



# City of Richmond

## Report to Committee

**To:** General Purposes Committee **Date:** June 12, 2018  
**From:** Jane Fernyhough **File:** 11-7000-09-00/Vol 01  
 Director, Arts, Culture and Heritage Services  
**Re:** **Review of Council Approval Process for Public Art Projects on Private Land**

### Staff Recommendation

1. That the staff report titled “Review of Council Approval Process for Public Art Projects on Private Land” dated June 12, 2018, from the Director, Arts, Culture and Heritage Services be received for information; and
2. That the minutes of the Public Art Advisory Committee meetings, including public art plans and public art concept proposals for each individual private development project, be forwarded to Council for information, and that the Public Art Program Administrative Procedures be updated to reflect this procedural change.

Jane Fernyhough  
 Director, Arts, Culture and Heritage Services  
 (604-276-4288)

Att. 5

REPORT CONCURRENCE		
<b>ROUTED TO:</b>  Development Applications	<b>CONCURRENCE</b>  <input checked="" type="checkbox"/>	<b>CONCURRENCE OF GENERAL MANAGER</b>  
<b>REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE</b>	<b>INITIALS:</b>  	<b>APPROVED BY CAO</b>  

## Staff Report

### Origin

On January 24, 2017, at the Parks, Recreation and Cultural Services Committee meeting, discussion took place regarding opportunities to include Council input on art projects in private developments.

As a result of the discussion, the following referral motion was introduced:

*That the staff report titled, "City of Richmond Private Development Public Art Program Review" dated January 18, 2017, from the Director, Arts, Culture and Heritage Services be referred back to staff to review adding Council approval for Projects on Private Land under section 9(a) of the proposed Richmond Public Art Process.*

This report brings forward a summary of the staff review of the approvals process for artwork located on private property, and provides options and recommendations for improvements to the administrative procedures to address questions and concerns raised by Council.

This report supports Council's 2014-2018 Term Goal #2 A Vibrant, Active and Connected City:

*Continue the development and implementation of an excellent and accessible system of programs, services, and public spaces that reflect Richmond's demographics, rich heritage, diverse needs, and unique opportunities, and that facilitate active, caring, and connected communities.*

*2.1. Strong neighbourhoods.*

*2.4. Vibrant arts, culture and heritage opportunities.*

This report supports Council's 2014-2018 Term Goal #3 A Well-Planned Community:

*Adhere to effective planning and growth management practices to maintain and enhance the livability, sustainability and desirability of our City and its neighbourhoods, and to ensure the results match the intentions of our policies and bylaws.*

*3.2. A strong emphasis on physical and urban design.*

This report supports Council's 2014-2018 Term Goal #9 A Well-Informed Citizenry:

*Continue to develop and provide programs and services that ensure the Richmond community is well-informed and engaged on City business and decision making.*

*9.2. Effective engagement strategies and tools.*

### Background

#### Private Development Public Art Program Policy Goals and Objectives

The intent of the Richmond Public Art Program is to animate the built and natural environment with meaning, contributing to a vibrant city in which to live and visit.

Adopted by Council in 1997, and updated in 2010, the Richmond Public Art Program Policy and the Richmond Private Development Public Art Program encourage the private sector to support the

integration of public artworks in the community during the rezoning and development permit processes, as well as the collaboration of artists, design professionals and community members in the selection of that art. In the Development Permit Guidelines, in the Richmond Official Community Plan, the Public Art Policy is identified as a development standard to be applied across the entire community to achieve a high standard of urban design for the public realm. The Public Art Program Policy Goals include commitments to community diversity and sustainability. Goals of the program, as contained in the policy, are summarized as follows:

- Spark community participation;
- Provide leadership in public art planning;
- Complement and develop the character of Richmond's diverse neighbourhoods;
- Increase public awareness, understanding and enjoyment of the arts in everyday life;
- Encourage public dialogue about art; and
- Encourage public art projects that work towards achieving a more sustainable community.

The Program Objectives, as updated in 2010, are based on Richmond's experience with the program since the program initiation in 1997, research on other public art programs and best practices in public art implementation. Objectives of the Public Art Program are summarized as follows:

- Increase opportunities for the community and artists to participate;
- Develop original site-specific works of art;
- Select art through an arm's-length professional process;
- Ensure that public art is developed through a public and transparent process;
- Enter into partnerships with private and public organizations;
- Ensure that public art and the environs of that art are maintained; and
- Maintain a continuous, consistent and affordable funding mechanism to support the City's commitment to public art.

## **Analysis**

In considering a change in policy regarding project approval and opportunities to include Council input on public art projects in private developments, the following topics have been identified for further analysis:

- The nature of public art and best practices in its selection;
- The current approval process for public art on private property and Council's role in that process;
- Community stakeholder consultation; and
- Options to include Council input on art projects in private developments.

### Public Art and Best Practices

Public art is defined as the expression of human creativity, imagination and skill typically produced by professional artists with training and expertise in the placement of art in the public realm for the benefit and enjoyment of the general public. The appreciation of art is subjective, and the preference for different forms of artistic expression is as varied as there is variety in human personalities. The merits, appreciation and evaluation of public art are highly subjective and it is common to see changes in opinions by the public of particular artworks over time.

Unlike landscape features, including trees, plants and fountains, and utilitarian street furnishings such as benches and lighting fixtures, public art is a unique feature of the public realm, as its value to society is in its ideas and aesthetics. It is not easy to establish parameters for what constitutes an artwork as its creation is based on the imagination and creativity of the professional artist, trained in producing artworks suitable for the public realm.

In other Canadian cities, public art programs are managed by municipal staff, arts agencies or autonomous art commissions. To maintain the independence of the public art program, Councils take the role of establishing over-arching administrative policies and approving funding for the public art program, with the day-to-day administration delegated to City staff. The arm's-length approach enshrines transparency in the selection process and ensures that Council is not held directly accountable for the choice of artwork. Best practice across Canada is to focus the role of Council to approval of policies and annual budgets. Research has not identified any examples across Canada where City Councils are directly involved in the selection of public artworks. In Victoria, for example, Council ratifies the recommended public artworks that are publicly funded on public lands but not on private lands or development projects.

Selection of artworks is conducted through a rigorous and professional evaluation process that considers the artistic merit of the artwork and is informed by technical considerations including safety, structural integrity, budget and maintenance. Works are evaluated by a jury of individuals with an expertise, understanding and appreciation of public art and design, often with the participation of community stakeholders.

### Private Development Public Art Program Approval Process

Through the Richmond Public Art Program, art is voluntarily commissioned by the City, private developers and community donors who see value in enriching the public realm with art. There are five primary stages for the commissioning of private development public artwork:

1. **Voluntary contribution** (based on percentage of construction cost) for public art is offered by the developer through the development application process and accepted by the City;
2. **Public art plan** is prepared by the developer's public art consultant and reviewed by the Public Art Advisory Committee and the City;
3. **Selection** of the artwork, through a jury and interview process, is managed by the developer's public art consultant;
4. **Approval** of the artwork concept proposal by the developer, following technical review; and

5. **Implementation** of fabrication and installation of the artwork is completed by the artist and developer, and administered by the public art consultant.

The developer's public art consultant will set the terms of reference for the goals for the artwork in the public art plan, including potential themes, locations and specific technical requirements to provide a point of departure and inspiration for the artist.

In order to maintain an open and transparent process in the selection of public art, the best practice is to work with arm's-length advisory committees and selection panels composed of artists, art professionals and community representatives with knowledge and experience in evaluating art. Their criteria in evaluating art includes that it will be of high artistic quality, relevant to the goals set in the terms of reference provided to the artist and appropriate to the location. City staff and art professionals assist the selection panel by providing technical assessments of proposed public artworks.

For private development projects, the selection panel typically includes a representative of the owner—often the project architect, landscape architect or project manager—who can provide advice on the relationship of the artwork to the overall design and project vision.

To further reduce the perception of conflict of interest or favouritism, the Public Art Policy states that an artist selection panel shall not include any person from the Public Art Advisory Committee, City of Richmond staff, City Council or their respective partners, employees or families.

In the case of private development, the process for selecting art is guided by the Public Art Program Policy Goals and Objectives above, as outlined in the Public Art Plan prepared by the developer's public art consultant. This process is both independent of, and linked to, the development application approvals process. It is independent in that it follows a timeline and review process overseen by the Public Art Program staff; and it is linked in that often legal agreements stipulate payment of the public art contribution, preparation of the Public Art Plan and/or installation of the artwork prior to issuance of various permits (i.e., Rezoning, Development, Building or Occupancy).

Moreover, upon the advice of the Richmond Public Art Advisory Committee (RPAAC), private developers have included community representation on their selection panels.

The Public Art Program Administrative Procedures Manual includes a chart to illustrate the Richmond Public Art Process (Attachment 1).

City Council, which has the ultimate responsibility for establishing administrative policy, has the following roles and responsibilities with respect to the Public Art Program, both Civic and Private Development:

- In order to ensure City work programs are appropriately aligned, Council sets Term Goals to guide and influence the City's social and physical development as well as the quality of life and lifestyle choices available to residents;
- Council appoints members to RPAAC to advise City Council and contribute to the decision making process;

- Council receives informed advice from RPAAC on the implementation of the Public Art Program through civic, private development and community public art initiatives;
- Council refers public art policy issues and questions to RPAAC and staff for review and advice;
- Council may periodically review the voluntary public art contribution rate, currently set at 1% of construction budgets for civic projects and 0.5% of construction budgets for private development;
- Council accepts private developer voluntary public art contributions through the development application approvals process;
- Council approval is sought for all proposals of gifts of artwork;
- Council approval is sought for all public art plans and projects on City-owned land;
- The annual Public Art Program report, including an RPAAC annual work plan, is brought forward to Council for review; and
- Council delegates the administration and management of the Public Art Program to City staff, including the Director, Development and Director, Arts, Culture and Heritage Services, through the Chief Administrative Officer.

#### Community Stakeholder Consultation

As the Council referral to review adding Council approval for projects on private land involves a potential significant change to the Public Art Policy, feedback from community stakeholders was sought.

#### *Urban Development Institute Richmond Liaison Committee*

The success of the Richmond Public Art Program relies on the continued participation of the private development sector.

At the September 27, 2017 meeting of the Urban Development Institute (UDI) Richmond Liaison Committee, City staff presented the current Council referral on the approval process for public art on private property and requested feedback from the development community.

The following is a summary of the response to two primary questions:

#### *What should Council's role entail in relation to the approval of Public Art on Private Land?*

- The UDI Committee firmly recommends against Council making decisions on what art should or should not be placed on private land – especially when the funds for the public art are also private. The UDI Committee supports the role of the Richmond Public Art Advisory Committee (RPAAC) in its role in the review of the public art selection process and recommends improved communication between RPAAC and Council.

#### *When should the Public Art Plan be prepared and submitted for review and approval?*

- The UDI Committee has concluded that it is most appropriate and logistically feasible to proceed with the Public Art Plan review after adoption of the Rezoning or Development Permit and prior to issuance of the Building Permit. There are numerous reasons for this

recommendation, both from the developer's and the artist's standpoint, including timing and cost implications. First and foremost, as public art should ideally be well integrated with the building and site, there is difficulty and potentially lost opportunities from commissioning public art at any stage prior to the finalized development plan.

A letter prepared by UDI with additional recommendations is included as Attachment 2.

*Richmond Public Art Advisory Committee*

At the September 17, October 17 and November 21, 2017 meetings of RPAAC, the Council referral was presented for discussion and recommendations. As an advisory committee to Council, committee members offered the following comments for Council's consideration:

- Requiring Council approval of private development public art undermines the public art process; that is, if Council vetoes a proposal that has followed the selection process, it diminishes the value of the artists' and selection panelists' time and negates the expertise of the panel and RPAAC recommendations;
- The current model for artist selection on public lands follows best practices and uses an arm's-length process. Currently, Council does not have a role in the selection of the artwork. Council approval of the artwork on civic lands is required to approve the funding sources and to enter into contracts for implementation of the artwork, based on the recommendations by the selection panel, the Public Art Advisory Committee and staff. Members expressed concerns that requiring Council approval of the selection of the artwork does not follow the practice of most municipalities where Council ratifies funding rather than the artwork itself to maintain Council at arm's-length from the actual artwork selection;
- Council members do not have the benefit of the presentations, interviews and fulsome discussions and debate that occur at the selection panel deliberations and may not have adequate information to make an informed decision in the selection of artwork. There are significant costs in both time and money associated with rejecting a project that has been vetted through the selection process. Members suggested informing Council of the selection process and artwork more regularly throughout the process, and identifying other ways that Council could add their voice to the process without providing final say;
- Public art projects on private land are selected through objective and consistent criteria identified in the Public Art Program Policy that is set by Council; and
- Members expressed concerns that the additional requirement for Council approval for public art on private property may compromise the integrity of the final artwork. It was suggested that Council would benefit by leaving the selection of art with selection panels which include art professionals and community representatives, offering input vs. having final say. As well, approval by Council of artwork should be free from the bias of individual personal taste.

An excerpt from the Minutes of the November 21, 2017 Richmond Public Art Advisory Committee (RPAAC) meeting recommendations is included as Attachment 3.

### *Richmond Arts Coalition*

On July 27, 2017, staff met with the Executive Director and the Chair of the Richmond Arts Coalition (RAC) to review the Council referral and request feedback. The Richmond Arts Coalition surveyed its members on the referral to staff regarding the approval process for public art on private lands.

- The consensus is that Council's responsibility is to create policy and process and then stand behind it, supporting staff and their advisory bodies who administer it. The concept of Council approving the individual art works at the final stage is not supported.
- RAC expresses its hope that this feedback is helpful to Council in considering this issue.

The Richmond Arts Coalition member email and Letter of Recommendations is included as Attachment 4.

### Options to include Council Input on art projects in private developments

The following are options to consider for Council's role in the commissioning of public art on private property:

#### **Option 1 – Status Quo with Procedural Improvements**

Maintain the status quo, with revisions made to the Administrative Procedures Guidelines to improve communication regarding current public art plans and proposed concept proposals of artworks. Forward the minutes and agenda packages of the Public Art Advisory Committee to Council for information. The proposed updated Richmond Public Art Process Private Development Chart would be amended to reflect improved information presented to Council (Attachment 5).

Additional opportunities include regular updates to Council on proposed private development artworks through memos and staff reports.

This option ensures Council's neutrality in the determination of art placed in the public realm to avoid a perception of imposing personal preferences in an open and independent process. It retains the integrity of an arm's-length and transparent practice and maintains Richmond's status as a leader in public art best practices.

There are no financial implications for Option 1, to maintain the status quo, with revisions made to the Administrative Procedures.

#### **Option 2 – Revise Policy to Define a New Approval Process**

Staff requests Council approval of the selection for all artwork on private property when commissioned to satisfy a voluntary public art contribution commitment through the development application process. Revise the Public Art Program Policy to request Council approval of all public artworks, both on City lands and on private property when commissioned through the development applications process. Establish criteria and processes to assist Council and the development community in the selection of public art.



This option has the following implications:

- Council will be held directly accountable for the selection of the public artwork;
- Potential for perception of favouritism or subjectivity by Council in the selection of the artwork;
- Development community may be reluctant to participate in the City's voluntary public art program;
- Public art installed by individual property owners not requiring a development permit would be exempt;
- Artists may be reluctant to propose artworks where there is a perceived political bias and/or limitations on artistic freedom;
- Community members may be reluctant to serve on selection panels if there is a perception that their recommendations reached after thoughtful deliberations will be overturned by Council;
- If Council rejects a proposed artwork, there are increased costs for a repeated selection process with less money available for the final artwork;
- Council will need to rescind the current Public Art Program Policy and replace it with a new set of Goals, Objectives and Administrative Procedure Guidelines. In order to prevent repeated artist calls and delays for the same project, the Guidelines should include criteria for public artworks suitable for approval, either based on the views of sitting Councillors or based on a policy statement specifying what type of art will be appropriate in Richmond;
- Risk that artwork will tend to become homogenous, not current with advancements in art forms and less able to appeal to multiple audiences, nor reflect the diversity of the community; and
- Reputational harm to the City, which has been recognized as a leader in public art policy and implementation.

There are financial implications for Option 2, as it would require additional staff resources and time to research and prepare a revised Public Art Program Policy to replace the current policy.

### **Recommended Option**

Following consultation with the Richmond Public Art Advisory Committee, Urban Development Institute and Richmond Arts Coalition, and in consideration of best practices on commissioning of public art, staff recommend Option 1, that Council remain at arm's-length in the selection and approval of artwork on private property commissioned through the development applications process, with enhancements to current practice to improve communication with Council on proposed artworks.

### **Financial Impact**

None.

## Conclusion

The private development public art program supports Council's Term Goals to advance the City's destination status and ensure continued development as a vibrant cultural city through enhanced public art and character-defining elements throughout the City.

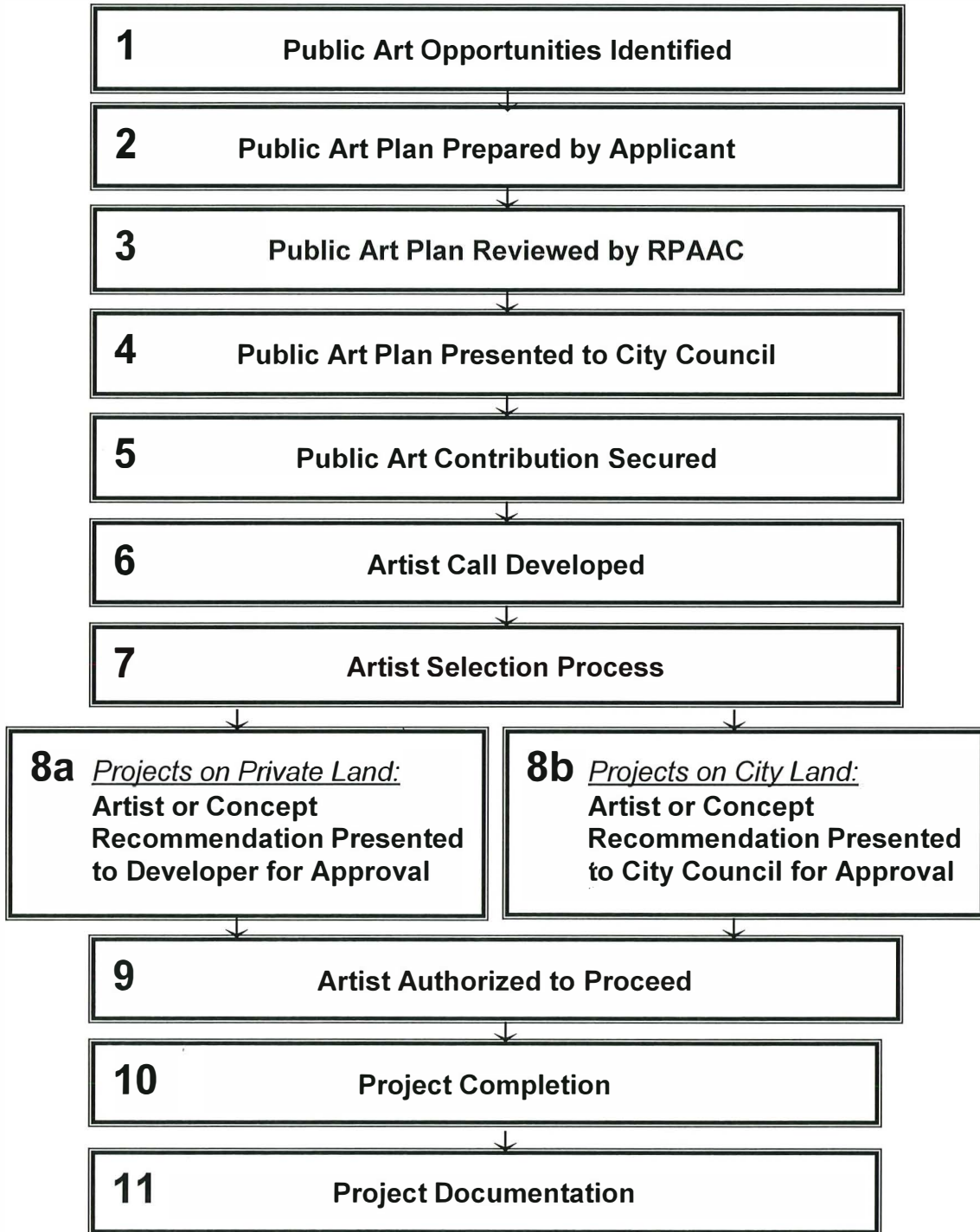
The process for selecting art for private development public art projects has been guided by the Public Art Program Policy for more than 20 years. Richmond City Council and staff have important roles in the administration of the process. Additional measures proposed to improve the flow of information to Council will aid Council in formulating broad policy goals in realizing the vision for Richmond to be the most appealing, livable and well-managed community in Canada.



Eric Fiss  
Public Art Planner  
(604-247-4612)

- Att. 1: Current Richmond Public Art Process Chart
- 2: Urban Development Richmond Liaison Committee Recommendations
- 3: Richmond Public Art Committee Recommendations
- 4: Richmond Arts Coalition eBlast (member email) October 5, 2017 and Letter of Recommendations December 18, 2017
- 5: Proposed Updated Richmond Public Art Process Private Development Chart

*Current*  
**Richmond Public Art Process**  
Civic • Private • Community



## Urban Development Richmond Liaison Committee Recommendations



### URBAN DEVELOPMENT INSTITUTE – PACIFIC REGION

#200 – 602 West Hastings Street  
 Vancouver, British Columbia V6B 1P2 Canada  
 T. 604.669.9585 F. 604.689.8691  
[www.udi.bc.ca](http://www.udi.bc.ca)

November 9, 2017

Dear Mr. Eric Fiss,

### **Re: UDI Response to Questions for the Review of Council Approval Process for Public Art on Private Land**

I would like to thank you on behalf of the Urban Development Institute's (UDI's) Richmond Liaison Committee for meeting with us on September 27, 2017 to consult on Council's role in the approval process for public art on private land. In your [briefing note](#) you asked several pertinent questions of our members which can be summed up to:

- 1. When should the Public Art Plan be prepared and submitted for review and approval?**
- 2. What should Council's role entail in relation to the approval of Public Art on Private Land?**

In response to the first question, our Committee has concluded that it is most appropriate and logistically feasible to proceed with the Public Art Plan review after adoption of the Rezoning or Development Permit and prior to issuance of the Building Permit. There are numerous reasons for this recommendation, both from the developer's and the artist's standpoint. First and foremost, there is difficulty and potentially lost opportunities from incorporating public art into any stage prior to the finalized plan. One UDI member pointed out that as a project evolves, there may be spots and opportunities that open up for the inclusion of more public art. The premature submission of a Public Art Plan may potentially limit a project's overall ability to contribute public art on private land.

The second component concerns the artist that is chosen to undertake the public art project. If the Public Art Plan is required to be prepared and submitted for review prior to adopting the Rezoning or Development Permit, the artist may be left waiting, possibly up to 4 years, before the necessary approvals are secured to allow them to begin their work. Such a timeframe would be difficult to administer as it is unreasonable to expect artists to accommodate such lengthy timelines. Therefore, we are in support of selecting the public art and associated artist, subsequent to the issuance of the Rezoning or Development Permit.

In response to the second question, our Committee firmly recommends against Council making decisions on what art should or should not be placed on private land – especially when the funds for the public art are also private.

The Richmond Public Art Advisory Committee (RPAAC) exists to provide informed and expert input on matters associated with public art. For Council to now also be responsible for approving public art would encroach on the responsibilities and good work of the RPAAC.

It would also add unnecessary risk and delays to the City's development approval process as developers will naturally refrain from commissioning controversial and offensive public art projects that could potentially adversely affect the marketability of their projects.

UDI recognizes there is an opportunity for Council to become involved in the public art approval process through more frequent communication with the RPAAC. For example, following each of RPAAC's meetings, the Committee could write summary reports to Council to provide updates in relation to public art approvals. RPAAC members could also make more frequent presentations to Council about what has been approved and emerging issues. Council through these presentations, could provide high-level direction to the Committee if need be. This approach would not impact the overall approval process and maintain the integrity of the RPAAC.

Thank you, again, for meeting with our Committee, and seeking the development industry's input on a key issue. We look forward to working with you on this and other initiatives.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Anne McMullin', with a stylized flourish at the end.

Anne McMullin  
President & CEO

1. When should the Public Art Plan be prepared and submitted for review?
  - a. submitted with the Rezoning Application
  - b. submitted with the Development Permit Application
  - c. submitted after adoption of the Rezoning or Development Permit**
  
2. When should the Public Art Plan be submitted for approval by the City?
  - a. with the Rezoning Application by Council
  - b. with the Development Permit Application by the Development Permit Panel and endorsed by Council
  - c. after adoption of Rezoning/Development Permit in a separate report to Council
  - d. after adoption of the Rezoning or Development Permit with a recommendation by Richmond Public Art Advisory Committee and City staff**
  
3. When should the public artwork be selected and the artist contracted?
  - a. selected with the Rezoning Application
  - b. selected with the Development Permit Application
  - c. selected after adoption of the Rezoning or Development Permit**
  
4. Who should give final approval for the selection of the artwork?
  - a. Artist Selection Panel
  - b. Developer/Applicant
  - c. Richmond Public Art Advisory Committee**
  - d. City staff
  - e. Development Permit Panel
  - f. City Council
  
5. Do you support a separate report to Council to approve the artwork after selection?
  - a. yes, Council approval required to proceed with the artwork
  - b. yes, as a report for information, only, with Council's advice to be considered by the artist and applicant but not binding**
  - c. no, the decision to proceed with the artwork rests with the applicant/developer
  
6. Are there other opportunities to include Council input in the artwork selection process?
  - a. Council provides recommendations through the development application approval process (i.e., comments at Planning Committee or First Reading at Council)
  - b. Council provides recommendations with the formal review of the Public Art Plan
  - c. Council receives Minutes from the Public Art Advisory Committee meetings where the Public Art Plans and Concept Proposals are presented and reviews**
  
7. What are the implications for requiring Council approval of the artwork concept proposal?
  - a. impact on timing and development schedule**
  - b. consistency of approval process for all applicants
  - c. requires more time for Council to approve the criteria for evaluation and to engage in a thorough review of the proposals

**Richmond Public Art Committee Recommendations****Richmond Public Art Advisory Committee  
Tuesday, November 21, 2017**

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**8. REVIEW OF COUNCIL REFERRAL ON COUNCIL APPROVAL OF PUBLIC ART  
PROJECTS ON PRIVATE PROPERTY**

Discussion resumed from the meeting of October 17, 2017 on the Council Referral for Council approval of public art projects on private property.

It was moved and seconded

- 1. That the Committee does not support an amendment to the City of Richmond's Public Art Program Policy 8703 providing Council a veto or final say on public art situated on private lands.*
- 2. That the Committee recommends that where a rejection of public art on City-owned public lands is made by Council, that the Committee receive a written summary of the rationale for the rejection, and that the decision of Council and rationale be entered into the minutes of the Public Art Advisory Committee.*
- 3. That the Committee recommends that the City amend the City of Richmond's Public Art Program Administrative Procedures Manual to clearly reflect that rejections of public art on City-owned lands by Council should be based upon objective criteria and not the subjective individual aesthetic preferences of the current members of Council. Additionally, that a set of objective criteria be developed to assist Council in the evaluation of public art projects.*
- 4. That the Committee and public art staff provide Council information regarding pending and proposed public art projects in a timely manner, allowing for reasonable evaluation and discussion, and that the "Richmond Public Art Program Process for Public Art Projects Chart," as contained in the Public Art Program Administrative Procedures Manual, be amended to provide a step for discussion between Council and the Committee where Council has concerns related to public art.*

**CARRIED**

**Richmond Arts Coalition eBlast (member email) October 5, 2017 and Letter of Recommendations December 18, 2017**

Public Art Policy Issue

[View this email in your browser](#)



**Public Art Policy Issue:**

Like many other cities, Richmond has a Public Art Policy, a Public Art Advisory Committee, and city staff to guide public art processes; one for public lands and one for private lands. The processes are the same, up to Council approval. Right now Council has to approve the public art plan on public land and on private land, but has final veto power on public lands only.

There are proposed changes for the Richmond Public Art Process for Public Art Projects that would include a final veto power in regards to art on private lands as well as public lands. We are hearing concerns and feel it is our responsibility to help voice the opinions of local artists and arts supporters. We are asking our members' opinions on this subject. Please reply to the question below by October 15th, 2017:

**Should Council have final veto power over public art on private lands that has already been selected and vetted through a process that includes both professional and community stakeholders? (Please elaborate)**

Please send your feedback to [rac@richmondartscoalition.com](mailto:rac@richmondartscoalition.com).

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# **RICHMOND ARTS COALITION**

**YOUR  
ARTS VOICE**

**December 18, 2017**

**To Whom It May Concern:**

**In October 2017, the Richmond Arts Coalition posted the following in our newsletter regarding Public Art referral:**

**Public Art Policy Issue:**

Like many other cities, Richmond has a Public Art Policy, a Public Art Advisory Committee, and city staff to guide public art processes; one for public lands and one for private lands. The processes are the same, up to Council approval. Right now Council has to approve the public art plan on public land and on private land, but has final veto power on public lands only.

There are proposed changes for the Richmond Public Art Process for Public Art Projects that would include a final veto power in regards to art on private lands as well as public lands. We are hearing concerns and feel it is our responsibility to help voice the opinions of local artists and arts supporters. We are asking our members' opinions on this subject. Please reply to the question below by October 15th, 2017:

**Should Council have final veto power over public art on private lands that has already been selected and vetted through a process that includes both professional and community stakeholders? (Please elaborate)**

**The following are comments received by RAC on the issue:**

1. If a project has been vetted, selected, RECOMMENDED, and also created through a public art process with the involvement of art professionals and stakeholders, why should council have a veto power? NO, I do not believe council has the expertise to turn a process into a mockery and decide ON THEIR OWN that something is not deemed worthy of creating. The public art process is in place for the very reason of avoiding such a situation.
2. No. While Council has the best interests of the community at heart, I do not believe they should have veto in either situation, but there is no case particularly for veto on private land.
3. As streams for both private and public-space artwork go through an arm's-length, democratic selection process as set out in the City of Richmond's Public Art Policy,

Council should by all means be updated and have an opportunity to review proposed artwork, but should not be in a position to censor artwork. If the work is offensive or in poor taste, it's unlikely to pass through a selection panel composed of residents and stakeholders, and I'm sure there is recourse to have it blocked or removed if it does, without allowing Council's particular tastes to influence the artwork selected to engage the wider community.

4. Richmond Council has the power of final say on Art on public lands, whether or not I agree with their decision. They should, however, as a responsible elected body, pay heed to public opinion in a reasonable manner.
5. NO, council should definitely NOT have final veto over art that has already been selected and vetted by professional and community stakeholders. Leave it in the capable hands of art professionals.
6. Art is subjective, a painting to one person may be viewed as a masterpiece, while to another, it may be viewed as rubbish. The saying is true, beauty is truly in the eye of the beholder. Therefore, it is not the duty of City Council to pick or approve of art work that only they like, but it is their duty to keep works that are morally reprehensible away from the public.
7. I don't think council should have final veto power. I think it is Council's responsibility to put in place a competent and comprehensive selection process and then to stand by that process, rather than short-circuiting it at the final moment (and after much city expense). Thanks.
8. Council doesn't approve the design of individual buildings (staff does that based on standards set for building permit applicants) so why should they approve the art on the property?
9. Q: How can we ensure that Richmond has a wide variety of public art, not just one style? A: That should be part of the public art policy.
10. Q: Is controversial public art something we should allow or encourage? A: Consider the entertaining and passionate public debate the Miss Mao biennale piece created and the number of people who came to the City just to see what all the fuss was about.

**The consensus appears to be that Council's responsibility is to create policy and process and then stand behind it, supporting staff and their advisory bodies who administer it. The concept of Council approving individual art works at the final stage is not supported.**

We hope this feedback is helpful to you as you make your recommendations on this issue.

Sincerely,

Linda Barnes, Chair  
Richmond Arts Coalition

[www.richmondartscoalition.com](http://www.richmondartscoalition.com)

## Proposed Updated Richmond Public Art Process Private Development

