



## City Council Meeting Agenda

Monday, July 13, 2020 – Council Chambers, City Hall

Call to Order:	1:30 PM
Recess:	5:00 PM to 6:00 PM

### **1. Minutes**

1.1. Confirmation of the Minutes of the July 6, 2020 Council Meeting  
(Pages 2 – 7)

1.2. Confirmation of the Minutes of the July 8, 2020 Council Meeting  
(Pages 8 – 14)

### **2. Reports**

2.1. Public Art Review  
(Pages 15 – 26)

### **3. Adjournment**



## **UNAPPROVED - MINUTES**

**of the Red Deer City Council Regular Meeting  
held on, Monday, July 6, 2020  
commenced at 1:30 PM**

**Present:** Mayor Tara Veer  
Councillor Buck Buchanan  
Councillor Michael Dawe  
Councillor Tanya Handley  
Councillor Vesna Higham  
Councillor Ken Johnston  
Councillor Lawrence Lee  
Councillor Frank Wong  
Councillor Dianne Wyntjes

City Manager, Allan Seabrooke  
Acting General Manager Community Services, Greg Sikora  
General Manager Corporate Services, Lisa Perkins  
General Manager Planning & Development Services, Tara Lodewyk  
General Manager Utilities & Protective Services, Paul Goranson  
Director of Communications & Strategic Planning, Julia Harvie-Shemko  
Director of Development Services, Kelly Kloss  
City Clerk, Frieda McDougall, in person attendance  
Deputy City Clerk, Samantha Rodwell, in person attendance  
Municipal Policing Services Manager, Bart Rowland  
Senior Planner, Christi Fidek  
Senior Planner, Kimberly Fils-Aime  
Planning Manager, Emily Damberger

With the exceptions as noted above, all participants attended the meeting electronically



## **I. MINUTES**

### **I.1. Confirmation of the Minutes of the June 29, 2020 Council Meeting**

Moved by Councillor Ken Johnston, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby approves the Minutes of the June 29, 2020 Regular Council Meeting as transcribed.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

## **2. PUBLIC HEARINGS**

### **2.1. Land Use Bylaw Amendment - Omnibus Bylaw 3357/L-2020**

Mayor Tara Veer declared open the Public Hearing for Bylaw 3357/L-2020, an amendment to the Land Use Bylaw to provide clearer interpretation and implementation of the Land Use Bylaw, while reducing red tape. As no one was present to speak to the bylaw, Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Michael Dawe, seconded by Councillor Vesna Higham

**SECOND READING:** That Bylaw 3357/L-2020 (an amendment to the Land Use Bylaw to provide clearer interpretation and implementation of the Land Use Bylaw, while reducing red tape) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Michael Dawe, seconded by Councillor Vesna Higham



**THIRD READING:** That Bylaw 3357/L-2020 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

### 3. REPORTS

#### 3.1. Community Crime Mapping Tool: Pilot Update

Moved by Councillor Michael Dawe, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer having considered the report from Municipal Policing Services dated July 6, 2020 re: Community Crime Mapping Tool: Pilot Update hereby approves the continuation of the RCMP Crime Mapping Tool for the City of Red Deer as an ongoing service for citizens.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Council recessed at 2:05 p.m. and reconvened at 2:12 p.m.

### 4. BYLAWS

#### 4.1. Land Use Bylaw Amendment 3357/M-2020: Office Site Exception

Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

**FIRST READING:** That Bylaw 3357/M-2020 (an amendment to the Land Use Bylaw for a site exception to allow for consideration of Office as a discretionary use at #100 6700 76 Street (Unit 1, Plan 062 2110) in the Johnstone Crossing neighbourhood) be read a first time.



**IN FAVOUR:** Mayor Tara Veer, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Buck Buchanan, Councillor Frank Wong

MOTION CARRIED

## 5. NOTICE OF MOTION TO RECONSIDER

The following Notice of Motion to Reconsider was introduced:

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

WHEREAS Council of The City of Red Deer defeated 2<sup>nd</sup> Reading of Bylaw 3357/A-2020 (an amendment to the Land Use Bylaw for a site exception at 30 Davison Drive to provide for redevelopment to the specific limited proposed uses of office) on June 22, 2020; and

WHEREAS subsequent to consideration of the matter it became known that the Deer Park Outline Plan (adopted by Council September 28, 1981 and amended March 14, 1983) is an outline document and it is not a statutory plan as previously understood. Outline Plans are used as guiding documents. By comparison, a statutory plan is approved by Bylaw and Council has a legal obligation to adhere to it; and

WHEREAS Section 36 of The City of Red Deer's Procedure Bylaw 3358/2006 allows a Councillor to introduce a motion asking Council to reconsider a matter if a Notice of Motion is submitted, prior to the meeting which sets out what special or exceptional circumstances warrant Council considering the matter again provided the motion has not yet been acted upon;

NOW THEREFORE BE IT RESOLVED THAT Council of The City of Red Deer consider the preceding as special and extenuating circumstances requiring the reconsideration of the June 22, 2020 decision to defeat second reading of Bylaw 3357/A-2020.

**IN FAVOUR:** Mayor Tara Veer, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes



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**OPPOSED:** Councillor Buck Buchanan, Councillor Frank Wong

MOTION TO RECONSIDER CARRIED

As the motion to reconsider carried, Second Reading of the bylaw was back on the floor.

Moved by Councillor Lawrence Lee, seconded by Councillor Michael Dawe

**SECOND READING:** That Bylaw 3357/A-2020 (an amendment to the Land Use Bylaw for a site exception at 30 Davison Drive to provide for redevelopment to the specific limited proposed uses of office) be read a second time, as amended.

Council recessed at 4:11 p.m. and reconvened at 4:20 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Frank Wong

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Michael Dawe

**THIRD READING:** That Bylaw 3357/A-2020 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Frank Wong

MOTION CARRIED



## 6. ADJOURNMENT

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, July 6, 2020 Regular Council Meeting of Red Deer City Council at 4:24 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

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MAYOR

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CITY CLERK



## **UNAPPROVED - MINUTES**

**of the Red Deer City Council Regular Meeting  
held on, Wednesday, July 8, 2020  
commenced at 1:30 PM**

**Present:** Mayor Tara Veer  
Councillor Buck Buchanan  
Councillor Michael Dawe  
Councillor Tanya Handley  
Councillor Vesna Higham  
Councillor Ken Johnston  
Councillor Lawrence Lee  
Councillor Frank Wong  
Councillor Dianne Wyntjes

City Manager, Allan Seabrooke  
Acting General Manager Community Services, Greg Sikora  
General Manager Corporate Services, Lisa Perkins  
Acting General Manager Planning & Development Services, Konrad Dunbar  
General Manager Utilities & Protective Services, Paul Goranson  
Director of Communications & Strategic Planning, Julia Harvie-Shemko  
Director of Development Services, Kelly Kloss  
City Clerk, Frieda McDougall, in person attendance  
Deputy City Clerk, Samantha Rodwell, in person attendance  
Acting Chief Financial Officer, Michelle Andrew

With the exceptions as noted above, all participants attended the meeting electronically





## I. IN CAMERA

### I.1. Motion to In Camera

Moved by Councillor Vesna Higham, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Wednesday, July 8, 2020 at 1:30 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;
- And all non-related staff members

to discuss the following:

- Westerner Financials – FOIP 17(1) Disclosure harmful to personal privacy, FOIP 24(1)(a) Advice from officials, FOIP 25(1)(c) Disclosure harmful to economic and other interests of a public body and FOIP 27(1) Privileged information

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

#### I.1.a. **Westerner Financials – FOIP 17(1) Disclosure harmful to personal privacy, FOIP 24(1)(a) Advice from officials, FOIP 25(1)(c) Disclosure harmful to economic and other interests of a public body and FOIP 27(1) Privileged information**

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

City Manager Allan Seabrooke, Acting General Manager Community Services Greg Sikora, General Manager Corporate Services Lisa Perkins, Acting General Manager Planning &



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Development Services Konrad Dunbar, General Manager Utilities & Protective Services Paul Goranson, Director of Communications & Strategic Planning Julia Harvie-Shemko, Director of Development Services Kelly Kloss, City Clerk Frieda McDougall, Deputy City Clerk Samantha Rodwell, Acting Chief Financial Officer Michelle Andrew

Westerner Park CEO Mike Olesen, Janice Wing, Westerner Finance Committee Chair Deb Beck, Westerner External Auditor Keith McPhedran, Westerner External Auditor Jason Brunner

Mike Olesen, Janice Wing, Deb Beck, Keith McPhedran and Jason Brunner left the meeting at 2:57 p.m.

Councillor Michael Dawe left the meeting at 3:29 p.m. and returned at 3:30 p.m.

Council recessed at 3:40 p.m. and reconvened at 3:51 p.m.

Prior to deliberations on this item, Councillor Tanya Handley and Councillor Frank Wong declared a potential pecuniary interest due to their prior roles on the Westerner Board and left the meeting at 4:04 p.m.

Councillor Dianne Wyntjes left the meeting at 4:15 p.m. and returned at 4:17 p.m.

## **1.2. Motion to Revert to Open**

Moved by Councillor Buck Buchanan, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Wednesday, July 8, 2020 at 4:35 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley, Councillor Frank Wong

**MOTION CARRIED**

Moved by Councillor Michael Dawe, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer, having considered Westerner



Financials hereby endorses the recommendations as presented In Camera and agrees that the contents of the report will remain confidential as protected under the Freedom of Information and Protection of Privacy Act, section 17(1) Disclosure harmful to personal privacy, section 24(1)(a) Advice from officials, section 25(1)(c) Disclosure harmful to economic and other interests of a public body and section 27(1) Privileged information.

Prior to voting on the motion, the following motion to amend was introduced:

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to amend the resolution as follows:

- by adding to the end of the resolution "And further, that Council strongly request the Westerner give immediate notice in accordance with their bylaws to advance the Annual General Meeting as their Financial Reports have been completed."

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley, Councillor Frank Wong

**MOTION TO AMEND CARRIED**

The resolution, as amended, was then back on the floor:

Resolved that Council of The City of Red Deer, having considered Westerner Financials hereby endorses the recommendations as presented In Camera and agrees that the contents of the report will remain confidential as protected under the Freedom of Information and Protection of Privacy Act, section 17(1) Disclosure harmful to personal privacy, section 24(1)(a) Advice from officials, section 25(1)(c) Disclosure harmful to economic and other interests of a public body and section 27(1) Privileged information. And further, that Council strongly request the Westerner give immediate notice in accordance with their bylaws to advance the Annual General Meeting as their Financial Reports have been completed."

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes



**ABSENT:** Councillor Tanya Handley, Councillor Frank Wong

MOTION AS AMENDED CARRIED

Council recessed at 4:46 p.m. and reconvened at 4:57 p.m.

Councillor Tanya Handley and Councillor Frank Wong returned at 4:57 p.m.

## 2. REPORTS

### 2.1. Westerner Exhibition Association 2020/2021 Budget and Sustainability

Councillor Tanya Handley and Councillor Frank Wong declared a potential pecuniary interest due to their prior roles on the Westerner Board and left the meeting at 4:59 p.m.

Mike Olesen, Westerner CEO, presented this item.

Council recessed at 6:38 p.m. and reconvened at 6:50 p.m.

Moved by Councillor Dianne Wyntjes, seconded by Councillor Vesna Higham

Resolved that Council of the City of Red Deer having considered the report from the City Manager dated July 8, 2020, re: Westerner Exhibition Association 2020/2021 Budget and Sustainability hereby approves the Westerner Exhibition Association budget for the fiscal year of April 1, 2020 to March 31, 2021, subject to the Westerner removing anticipated revenues and expenses related to the Canadian Finals Rodeo.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley, Councillor Frank Wong

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of the City of Red Deer having considered the report from the



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City Manager dated July 8, 2020, re: Westerner Exhibition Association 2020/2021 Budget and Sustainability, hereby approves a one-time operating grant to the Westerner Exhibition Association of up to \$1,000,000 subject to an agreement satisfactory to the City Manager and funded by the Operating Reserve – Tax Supported.

Prior to consideration of the resolution the following amendment was introduced:

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to amend the resolution by adding "and City Council" after "City Manager"

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley, Councillor Frank Wong

MOTION TO AMEND CARRIED

The motion, as amended, was back on the floor:

Resolved that Council of the City of Red Deer having considered the report from the City Manager dated July 8, 2020, re: Westerner Exhibition Association 2020/2021 Budget and Sustainability, hereby approves a one-time operating grant to the Westerner Exhibition Association of up to \$1,000,000 subject to an agreement satisfactory to the City Manager and City Council and funded by the Operating Reserve – Tax Supported.

**IN FAVOUR:** Mayor Tara Veer, Councillor Lawrence Lee

**OPPOSED:** Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley, Councillor Frank Wong

MOTION AS AMENDED DEFEATED

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Moved by Councillor Ken Johnston, seconded by Councillor Buck Buchanan

Resolved that Council of the City of Red Deer having considered the report from the City Manager dated July 8, 2020, re: Westerner Exhibition Association 2020/2021 Budget and Sustainability, hereby approves a one-time operating grant to the Westerner Exhibition Association of up to \$2,000,000 subject to an agreement satisfactory to the City Manager and funded by the Operating Reserve – Tax Supported.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Ken Johnston, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Vesna Higham, Councillor Lawrence Lee

**ABSENT:** Councillor Tanya Handley, Councillor Frank Wong

MOTION CARRIED

### 3. ADJOURNMENT

Moved by Councillor Vesna Higham, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Wednesday, July 8, 2020 Regular Council Meeting of Red Deer City Council at 8:10 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley, Councillor Frank Wong

MOTION CARRIED

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MAYOR

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CITY CLERK



July 13, 2020

## Public Art Review

Prepared by: Shelley Gagnon, Manager  
Department: Recreation, Parks and Culture

### Report Summary & Recommendation

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The following report provides a summary of proposed policy and governance changes to the public art program. These changes are recommended based on research conducted and administrations experience with the program.

If Council supports the recommended changes, a revised EL-D-2.7 Public Art as well as Committees Bylaw 3576/2016 (Public Art Commission) will be brought back to Council for review and approval.

### Proposed Resolution

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Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks & Culture, dated July 13, 2020 re: Public Art Review hereby accepts the recommended changes and directs Administration to bring back the revised Policy EL-D-2.7 Public Art and amendments to Committees Bylaw 3576/2016 (Public Art Commission terms of reference).

### Background

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The intent of a Public Art program is to be a strong contributor to the cultural, social and economic sustainability of our community. Public art promotes tourism, generates employment in the cultural sector and beyond and adds value to our public places. The City of Red Deer has an exceptional Public Art program with a strong collection dating back to 1922 (Cenotaph) and then more actively since 1981. Today the collection totals 95 pieces, not including the dozens of civic artworks also managed as a sub-collection through the public art program.

### Legislative Context:

#### Policy:

In 1996 the City's first Public Art Policy 3106-C was approved by City Council. The policy intended to ensure the incorporation of public art into the planning, design and building of City capital projects. The public art policy was reviewed by Council in 2003 and once again in 2010, resulting in policy updates which included a reduction from a 1.2% to a 1% allocation of funds from capital projects for public art. The year 2010 also marked the introduction of a Public Art Reserve. The current Council Policy on Public Art (EL-D-2.7) can be found in Appendix 1.

**Governance:**

On June 20, 2016 Council passed a resolution that delegated decision making related to public art.

*“Resolved that Council of The City of Red Deer having considered the report from the Dialogue Steering Committee, dated June 20, 2016 re: Strengthening Public Participation: Phase 2 Implementation Plan in relation to the Public Art Jury hereby agrees that Council:*

- *Delegates decision making to the committee;*
- *Rename the Public Art Jury Committee to the Public Art Commission;*
- *Will not be members of the renamed Commission; and*
- *Changes the purpose of this committee from a Public Advisory Committee to a Governance Committee and will be as follows:*
  - *Provide expert and community input on public art for The City of Red Deer*
  - *Recommend and advise on public art policies, guidelines, plans and issues as the related to The City of Red Deer*
  - *Review all acquisition and donations of public art*
  - *Adjudicate all public art projects and grant applications for the year in accordance with current policies.*

An excerpt from Committees Bylaw No. 3576/2016 pertinent to the Public Art Commission can be found in Appendix 2.

**Strategic Alignment:**

A commitment to public art is demonstrated in the 2001 Culture Master Plan and the 2008 Community Culture Vision, which recognizes the integration of art into public spaces as an important cultural legacy for the future. Public art is a reflection of Red Deer’s distinct heritage, culture, and character.

**Analysis**

In December 11, 2018, Council participated in a workshop to review the existing public art policy and governance structure. Following this workshop staff undertook an administrative review. The review focused on exploring alternatives related to Council’s workshop discussion, which summarized into three focus areas:

1. Capital Project Thresholds and Project Eligibility
2. % Allocation of Funds from capital projects for public art
3. Governance

The administrative review of the Public Art program included researching other public art programs across Canada, considering best practices, a comparison with other municipalities, and a review of current practice.

**I. Capital Project Thresholds and Project Eligibility**





As noted at the Council workshop, the areas of concern, and often confusion, related to project eligibility and thresholds were:

- Whether or not the project threshold was appropriate (\$250,000)
- Confusion around what constituted a “project with high visibility and public impact”
- Was the policy too broadly applied in terms of “all new construction projects, bridges, etc.”
- What was defined as “capital equipment” in a project

Research indicated that project thresholds vary significantly between municipalities. Some municipalities use a percentage value of their entire annual capital budget, while others have a per project threshold that varies from as low as \$125,000 to as high as \$1M. Most comparator municipalities had similar eligibility criteria, including engineered structures, bridges, buildings, parks and plazas and also included ‘highly visible’ and ‘public spaces’ in their eligibility criteria.

In the past ten years, administration recalls only one project of less than \$1M that has been subject to the public art policy (e.g. Riverside Meadows trail enhancement 2019/20). The smaller the threshold budget, the smaller the total value of the public art, which may not always support a meaningful project.

There has also been confusion around which projects are subject to the public art policy based on the interpretation of what it means for a project to have ‘high visibility and public impact’. Another area of confusion is around the definition of ineligible ‘capital equipment’. Providing a more robust definition around these items) may help avoid misinterpretation and confusion.

Although there is no consistent threshold value across municipalities, the current threshold could be increased to reflect the magnitude of projects that, over the past ten years, have been subject to the public art policy. A higher threshold also increases the public art budget, thereby providing the opportunity for the creation of more meaningful public art projects.

Focus Area	Current Policy	Recommendation
Thresholds and Eligibility	<p>The policy applies to projects with high visibility and public impact in the following categories:</p> <ul style="list-style-type: none"> <li>• New building construction in excess of \$250,000</li> <li>• New engineered structures (i.e. bridges) in excess of \$250,000</li> <li>• Major renovations to existing buildings and structures in excess of \$250,000</li> <li>• Parks projects in excess of \$250,000</li> </ul>	<p>Increase the project threshold from \$250,000 to \$500,000.</p> <p>Keep the categories the same but further define spaces with <i>High Visibility</i> includes and <i>Public Impact</i> as: Spaces that can be accessed and/or observed by the public for a minimum of four hours during regular business day.</p>



	The policy is not applied to: <ul style="list-style-type: none"> <li>• Capital equipment</li> </ul>	Define capital equipment as: transferable equipment (office supplies, furniture, maintenance equipment, vehicles etc.)
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## 2. Percent (%) Allocation of Funds

During workshop, there was discussion related to whether or not the percentage of allocation of funds was too high or too low. Based on the research, Red Deer's 1% contribution is in alignment with other municipalities. Nationally, the percentage contributions for public art programs averages between 1-2% of capital project budgets.

Focus Area	Current Policy	Recommendation
Percent Allocation of Funds	A minimum of 1.0% capital construction costs not including: <ol style="list-style-type: none"> <li>1. Capital construction costs associated with design and engineering, project design, administration, fees and permits, building demolition, relocation of tenants, contingency funds, land acquisition, environmental testing, or any indirect costs such as interest, advertising or legal fees, are excluded from the 1.0% calculation.</li> </ol>	No change recommended

## 3. Governance

In 2016, as part of the Strengthening Public Participation Phase 2 Implementation Plan (review of various Council Committees), the Dialogue Steering Committee recommended that Council maintain delegation of decision making to the Public Art Commission and remove its membership on the commission, allowing it to be an empowered decision making body governed through Council policies that were already established.

The current role of the Public Art Commission is outlined in Council Committee Bylaw No. 3576/2016:

- Provide expert and community input on public art for The City of Red Deer
- Recommend and advise on public art policies, guidelines, plans and issues as the related to The City of Red Deer
- Review all acquisition and donations of public art



- Adjudicate all public art projects and grant applications for the year in accordance with current policies.

Public Art Policy 2(1) states the following:

*“Public Art selection is integrated into capital projects development at the conceptual stage.*

*(1) Construction template Public Art will be reviewed by Council as part of the project approval and budget process. “*

The ‘construction template’ (as noted in the Policy), has not been used by administration for more than ten years. Instead, departments identify on the individual project capital budget forms if the project is subject to the public art policy. Council then approves the capital budget including projects with a public art component. This is Council’s only touch point in the public art selection process as they have delegated the adjudication and selection of public art projects to the Public Art Commission.

Discussion at the December 11, 2018 workshop supported the continued role of the Public Art Commission as the decision making body for the adjudication of public art projects and grant applications.

All the municipalities researched have some type of committee or commission involved in the acquisition of public art. The majority also have purpose statements or guiding principles that create identity and focus as well as provide guidance to the decision making process.

It is recommended that Council continue to support the role of the Public Art Commission. It is further recommended that the Committees Bylaw, specific to the Public Art Commission, expand the Purpose Statement and add Guiding Principles. The purpose statement provides a cohesive explanation as to why the program is important and the guiding principles help direct the acquisition process without setting specific criteria that would limit the creativity and unique nature of public art.

## **Recommendation Summary**

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The following is a summary of the recommended changes.

1. Revise EL-D-2.7 Public Art Policy to include the following changes:
  - a. Increase the project threshold to projects in excess of \$500,000 (from \$250,000).
  - b. Further define ‘high visibility and public impact’ as: Spaces that can be accessed and/or observed by the public for a minimum of four hours during regular business day.
  - c. Define ‘capital equipment’ (ineligible expense) as: Transferable equipment (office supplies, furniture, maintenance equipment, vehicles etc.).
2. Revise the Committees Bylaw No. 3576/2016 to expand the purpose statement and add guiding principles for the Public Art Commission as follows:



### Purpose Statement

The purpose of the Public Art Commission is to provide expert and community input on the public art for The City of Red Deer. The Public Art program serves Red Deer residents and visitors by integrating works of art into public spaces and facilities throughout the city that reflect our community's distinct culture and character. Through the acquisition of artworks for public display, The City provides a more aesthetically pleasing and culturally enriched urban environment and creates a culture legacy for the future.

The guiding principles of the Public Art program are:

### *Community Wellbeing*

Public Art provides the opportunity for all members of our community to experience creative expression and innovation that is free of barriers. Public Art contributes to the development of a vibrant and unique environment encouraging our community to meet and interact in public spaces.

### *Connection*

Public Art is connected to spaces and opportunities that develop a dedication to place in our community. We believe in Public Art that is engaging and accessible for our community by creating a connection between our built environment, our natural environment and our cultural environment.

### *Diversity and Inclusion*

We respect Public Art that stems from diverse cultures and practices; this is embraced by our belief in a welcoming and inclusive community. We strive for Public Art comprised of a diverse range of mediums, themes and styles, created by a diverse range of artists from local to international, and emerging to established.

### *Sustainability*

Public Art contributes to the sustainability of our municipality through the development of pride and belonging in our public spaces. We are committed to a sustainable Public Art program that: maintains a high standard of excellence in the acquisition and conservation of our collection; engages the community in the selection process; values our collection; maintains fiscal responsibility; and respects the integrity and accountability of the process.

### *Transparency*

Public Art policies and procedures are open and accountable ensuring the integrity and respect for process and those involved. The process is adaptable to the changing needs and issues faced by our community. Along with council and city staff, community members play a vital role in the Public Art process.



*Authenticity*

Public Art is a reflection of our collective nature as the people who dwell in this particular part of the earth at this particular time. We strive as a community to be true to our uniqueness of place: past present and future.

*Stewardship*

Public Art requires ongoing maintenance, and conservation to ensure the longevity of the Public Art collection. It is the responsibility of the municipality to care for the Public Art collection; criteria have been established for the acquisition and deaccessioning of Public Art.

If Council supports the recommended changes, a revised EL-D-2.7 Public Art as well as Committees Bylaw No. 3576/2016 will be brought back to Council for review and approval.



## Appendix 1 - Council Policy on Public Art (EL-D-2.7)

	Council Policy	
	Public Art	
	Policy Type: EXECUTIVE LIMITATION	EL-D-2.7

With respect to Public Art, the City Manager will not fail to ensure that:

- 1 A minimum of 1.0% capital construction cost allocation for public art is identified and included as part of each project for Council's consideration during budget deliberations.
  - (1) Capital construction costs associated with design and engineering, project design, administration, fees and permits, building demolition, relocation of tenants, contingency funds, land acquisition, environmental testing, or any indirect costs such as interest, advertising or legal fees, are excluded from the 1.0% calculation.
  - (2) Administration will identify the source of this funding whether it is from the City budget or from other sources such as the Provincial and/or Federal Governments, private donations, granting bodies, foundations, special funding opportunities, or a combination of City and other funding.
- 2 Public Art selection is integrated into capital projects development at the conceptual stage.
  - (1) Construction template Public Art will be reviewed by Council as part for the project approval and budget process.
- 3 There is a Public Call to Artist process in place.
  - (1) The call to artist process for accessioning artworks may take one of two forms:
    - (a) Open: Process is open to a wide range of entrants who may submit entries. Projects over \$75,000.00 must use an open selection process.
    - (b) Limited: Process is open to invited entrants.
- 4 The location and placement of artwork is assessed based on public visibility and impact as well as its ability to be integrated into or displayed in public areas.



 <b>THE CITY OF Red Deer</b>	<b>Council Policy</b>	
	<b>Public Art</b>	
	Policy Type: EXECUTIVE LIMITATION	EL-D-2.7

- 5 Developer, corporate and private contributions are sought pursuant to Policy PS-A-2.6 Sponsorship.
- 6 This policy is applied to projects with high visibility and public impact in the following categories:
  - (1) New building construction in excess of \$250,000
  - (2) New engineered structures (i.e. bridges) in excess of \$250,000
  - (3) Major renovations to existing buildings and structures in excess of \$250,000
  - (4) Parks projects in excess of \$250,000
- 7 This policy is not applied to:
  - (1) Capital projects such as roads, in-ground water, sewer or drainage structures and other structures with limited visual impact and public accessibility.
  - (2) Demolition projects
  - (3) Capital equipment

#### References:

- I Policy PS-A-2.6 Sponsorship

#### Document History:

Policy Adopted	January 5, 2015
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#### Administrative Revisions:

Date:	Description:
May 16, 2017	<ul style="list-style-type: none"> <li>• Changed policy number to EL-D-2.7</li> <li>• Updated to current template format</li> </ul>
October 18, 2017	Updated to current format.



## Appendix 2 - Council Committee Bylaw No. 3576/2016

**63. Committee Name:** Public Art Commission

**64. Purpose**

The purpose of the Public Art Commission is to provide expert and community input on public art for The City of Red Deer.

**65. Committee Outcomes**

- (1) The Public Art Commission will:
- (a) Recommend and advise on public art policies, guidelines, plans and issues as they relate to The City of Red Deer;
  - (b) Review all acquisitions and donations of public art;
  - (c) Make decisions on the re-siting and deaccessioning of public artwork, except in the following situations where the authority will rest with the Public Art Coordinator:
    - (i) temporary relocations to support repairs, maintenance, construction, or to protect artwork;
    - (ii) cases where there is significant, immediate concern for public safety, or the safety or integrity of the artwork; and
    - (iii) short term and permanent relocations of interior placement discreet artworks (e.g. to facilitate a dynamic and interesting public art program).
  - (d) Adjudicate all public art projects and grant applications for the year, in accordance with current policies; and
  - (e) Receive applications for community public art grant projects to determine whether or not the community public art project should proceed and, if so, to what extent funding should be provided.
- (2) The Committee will keep all information confidential including names and details of submissions.

**66. Membership**





- (I) The Public Art Commission consists of the following Members:
  - (a) Three representatives from the community who are knowledgeable about art (Artists, art historians, art curators, art students/educators, etc.);
  - (b) Two Citizen Representatives;

## **67. Meetings**

The Public Art Commission meets every second Wednesday of the month, commencing at 5:00 p.m. as required.

**Summary of Feedback received by Council at March Workshop**

- Debate the 1%, but keep something
- Remove non-facilities from consideration (ie. Bridges)
- Maybe consider not including renovations either
- Should only include projects that have a public interface
- Change threshold to \$1M and delete any parks projects

**DATE:** July 16, 2020

**TO:** Shelley Gagnon, Recreation, Parks & Culture Manager

**FROM:** Frieda McDougall, Legislative Services Manager

**SUBJECT:** Public Art Review

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**Reference Report:**

Recreation, Parks & Culture , dated July 13, 2020.

**Resolution:**

At the Monday, July 13, 2020 Regular Council Meeting, Council passed the following Resolutions:

Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks & Culture, dated July 13, 2020 re: Public Art Review hereby receives the recommended changes for information and directs Administration to bring back a proposed revised Policy EL-D-2.7 Public Art and proposed amendments to Committees Bylaw 3576/2016 (Public Art Commission terms of reference).

**Report back to Council:**

Yes. Administration is to bring back a proposed revised Policy EL-D-2.7 Public Art and proposed amendments to Committees Bylaw 3576/2016 (Public Art Commission terms of reference).

**Comments/Further Action:**

None.

“Frieda McDougall”

Frieda McDougall  
Manager

- c. General Manager Community Services  
Culture Superintendent  
Policy Analyst