



scəwáθən məsteyəx^w

TSAWWASSEN FIRST NATION

Tsawwassen First Nation

ʔex^weʔtəl ǰǰǰələt Public Art Policy

Date Enacted: 2023-03-07

Order Number: O.021-2023

Last Amended: 2026-03-31

Order Number: O.040-2026

X

Kim Baird
Chief Administrative Officer

Table of Amendments

Section(s) Amended	Date	Order number	Come Into Force Date
Section 7.1 amended Section 7.2 amended	31/03/2026	O.040-2026	31/03/2026

Table of Contents

1. Authority	1
2. Definitions	1
3. Purpose	2
4. Objectives	2
5. Application	3
6. Public Art Management by Lands Department, Culture Department, and Economic Development Department	3
7. Public Art Requirements for Developers	4
7.1. Public Art Charge for Industrial and Commercial Lands.....	4
7.2. Public Art Proportionate to Scale of Development	4
7.3. Public Art in Parks	5
7.4. Public Art Ownership, Responsibility for Maintenance, Repair, and De-accession.....	5
7.5. Cultural Requirements in Artwork Agreement.....	5
7.6. Requirement for TFN Artist.....	5
7.7. Public Art Approval	5
7.8. Artist and Artwork Recognition	6
7.9. Remainder of this Policy Optional for Developers.....	6
8. Public Art Requirements for TFN Government	6
8.1. Public Art Proportionate to Scale of Development	6
8.2. Ownership, Responsibility for Maintenance, Repair, and De-accession.....	6

8.3. Artist and Artwork Recognition	7
8.4. Preference for TFN Artists	7
8.5. Process and Remuneration	7
9. Selection Processes	7
9.1. One-Phase Process	7
9.2. Two-Phase Process	7
10. Call for Proposals	8
11. Support for Artists to Complete Proposals.....	8
12. Artist Remuneration.....	9
12.1. Project Art Budgets	9
12.2. Remuneration for Proposals	9
13. Selection Committees.....	9
13.3. One-Phase Selection Processes.....	9
13.4. Two-phase Selection Processes	10
13.6. Decision-making.....	10
14. Selection Criteria.....	11
15. Communication of Selection Process Result	11
16. Artwork Agreements	11
17. Public Art Donations	12
18. Schedules.....	12

“Tsawwassen Member” means a Tsawwassen Individual who is enrolled as a member of Tsawwassen First Nation in accordance with Chapter 21 [Eligibility and Enrolment] of the Tsawwassen First Nation Final Agreement.

“Tsawwassen Lands” means the lands set out in Appendix C-4 of the Tsawwassen Final Agreement as Tsawwassen Lands;

“Tsawwassen Public Lands” has the meaning as set out in the Tsawwassen *Lands Act*.

“Parks” means Tsawwassen Lands zoned as P1 parks

“Public Art” means any visual artwork in any medium created by an artist(s) that has been planned and executed with the specific intention of being sited in a public realm and is acquired in compliance with this policy. Public Art may be incorporated into a project’s design, or be a stand-alone piece.

“TFN” means Tsawwassen First Nation.

“TFN Artist” or **“TFN Artists”** means any Tsawwassen Member who creates an artwork in any medium and includes emerging artists with no previous public art or paid experience.

“TFN Design Guidelines” means the Tsawwassen First Nation Neighbourhood Plan Area Design Guidelines 2012 and the Tsawwassen First Nation Industrial and Commercial Zone Design Guidelines 2017, as amended from time to time.

“Total Construction Costs” means the estimated costs of an entire project represented in building permit application(s), and as accepted by TFN Staff.

“Youth” means any Tsawwassen Member between the ages of 1 and 26.

3. Purpose

The purpose of this policy is to guide the acquisition and management of Public Art on Tsawwassen Lands.

4. Objectives

The objectives of this policy are to:

- Promote and celebrate TFN culture and language
- Promote and enhance support for all TFN Artists
- Promote mentorship opportunities for Youth (stewardship for Public Art)
- Promote cultural growth and build a legacy for current and future TFN Artists
- Establish a sustainable funding mechanism for Public Art (i.e., finance the acquisition, conservation and inventory of public art)

- Provide Public Art opportunities to artists at all levels and career stages
- Ensure Public Art acquisition processes are consistent and transparent
- Guide management of TFN government’s Public Art collection
- Showcase TFN art, culture, values, language and traditions to non-Members

5. Application

This policy applies to Development Projects undertaken by TFN Government and Developers, placemaking initiatives undertaken by TFN Government and to Public Art activities not associated with Development Projects.

This policy is not mandatory for residential developments anywhere on Tsawwassen Lands, but may be used as a guideline. For clarity, TFN Design Guidelines still apply to residential developments.

This policy should be read in connection with the TFN Design Guidelines, which provide guidance to Developers to ensure urban design standards are maintained throughout the community.

The TFN Procurement Policy does not apply to the acquisition of Public Art. The TFN Delegation of Authority Policy applies to the acquisition of Public Art.

6. Public Art Management by Lands Department, Culture Department, and Economic Development Department

6.1. Pursuant to Section 41(3) of the *Government Organization Act*, the Director of Lands and Municipal Infrastructure, or their designate, has the authority to manage Public Art in accordance with this policy and applicable laws and regulations. The Director of Lands and Municipal Infrastructure, or their designate, will consult with the Culture Department when taking actions that differ from the guidelines set out in this policy.

6.2. It is the responsibility of the Lands Department to budget for the implementation of this policy and for operations and maintenance of Public Art owned by TFN. Funded activities for Public Art owned by TFN may include:

- Regular inspections and maintenance of Public Art

- Acquisition and installation of Public Art (including art information panels)
- Events to unveil Public Art, blessings, or other protocols
- Placemaking activities
- Honoraria for selection committee members

6.3. It is the responsibility of the Language and Culture Department to budget for artist support activities, which may include:

- Support to TFN Artists to pursue training and skills development
- Support for art mentorship opportunities

6.4. It is the responsibility of the Economic Development Department to budget for activities related to TFN Artist business supports, which may include:

- Support to build and maintain a business
- Support for Public Art related contractual services to TFN Artists
- Support to TFN Artists to prepare and maintain portfolios, apply for “Call to Artists” and submit proposals

7. Public Art Requirements for Developers

7.1. Public Art Charge for Industrial and Commercial Lands

In accordance with the Consolidated Planning and Development Application Fees Regulation, Developers are required to pay the Public Art Charge for any Development Project on Tsawwassen Lands zoned as C-3 Comprehensive Mixed Use Zoning District, C-4 Comprehensive Commercial (Shopping Centre) Zoning District and any Industrial Zone.

7.2. Public Art Proportionate to Scale of Development

In addition to the Public Art Charge, and in accordance with the TFN Design Guidelines, Development Projects undertaken by Developers on Tsawwassen Lands zoned as Industrial or Commercial Lands must include Public Art proportionate to the scale of the Development Project.

Alternatively, any Developer of Tsawwassen Lands zoned as Commercial Lands may elect to have TFN procure Public Art for the Development Project on

their behalf for a cash payment of 1 % of the Total Construction Cost of the Development Project ("Art Cash Payment").

For development on Tsawwassen Lands zoned as Industrial lands, the Art Cash Payment for TFN to procure Public Art is included in the Offsite Levy Charge and paid in accordance with the Offsite Levies Regulation.

7.3. Public Art in Parks

The Public Art Charge at 7.1 does not apply any development of Parks. Parks must include Public Art proportionate to the scale of the development, notwithstanding the overall construction cost, or pay TFN 1% of the Total Construction Costs in lieu.

7.4. Public Art Ownership, Responsibility for Maintenance, Repair, and De-accession

Developers own the Public Art they procure. The artist retains all copyright and reproduction rights unless otherwise agreed in an Artwork Agreement.

Developers are responsible for the maintenance, repair, and de-accession of the Public Art they procure for the lifetime of their Public Art, and for respecting any arrangements made with the artist in an Artwork Agreement.

Developers may undertake major repairs and deaccess Public Art that it owns at any time if the Public Art poses a threat to public safety.

7.5. Cultural Requirements in Artwork Agreement

Developers should discuss any cultural requirements with the artist for inclusion in an Artwork Agreement and to ensure adequate budgeting to cover any costs and expenses related to same. Cultural requirements may include ceremonial elements of the unveiling, artist inclusion in maintenance and repair, honoraria or other requirements.

7.6. Requirement for TFN Artist

Public Art concept for any Development Project undertaken by a Developer must be prepared by a TFN Artist(s) unless otherwise agreed by the Director, in consultation with the Manager of the Culture Department.

7.7. Public Art Approval

Projects with compensation to the artist of \$10,001 or more will generally follow a two-phase selection process as described in Schedule C.

9.3. The Director, in collaboration with the manager of the Culture Department, may alter any part of the process described in Schedules B and C in order to meet Development Project requirements.

10. Call for Proposals

10.1. Staff will publish a Call for Proposals which is the first step in both one-phase and two-phase selection processes.

10.2. A Call for Proposals template is found in Schedule A. If the template is not used, any Call for Proposals should include the following information:

- **Vision:** A description of the project, the theme or curatorial vision, and the desired effect or impact of the artwork once it is installed.
- **Project details:** A description of whose project it is and who will own the artwork.
- **Art specifications:** A description of where the art will be located, and any size, material, weather protection, and other requirements.
- **Eligibility:** Who is eligible to participate and any preferential treatment.
- **Timeline and process:** Any deadlines and expected schedule for artwork completion and an overview of the selection process.
- **Submission requirements:** A description of what the artist must include in their submission to be considered and how to submit.
- **Remuneration:** how much and when the artist(s) will be paid for each step and the final work, and who is responsible for related costs (eg: transport and installation).
- **Contact information:** A contact person for the submitting the expression of interest and asking questions.

11. Support for Artists to Complete Proposals

11.1. Staff may provide support to any TFN Artist to complete their proposals, subject to available human and financial resources.

11.2. Staff will confirm with a TFN Artist if there is any “Conflict of Interest” to be declared and note as needed.

11.3. Staff will not provide any information that may give any TFN Artist an advantage in the selection process.

12. Artist Remuneration

12.1. Project Art Budgets

Artists are notified of the project art budget or artist compensation amount in the Call for Proposals and are expected to submit proposals that allow for a satisfactory level of remuneration, taking into consideration the form of artwork, time spent and material costs.

Staff will ensure that each project art budgets consider factors such as different art forms, materials and time required.

TFN Government is responsible for costs associated with cultural protocols for TFN-led projects, such as honoraria to elders or witnesses for an unveiling ceremony.

12.2. Remuneration for Proposals

Artists will receive a \$250 honoraria for submitting a proposal that meets all requirements in a one-phase selection process or in the first phase of a two-phase selection process.

Artists will receive an honoraria set by the Director in consultation with the manager of the Culture Department for proposals that meet all the requirements of the second phase of a two-phase selection process.

13. Selection Committees

13.1. A selection committee, appointed by the Director and the manager of the Culture Department, will be established for each selection process.

13.2. Individuals may serve on multiple successive selection committees, but attempts should be made to distribute opportunities across a diversity of Members.

13.3. One-Phase Selection Processes

A selection committee for a one-phase acquisition process will be comprised of three members:

- one member of Executive Council or one Legislator or one member of the Standing Committee on Culture and Language,
- one member appointed by the Director of Lands and Municipal Services, and
- one member appointed by the Manager of Language and Culture who is also a TFN Member.

Staff and Members of Executive Council are not eligible for honoraria for their participation on a selection Committee.

Members of Legislature and TFN Members who are not Staff or members of Executive Council are eligible for an honoraria of \$100 for participation on a selection committee.

13.4. Two-phase Selection Processes

A selection committee for a two-phase process may have up to 7 members and will strive to include, but not be limited to:

- One member of Executive Council or one Legislator,
- One member appointed by the Director of Lands and Municipal Services,
- One member appointed by the Manager of Language and Culture who is also a TFN Member,
- One Member of the Standing Committee on Culture and Language,
- One Youth, and
- One Elder.

Staff and Members of Executive Council are not eligible for honoraria for their participation on a selection Committee.

Members of Legislature and TFN Members who are not Staff or members of Executive Council are eligible for an honoraria of \$300 for participation on a two-phase selection committee.

13.5. All selection committee members will declare any conflict of interest.

13.6. Decision-making

Selection committees will make decisions by consensus. Where consensus cannot be reached, the selection will be decided by a majority vote.

14. Selection Criteria

Each selection process will include the mandatory criteria set out in 14.1 and may include other criteria necessary to meet the needs of the project as well as preferences that are desired but not required.

14.1. Mandatory criteria are:

- Artistic experience and expertise with certain art form, e.g. carving, painting, photography, weaving, etc. based on samples of previous work,
- Expression of Tsawwassen culture or Coast Salish culture,
- Ability to meet the project timeline,
- Ability to meet the project budget,
- Ability to meet any other technical specifications as needed, and
- Fair distribution of opportunities among TFN Artists.

14.2. Non-mandatory criteria and preferences may include, but are not limited to:

- Eligibility preferences as described in Section 8.4,
- Ability to receive training and commitment to being mentored, and
- Ability as well as willingness to mentor emerging artists.

15. Communication of Selection Process Result

Staff will communicate the result of a selection process to all applicants and relay any constructive feedback that could improve opportunities of success or build capacity in the artist to be successful in future selection processes.

16. Artwork Agreements

An Artwork Agreement will be established for each Public Art design and installation. A template agreement may be provided by the TFN Legal Department. Use of the template is not required; however, an agreement must include at least:

- Details of the work being commissioned,
- Details of the information panel, storyboard, plaque, etc.,

- Details of the transportation and installation,
- Deadlines and project timeline,
- Payment terms,
- Any cultural considerations for the artwork, including artist expectations for unveiling/ceremony and artist inclusion in maintenance or repair,
- Copyright and reproduction rights arrangements, and
- Dispute resolution mechanism.

17. Public Art Donations

The Manager of Language and Culture in collaboration with the Director of Lands and Municipal Infrastructure will consider accepting any offer of a Public Art donation subject to the following:

- Any donation must be unencumbered,
- Any donated artwork should meet the mandatory criteria set out in subsection 14.1 and a selection committee may be established to evaluate the artwork,
- Any donation should not need major unfunded repairs and be in sound condition, and
- A donor may be obliged to contribute funds for installation and maintenance costs.

18. Schedules

The schedules to this policy are intended to provide additional guidance and support to implement the policy, but do not form part of the policy. In the event of a conflict, the policy prevails.

Schedule A – Call for Expressions of Interest Template

Call to TFN Artists!

Public Art Opportunity

SUBMISSION DEADLINE: [Enter the date of the deadline]

[ENTER THE PROJECT TITLE]	
Project Overview & Vision:	<p>Enter a brief description of the project including WHO is procuring the art, where it will be located, the type of artwork sought, and any thematic vision.</p> <p>Examples:</p> <p><i>TFN Government is seeking expressions of interest for a Coast Salish-inspired crosswalk design to be used in 10 locations across Tsawwassen Lands. The artist is to provide a design and the installation will be completed by TFN's Public Works team.</i></p> <p><i>Aquilini Development is seeking expressions of interest for a large mural to be painted on the side of a building at 999 Canoe Drive Way. The mural should incorporate images of local wildlife. The artist is to design and paint the piece of art."</i></p>
Who is invited:	<p>Enter who is invited to submit expressions of interest and if there will be any preferential treatment.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Any TFN Member • Any TFN Youth aged 12-26 • Any TFN Artist partnered with a TFN Youth • Any Coast Salish Artist • Preference will be given to youth and LBGQIA2S applicants
Art Specifications:	<p>Enter the more detailed requirements for the art. These could include more specific locations, size, materials, weather protection requirements, etc.</p>
Process and Timelines:	<p>Enter information about the process (is it one phase or two) and the deadlines. Include when artists can expect to be informed if they are successful.</p> <p><i>Example for a One Phase Process (under \$10,000 Art Budget)</i></p>

	<p><i>This is a one phase selection process.</i></p> <p><i>Artists are to submit a proposal describing the art concept by [DATE]. A three person selection committee will review all proposals and notify the all applicants of their decision by [DATE].</i></p> <p><i>It is expected that the Public Art installation will be complete by [DATE].</i></p> <p>Example for a Two-Phase Process (over \$10,000 Art Budget)</p> <p><i>This is a two-phase selection process.</i></p> <p><i>Artists are to submit a proposal describing the art concept by [DATE]. A seven person selection committee will review all proposals and determine a short list.</i></p> <p><i>All short listed applicants will be notified and requested to develop a more detailed proposal.</i></p> <p><i>The selection committee will review all detailed proposals and notify all applicants of their decision by [DATE].</i></p> <p><i>It is expected that the Public Art installation will be complete by [DATE]</i></p>
Submission Requirements	<p>Enter everything that the artist is expected to submit including requirements about file types.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • <i>Artist CV and bio</i> • <i>Examples of previous work, up to 10 images.</i> • <i>Written description of proposed artwork</i>
Selection Criteria	<p>Enter the criteria that will be used to evaluate the submissions and make a selection. These should include the mandatory criteria set out in Section 14 of the Public Art Policy, but may include other criteria necessary to meet the needs of the project as well as preferences that are desired but not required.</p>
Remuneration	<p>Enter how much an artist will be compensated. Include whether there is a fee for all submissions or only the selected artist, as well as payment terms. Will some funds be provided upfront or only after completion?</p> <p>Example:</p> <p><i>All artists who enter a submission will receive a \$100 honoraria.</i></p> <p><i>The successful applicant will receive payment of \$3000, inclusive of any material costs. Half will be paid upfront and the second half will be paid upon completion of the project.</i></p>
Submission Deadline	<p>All submissions must be received by [repeat the deadline date again]</p>
Contact Information	<p>All submissions are to be sent to: [enter contact]</p> <p>For any questions please reach out to: [enter contact]</p>

Schedule B – One-Phase Selection Process

This Schedule outlines the process for a one-phase selection process. This process is to be used when:

- Total remuneration to the artist(s) is less than \$10,000; or
- If required to meet project requirements **AND** if approved by the Director of Lands and Municipal Infrastructure and Manager of Culture.

Step 1: Develop and publish a Call for Proposals

- Staff fill out the “Call for Proposals Template”, found in Schedule A of this policy.
- One-phase processes strive for a minimum of 2-3 weeks between the publish date of the Call for Proposals and the submission deadline.
- Staff publish the Call for Proposals in the TFN Community Notice and share directly with all TFN Artists who are on the artists list kept by the Language and Culture Department. Other methods of disseminating the opportunity are also encouraged.

Step 2: Create a Selection Committee

- Staff to recruit a Selection Committee per section 14.3 of the Public Art Policy. Ensure the Director is aware of any potential conflicts of interests such as close family relationships between an artist and potential selection committee member.

Step 3: Review proposals and make decision with Selection Committee

- Staff distribute all complete proposals and relevant selection criteria to the Selection Committee.
- Staff arrange and facilitate a meeting of the Selection Committee where the proposals will be reviewed and discussed in relation to the selection criteria to determine who will be the successful applicant.
- Each member of the Selection Committee must have an opportunity to share their views on the proposals.
- A decision on selection is made by consensus. If consensus cannot be found, then a vote will be held.

Step 4: Communicate results to all applicants

- Staff to inform applicants about the decision and relay any constructive feedback that could improve opportunities of success, build capacity in the artist to be successful in future selection processes.

Step 5: Develop an Artwork Agreement with the successful applicant

- Staff work with the selected artist(s) to develop an Artwork Agreement. A template may be available from the TFN Legal Department.

Step 6: Implement Artwork Agreement

- Staff work with the selected artist(s) to implement all terms of the Artwork Agreement, including ensuring payment and artwork are delivered to timelines.

Schedule C – Two-Phase Selection Process

This Schedule outlines the process for a two-phase selection process. This process is to be used when:

- Remuneration to the artist(s) is greater than \$10,001.

Step 1: Develop and Publish a Call for Proposals (Phase 1)

- Staff fill out the “Call for Proposals Template”, found in Schedule A of this policy.
- In a two-phase process, the first phase is submission of a concept. The concept could include a description, rough sketch, and plan for the art, but should not require the artist to complete the artwork itself or do a lot of work. The Selection Committee then selects a number of the concepts to be developed further for the second phase.
- Two-phase processes strive for at least 2 weeks between the publish date of the Call for Proposals and the concept submission deadline.
- Staff publish the Call for Proposals in the TFN Community Notice and share directly with all TFN Artists who are on the artists list kept by the Language and Culture Department. Other methods of disseminating the opportunity are also encouraged.

Step 2: Create a Selection Committee

- Staff to recruit a Selection Committee per section 14.3 of the Public Art Policy. Ensure the Director is aware of any potential conflicts of interests such as close family relationships between an artist and potential selection committee member.

Step 3: Review Call for Proposals and Select Participants for Phase 2

- Staff distribute all complete proposals and relevant selection criteria to the Selection Committee.
- Staff arrange and facilitate a meeting of the Selection Committee where the proposals will be reviewed and discussed in relation to the selection criteria in order to determine who will be invited to participate in Phase 2.
- Each member of the Selection Committee must have an opportunity to share their views on the proposals.
- A decision on selection for participation in Phase 2 is made by consensus. If consensus cannot be found, then a vote will be held.
- There is no set number of applications that should be shortlisted. When deciding on the number of short listed candidates the project team and selection committee should take into consideration the project budget and remuneration for completing a Phase 2 proposal.

Step 4: Communicate Results of Phase 1

- Staff to inform applicants about the decision and relay any constructive feedback that could improve opportunities of success and build capacity in the artist to be successful in future selection processes.
- Staff to inform applicants selected to participate in Phase 2 of all requirements of Phase 2 including with respect to the process, remuneration, and technical specifications of the artwork.
- Timelines should follow what was communicated in the initial Call for Proposals, and may be set according to the scale and requirements of the project.

Step 5: Artists to complete detailed proposal

- Artists who have been invited to participate in Phase 2 will complete a detailed proposal which builds on the concept provided in Phase 1.
- Artists who submit a detailed proposal for phase 2 will receive an honoraria.

Step 6: Review detailed proposals and make decision with Selection Committee

- Staff distribute all complete proposals and relevant selection criteria to the Selection Committee.
- Staff arrange and facilitate a meeting of the Selection Committee where the proposals will be reviewed in relation to the selection criteria and discussed to determine who will be the successful applicant.
- Each member of the Selection Committee must have an opportunity to share their views on the proposals.
- A decision on selection is made by consensus. If consensus cannot be found, then a vote will be held.

Step 7: Communicate results to all applicants

- Staff to inform applicants about the decision and relay any constructive feedback that could improve opportunities of success and build capacity in the artist to be successful in future selection processes.

Step 8: Develop an Artwork Agreement with the successful applicant

- Staff work with the selected artist(s) to develop an Artwork Agreement.

Step 9: Implement Artwork Agreement

- Staff work with the selected artist(s) to implement all terms of the Artwork Agreement, including ensuring payment and artwork are delivered to timelines.

