
CITY OF KELOWNA

MEMORANDUM

Date: March 31, 2008
File No.: 2240-20
To: City Manager
From: Civic Properties Manager
Subject: Kelowna Art Gallery's Grant application for new outdoor work of Art

RECOMMENDATION:

THAT City Council endorse the Kelowna Art Gallery application for funding through the Arts Partners in Creative Development program to commission a new outdoor work of art for the Gallery front patio.

BACKGROUND:

The Kelowna Art Gallery intends to apply to Arts Partners in Creative Development for \$300,000 to support the commissioning of **OK** by Bernie Miller, who has been selected by the KAG's curator in consultation with their Executive Director, and approved by the KAG Board of Directors, through a non-competitive process. Annex 1 provides written and visual information on the proposal; the KAG will be available to provide further explanation of the commissioning and the application process). The application for funding is due on April 17, 2008.

The pertinent term under the lease requires that KAG obtain written approval for a permanent installation (clause 12.2(a)). The area proposed for the installation is included in term regarding License to Use Exterior Spaces (clause 5.1, see Annex 2 for site plan):

12.2 (a) KAG's Alterations (under Clause 12 Alterations, Improvements)

KAG shall not make or cause to be made any alterations, additions or improvements to the Gallery or erect or cause to be erected any partitions or install or cause to be installed any fixtures, exterior signs, floor covering, interior or exterior lighting, plumbing fixtures, shades, awnings, exterior decorations or make any changes or otherwise in respect of the Gallery without first obtaining the City's written approval.

Considering the public nature of this art installation, the KAG intends to engage in an independent public awareness exercise.

INTERNAL CIRCULATION TO:

Cultural Services Manager
Cultural Services and Public Art Coordinator
Risk Manager
Transportation Manager
Communications Manager



FINANCIAL/BUDGETARY CONSIDERATIONS:

The grant is for 90% of the costs; installation of the piece --- including engineering, excavation, formwork, concrete and anchors, electrical service and installation, etc. --- is specifically excluded. KAG has indicated that it will be responsible for installation costs. On-going costs for operation (insurance, solar battery and LED light replacements, etc.) and maintenance (cleaning, painting, vandal repair, etc.) will be the sole responsibility of the Kelowna Art Gallery. Written confirmation from the KAG insurer confirming adequate general liability for installation and on-going operation would be required, with assurances from the KAG confirming their capacity to manage the deductibles. Typically, maintenance operating costs for an asset of this kind are in the order of 10-15% of the total value (\$30-45k).

TECHNICAL REQUIREMENTS:

Prior to installation, the KAG will be responsible for providing the City with engineering assurance that the installation is structurally sound. This includes considerations of weight and wind loads for the roof-mounted installation, and wind loads for the grade-mounted installations. The design will need to inhibit access to the KAG roof. Approval from the Roadway Division for an installation adjacent to a public roadway would also be required.

LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:

The commissioned art would be installed on City-owned property. The KAG's agreement with the artist would include the right for the City or the KAG to relocate or remove the installation with notice without violation of copyright/intellectual property rights, or any kind of compensation to the artist. Noted 'financial', 'technical', and 'legal/statutory' requirements will be specified in a letter pursuant to the lease, from Civic Properties to the KAG.

EXTERNAL AGENCY/PUBLIC COMMENTS:

The Public Art Committee, having considered the proposal on March 19, 2008, has unanimously endorsed the proposed installation. The KAG has also received letters of support from various community members and neighbouring facilities that will be submitted with the grant application.

COMMUNICATIONS CONSIDERATIONS:

If successful in soliciting funds, the KAG will be solely responsible for public relations regarding the work of art and installation.

Considerations that were not applicable to this report:

Legal/Statutory Authority:

Existing Policy:

Personnel Implications:

Alternate Recommendation:

Submitted by:



R. Cleveland
Civic Properties Manager

Approved for Inclusion:



Cc: Liz Wylie, Kelowna Art Gallery
Lorna Gunn, Cultural Services Manager
Sandra Kochan, Cultural Services and Public Art Coordinator
Lance Kayfish, Risk Manager
Ron Westlake, Transportation Manager
Karen Cairns, Communications Manager

Attachments

ANNEX 1: *OK* by Bernie Miller: a work proposed for the Kelowna Art Gallery

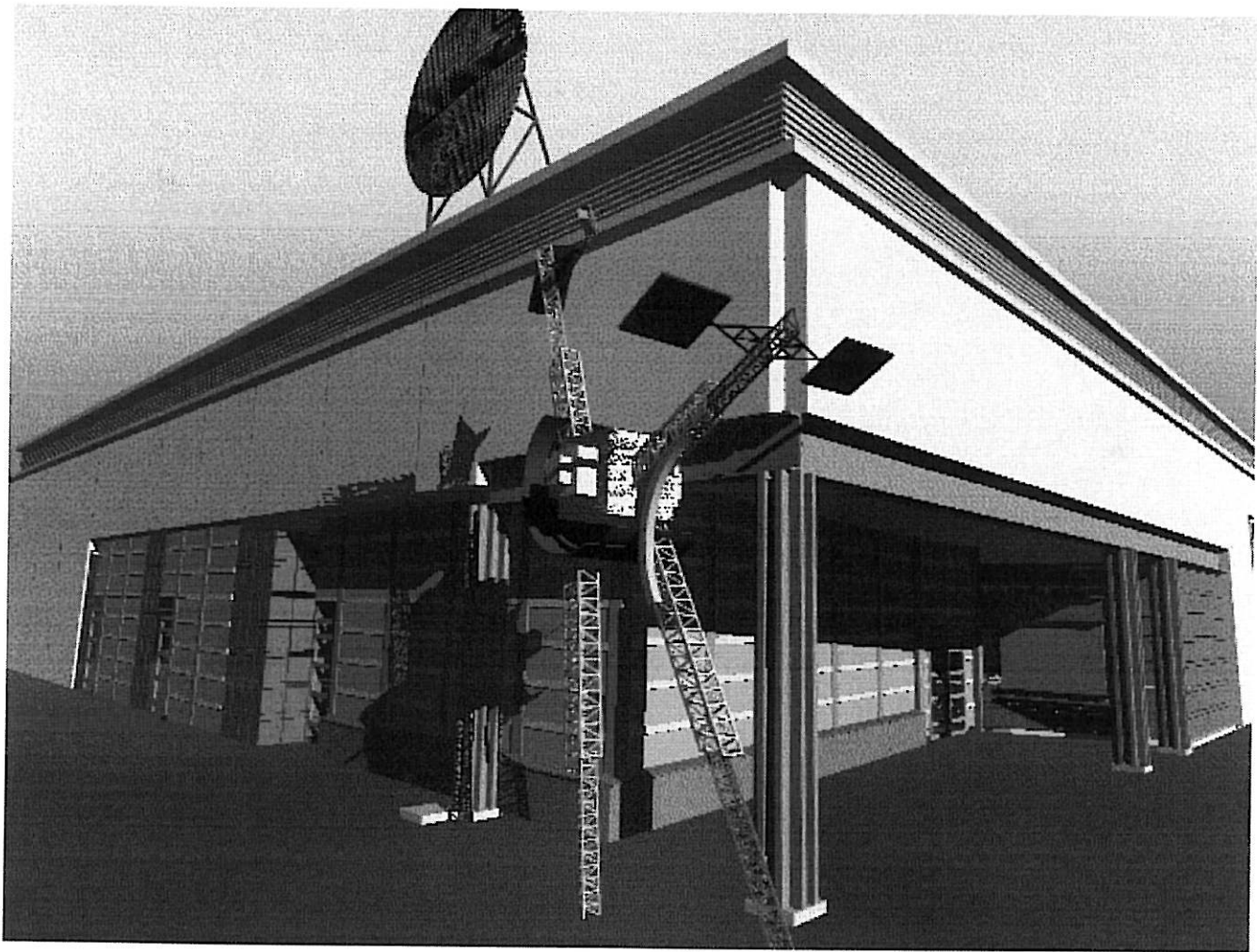
We at the Kelowna Art Gallery are excited at the prospect of commissioning a new outdoor work of art for our main entrance patio. We are applying for funds for this project and would like to garner community support for the concept. The artist we are working with is Bernie Miller, who currently lives in Winnipeg, but spent his earlier years in Toronto. He has had a successful career producing works of public art, as well as having his own practice as a sculptor and an artist who draws. It was important to us to select an artist with national stature and reputation due to the pivotal and highly significant site for the work, and the gallery's desire to cement for ourselves a more nation-wide reputation for innovation and excellence.

Visually this work will resemble fragments of space junk that have fallen to earth, or a giant creation from a child's building kit. A closed-circuit "inspection" camera will be in constant slow motion, powered by electricity that will be supplemented by two solar panels. The work will be lit for nighttime viewing/interaction. Whatever the camera is scanning will appear unaltered on a large, round LCD screen mounted securely on the gallery's flat roof. The work of art will be interactive, and therefore, ever-changing. Passers-by who wish to see themselves on the large screen can wait until the camera is on them, and then pose and watch their giant images up on the roof-top screen. The piece will be engineered for safety and will be designed to discourage/prohibit climbing.

Titled *OK*, a banal term that we are all forced to click with prompts when using a computer, the moniker is also a subtle reference to the shapes of the work (the round screen as the "O" and the two-pronged structure holding the camera as the "K.") As well "OK" can be linked to the first two letters of this region – the Okanagan Valley.

It is our belief that this work of art will engage people and that the corner (set in from Water and Cawston Streets) will become a new, lively hub for the Cultural District, while not causing any traffic or sightline problems. Its futurist nature and use of new media has the potential to "rebrand" the Cultural District, and would make it a first for outdoor art in the City of Kelowna. Like a beacon, it would signal to passers-by that an art gallery with provocative exhibitions is adjacent to it.

Artist Bernie Miller acknowledges his nod to the Russian Constructivists in this work, admiring not only their industrial aesthetic, but also the visionary and future-oriented attitude of the artists in that movement, which occurred almost one hundred years ago. His thinking about the levels of meaning in the work ranges from the relationship between community and the mass media, and the psychological phenomenon of mirroring (how we learn about ourselves). One might also consider Andy Warhol's prediction that in the future there would no longer be any famous artists, but that each of us would be famous, but only for fifteen minutes. Having become larger-than-life themselves for a few moments through the *OK* work of art, viewers might cast their minds to consider our celebrity-obsessed culture, with its dependency on the media to disseminate the images of the current stars.



PUBLIC ART COMMITTEE COMMENTS

(summarized by Sandra Kochan, Cultural Services and Public Art Coordinator)

- The placement of the 'K' on the corner should be such to maximize its impact and suit the site; don't put it too close to the building or the curb. It's a signature corner and good sightlines are important. Similarly, the installation angle of the 'O' on the gallery roof needs to be carefully thought out. In which direction will it face for the best and most frequent viewing?
- The open lattice structure of the materials used in the 'K' is going to encourage climbing, no matter how uncomfortable. Perhaps the artist can consider a different structure/material with a smoother surface and no footholds. The camera will be a tempting lure for climbers.
- Artist to confirm that the solar panels will generate sufficient power to operate all of the equipment over the long term.
- If larger solar panels are needed, they could be mounted on the side of the building rather than on the 'K' structure, in a size and manner which complements the building's architecture.
- The structure and materials used for mounting the 'O' might relate in some way to the materials used in the 'K' so that they are more effectively linked with each other and minimize the 'billboard' effect of the screen on the roof.

BIO ON ARTIST BERNIE MILLER re: "OK" INSTALLATION

Senior Canadian artist Bernie Miller has achieved a national reputation for his conceptually based works of art. He has produced both public art (most often by competition for commissions) as well as having his own studio practice in sculpture and installation, and works on paper.

Miller studied in Toronto at the Ontario College of Art and Design, graduating in 1974. His practice was in Toronto for thirty years until he relocated to Winnipeg in 2004. His work has been shown in group and solo exhibitions across Canada, and he has had several Toronto dealers over the years, who gave him regular exhibitions. He has been invited to numerous artist's residencies and has lectured widely, often about issues in public art.

Some of his public art commissions in existence are:

World Map, Edmonton International Airport (with Alan Tregebov), 2004

Not Fall Down, Queen St E, Toronto (with Alan Tregebov), 1999

Street Light, Davie Circle, Concord Pacific Place, Vancouver (with Alan Tregebov), 1995

The Poet, the Fever Hospital, Metro Hall, Toronto, 1992

Learn to Throw Your Voice, Harbourfront, Toronto, 1986

Miller generally works with an industrial aesthetic, but with his tongue firmly in his cheek, so that the elements read like someone's commentary on these machine-made elements. Has the future gone wrong?, we might ask. All is ambivalence and layers of meaning. His references to the utopian visions of the Russian Constructivists of the early 20th century, for example, are rank with nostalgia and respect bordering on reverence, yet with a healthy dose of irony in the mix as well.

ANNEX 2: License to Use Plan

SCHEDULE "C-iii"

