Wyn Evans"

<http://lac.lufthansa.com/en/html/kunst/evans/index.php>

Madison Square Park Conservancy

www.madisonsquarepark.org/Programs/MadSqArt.aspx

Meyer, Tini, "A Patron, An Artist, The Public"

www.ampri.ca/home/WestCoast_Homes.pdf

Phillips, Patricia C., "Dynamic Exchange, Public Art At This Time"

<http://www.forecastpublicart.org/anthology-downloads/phillips2.pdf>

Phillips, Patricia C., "Everybody's Art, Long-term Supporters of Temporary Public Art"

<http://www.forecastpublicart.org/anthology-downloads/phillips.pdf>

Phillips, Patricia C., "Points of Departure: Public Art's Intentions, Indignities, and Interventions" *Sculpture Magazine*, March 1998, Vol. 17, No. 3

www.sculpture.org/documents/scmag98/phllps/sm-phllps.shtml

Public Art Online www.publicartonline.org.uk/

Public Art Scotland www.publicartscotland.com/tools

Regional Arts and Culture Council

<http://racc.org/public-art/policies-and-guidelines>

Royal Society for the encouragement of Arts, Manufactures and Commerce Arts and Ecology Program www.rsaartsandecology.org.uk

San Francisco Arts Commission www.sfartscommission.org

Toronto Sculpture Garden www.torontosculpturegarden.com/history.htm

Translink, "Main Street public art program has its official launch," The Buzzer Blog, <http://buzzer.translink.ca/index.php/2009/01/main-street-public-art-program-has-its-official-launch/>

UniverCity, “Public Art at UniverCity”

https://www.univercity.ca/community/public_art.58.html

UrbanArt Commission www.urbanartcommission.org/about.html

Vancouver Art Gallery, “Offsite: O Zhang”

www.vanartgallery.bc.ca/the_exhibitions/public_art.html

Washington State Arts Commission “Art in Public Places – Public Art Roster”

www.arts.wa.gov/public-art/roster.shtml

Winnipeg Arts Council www.winnipegarts.ca/index.php?/public-art

CASE STUDY

Laneway Commissions, Melbourne, On-going

This Case Study relates to:

3 When:

Artists Call

Concept Proposal

Contracting

Detailed Design

Fabrication/Installation

**12 How: Concept, Detailed Design,
Fabrication and Installation**

Detailed Design

Fabrication

Installation

Title: Laneway Commissions

Artist: Multiple

Agency: City of Melbourne Public Art Program

Date: Ongoing

Description:

“The Laneway Commissions were conceived by the City of Melbourne as an ongoing opportunity for artists to contribute to the interpretation of the urban environment, extending the planned and familiar beyond its functional aspects. Now entering their seventh season, these commissions are a well recognized and much discussed aspect of city life for residents, workers and visitors. Each year, artists choose their own site, theme and art practice, and many of the works are deliberately designed to be fleeting and anti-monumental. Artists explore the creative capacity of a space and present their ideas in a captivating way to a larger audience.”

www.melbourne.vic.gov.au/AboutMelbourne/ArtsandEvents/Pages/Lanewaycommissions.aspx

The City of Melbourne’s Laneway Commissions represent a unique model for a commissioning process, from artist selection through concept development and artwork production. The program is inspirational for how it addresses “Why” and “What” including building relationships with the business sector and expanding public outreach. For the purposes of this case study, we will focus on the City of Melbourne’s innovative approach to commissioning public art.

Relationship to topic: 3. When: Considerations and Tasks:

Artists Call

The Laneway Commission program provides the time, information and support for artists to develop a concept worthy of commissioning. Each year, the City of Melbourne posts an open call for proposals well in advance of the deadline date (approximately 2.5 months). Artist Terms of Reference are readily accessible on the City’s website along with the celebrated outcomes of past commissions in the form of attractively designed brochures and publications. “Public Briefing” dates are scheduled 7 weeks before the deadline for submissions. Interpreters’ assistance is offered and artists are encouraged to contact the Public Art Program Manager if they have questions.

Among the selection criteria listed in their project brief, the City of Melbourne states:

“Preference is given to projects that represent a qualitative investigation of the chosen site beyond the parameters of beautification and unifying urban design. Artists are encouraged to explore and demonstrate the creative capacity of urban spaces as



Busby, Cathy, *We are Sorry*, 2009

In a large-sign format, Canadian artist Cathy Busby presents *We Are Sorry*, a work composed of excerpts from the 2008 landmark apologies to Aboriginal peoples for policies of assimilation, delivered by Prime Ministers Kevin Rudd and Stephen Harper.

Apologies for both the Stolen Generations in Australia and the Indian residential schools in Canada were of major cultural and political significance when they were delivered, yet each was a relatively fleeting media moment. *We Are Sorry* gives these apologies a renewed and sustained presence, while highlighting the shared histories of two British colonies that wrongly sought to assimilate Aboriginal peoples. http://www.cathybusby.ca/wearesorry_melbourne.php
 Photo: Cathy Busby

these projects should aim to enrich and celebrate the sites they occupy. The artist’s response to the qualities and conditions of a particular place forms the essential basis of this commissioning process, whether it is informed by physical, architectural, philosophical, geographical, social or any other artistic consideration.” (Page 8)

“Artists should also satisfy at least some of these desirable criteria:

- an ability to reflect or enhance Melbourne’s cultural diversity in areas such as ethnicity, age, gender, and ability
 - a capacity to celebrate Indigenous culture
 - a capacity to reflect or critique local identity, culture or character
 - a capacity to attract a broad or a new audience
- (page 12)

Because these are artist-initiated projects, the variety of sites and mediums being proposed requires different kinds of assistance and advice from people with a range of expertise. To address this, the City combines staff-led reviews with external panels of “experts.” The selection process begins with staff reviewing the submissions to ensure they meet eligibility criteria. An external selection panel reviews the vetted proposals and recommend up to 15 artists to further develop their ideas. A technical team reviews these shortlisted proposals before the list is finalized.

In addition to the open call, the City of Melbourne plays a curatorial role by inviting up to two artists to also participate in the program each year. From time to time the City also commissions “Lane-way” artists to explore the feasibility of extending their projects beyond the typical two to 18 month lifespan.

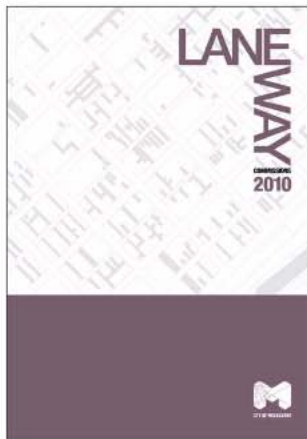
Relationship to topic: 3. When:

Concept Proposal

The City of Melbourne takes a very pro-active, educative approach throughout the different phases of artwork development. During the Concept Proposal stage, the selection panel reconvenes and joins project management consultants to take part in workshops “to enable up to 15 artists to participate in both conceptual and logistical development of the proposed works.” (page 7). Artists are given the necessary assistance to conduct a feasibility study of their own proposal. At the end of a two-month period, the selection panel reviews the proposals and recommends up to ten artists for commissions. Those artists who were not included in the Lane-way Commissions are encouraged to present their proposals to other agencies for consideration.

Relationship to topic: 12. How: Detailed Design, Fabrication, Installation

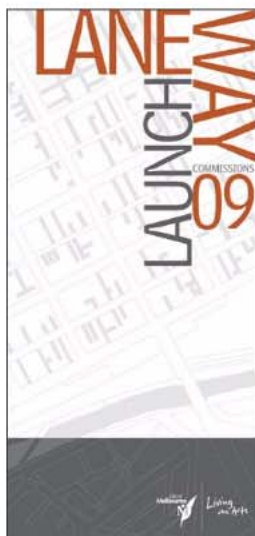
By the time the projects are recommended for commissioning, the proposals have been refined to the equivalent of a Detailed Design phase. The chosen projects proceed directly to fabrication and most are installed within two months. An independent project management team hired during the concept development stage continues to provide the necessary support to the commissioned artists to help them through production phases. This team either has on board professionals such as engineers and designers or has a subset of consultants and trades they bring to the projects.



Laneways_Commission_2010_Project_Brief (PDF)



LC09_BROCHURE (PDF)



Melbourne, Laneways (PDF)

CASE STUDY

“People Amongst the People.” Susan Point, Stanley Park, 2008

This Case Study relates to:

3 When:
Public consultation in advance of the Artists Call

6 Funding the Mission:
Partnering with Other Departments

10 Selection Processes:
Limited Competition

14 Animating the Collection:
Documentation and Celebration,
Opportunities for Education

Title: People Amongst the People

Artist: Susan Point

Date: 2008

Project Partners: Social Planning (Storyscapes Project) and Vancouver Board of Parks and Recreation with participation from Musqueam, Squamish and Tsleil-Watuth First Nations.

The project consultant managed the process for the Public Art Program, which provided the budget for planning and the artwork. The Planning Department contributed time and expertise and supported subsequent activities to collect stories of aboriginal people. Parks staff managed consultations with their constituencies regarding the Stanley Park site as well as confirmation of the site with the Parks Board, and participated in placement and technical reviews of the installation.

Agency:

City of Vancouver, Public Art Program

Public Art Budget: \$200,000 inclusive of all fees and fabrication expenses. The City of Vancouver managed the installation with a cost of \$100,000.

Description of the artwork:

Three beautifully carved red cedar gateways constructed in the traditional slant-roof style of Coast Salish architecture were installed in the totem area of Stanley Park. The gateways are meant to be welcome works representing the Coast Salish people, in particular the local Squamish, Tsleilwaututh and Musqueam nations. The imagery of the gateways are male and female welcome figures, grandparents and grandchildren, and a Salish dancer and killer whale.

10. Selection Processes: Limited Competition

As this work was specifically to represent the local aboriginal peoples, the call was limited to artists from the local Coast Salish Nations.

The panel was made up of one representative from each of the local aboriginal nations who was familiar with the artists, an aboriginal artist and a curator from the Vancouver Art Gallery. The first stage of the selection process was “blind” (without names). A shortlist of three artists were commissioned to produce maquettes. The maquettes were displayed for one week at each of the band council offices and the public was invited to comment. These comments were part of the information the panel considered. Each artist was then interviewed about their proposal by the panel. To reach a conclusion, the panelists participated in a respectful and engaged negotiation of values between aboriginal and non-aboriginal, local First Nations and non-local aboriginal, three related but distinct nations, contemporary art and cultural tradition.



Susan Point, *People Amongst the People*, 2008 Photo: Robert Watt. The gateway prior to unveiling.



Susan Point, *People Amongst the People*, 2008, Photo: Robert Watt. Inaugural event, Stanley Park, Vancouver



Susan Point, *People Amongst the People*, 2008, Photo: unknown. Detail of Salish dancer and whale.



Susan Point, *People Amongst the People*, 2008, Photo: unknown. Detail of welcome figure.

3. When: Public consultation in advance of the Artists Call

The Public Art Program wished to address the need for contemporary artwork that represented aboriginal people in Vancouver. Project consultant Karen Henry was hired to work with the Aboriginal Social Planner for the city to establish an advisory committee of aboriginal people representing the local Coast Salish nations and also urban aboriginal people. The committee met over a period of three months to establish interests, priority sites and facilitate a network of communications. It was decided that the first work should represent the local peoples and be in a highly prominent location. Park Board was approached regarding a work for Stanley Park and this was approved in principle after consulting with the Stanley Park public advisory group. Once the site was approved, a meeting with local Coast Salish artists was set up to encourage interest and answer questions about the process. The consultant also visited artists' studios. This initial phase took approximately 6 months before the artists call was circulated.

14. Animating the Collection: Documentation and Celebration, Opportunities for Education

The inauguration ceremony for the artwork included representatives from Park Board, the city and the three First Nations. Protocols were significant for each of the nations, in relation to the city and to each other, and this was a difficult area to negotiate to the satisfaction of all. The ceremony involved an unveiling of the work and presentations by a city councillor, Park Board member, band chiefs, a speaker for the artist, songs and an aboriginal blessing.

A press release was circulated and articles and photos subsequently appeared in several local papers. Invitations were sent to an extensive list of local dignitaries and the public. Special parking was arranged and busses were offered to bring band elders to the event. Due to unpredictable weather, a tent was set up for the speakers. There was some rain, but most dramatically near the end of the event the sprinklers went off unexpectedly, showering the performers who were singing and drumming and bringing the event to a swift close. The city hosted dignitaries at a special lunch following.

Media Advisory:

http://vancouver.ca/ctyclerk/newsreleases2008/NRpoint_publicart.htm



[susanpoint-evite \(PDF\)](#)



[COVFact.Sheet \(PDF\)](#)

CASE STUDY “Yellow Fence,” Erica Stocking, UniverCity, 2009

This Case Study relates to:

2 Why
Points of View: The Agency

6 How: Funding and Partnerships
Partnership with the Private Development
Industry

9 How: The Art Plan
Terms of Reference

10 How: Art Opportunity and Selection
Selection Process: Choosing an artist
based on her practice rather than
commissioning the execution of a
proposed artwork.

14 How: Animating the Collection
Interpretive Essay and Video

Title: “Yellow Fence”

Artist: Erica Stocking

Date: 2009

Project Partners: Liberty Homes and SFU Community Trust

Public Art Budget: \$55,000 (includes artist fees, insurance, prototypes, engineering, materials, fabrication and installation)

Description:

A series of 15 townhouse gates were launched in July of 2009 as the inaugural project of a new public art program at Simon Fraser University’s UniverCity. Vancouver-based artist Erica Stocking’s “Yellow Fence,” which takes its inspiration from wire meshed construction fencing, and the late Arthur Erickson who designed SFU more than 40 years ago, uses the individual townhouse gates to mark the boundary between public and private space, while complementing UniverCity’s most recent, mixed-use development.

Erica Stocking was chosen by a selection panel made up of three artists, architect/planner and representatives from the developer, and SFU Community Trust. Erica was one of three artists interviewed for the commission.



Erica Stocking, *Yellow Fence*, 2009 Photo: Scott Massey

Relationship to topic: 2. Why: Points of View: The Agency

UniverCity is a model sustainable community neighbouring Simon Fraser University. The community is founded on the four cornerstones of sustainability: environment, equity, economy and education. Surrounded by 1,400 acres of open space, this new neighbourhood offers a unique set of conditions for a vast array of artistic responses. SFU Community Trust initiated preliminary public art planning to investigate ways to make the development a destination public art site. Their intention is to develop a public art program that supports artistic excellence as a way to engage emerging and established artists in the creation of works that generate dialogue and discussion about community and sustainability. The first project to launch the UniverCity Public Art Program was Erica Stocking’s “Yellow Fence.”

“UniverCity’s Public Art Program is made possible through a partnership between SFU Community Trust and the private developers working on Burnaby Mountain. Erica’s Yellow Fence, which was developed with Liberty Homes Ltd, is the first work to be created as part of this new program which aims to highlight UniverCity as a model of sustainable community development.”

– Gordon Harris, President and CEO of the SFU Community Trust

UniverCity, “Public Art at UniverCity”

www.univercity.ca/community/public_art.58.html

Relationship to topic: 6. How: Funding Resources – Partnership with the Private Development Industry

“Yellow Fence” represents an interesting partnership between three ‘owners’.

- a) SFU Community Trust commissioned the artwork and owns the gate inserts
- b) Liberty Homes – volunteered the gates as a platform for an artist’s project as part of “The Hub” development
- c) “The Hub” strata council owns and maintains the gate frames and surrounds

Relationship to topic: 10. How: Selection Processes

The artist selection process was designed to promote positive learning opportunities in the field of art and public space. Public art consultant Barbara Cole of Cole Projects mentored Kate Sansom, a second year Masters student at Emily Carr University through all aspects of the selection process. The public art project was intended to provide an opportunity for emerging artists of exceptional talent and promise to gain experience in working within the genre of public art.

Cole Projects responded to the urgency of a tight time-line by researching a long-list of Vancouver-based artists who represented a “good fit” with the art opportunity. Barbara and Kate conducted studio visits, and invited eight artists to submit portfolios for the consideration of a Selection Panel.

Rather than choose from a shortlist of concept proposals, as is the practice of some public art selection processes, the Selection Panel chose the artist they felt was best suited for the job – the artist then developed a concept with opportunities to receive feedback at key points. This allowed more time for the idea to develop and evolve and also promoted a spirit of trust in the artist’s creative process. The Selection Panel returned to offer feedback post-selection, and then, as a separate body, the Panel’s owner representatives branched off to form an “Owner’s Committee”. This Committee benefited from having been part of the selection process discussions and brought this experience forward when approving the Concept Proposal and Detailed Design submission.

Make up of the Selection Panel and Owner’s Committee was very important. Panelists were extremely articulate in presenting reasons for their choices – this created an educational and inspiring forum for discussion and decision-making. In addition to representation from the project partners SFU Community Trust and Liberty Homes, it was very helpful to have Norm Hotson of Hotson Bakker Boniface Haden on the Owner’s Committee. As the author of UniverCity’s Master Plan, he was able to provide contextual information and insight into how the artwork proposal fit within the Plan’s vision.



Selection Panel members Ken Singer and Kathleen Ritter with artist Erica Stocking during an informal feedback session. Erica presented a series of ideas leading to her final concept proposal and the Panel offered constructive criticism.
Photo: Barbara Cole



Detailed Design Stage: Erica presented a detailed design submission to the Owners' Committee including drawings, detailed budget, quotes from fabricators and production schedule. Two weeks later, she followed up with a full-scale prototype for the developer's review.
Photo: Barbara Cole

In total, there were three meetings of the Selection Panel, three meetings of the Owner's Committee, and two independent meetings with the Developer. It was critical that those people participating in the process have full authority to act and are committed to attending all of the meetings.



[PARTITION Terms of Reference \(PDF\)](#)



Concept Proposal Stage: Erica Stocking, Brent Elliott, and Jesse Nobbs-Thiessen. Erica presented her concept proposal to the Owners' Committee for approval. Photo: Barbara Cole

Relationship to topic: 14. How: Animating the Collection

Often overlooked as part of the public art process, the presentation of the artwork to the public proved to be as important as the making of the work. SFU Community Trust commissioned a short video that featured stills and moving images of the artwork's fabrication along with interviews with the artist and commissioning agency. The Trust also hosted the official project launch that brought together a number of communities in a significant way. All could experience the completed artwork and hear first hand the story of how it came to be.

Distribution of a brochure further extended the reach of the artwork. The text and documentation positioned "Yellow Fence" within the broader context of art in public space, making it a useful publication for the artist, owners, commissioning bodies, civic agencies, and curious viewers.

UniverCity, "About the Art (Video)" www.univercity.ca/community/public_art.58.html



[UniverCity Public Art Reception Invite \(PDF\)](#)



[Yellow Fence Brochure \(PDF\)](#)