



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Tourism and Culture Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 3, 2019
SUBJECT/REPORT NO:	Art and Monuments Donation Policy (PED19068) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Ken Coit (905) 546-2424 Ext. 6281
SUBMITTED BY:	Carrie Brooks-Joiner Acting Director, Tourism and Culture Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the Art and Monuments Donation Policy, attached as Appendix “A” to Report PED19068, be approved;
- (b) That the Art and Monuments Donation Process, attached as Appendix “B” to Report PED19068, be approved.

EXECUTIVE SUMMARY

At the October 16, 2017 General Issues Committee (GIC) meeting:

“Staff was directed to report back with policy to govern the process for the installation of signage, art, statues and other such public projects that are donated to the City of Hamilton by the private sector.”

The approval and adoption of the Art and Monuments Donation Policy (the “Policy”), attached as Appendix “A” to Report PED19068, will provide guidance to City staff as to how to consider offers by individuals, the private sector and community groups to donate art works or commemorative features to the City of Hamilton for long term display on outdoor publicly accessible City owned property.

The Policy outlines criteria to be satisfied before a donation may be accepted by the City, including relevance to the community, site selection, durability, public safety, ownership, and funding. In addition it provides authority for City staff to work with the

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

donor to undertake an evaluation process of the proposed donation outlined in the Art and Monuments Process, attached as Appendix “B” to Report PED19068, to determine and that the donation satisfies the Policy (including financial considerations) before a donation is accepted and installed.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

The development of a City of Hamilton Art in Public Places Donation Policy was first identified as a need during public consultation for the Public Art Master Plan 2016 review. It was noted that the donation of the Ghandi Statue, now located at City Hall, was a project that would have benefited from the clarity of a donations policy. Staff was directed by Council to develop the policy as part of the development of the larger Art in Public Places Policy at the City’s November 16, 2016 General Issues Committee (Report16-029 Item 13(f)).

The development of a donation policy was again discussed in regard to the Hamilton sign project and direction provided at the City’s Public Works Committee on July 13, 2017 (PW Report 17-009 Item 5 (MAYOR17001)). This was subsequently referred to the City’s General Issues Committee on October 16, 2017 for action by Tourism and Culture staff.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

This recommendation is in keeping with the following goals and recommendations of the Council approved Cultural Plan, Transforming Hamilton Through Culture 2013:

Goal: Quality of Life Quality of Place

Recommendation: Develop and animate public spaces and places.

RELEVANT CONSULTATION

Manager, Heritage Resource Management, Tourism and Culture Division, Planning and Economic Development Department

Senior Project Manager-Parks and Cemeteries, Environmental Services Division, Public Works Department

Manager, Landscape Architectural Services, Environmental Services Division, Public Works Department

Solicitor, Legal and Risk Management Services Division, Corporate Services Department

Manager, Strategic Planning Capital and Compliance, Energy Fleet and Facilities Management Division, Public Works Department

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Interest in Hamilton's outdoor public spaces has grown as part of renewed focus on and investment in the waterfront, major parks and other public spaces across the city. This interest has resulted in offers from individuals, the private sector and community groups to donate works of art or commemorative features to the City for installation in the public realm. In recent years some of these projects included the Peace Pole, Ghandi sculpture. These types of projects can enhance public spaces, allow for an expression of our local culture and build community pride with minimal cost to the taxpayer.

The best practice for a municipality's thoughtful and consistent consideration of such gifts is the development of and adherence to a policy and supporting evaluation processes. Typically, such policies and processes address:

- relevance to the community;
- technical criteria;
- site selection;
- funding;
- maintenance;
- authority; and,
- the decision-making process.

Examples from other municipalities include:

- City of Toronto: Public Art and Monuments Donation Policy (2016);
- City of Kingston: Public Art Policy; and,
- City of Vancouver: Gifts of Art Intended for Permanent Placement at Public Sites Policy 2016.

The proposed Art and Monuments Donation Policy (the “Policy”), attached as Appendix “A” to Report PED19068, and Art and Monument Donation Process, (the “Process”), attached at Appendix “B” to Report PED19068, for the City of Hamilton are in keeping with current municipal best practice. The Policy provides clarity to potential donors and direction to City staff by setting out the criteria to be satisfied before a donation may be accepted by the City and installed on City property. The Policy requires the donor to cover the costs of installation and to make a financial contribution to the City to offset the long-term maintenance costs of the donation. In addition the Policy provides the authority for the Director of Tourism and Culture to lead the Process through which staff can work with a potential donor to evaluate a proposed donation and to address technical and culture issues related to installing an artwork or commemorative feature in outdoor public space.

At the end of the Process, if staff determines that the donation satisfies the Policy, a report will be prepared for the appropriate Committee of Council seeking approval to enter into an agreement with the donor to accept and install the donation.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED19068 – Art and Monument Donation Policy

Appendix “B” to Report PED19068 – Art and Monument Donation Process

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