

Report to Council



Date: May 28, 2018
File: 1840-40
To: City Manager
From: Planner Specialist, Parks & Buildings Planning
Subject: Kelowna Community Health Services Centre Public Art – Financial Contribution Agreement

Recommendation:

THAT Council receives, for information, the report from the Planner Specialist, Parks & Buildings Planning dated May 28, 2018, with respect to the Kelowna Community Health Services Centre Public Art – Financial Contribution Agreement;

AND THAT Council authorize the Mayor and Clerk to execute the Financial Contribution Agreement between Bentall Kennedy (Canada) Limited Partnership, BK Prime Kelowna Holdings LP and the City of Kelowna;

AND FURTHER THAT the 2018 Financial plan be amended to include the expenditure up to \$60,000 from the Public Art Reserve for the City's contribution portion towards the commissioning of new publicly accessible artwork at the Kelowna Community Health Services Centre, 505 Doyle Avenue.

Purpose:

To seek Council's approval to enter into a cost sharing agreement between the City of Kelowna and Bentall Kennedy for the commissioning of new publicly accessible artwork at the Kelowna Community Health Services Centre, 505 Doyle Avenue, to be funded through the Public Art Reserve.

Background:

As directed by Council per the March 26, 2018 report entitled Kelowna Community Health Services Centre Public Art – Memorandum of Understanding, staff entered into a Memorandum of Understanding (MOU) for an equal cost sharing partnership between Doyle Property Holdings Ltd (Bentall Kennedy) and the City.

Based on the MOU, staff prepared a Financial Contribution Agreement for a total project budget of \$120,000. Funding is based on an equal cost sharing partnership, with each party contributing up to \$60,000. The City's portion of the costs will be funded through the Public Art Reserve.

The agreement is between the City and BK Prime Kelowna Holdings LP, responsible for the property management of 505 Doyle Avenue, and Bentall Kennedy (Canada) Limited Partnership as a duly authorized agent for BK Prime Holdings LP.

The agreement sets out financial contributions between parties for all associated costs for the artwork including: honorariums for artist proposals; artist's proposal and design development; and fabrication and installation of the artwork at the location identified. The financial agreement will also cover costs associated with the registration of a Statutory Right-of-Way, project management costs, project contingencies and maintenance for the life of the work.

The agreement and partnership with Bentall Kennedy is consistent with the City's Cultural Policy 274 and is supported by staff as a way to promote public art by encouraging the private sector to provide artwork within publicly accessible portions of their development, diversify the locations for public art and further extend the City's reserve funds toward providing more public art.

Site Location:

The artwork is to be sited adjacent to KCHSC's main entrance and will serve as a prominent feature in a highly visible location. The artwork will be owned and maintained by the City as part of the Public Art Collection.

Public access to the artwork will be secured through a Statutory Right-of-Way as outlined in Schedule A attached to the Financial Contribution Agreement.

Artist Selection:

The City is seeking a site specific artwork for this location that will reflect Kelowna citizens' relationship between health and the well-being of individuals and their communities; and serve as inspiration for Interior Health's goal of providing inclusive health services and vision of 'every person matters'.

The artwork will be chosen through a two-stage competition open to professional artists. Stage 1 will be a call-to-artists to submit their expression of interest and qualifications; and Stage 2 will involve a short-list of 3-5 artists from Stage 1 to be invited to provide detailed design proposals.

Selection of artists and artwork will be by a five-member jury consisting of: (2) members from the Public Art Committee representing the public-at-large; (2) members representing IH and Bentall Kennedy; and (1) member representing the City. Final selection will be reviewed by City staff to advise the jury committee on technical concerns relating to public safety, appropriate subject matter, constructability, vandalism, durability and long-term maintenance.

On City staff's recommendation for final selection, the Artist will be required to enter into a Public Art Agreement (contract) as outlined in Schedule B attached to the Financial Contribution Agreement.

Project Management:

The City will appoint a Project Manager (PM) to oversee the day-to-day management of the project including procurement, contractual, design and technical requirements for the fabrication and installation of the artwork. The PM will also liaise with representatives from Bentall Kennedy and Interior Health, as key partners in the project.

The PM will be responsible for coordinating any permitting, insurance requirements and construction access required from Bentall Kennedy to facilitate the installation of the artwork as outlined in Schedules C & D attached to the Financial Contribution Agreement.

Internal Circulation:

City Clerk
Community Engagement Manager
Cultural Services Manager
Divisional Director, Infrastructure
Financial Planning Manager
Parks & Buildings Planning Manager
Partnership Manager

Existing Policy:

The proposed project and partnership is consistent in terms of the City of Kelowna's Public Art Program as reflected in Cultural Policy 274.

Financial/Budgetary Considerations:

The required funding for the City's share towards the commissioning of new publicly accessible artwork at the Kelowna Community Health Services Centre is currently not part of the financial Plan. The 2018 Financial Plan will require an amendment as detailed in the Recommendation section of this report.

Considerations not applicable to this report:

Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:

D. James, Planner Specialist, Parks & Buildings Planning.

Approved for inclusion:



Alan Newcombe, Divisional Director, Infrastructure

Attachment 1 - KCHSC Public Art - Financial Contribution Agreement

Attachment 2 - KCHSC Public Art Report to Council - March 26 2018

Attachment 3 - KCHSC Public Art – Presentation

cc: City Clerk
Divisional Director, Corporate Strategic Services
Divisional Director, Active Living & Culture
Divisional Director, Infrastructure
Divisional Director, Financial Services