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to download the current Walking Tour brochure.



[Click here](#)

to download a fun I Spy activity sheet

2015 Gallery Without Walls: **Continuing Art**

These sculptures were installed in the summer of 2013 and are on loan from the artists until July 2015. All pieces are for sale and the prices are listed. [Contact us](#) for more information.



Patricia Vader

Sunflower

[artist's website](#)

stainless steel, aluminum • \$27,000

Sponsored by [Dyke Vandenburg](#)

[Jewelers](#)



Ben Dye

Mutatio

[artist's website](#)

stainless steel, basalt • \$12,000

Sponsored by [Michelle Vessely, MD,](#)

[LLC](#)

for Guardian of the Lake.



Guy Wilson

Audrey

[artist's website](#)

bronze • \$22,000

Sponsored by [Chrisman Picture](#)

[Frame & Gallery](#)

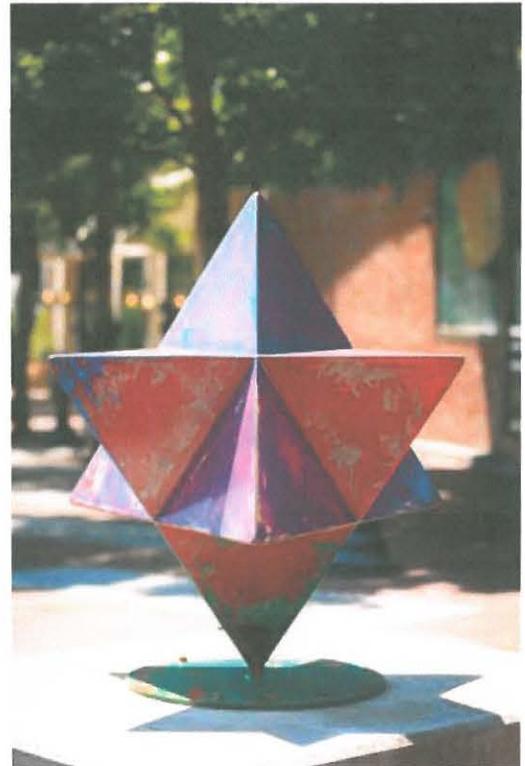


Francisco Salgado

Contrapposto

[artist's website](#)

painted steel • \$9,200



Matt Babcock

Samaras

[artist's website](#)

powder-coated steel • \$7,000

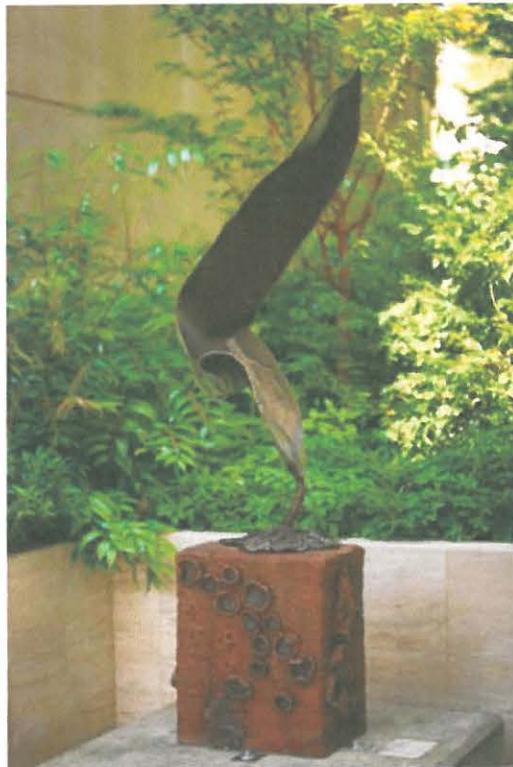
Sponsored by Jackie MacGregor

Joe Burleigh

MerKaBa Dura

[artist's website](#)

painted steel • \$7,000



Olinka Broadfoot

Ebb Tide



James Lapp

Egg

[artist's website](#)

bronze, clay • \$15,000

[artist's website](#)

stainless steel • \$7,500

Sponsored by [Morgan Stanley, Lake Oswego Branch](#)



Ulrich Pakker

Ringer 7

[artist's website](#)

stainless steel, bronze • \$14,500



David Turner

Outcropping Anew

[artist's website](#)

cedar, found stones • \$7,500



Jen Ellsworth

Salacia

[artist's website](#)

steel, plants • \$8,000



Pasha Stinson

Intention

[artist's website](#)

granite • \$25,000

Sponsored by [Dr. Paul Kimbrel, DMD](#)



Reven Marie Swanson

Matelasse

[artist's website](#)

powder-coated steel • \$12,000

Sponsored by [DeLap](#)



Jim Willis

Angel Flight

[artist's website](#)

mahogany, copper leaf • \$8,500

Sponsored by Graham's Book & Stationery

Arts Council of Lake Oswego

520 1st Street, Lake Oswego, OR 97034

Mailing address: PO Box 369, Lake Oswego, OR 97034

Phone (503) 675-3738

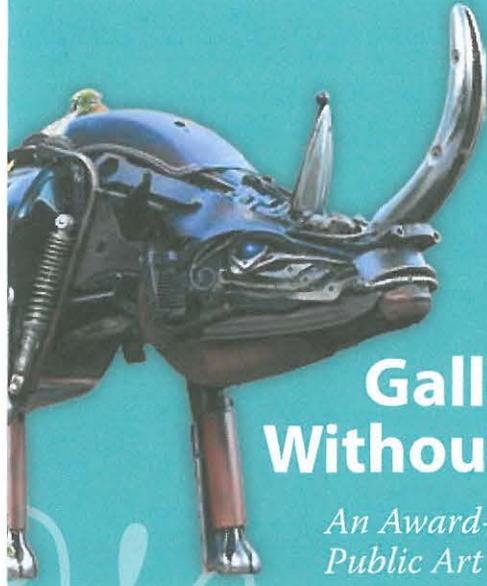
[click here to e-mail us](#)

2015
WALKING TOUR

Gallery Without Walls



Presented by the Arts Council of Lake Oswego



Gallery Without Walls

*An Award-Winning
Public Art Program*

Welcome to the 2015 *Gallery Without Walls* outdoor sculpture exhibit. The exhibition is open all year and is free for everyone to enjoy. The *Gallery* is comprised of over sixty permanent and loaned works of art. Our downtown rotating exhibition features approximately thirty sculptures that are on-loan from the artists for a period of two years. All rotating artwork is available for purchase. All other artwork in the *Gallery Without Walls* exhibition belongs to the City of Lake Oswego's permanent art collection.

Art For Everyone!

The *Gallery Without Walls* is a program administered by the Arts Council of Lake Oswego, a nonprofit 501(c)3 arts organization. We work in partnership with city agencies, local businesses and community members to bring the sculptures to our streets. Our mission is to ensure the arts are an integral part of life in Lake Oswego. We support arts education with free school tours through a partnership with Art Literacy. In addition, we offer exhibitions, artist





presentations and special events at our 510 Museum & ARTspace, and we also maintain the permanent art collection for the City of Lake Oswego.

Take a Docent Tour

Want to learn more about the sculptures on display? We offer docent-led tours for groups of any size. Our docents are trained volunteers eager to share their enthusiasm and knowledge. Consider scheduling a tour for your school, youth group, company, class reunion, club, out-of-town visitors or professional association. Contact us at 503.675.3738 to schedule.

Explore on Your Own

This brochure includes maps and information about all of the sculptures in our rotating and permanent collection. In addition, self-guided digital tours are available through your smartphone. Download the free App by searching for L.O. Art Tour in the Apple App Store, or access this URL from your smartphone's web browser: artscouncillo.org/tour.

Have a Favorite? Make it Yours!

Our on-loan sculptures are available for purchase. Enhance your home, garden, neighborhood or office building with art from the *Gallery Without Walls* while supporting the Arts Council of Lake Oswego.

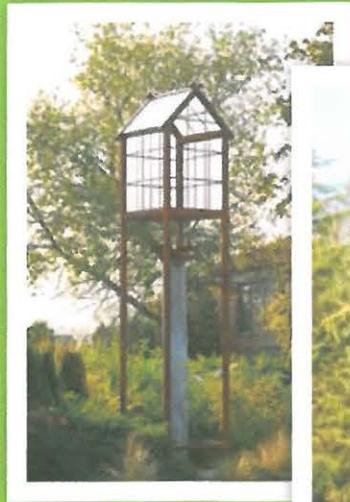
We're on Social Media

Follow us on Twitter: @ArtsCouncilofLO

Instagram: [artscounciloflakeoswego](https://www.instagram.com/artscounciloflakeoswego)

Like us on Facebook: Arts Council of Lake Oswego

View our photos on Flickr: [artscounciloflakeoswego](https://www.flickr.com/photos/artscounciloflakeoswego/)



Gallery Without Walls

Selection Committee

Margaret Snow Benoit, Chair; Christine Caton; Erin Gustafson; Deb Hollister; Pasha Stinson; Pat Vessely; Lynne Wintermute; Bonnie Schlieman

Public Art Committee

Debi Bradway, Vice Chair; Liane Cabot; Patty Goodlund; Bob Liddell, Chair; Barbara McDonald; W. Curtis Schade; Tamra Starner; Rieko Warrens

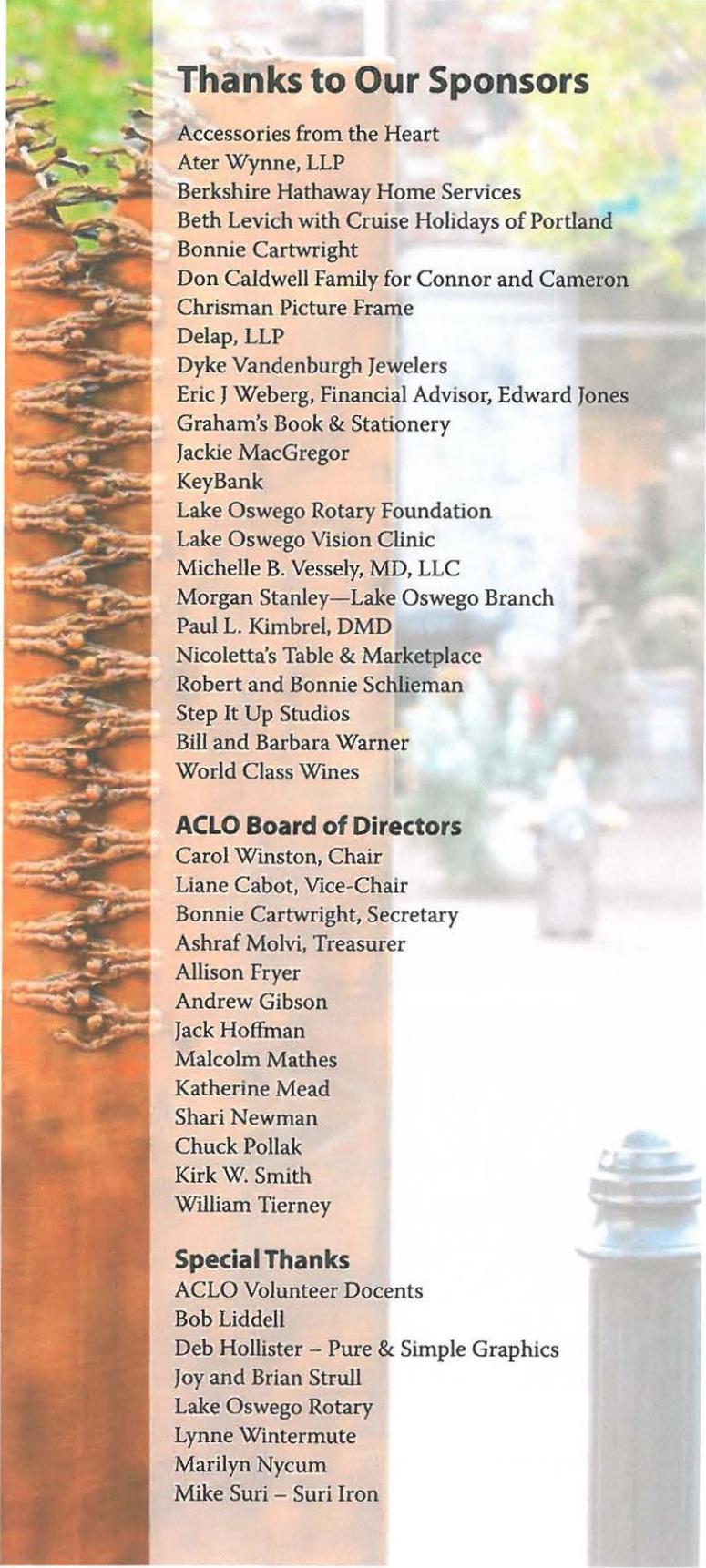
Staff

Nancy Nye, Executive Director
Lori Goldstein, Program Manager

Join Us!

Bring your skills and your passion! The success of our organization is dependent on the many volunteers who give their time and talent generously. Contact us at 503.675.3738 or visit artscouncillo.org to learn more about volunteer opportunities.

On cover: *Spiral Petite* by Micajah Bienvenu; page 2: *Bartholomew the Black Rhino* by Jud Turner; *Upstream* by Mark Andrew and Randy Ortiz; page 3: *SirenaSerena* by M. J. Anderson; above: *Tsunami Memorial* by John Zylstra; *Ben* by Dore Capitani; facing page: *Zip* by Jason Johnston; page 23: *What Does the Nose Know?* By Ron Simmer; back cover: *Twist* by James Ellingboe



Thanks to Our Sponsors

Accessories from the Heart
Ater Wynne, LLP
Berkshire Hathaway Home Services
Beth Levich with Cruise Holidays of Portland
Bonnie Cartwright
Don Caldwell Family for Connor and Cameron
Chrisman Picture Frame
Delap, LLP
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Eric J Weberg, Financial Advisor, Edward Jones
Graham's Book & Stationery
Jackie MacGregor
KeyBank
Lake Oswego Rotary Foundation
Lake Oswego Vision Clinic
Michelle B. Vessely, MD, LLC
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Paul L. Kimbrel, DMD
Nicoletta's Table & Marketplace
Robert and Bonnie Schlieman
Step It Up Studios
Bill and Barbara Warner
World Class Wines

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Special Thanks

ACLO Volunteer Docents
Bob Liddell
Deb Hollister – Pure & Simple Graphics
Joy and Brian Strull
Lake Oswego Rotary
Lynne Wintermute
Marilyn Nycum
Mike Suri – Suri Iron

Downtown Walking Tour

Begin your *Gallery Without Walls* tour at any sculpture in downtown Lake Oswego. All artwork is accessible within a six-block radius. Refer to the map in the centerfold for the location of each sculpture.

Key to the sculptures:

- Rotating exhibit until Summer 2015
- Rotating exhibit until Summer 2016
- City of Lake Oswego's permanent art collection
- ★ People's Choice Winner in City of Lake Oswego's permanent art collection

1 Fortuna
Simon Toparovsky
The Greek myth of Icarus is used to celebrate the importance of daring and living courageously.
One of several sculptures by Toparovsky in Millennium Park.
simontoparovsky.com • bronze, basalt



2 Angkor I
Lee Kelly
This sculpture, inspired by the artist's travel in East Asia, connects contemporary and historic urban environments across diverse cultures.
leekellysculpture.net • stainless steel



3 Twist
James Ellingboe
An abstract manipulation of a simple geometry inspired by diatomic organisms.
jamesellingboe.com
Cor-Ten steel with weathered finish • \$9,500 • Sponsored by Bonnie Cartwright



4 Mutatio

Ben Dye

Technology and math play a critical part in my sculpture. It is meant to challenge the mind and the eye.

bendyesculpture.com

stainless steel, basalt • \$12,000

Sponsored by Michelle B. Vessely, MD, LLC



5 Zip

Jason Johnston

Each of us responsible for the unity of all.

johnstonsculpture.com • bronze • \$23,000

Sponsored by Ater Wynne, LLP



6 Vincent

Keith Jellum

This is not a rabbit.

keithjellum.com • bronze

Dedicated to Jack Hoffman



7 Guardian of the Lake

Brian Mock

My work embraces the notion that with a new perspective comes the opportunity for a renewed life.

brianmock.com • reclaimed metal

Sponsored by Lake Oswego Rotary Foundation



8 Anillos

Maria Wickwire

Evokes annual rings which show the history of a tree, just as life experiences are written in the cells of our bodies.

mariawickwire.com • ceramic



9 SirenaSerena

M.J. Anderson

A mermaid born of the sea with ancient geologic patterning.

mjandersonsculpture.com

Italian marble • \$28,000

Sponsored by Robert and Bonnie Schlieman



10 MerKaBa Dura

Joe Burleigh

Mer = light, Ka = spirit, Ba = body. Turn on your MerKaBa today.

corrosionhelp.com/joeburleigh.htm

painted steel • \$7,000



11 Wy'east (Mt. Hood) Glacial

Lin McJunkin

Global warming rapidly melts Mt. Hood's glaciers into steely rivers.

mcjunkinglass.com • steel, fused glass

\$8,500



12 Crows

Tamar Assaf

Synanthropic species flourish in response to human habitat expansion.

tamarassaf.com

high-fired ceramic



13 The Way it Is

Frank Boyden

Engraved with a poem by William Stafford (1914–1993)

frankboydenstudio.com • basalt

Donated by Drew R. Prell and James A. Morton



14 Audrey
Guy Wilson

Inspired by my youngest daughter and a passage from Henry David Thoreau, "I am monarch of all that I survey."

guyangelowilson.com • bronze • \$22,000
Sponsored by Chrisman Picture Frame



15 Angel Flight
Jim Willis

A tribute to the brave who return our fallen and wounded warriors home.

jimwillis-studio.com • mahogany, copper leaf, wood • \$8,500 • Sponsored by Graham's Book & Stationery



16 Ascending Leaves
Bruce West

Leaves blowing in the wind really enjoy the ride.

brucewestsculptures.com
burnished stainless steel • \$11,000



17 Emerald Springs
Don Anderson

Up from the Earth—hope springs eternal.

applewoodfarmstudios.com
stainless steel, copper, metamorphic sandstone • \$11,000 • Sponsored by World Class Wines & Step It Up Studios



18 Tsunami Memorial
John Zylstra

The Fukushima Reactor is the inspiration: rusted metal & shoji style top.

brittonroadstudios.com • mild steel, plexiglass • \$20,000 • Sponsored by Nicoletta's Table & Marketplace and Berkshire Hathaway Home Services



19 **Water, Water, Water**

Bruce West

A visual ballet of the first and most basic element of the fire-fighting craft.

brucewestsculptures.com
stainless steel



20 **renovation**

Sharon Warman Agnor

A visceral commentary on conditions required for recovery and repair.

sharonagnor.com • stainless steel, copper, cast glass, enamel • \$15,000

Sponsored by Beth Levich with Cruise Holidays of Portland



21 **Egg**

James Lapp

To be on the inside looking out or not to be on the outside looking in.

jameslapp.com • stainless steel • \$7,500

Sponsored by Morgan Stanley
—Lake Oswego Branch



22 **Ringer 7**

Ulrich Pakker

Its balance, connection and linkages create a bridge extending from my studio to the site and the viewer.

rpart.com • stainless steel, bronze
\$14,500



23 **Age of Iron**

Tom Hardy

Welded metal placed in harmony.

reclaimed steel



24 **First Footsteps**

Jim Demetro

Love, freedom and a blessing to the bright hope for the children who step into this world.

jimdemetro.com • cast bronze



25 **Bartholomew the Black Rhino**

Jud Turner

Cognitive provocation through visual seduction.

judturner.com • welded steel, recycled materials • \$15,000

Sponsored by Don Caldwell Family for Connor and Cameron



26 **Intention**

Pasha Stinson

Is it better to break or bend when faced with the storms of life?

pashasculptor.com • granite • \$25,000
Sponsored by Paul L. Kimbrel, DMD



27 **Salacia**

Jen Ellsworth

She is the Roman goddess of spring water, who gently sways in the breeze.

fairyforge.com • steel, rubber, plants
\$8,000



28 **Samaras**

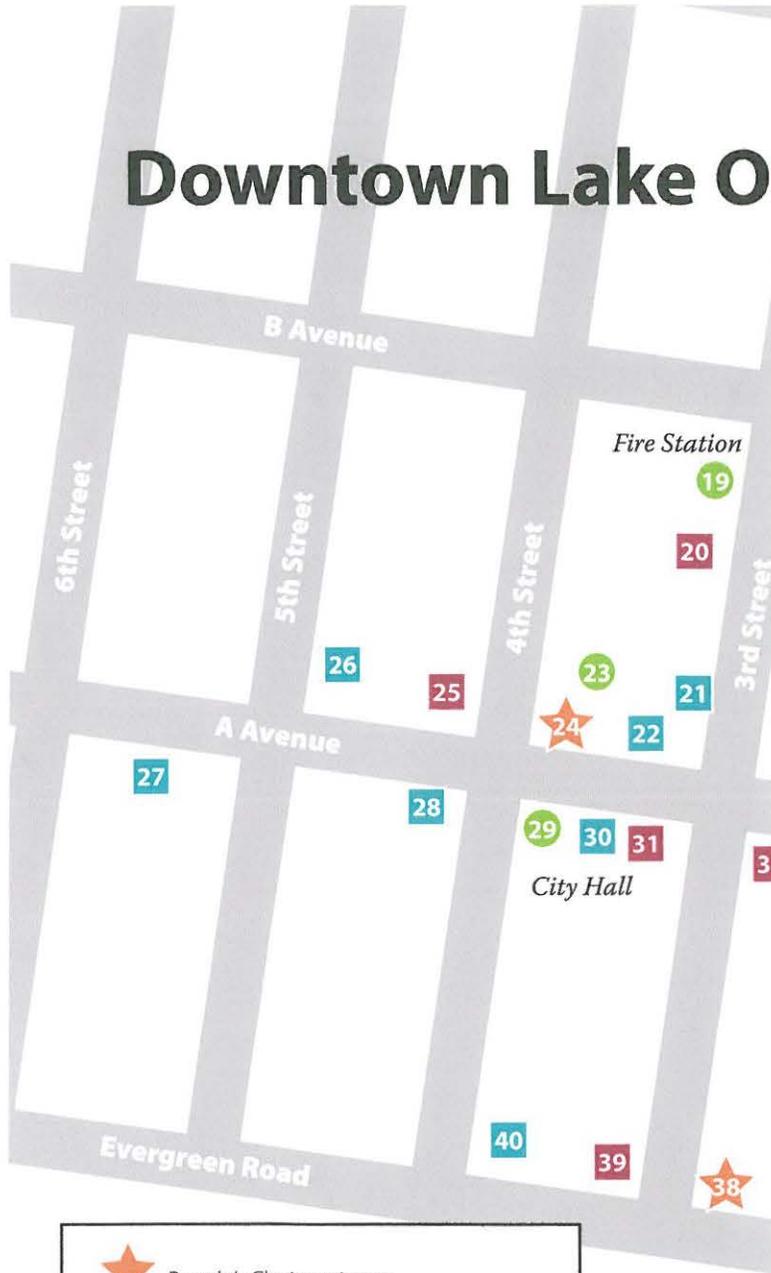
Matt Babcock

A samara is a seed with a wing, such as a maple seed.

mattbabcock.com • powder-coated steel
\$7,000 • Sponsored by Jackie MacGregor



Downtown Lake Oswego

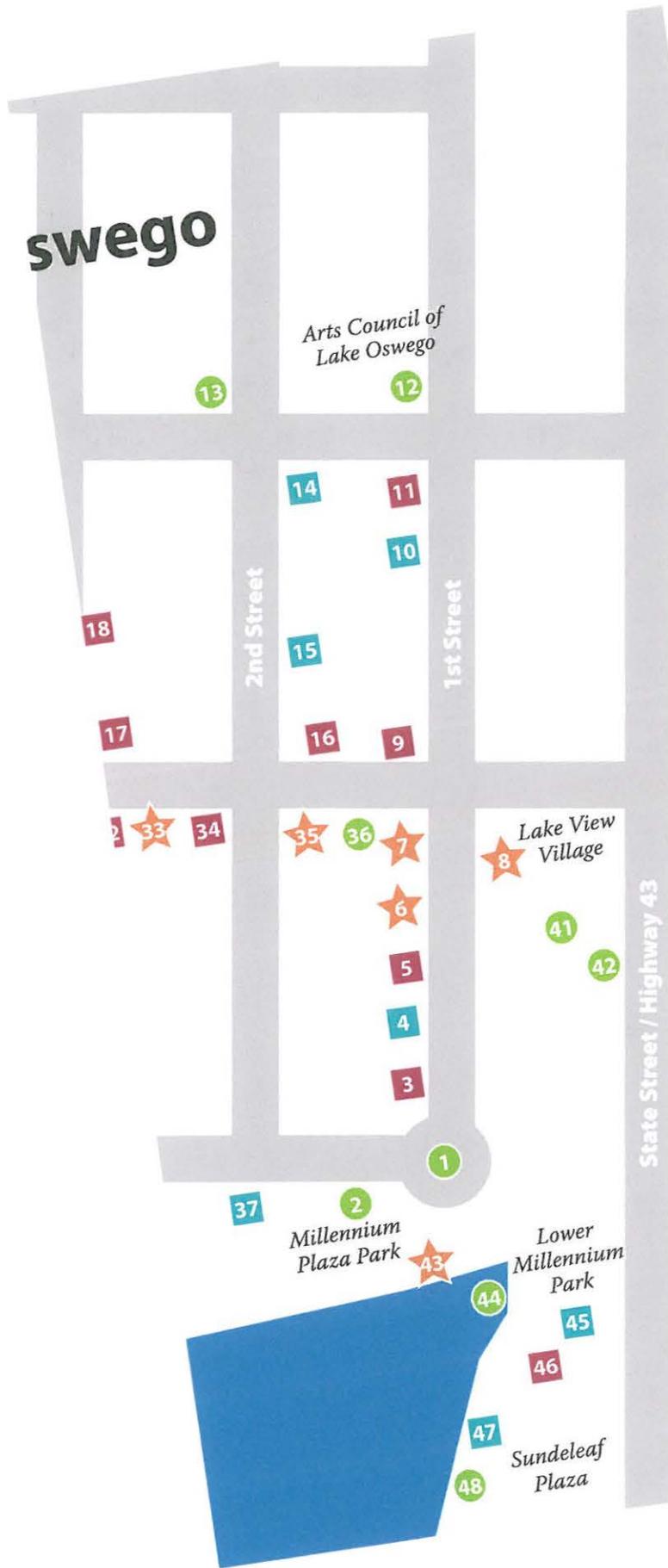


-  People's Choice winner
-  Rotating exhibit (until Summer 2015)
-  Rotating exhibit (until Summer 2016)
-  Permanent art collection

map not to scale


N

Oswego Lake



29 **Bread Upon the Water**

Jerry Joslin (1942–2005)

A familiar Lake Oswego scene—three children feed the ducks.

joslinstudios.com • bronze



30 **Ebb Tide**

Olinka Broadfoot

The in-between moment...when anything is possible.

olinkabroadfootgallery.com

bronze, baked clay • \$15,000



31 **Spiral Petite**

Micajah Bienvenu

An uplifting spiral, inspired by math and nature.

artmb.com • stainless steel • \$15,000

Sponsored by Eric J Weberg, AAMS, Financial Advisor, Edward Jones



32 **Upstream**

Mark Andrew & Randy Ortiz

Creating a symbol for what we can all believe in...Salmon Upstream!

markandrewstudio.com • bronze, marble, steel • \$28,000 • Sponsored by KeyBank



33 **Sunbathers**

Ken Patecky

A statement of life embodied by simplified and flowing forms.

patecky.com • concrete



34 Capricorn

Robert H. Foster

The Zodiac sign Capricorn portrayed as a classic sculpture on a classic pedestal.

roberthfoster.com • bronze with aluminum pedestal • \$5,250 • Sponsored by Accessories from the Heart



35 Complement II

Merrilee Moore

Complement II is a play on similarities and differences and how they benefit each other.

merrileemoore.com • glass, stainless steel
Dedicated to Judie Hammerstad



36 Lotus Tower

Joel Cottet (1948–2002)

Symbolizing the path from limited awareness to expansive consciousness.

ceramic



37 Contrapposto

Francisco Salgado

Waiting for something to happen.

franciscosalgado.com
painted steel • \$9,200



38 Cloud Totem

Riis Burwell

My work explores what is unseen in nature. The negative space is an essential element of the design—suggesting that what is unseen is just as important as what is seen.

riisburwell.com • bronze



39 **What Does the Nose Know?**

Ron Simmer

Big Brother knows you better than you know yourself.

artsblast.com • aluminum, steel, resin, polycarbonate lenses • \$20,000

Sponsored by Lake Oswego Vision Clinic



40 **Outcropping Anew**

David Turner

Addressing quandaries of working, resting, reasoning and the unknown.

rockfarmstudio.com

cedar, found stones • \$7,500



41 **The Awe and Wonder**

Lonnie Feather

The essence of our relationship to the universe—the awe and wonder of life.

lonniefeather.com • glass



42 **Zephyr**

Devin Laurence Field

Lakeshore breezes, an osprey patrolling the waters, and festive ribbons as a heraldic element.

devinlaurencefield.com • stainless steel



43 **Sprout**

Mike Suri

Fall trees inspire a great sense of awe and thoughtful calm.

suriiron.com • steel



44 Spirit of the Marsh

Mark Andrew

A detail of the installation in Lakewood Bay.

markandrewstudio.com • bronze



45 Matelasse

Reven Marie Swanson

Inspired by a sewing technique.

revenswanson.com

powder-coated steel • \$12,000

Sponsored by Delap, LLP



46 Ben

Dore Capitani

Suddenly.....an idea!!!

doresmountainartgarden.com

powder-coated steel, copper sparkle coating • \$11,000

Sponsored by Bill and Barbara Warner



47 Sunflower

Patricia Vader

Like the circles that you find in the windmills of your mind.

patriciavader.com • stainless steel, aluminum • \$27,000 • Sponsored by Dyke Vandenburg Jewelers



48 Wormy Apple #2

Ed Humpherys

A three-dimensional, compositional representation of a wormy apple.

cast aluminum



Our City-Wide Collection

These permanent sculptures are located throughout the city and require a short drive. Refer to our smartphone app or visit artscouncillo.org/tour for a map.

49

Going for Your Vision

Alisa Looney

A symbol of the determination, energy and action it takes to create our life's dream.

alisaloonney.com • fabricated steel, powder-coated • Hwy 43 and Terwilliger Blvd.



50

Bearly About

Steve Tyree

I want to take people to the times they have seen bears and to that excitement for these great creatures.

tyreesculpture.com • bronze

Donated by the artist • Library entrance at D Ave. and 4th St.



51

The Guardian

Ted Shillock

Guardian or protector of knowledge, feelings and ideas.

Italian marble • Library entrance at D Ave. and 4th St.



52

Swoop II

Devin Laurence Field

Terns and other migratory birds swoop and play in the sky over the lake.

devinlaurencefield.com • stainless steel

Donated by the Lakewood Neighborhood Association • corner of State St. and Middlecrest Road



53

Trillium

Matt Cartwright

I hope to demonstrate the structure and beauty of mathematics as expressed in nature.

cartwrightdesign.com • powder-coated steel, aluminum with acrylic • George Rogers Park



54

Tidal Pool

Mary Ann Baker

Rough rocks, tumbling waves, playful critters.

maryannbaker.com • painted steel, bronze
Donated by the artist • Foothills Park,
pending installation early 2015



55

Stafford Stones

Frank Boyden

A tribute to William Stafford, Oregon Poet Laureate.

frankboydenstudio.com • basalt
Foothills Park



56

Pinecone Bollards

Valerie Otani

Detail of one of three installed bollards. Can you spot the mice?
bronze • Old River Rd. and Glenmorrie Dr.



57

In the Flow

Stuart Jacobson

An abstract depiction of the Willamette Falls in Oregon City, where the first power generation facility was sited.

stuartjacobsonsculptor.com
basalt • Glenmorrie Park



58 Sunrise in the City

Jesse Swickard

Built to see the sun within the city.
jesseswickard.com • steel • Donated by the McVey–South Shore Neighborhood Association • intersection of McVey Ave. and Laurel St.



59 The Goal

Lee Hunt

The Goal refers to the goal of community sports, which is participation.
bronze • Westlake Park



60 Blue Light Tower

Joel Cottet (1948–2002)

Designed and produced as a prototype garden light sculpture, as well as to show that large scale ceramic pieces are possible.
ceramic • Bangy Rd. and Meadows Rd.



61 Ram's Head Benches

Ken Patecky

patecky.com • wood, carved concrete
Boones Ferry Rd. near Lake Grove School



62 Dream

Guruhans Kroesen

Depicts our destiny, a path for life to stroll upon—which will guide you to your dream.

guruhans.com • fabricated steel
Boones Ferry Rd. near Lake Grove School



63

August Trunk

Alisa Formway Roe

August Trunk hopes to stimulate conversation regarding complex issues of a global society.

pnwsculptors.org/profileroe

welded mild steel • Boones Ferry Rd. near Reese Rd.



64

Time and Space

Stuart Jacobson

A three dimensional representation of the concept of time as being divided into the past, present and future.

stuartjacobsonsculptor.com • granite

Waluga Park



65

Untitled

Bruce West

Rhythm, pattern, balance and movement in structural composition.

brucewestsculptures.com • stainless steel

West Waluga Park



66

Totem

Travis Pond

Wolf, Beaver, Orca, Frog, Raven.

steelpond.com • repurposed steel,

automotive finish • Donated by

community members, Don Caldwell, and

the Fairbridge Foundation • Fire Station at

Bryant Rd. and Jean Rd.





We are thrilled to announce that with the help of more than forty generous art patrons, we have raised the \$55,000 necessary to acquire *Angkor I*, by legendary Oregon artist, Lee Kelly (shown above with his sculpture). The 14' tall, 1,000 pound stainless-steel sculpture will remain a prominent feature in Millennium Plaza Park, acting as a "gateway" to Oswego Lake. We are honored to add this spectacular sculpture to Lake Oswego's nationally-recognized public art collection.

Board Member, Bonnie Schlieman, first approached the artist and the Elizabeth Leach Gallery to see if they would be willing to loan *Angkor I* for public display in Lake Oswego. Once it was installed, it became the hope of the Arts Council to make the work a permanent centerpiece of the city's collection. We received a prestigious Art Acquisition Grant from the Ford Family Foundation in the amount of \$10,000. We wish to thank all of our donors who have made this dream a reality.

pArtners

with us

we need your support

- Patron \$100
- Business \$150
- Steward \$250+
- Trustee \$500+
- The Medici Society \$1,000+
- Art Guild \$35 (for participating artists)
- Senior/Student \$50 (limited income)
- Other amount _____

Name:

Mailing Address:

City/State/Zip:

Email*:

Phone:

- Check enclosed
- Bill me
- I will join online at artscouncillo.org
- Please keep my donation anonymous

Thank you for your gift! The Arts Council of Lake Oswego is a 501(c)3 non-profit. All contributions are tax deductible.

Please mail this form to Arts Council of Lake Oswego, P.O. Box 369, Lake Oswego, OR 97034

*Please print clearly. We use email to communicate with our members. We never share our list.



Are You a pARTner?

Our Gallery Without Walls is an invaluable community asset, but a gallery without your support simply cannot exist. When you become a pARTner, your support dollars make it possible to install and maintain our rotating and permanent art collections that enrich our families, our economy and our city.

Your support also makes it possible for thousands of K-12 school children to take guided tours as part of our Art Literacy partnership, putting art education back into the school curriculum.

Lake Oswego's public art program involves a collaborative process; we depend on you! Become a pARTner today—because even a gallery without walls needs your support to keep its doors open.

Become a pARTner at artscouncillo.org
or see reverse side for a tear-out membership form



**THE Ford Family
FOUNDATION**



OREGON ARTS
1970-2011-2015

LAKE OSWEGO
City of Lake Oswego

503.675.3738
artscouncillo.org

520 First Street
PO Box 369
Lake Oswego, OR 97034

CITY OF LAKE OSWEGO
PUBLIC ART GUIDELINES

- Section 1. INTRODUCTION
 - 1.1 - Definitions
- Section 2. PUBLIC ART COMMITTEE
- Section 3. MAINTENANCE OF COLLECTION
- Section 4. ACQUISITION OF ARTWORK
- Section 5. PERCENT FOR ART PROGRAM
- Section 6. DEACCESSIONING WORKS OF ART
- Section 7. DONATIONS & MEMORIALS POLICY
- Section 8. LOANS FROM THE COLLECTION
- Section 9. ARTS DOWNTOWN PURCHASE POLICY
- Section 10. EXHIBIT A – Ordinance 2078 Percent for Arts Program

1. INTRODUCTION

The art collection of Lake Oswego represents a cultural, recreational and educational resource that is held in trust for the public. The art collection is significant to Lake Oswego's quality of life and complements the City's mission of enhancing the lives of its citizens. The guidelines contained in this document define how the collection shall be maintained and developed.

The City may contract with an independent entity, such as the Lake Oswego Arts Foundation, to maintain and develop the City's public art collection. Under these circumstances, the City shall require the independent entity to comply with these guidelines.

1.1 Definitions

General Definitions

“Accession:” To accept a work of art into the city's permanent art collection.

“Advisor:” A professional asked by the Public Art Committee to provide advice on some aspect of a project.

“Architect/Engineer:” The person or firm designing the improvement project to which the 1.5 % funding applies. Where architect/engineer is a firm, the term architect/engineer shall mean the principal of that firm in charge of designing the improvement project to which the 1.5 % funding applies.

“Artist:” A practitioner in the arts, generally recognized by critics and peers as a professional of serious intent and recognized ability who produces works of art and is not a member of the project architectural firm.

“Call For Artists” – An open competition where any artist is invited to submit works of art or delineated proposals for consideration. Proposals are reviewed and an artist is selected for the project.

“Capital Improvement Program (CIP):” The City's program for advance planning of capital improvements.

“City Project:” Any capital project in an amount over \$25,000 paid for wholly or in part by the City of Lake Oswego to purchase, construct, rehabilitate or remodel any building, decorative or commemorative structure, park, parking facility or any portion thereof within the limits of the City of Lake Oswego. “Project” does not include street, pathway or utility construction, emergency work, minor alterations ordinary repair or maintenance necessary to preserve a facility.

“Consultant:” A paid professional in the arts field of regional, national or international status, hired by a selection committee or Public Art Committee to share his/her expertise.

“The Independent Entity:” An independent entity, such as the Lake Oswego Art Foundation, with whom the City contracts to maintain and develop the City’s public art collection and to assume the functions of the City under to these guidelines.

“Deaccessioning:” “ Relinquishing title to a work of public art.

“Eligible Funds:” A source of funds for projects from which art is not precluded as an object of expenditure.

“Participating Department:” The department that sponsors a City project subject to the 1.5 Percent for Art Program.

“1.5 Percent for Art Program” - The Program established to set aside a percentage of the total cost of eligible City projects for public art as per the *Percent for Art Ordinance* No. 2075.

“Permanent Art Collection:” All works of art owned by the City of Lake Oswego, either site specific or part of a portable collection, which may rotate through public buildings.

“Pre-Qualified List:” A list of artists deemed appropriate for 1.5 Percent for Arts projects by satisfying criteria outlined by the Public Art Committee. The list may be created and updated by the Public Art Committee and may be used as a starting point for “invitation only” competitions, as well as a tool for generating ideas for a project.

“Public Art:” All forms of original works of art accessible to the public and/or public employees including:

1. Painting of all media, including both portable and permanently fixed works, such as murals;
2. Sculpture which may be in the round, bas-relief, high-relief, mobile, fountain, kinetic, electronic and others, in any material or combination of materials;
3. Other visual media including, but not limited to prints, drawings, stained glass, calligraphy, glass works, mosaics, photography, film, clay, fiber/textiles, wood, metals, plastics or other materials or combination of materials, or crafts or artifacts;
4. Works of a wide range of materials, disciplines and media which are of specific duration, including performance events, and which are documented for public accessibility after the life of the piece has ended;

5. Art works that possesses functional as well as aesthetic qualities.

“Public Art Committee:” The committee appointed to maintain and develop the City’s public art collection, and to provide oversight for the 1.5 Percent for Art process. The Public Art Committee develops policies and goals for the selection, placement and maintenance of works of art acquired through the 1.5 Percent for Art Program. The committee has approval authority within the artist selection process, evaluates and/or causes to be evaluated by others the public art collection, recommends uses for Public Art Trust Fund monies, considers projects by private developers and citizens which would result in a piece or pieces of public art, and responds to any other public art initiatives. The committee shall consist of seven (7) members.

“Public Art Trust Fund:” A City fund or account into which all 1.5 Percent for Art monies shall be deposited. Monetary contributions for public art, and proceeds from the deaccessioning of public art, shall also be deposited into the Public Art Trust Fund. Funds within the Public Art Trust Fund shall be solely utilized for the purpose outlined in the Percent for Art Ordinance No. 2075.

“Total cost:” The entire amount of the City’s contribution towards the price for construction of a project. “Total Cost” does not include costs for design and engineering, administration, fees and permits, building demolition, relocation of tenants, contingency funds, change order costs, environmental testing or indirect costs, such as interest during construction, advertising and legal fees.

2. PUBLIC ART COMMITTEE

2.1 Role of the Public Art Committee

The Public Art Committee shall maintain the public art collection, and review and recommend all proposed accessions to and deaccessions from the art collection of Lake Oswego. Specific duties include:

1. Maintenance of city art collection – Maintain a current listing of all holdings in the collection, conduct an annual review, and see that necessary repairs are performed.
2. Development of a list of potential or desired sites for future accessions. For each site, the list shall specify the goals for, and conditions on, the type of art to be placed there.
3. Development of the collection by acquiring artwork through various means of acquisition. This may include using funds from the 1.5 Percent for Art program or other city funds to purchase or commission works of art; and accepting donations of art or funds to purchase art from individuals or organizations.
4. Removing works of art from the collection that do not meet the goals of the collection or are damaged beyond repair.
5. Recommending uses for Public Art Trust Fund monies generated through the 1.5 Percent for Art Program.
6. Considering projects by private developers and citizens that would result in a piece or pieces of public art, and responding to any other public art initiatives.

If the Public Art Committee is chosen through a special selection committee pursuant to Section 2.2, the Public Art Committee shall be a committee of the Independent Entity, rather than a committee of the City of Lake Oswego.

2.2 Membership

The Public Art Committee shall be composed of seven members. Members must reside within the City of Lake Oswego Urban Service Boundary as established in the Lake Oswego Comprehensive Plan.

The members of the Public Art Committee shall be appointed by the City Council. However, if the City contracts with an Independent Entity, the members of the Public Art Committee shall be appointed by a majority vote of a special selection committee. The special selection committee shall consist of two members of the City Council and two

representatives of the Independent Entity. The City Council shall select the chair of the Public Art Committee from among the seven members appointed by the special selection committee.

Initially, and thereafter upon the annual expiration of terms for the Public Art Committee, the selection committee, in addition to appointing members for new terms, shall also appoint at least three alternates to fill any membership position that becomes vacant before the expiration of its term during the following year. Upon filling a vacancy in a membership position with one of the alternates, the selection committee may appoint an additional alternate to serve for the balance of the year preceding the next annual expiration of membership terms for the Public Art Committee.

Public Art Committee members shall be selected on the basis of their knowledge of and familiarity with the arts and their understanding of the needs of the Lake Oswego community.

Committee membership shall include the following:

- Three (3) artists from the community.
- One (1) person who is a landscape architect and/or architect.
- Three (3) interested citizens.

2.3 Term

Members of the Public Art Committee shall serve a term of three years. After serving a term, members are eligible to serve again after a one year absence from the committee. Initial terms shall be staggered so that terms do not expire for all members at the same time.

Should there be difficulty in filling positions, as determined by the City Council or, if the City Contracts with an Independent Entity, by the Independent Entity, members may be allowed to serve another consecutive 3 year term without a one year absence from the committee.

2.4 Meetings

The Public Art Committee shall meet only when it has business to transact. Public notice shall be given in advance of all meetings. Meetings shall be conducted in accordance with the requirements of Oregon Public Meetings Law.

2.5 Conflict of Interest

During their tenure, members of the Public Art Committee shall refrain from activities that represent a conflict of interest. A member must not undertake any action or any decision or recommendation as a committee member, the effect of which would be to the

private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated.

Members of the Public Art Committee, and consultants and appraisers that the committee may engage, must have no financial interest in any art piece under consideration by the committee, even if the financial interest is limited to an artist spouse or relative. No committee member shall have any interest in any art consultant or art appraisal firm engaged by the Public Art Committee.

Any member of the Public Art Committee must also declare a conflict of interest and refrain from participating if a person with whom he or she shares a household or whom he or she professionally represents has a matter before the Committee.

No members of the Project Architectural firm may submit for the project being designed by that firm.

During the time they serve on the Public Art Committee, artists may not contribute their own pieces, even without cost.

Members of the Public Art Committee shall follow the requirements of Oregon Revised Statutes Chapter 244 relating to ethics for public officials and shall also follow the Oregon State Guidelines for Public Officials published by the Secretary of State's Office.

3. MAINTENANCE OF THE PUBLIC ART COLLECTION

3.1 Cataloguing the Collection

The Public Art Committee shall ensure that there is a current listing of all holdings in the City of Lake Oswego Public Art Collection, including all pertinent information such as title, artist, medium, accession date, placement and other information. In addition, the Public Art Committee shall, where appropriate, create catalogs describing the collection and make them available to the public.

3.2 Periodic Review

The Public Art Committee shall annually review all holdings in the art collection. During this review, the committee shall inventory the collection, examine the condition of each piece to determine any restoration or preservation needs, and examine the display or storage conditions of each piece. The review periodically estimates the value of each piece for insurance coverage and the City's fixed asset inventory. In addition, the Public Art Committee shall update the current listing of all holdings in the art collection catalogue and submit the updated list to City staff.

3.3 Maintenance of Collection

The Public Art Committee shall perform, or obtain the services of a professional to perform, the repairs, cleaning, labeling, etc. that may be necessary to maintain the public art collection.

Should repairs to outdoor sculpture be necessary, the committee shall notify the appropriate City staff member. The committee shall coordinate cleaning and repairs with the City's Parks Maintenance staff.

City departments shall notify the appropriate City staff member immediately if a work of art is either damaged or stolen, or if the participating department plans to move to another location or in any way disrupt the work of art.

3.4 Maintenance Instructions

When the city purchases a new work of art, the artist shall be required to submit a maintenance plan and instructions to be kept on file by city maintenance staff. These instructions shall outline cleaning methods and materials for the artwork as well as a timeline and plan for regular maintenance of the work. The instructions shall be kept on file at the Parks Maintenance office.

3.5 Placement of Works of Art

While it is the intent that site specific works will remain in the site for which they were created, a piece may be moved if circumstances dictate. A reasonable effort shall be made to notify the artist in advance of the move.

4. ACQUISITION OF ARTWORK

4.1 Background

The City public art collection includes works that were in the City's possession prior to 1992, works commissioned through the 1.5 Percent for Art Program (adopted in 1993), works purchased with funds other than from the 1.5 Percent for Art Program trust, and gifts of art to the City. Artworks are acquired by the City of Lake Oswego through a thorough review process based on their innate quality and value to the collection as a whole.

The Public Art Committee shall have the responsibility for developing the City's art collection.

4.2 Art Selection Criteria

The value of every work of art is in the eye, ear and soul of each individual viewing it. A single work of art can engender a wide range of responses in the population viewing it. Because of this, art selection is, in part, a subjective process. Members of the Public Art Committee must, at all times, remember that they represent the public. On the other hand, the members of the committee are selected because they possess expertise in art. They should understand these issues and strive to maintain a balance in their selection of art works. Making their selections without this balance can result in public art that is, on the one hand, bland or trite, or, on the other hand, too esoteric to be appreciated by any but art connoisseurs.

The following sections define criteria, both mandatory and desired, to be considered during the accession process.

1. Required Conditions

All pieces of art selected for inclusion in the collection of the City of Lake Oswego must meet all of the following criteria.

A. Clear Title

The artwork must be able to be transferred to the City of Lake Oswego with clear title. Purchased art shall be by a formal bill of sale from the owner(s) or artist(s). Contributed art must be accompanied by an appropriate deed of gift.

B. Restrictions

Artwork accessioned by the City of Lake Oswego must not have attendant restrictions. The City will attempt to acknowledge artists and donors in the display of artwork, but shall be under no obligation to do so.

C. Reflects Community Values

While recognizing the First Amendment freedom of artists to express themselves in any way they choose, the City of Lake Oswego reserves the right to not select pieces if they do not reflect the values of the community.

This does not mean a piece should be rejected simply because it might be controversial. One of the purposes of art is to show people a new way of looking at their environment, to share an artist's sometimes iconoclastic vision. Art can legitimately be intrusive, abrasive or unpopular. Failure to recognize this purpose for art can lead to an art collection that is simply "pretty" or "nice" without being ennobling or educational.

D. Original Works and Authentication

Only original works of art shall be accessioned for the collection. Fakes, unauthorized copies or reproductions are not acceptable. In cases where the authenticity of a piece could reasonably be questioned, it must be authenticated before accession.

E. Suitability

All art pieces must be suitable for display in a public setting. Sculpture must be able to be secured to prevent accidents. Pieces executed in fragile media must be able to be protected while displayed.

F. Maintenance and Security

The City of Lake Oswego can only accept artwork that the Public Art Committee and the City staff believe can, within the financial confines of the foreseeable future, be adequately and safely displayed, maintained and reasonably secured.

2. Desired Attributes

The criteria listed below describe the desired attributes of all art in the collection. Selected pieces should meet most, if not all, of these attributes to a high degree.

A. Artistic Excellence

Art selected for the collection should represent the skill and competence of the originator, and should be an example of artistic excellence. The definition of artistic excellence changes over time, but the collection should always be representative of the best examples available.

B. Variety of Media, Styles and Techniques

Within the guidelines above for suitability of form for a public setting, art selected for the collection should broaden the range of media and techniques represented in the collection.

C. Represents Artists of Varying Acclaim

Some art collections strive for excellence by selecting only works from recognized "name" artists. The collection of the City of Lake Oswego should

strive to represent works from a wide range of artists of varied public status. Art should be chosen solely on the basis of its intrinsic merit. A piece from a well-known artist should not be presumed to have more artistic merit than a piece from a relatively unknown artist.

D. Value

Because an aspect of the value of an art piece is the response of each individual to that art, value is difficult to assign. However, the price of any proposed piece of art should represent a responsible investment for the City collection.

When a piece of art has a price of more than \$5000, the Public Art Committee must consult with an art consulting or appraisal firm to authenticate and verify the market value of the piece.

E. Selected for Specific Site

Major art pieces should be selected as part of a process that takes into account the final display site for the piece. This should be considered in terms of how well the piece fits an intended space and the environment. This not only requires consideration of the size and environmental harmony of a piece, but also how well it fits into the use patterns of the area in which it will be placed.

4.3 Methods of Accession

There are several ways that a work of art may be accessioned. The selection criteria listed in Section 4.2 apply to all works, regardless of the particular accession method used to bring a piece to the City collection.

When funds become available to accession art, the Public Art Committee may use one of three processes, open competition, artist invitation and direct purchase. In addition, artwork may be added to the collection through a direct contribution of art or funds to purchase or commission a work of art. The choice of accession method shall be determined by the Public Art Committee with final approval by the City Council or, if the City Contracts with an Independent Entity, by the Independent Entity.

1. Open Competition

In open competition, any artist is invited to submit pieces or delineated proposals for consideration. A “Call To Artists” is advertised within a designated region (local, regional, national, etc.) inviting all artists within the region to submit a proposal. The competition may be held for a single piece, a single site, or a number of sites or pieces. The Public Art Committee evaluates the contender and selects the piece or proposal that best fits the criteria and the needs of the site(s).

The Public Art Committee may decide that no entry fits the criteria or is suitable. For competitions held to populate several sites, this means that one or more sites

may go unfilled. The Public Art Committee may choose to leave the site unfilled, and add that site to the list of potential future accessions.

2. Direct Purchase

The Public Art Committee may choose to purchase a piece of existing art, from a gallery or dealer, from a private individual or from the artist directly.

3. Artist Invitation

The Public Art Committee may choose to invite one or more artists to submit proposals to create a piece for a specific site. The committee should work closely with the selected artist from the beginning of the project, making clear the criteria in the policy. The artist should be asked to submit proposal sketches or models for approval before beginning the final work, with opportunities to periodically view the work during different stages of completion to insure the criteria are being met.

4. Donations

At times civic-minded citizens may wish to contribute to the art collection. They may do so by directly contributing funds to purchase a work of art, commissioning a work of art and then donating it to the City, and directly contributing a piece of art to the collection. See Section 7, *Donations and Memorials* for a more detailed explanation of how donations are reviewed and accepted.

4.4 Process for Accessioning Artwork

The Public Art Committee shall oversee the development of goals and process for the selection, placement and maintenance of works of art.

Upon notification that the City Council or, if the City contracts with an Independent Entity, that the Independent Entity would like to initiate a public art project, the Public Art Committee shall define the parameters of the services and purchase. In doing so, the Public Art Committee shall confirm the available budget, identify a site for the work(s) of art, identify the goals of the project, and form a selection committee, if appropriate, to choose the artist and/or artwork, and determine the most appropriate accession method in each circumstance, depending upon the project funding source.

The Public Art Committee shall also determine whether the project falls within the scope of the 1.5 Percent for Art Program. If it does, the specific guidelines contained in Section 5, *Percent for Art Program*, must be followed.

In initiating any public art project, the Public Art Committee shall:

1. Identify the funding source and determine whether or not the project falls under the 1.5% Percent for Art Program Guidelines. If so, the committee shall follow the process outlined in Section 5, *Percent for Art Program*.

2. Confirm the total project budget available for purchase of services and/or artwork, including installation costs.
3. Identify a site for the final location of art or the project where an artist may be included on the design team. If the committee is considering a site in the public right of way, all appropriate departments must be consulted through the staff liaison before the site is finalized. Likewise if any elements of the project fall under the jurisdiction of another department, that department must be consulted early in the selection process.
4. Identify the goals for the art project, which shall include whether the project warrants including an artist on the design team or whether a purchase or commission of art is more appropriate. The committee shall also establish at what stage of the project the artist will become involved in the process and shall coordinate funding accordingly (refer to Section 5.8, *Dedication of Funds*, as a guideline for non-1.5 Percent for Art projects).

Options for consideration include:

Design Team Options:

- A. Hiring an artist to collaborate with the project architect only during the early planning phases of the project as a consultant.
- B. Hiring an artist to collaborate with the project architect during the early planning stages and to make artworks with project materials. The artwork shall be incorporated into the design of the project and shall fall within the project's materials budget. The contractor shall be responsible for fabrication, and the artist shall provide oversight during fabrication and installation.
- C. Hiring an artist to collaborate with the project architect early in design phase, and giving the artist a budget to create independent artworks that the artist will later place at a predetermined location(s) at the project site.
- D. Hiring an artist to collaborate with the project architect early in the design, and then allowing the artist to apply, along with other artists, for design and construction of art for the project as part of an open competition.

Direct Purchase or Commission

Decide whether to purchase an existing work of art or commission a work of art.

Donations

Decide whether or not to accept a donation of art.

5. Determine which acquisition method, according to Section 4.3, *Methods of Accession*, is most appropriate based upon the project goals.
6. Establish a selection process that addresses the project goals and determine membership on an artist/art selection committee. The committee shall keep in mind the City's goals of maintaining artistic integrity and encouraging public involvement, as needed, in each selection process.

The Public Art Committee shall function as the selection committee in cases where non-restricted funding is available.

7. Select an artist and/or art purchase/commission through a majority vote.
8. Obtain approval of acquisition method, and selection process from the City Council or the Independent Entity.

4.5 Artist Selection Criteria

Artists will be selected on the basis of their qualifications as demonstrated by past work, appropriateness of the proposal to the particular project, and its probability of successful completion as determined by the Public Art Committee. In selecting artists and works of art, the Public Art Committee shall select those artists and works of art of the highest aesthetic quality, and those that fulfill the purpose of the City's art selection criteria as set forth in Section 4.2. In all cases, consideration will be given to materials, construction, durability (long or short term, depending on the intended life of the piece), maintenance, public access and safety.

The Public Art Committee may choose to utilize a "Pre-qualified list" of public artists in lieu of open competition in order to simplify the selection process.

4.6 Artist Contracts

The City, or, if the City contracts with an Independent Entity, the Independent Entity shall enter into a contractual agreement any time an artist is hired to perform services for the City, such as participating on a design team or selling or creating a work of art. The contract should define the scope of work for artist services and payment procedure for the purchase or commissioning of a work of art. The contract shall require the artist to do the following:

1. Produce a work of art for a guaranteed maximum cost, including all installation costs.
2. Maintain public liability and property damage insurance as well as workers compensation insurance. If the artist does not routinely carry this insurance in the

amount specified by the contract, a fee for one-time purchase of coverage should be included in the total proposal.

3. Submit the following items before final payment is authorized:
 - A. Submit to the city a completed catalogue form that describes the work of art (materials, size, weight, artist biography, address, contact information).
 - B. Two color slides and a black and white negative of the competed work of art.
 - C. A public art conservation and maintenance program giving detailed instructions for cleaning and maintaining the artwork. This report will include, but not be limited to, frequency of cleaning, method and materials used, and any other recommendations for maintaining artwork. Report shall also provide detailed description of all materials and processes used to fabricate art, and names and addresses of material suppliers, fabrication and installation process of artwork

Section 5

1.5 PERCENT FOR ART PROGRAM

5.1 Background

In November of 1993, the Lake Oswego City Council adopted Ordinance 2062, which dedicates 1.5 % of the total costs of all City capital projects to the selection, acquisition, dedication, siting, maintenance, administration, de-accessioning, community education and registration of Public Art. .

5.2 Program Goals

Art acquired through the 1.5 Percent for Art Program should meet the criteria and desired goals listed in Section 4.2, *Art Selection Criteria*. In addition, it is the program's intent to:

1. Encourage early collaboration between artists and architects.
2. Ensure that City departments, Commissions, and Advisory Boards play an active role in the selection of art purchased through the 1.5 Percent for Art Program.
3. Preserve art objects and maintain artifacts displaced through City capital projects.

5.3 Administration of the 1.5 Percent for Art Program

The Public Art Committee shall administer the 1.5 Percent for Art Program under the auspices of City or, in the event that the City contracts with an Independent Entity, under the auspices of the Independent Entity.

5.4 Qualifying Projects

Article 18.04 of the City Code specifies which city capital projects are eligible for the 1.5 Percent for Art Program. A copy of the Percent for Art ordinance is contained in Exhibit *A Percent For Art Ordinance*.

Generally, if funding is not legally restricted for particular uses, a city project qualifies for the 1.5 Percent for Art Program and must dedicate 1.5% of its total cost to purchasing and maintaining public art.

Responsibility of Participating Department

Following the adoption of the Capital Improvement Program (CIP) by the City Council, each department with qualifying capital projects shall produce a summary sheet of projects that qualify for funding under the Percent for Arts Ordinance. The summary sheet shall include the project name and approximate dollar amount available for arts funding. The actual dollar amount shall be confirmed by staff from the participating

department upon encumbering funds for construction of the project and shall be reported to the City Manager.

5.5 Application of 1.5 Percent for Art Funds: Inclusions

Funds may be spent as follows:

1% for Purchase of Art

1% of the total construction cost of eligible city projects shall be used for costs associated with the acquisition of public art, including, but not limited to, the design, purchase and siting of public art. Such funds may be spent as follows:

1. Artist's fee for serving on a design team with the project architect.
2. The work of art itself, including but not limited to:
 - a. Artist's design fee and operating costs.
 - b. Any permits related to the completion of the work or art, including but not limited to building permits, permits with the Department of Transportation, etc.
 - c. Labor and materials required for production of work of art.
 - d. Travel related to the project.
 - e. Transporting the work to the site and installation costs.
3. Frames, mats, mounting, anchorages, containments, pedestals, or materials necessary for the installation, location, or security of the work of art.
4. Slides and documentation of the work in progress as well as the required 2 slides of the completed work.
5. Insurance as required by the artist's contract.
6. Contingency of 5% to 8% of the 1% set aside at the beginning of each project (any unused contingency funds will go into the Public Art Trust).

.5% for Maintenance and Administration

.5% of the total construction cost of eligible City projects shall be used for costs associated with administration of the public art program, including, but not limited to costs of selection, conservation and maintenance of the collection, community education, deaccessioning and registration of public art. Funds may be spent as follows:

1. The selection process, excluding the cost of producing a prospectus.
2. Community education related to the project.
3. Registration of Public Art.
4. Maintenance of Public Art.
5. Dedications and publicity.
6. Expenses for special advisors or consultants to the Public Art Committee.

5.6 Application of 1.5 Percent for Art Funds: Exclusions

1.5 Percent for Art funds *may not* be spent for:

1. Reproductions, by mechanical or other means, of original works of art.
2. Decorative, ornamental, or functional elements that are designed by the architect or consultants engaged by the architect, or elements generally considered to be components of a landscape architectural design, designed by a landscape architect as opposed to an artist commissioned for this purpose.
3. “Art objects” which are mass-produced of standard design, such as playground sculpture or fountains.
4. Directional or other functional elements, such as super graphics, signs, color-coding, maps, etc. except where a recognized artist is employed.
5. Architect’s fee.

5.7 Dedication of Funds

The Lake Oswego Public Art Trust Fund is established within the City of Lake Oswego Treasury (see attached Ordinance 2078, item “Public Art Trust Fund”). Funds shall be deposited into the Public Art Trust Fund by the City official or employee acting on behalf of the participating department at the time that budgeted funds are encumbered for construction of the project.

When the artist or artist team is hired at the same time as the project architect or engineer, 1.5 % of the estimated construction budget (from the CIP Document) shall be borrowed from monies existing in the Public Art Trust (or other sources available to the Arts Commission) at the point at which the artist or artist team is hired. When actual funds are encumbered for the construction portion of the project, the Public Art Trust Fund shall be reimbursed to the extent possible with eligible monies obtained from the actual construction budget.

Funds shall be deposited in separate accounts within the Public Art Trust Fund if separate accounting is requested by the City Manager or required by law.

Monetary contributions made other than through the 1.5% Percent for Art Program shall be deposited in the Public Art Trust Fund and may be dedicated for a specific program or work of art, subject to acceptance by the City Council.

5.8 Disbursement of Funds

Disbursement of funds from the Public Art Trust Fund shall be made only after approval by the City Council or, if the City contracts with an Independent Entity, approval by the Independent Entity and authorization by the City Manager or the Manager’s designee. Disbursements shall be made according to Ordinance 2078 and these guidelines.

The city’s Finance Department shall prepare quarterly financial reports to the participating departments and the City Council or, if the City contracts with an Independent Entity, to the participating departments and the Independent Entity, on the disbursement of money from the Public Art Trust Fund.

All payments to an artist shall be made according to the payment procedure outlined in the contractual agreement with the artist.

5.9 Artist Contract

The City or, if the City contracts with an Independent Entity, the Independent Entity shall enter into a contractual agreement with an artist for any artist services in accordance with Section 4.6, *Artist Contracts*.

5.10 Public Art Committee Procedures and Responsibility

The process for initiating and completing a 1.5% Percent for Art project is very similar to projects funded with other funding sources. The Public Art Committee shall oversee the process by defining the parameters and implementing a selection process as listed in Section 4.4, *Process for Accessioning Artwork*. However, there are requirements specific to the 1.5% Percent for Art process which are outlined below.

Upon notification that the City Council, or, if the City contracts with an Independent Entity, the Independent Entity would like to initiate a 1.5 Percent for Art project, the Public Art Committee shall:

1. Confirm the available budget and timing of when the 1.5 Percent for Art funds will be available. Timing of funds will dictate when projects can be initiated.
2. Identify a site for the work(s) of art.
3. Identify the goals of the project, including those goals outlined by the participating department and any artist's prerequisites. The committee must also establish whether the project warrants including an artist on the design team or whether a purchase or commission of art is more appropriate. The committee must also establish at what stage of the project the artist will become involved in the process and coordinate funding accordingly. If it is decided that an artist should be involved from the conceptual stages of the project, the procedure described in Section 5.7, *Dedication of Funds*, should be used.
4. Choose a Selection Committee.

5.10.1 Selection Committee Membership

The Public Art Committee shall select individuals to serve on a Selection Committee for the duration of one project. Membership on the Selection Committee shall consist of up to seven (7) members appointed by the Public Art Committee and approved by the City Council or, if the City contracts with an Independent Entity, by the Independent Entity. The Selection Committee shall consist of the following members:

1. A member of the Public Art Committee, who shall serve as chair.
2. Artists from the community.
3. An at-large citizen interested in the arts (preferably from the neighborhood or business where the art is to be located)
4. A City staff representative from the department with the qualifying project.
5. An architect or engineer from the capital project's design team (where applicable).

Members from the Public Art Committee serve an important role in developing the public art collection and, in addition to the chair position, may fill Selection Committee positions listed under item -2, above. However, items 3-5 must be filled by individuals who are not members of the Public Art Committee.

5.10.2 Term of Office

Representatives on the Selection Committee shall serve through the duration of the project.

5.10.3 Selection Committee Responsibilities

The Selection Committee shall work within the project parameters established by the Public Art Committee including overall budget, project location, and goals. The Selection Committee shall be responsible for identifying a selection process, reviewing artist proposals, and recommending a final selection. The Selection Committee shall do the following:

1. Choose a method for selecting an artist by one of the three options outlined in Section 4.3, Methods of Accession, which include open competition, invitation, or direct purchase.
2. Based upon the established budget, develop a realistic project scope, and determine if the budget is sufficient to warrant advertising for artists locally, regionally, nationally or internationally.
3. Prepare and oversee the writing, printing and distribution of the project prospectus.
4. Select works of art that are technically feasible to produce and display. In the case of selecting an artist to serve on a design team, the committee must determine whether the artist has the necessary experience desired to make a positive contribution to the project.
5. Reserve the option of making no selection. If no proposal is accepted, the Selection Committee may reopen the competition or propose another method of selection.
6. Approve all artists/art selections by a majority vote and present the recommendations to the Public Art Committee for approval.
7. Present the final piece to the City for acceptance into the public art collection.
8. Hold all Selection Committee meetings in accordance with the Oregon Public Meetings law. Meeting announcements shall be sent to local media.

5.11 Artist Selection Criteria

The criteria used in evaluating and choosing artists for 1.5 Percent for Art projects is outlined in Section 4.5 *Artist Selection Criteria*.

5.12 Approval Process

The following approvals are required in administering the 1.5 Percent for Art Program:

- Stage 1 - The City Council, or, if the City contracts with an Independent Entity, the Independent Entity must approve of the Public Art Committee's initial project parameters (budget, site, project goals) and selection committee membership before any further steps may be taken.
- Stage 2 - The Public Art Committee must approve of the Selection Committee's process for selecting artists and/or artwork prior to any public advertising of the project or notification of artists.
- Stage 3 - The Public Art Committee must approve of the Selection Committee's list of finalists prior to the Committee making a final selection.
- Stage 4 - The Public Art Committee must approve of the Selection Committee's final choice for artist and/or artwork prior to notifying the artist of the selection.
- Stage 5 - The Public Art Committee must approve of the final artwork and/or services upon completion of the artwork or services rendered, prior to final payment to the artist. Once accepted, the artwork is accessioned into the public art collection.

6. DEACCESSIONING WORKS OF ART

6.1 Background

The decision to remove a piece from the collection is as important as the decision to accession it originally. The world of art is constantly growing, and something that was revolutionary or revealing in the past may become trite or too-well explored.

On the other hand, the world of art is also affected by fashion. The Public Art Committee must be aware of the distinction between out of date and out of style. The deaccession process should not result in the loss of classic work, even if it represents an earlier period.

Deaccession of pieces from the collection shall be based principally on issues of artistic merit or if the artwork has been irreparably damaged. No piece from the art collection shall be sold primarily for monetary gain with the intention to use the funds for purposes other than art collection.

6.2 Deaccession Policy

Deaccessioning is a procedure for the withdrawal of an artwork from the public collection. Deaccessioning should be considered only after ten years have elapsed from the date of installation of permanent works and acceptance in the case of portable works or under special circumstances (e.g., the piece has been damaged beyond repair). Deaccessioning will be considered only after a careful and impartial evaluation of the artwork within the context of the collection as a whole. At the beginning of the process, the Public Art Committee will make reasonable effort to notify any living artist whose work is being considered for deaccessioning.

6.3 Eligible Artworks

All artworks owned by the City of Lake Oswego, whether acquired through the 1.5 Percent for Art Program, donation, or any other method, are eligible for deaccessioning. In the case of donated artworks, all legal documents relating to the donation will be reviewed prior to beginning the process.

6.4 Deaccessioning Procedure

A Deaccessioning Subcommittee of the Public Art Committee shall be appointed by the Committee. This subcommittee will consist of no more than five arts professionals or experts, including four (4) members of the Public Art Committee, and an art appraiser or consultant if necessary. If the value of the artwork is less than \$5,000, the Public Art Committee may informally appraise the artwork. However, if there is any doubt as to the value of the piece the Public Art Committee must secure the services of an appraiser or consultant.

6.5 Criteria for Deaccessioning

The Public Art Committee may consider the deaccessioning of artwork for one or more of the following reasons:

1. A work is not, or is only rarely, on display because of lack of a suitable site.
2. The condition or security of the artwork cannot be reasonably guaranteed.
3. The artwork has been damaged or has deteriorated and repair is impractical or unfeasible.
4. The artwork endangers public safety.
5. In the case of site specific artwork, the artwork is destroyed by severely altering its relationship to the site.
6. The artwork has been determined to be significantly incompatible or inferior in the context of the collection.
7. The City wishes to replace the artwork with work of more significance by the same artist.
8. The artwork requires excessive maintenance or has faults of design or workmanship.
9. There has been sustained and overwhelming public objection to the artwork.

6.6 Sequence of Action

1. The Subcommittee appointed by the Public Art Committee shall determine whether an artwork meets one of the criteria listed in Section 6.5 above.
2. A representative from the appointed Subcommittee shall submit a report to City staff which includes the opinion of the City Attorney on any restrictions that may apply to the specific work.
3. The Public Art Committee shall review the report. The Committee may seek additional information regarding the work from the artists, art galleries, curators, appraisers or other professionals prior to making a recommendation to the full Board.
4. The Public Art Committee shall send a recommendation for action to the City Council, or, if the City contracts with an Independent Entity, to the Independent Entity, for approval.
5. Upon approval of its recommendation, the Public Art Committee shall consider the following actions:
 - A. Sale or Trade
 - i. Artist will be given first option to purchase or trade artwork.

- ii. Sale may be through auction, gallery resale or direct bidding by individuals, in compliance with City law and policies governing surplus property.
 - iii. Trade may be through artist, gallery, museum or other institutions for one or more artwork(s) of comparable value by the same artist.
 - iv. No works of art shall be sold or traded to members or staff of the City, the Independent Entity or Public Art Committee, consistent with the conflict of interest policies in these guidelines.
 - v. Proceeds from the sale of a work of art shall be returned to the Public Art Trust Fund departmental account. Funds from the sale of gifts shall go into the Public Art Trust Fund for future artworks projects. Any pre-existing contractual agreements with the artist regarding resale shall be honored.
- B. Destruction of work deteriorated or damaged beyond repair and deemed to be of negligible value.
- C. If the Public Art Committee is unable to dispose of the artwork in a manner outlined above, the work shall be donated to a non-profit organization or otherwise disposed of as the City Council, or, if the City contracts with an Independent Entity, as the Independent Entity sees fit.

7. PUBLIC ART DONATIONS AND MEMORIALS POLICY

7.1 Background

In addition to City financial support, the public art collection may grow through the generous gifts of private citizens. A consistent and fair process for considering public art gifts and memorials shall be followed.

The art selection criteria listed in Section 4.2 will be applied when considering public art gifts.

Anyone wishing to sponsor a gift of artwork to the City should contact the Public Art Committee at the earliest possible time for a consultation on the review and acceptance process for donated artworks. The Public Art Committee will review potential donations and make a recommendation to the City Council or, if the City contracts with an Independent Entity, to the Independent Entity.

If the proposed gift is to be a memorial and the site requested is in a park, it must also go through a review process with the Parks and Recreation Department.

7.2 Types of Donations

1. Existing Works of Art
 - A. Portable - works of a scale appropriate for rotation through public spaces belonging to the City of Lake Oswego. The specific placement of portable works may not be stipulated as a condition of the gift.
 - B. Non-Portable - works of a scale larger than would be appropriate for the portable collection and would require a semi-permanent or permanent site.
2. Commissioned Works of Art
 - A. Works of art which are commissioned gifts to the City and which usually require a specific site.

7.3 Review Criteria

1. Artistic Excellence -

Accepted works of art shall be of exceptional quality and enduring value as judged by the Public Art Committee and, if the City contracts with an Independent Entity, by the Independent Entity.
2. Appropriateness to the City's Public Art Collection -

Proposed gifts will be reviewed in relationship to existing goals for the public art collection, such as diversity of media, artists represented, styles, and geographic representation.

3. Appropriateness to Site -
Relationship of the artwork to the site shall be considered in respect to its social, cultural, historical and physical context.
4. Maintenance Provisions -
Maintenance concerns are a primary consideration Adequate provision must be made for future needs. Donors must provide the Public Art Committee with detailed maintenance instructions for the work(s) of art, copies of which shall be forwarded to city staff. Funds for future maintenance shall be deposited into the Public Art Trust Fund.
5. Adherence to Existing Master Plans -
All works of art should adhere to the master plans of existing jurisdictions including but not limited to the Parks and Recreation Department, and Lake Oswego Redevelopment Agency. The Public Art Committee will help to advise the sponsor of existing master plans.

7.4 Review Process

EXISTING WORKS: PORTABLE OR NON-PORTABLE

1. Initial Contact -
Sponsor should send photographs of work(s) of art to City with written materials, including name of the artist, his/her bio or resume, medium, size, date of execution and estimated value of the piece. This material shall be forwarded to the Public Art Committee for a recommendation.
2. Review by Public Art Committee -
The Public Art Committee will review the photographs and will ask to see the actual work of art if it wants to consider the gift further. If the Public Art Committee recommends acceptance of the work of art, it will also make a recommendation for future maintenance provisions.
3. Installation Readiness -
In order to receive final acceptance, works of art should be professionally appraised and ready for installation. This means that two-dimensional works must be archivally framed and three-dimensional works must have a pedestal or appropriate hanging or mounting apparatus.
4. Acceptance-
The City Council, or, if the City contracts with an Independent Entity, the Independent Entity, will review the recommendation of the Public Art Committee and will determine whether to accept or deny the proposed donation and its installation and maintenance provisions.

7.5 Commissioned Works of Art

1. Initial Contact -

City staff, or, if the City contracts with an Independent Entity, representatives of the Independent Entity, will meet with the sponsor to discuss the commission. If no artist has been selected, staff will advise the sponsor about artist selection options, such as the use of an artist selection committee or an art consultant. The art consultant and advisory committees can provide expert assistance on selection procedures, technical and budgetary concerns and on the uses, appropriateness, quality and variety of art options. Selection Process

Commissioned works must go through a two-phased process: first "in concept" and second when the design has been decided. Sponsors of gifts are requested not to select specific designs prior to the approval "in concept". If a site has been recommended and is under the jurisdiction of any other City department, such as the Parks and Recreation Department, that department must be contacted at the start and the project will also be reviewed by that department.

2. Review "in concept" by Public Art Committee -

The sponsor must submit a written proposal to the City Council, or, if the City contracts with an Independent Entity, to the Independent Entity, including the process for selection of an artist(s) and the general concept behind the project. The Public Art Committee will review the proposal and make a recommendation for acceptance or denial.

3. Review of Design by Public Art Committee -

If the project is approved "in concept" the sponsor will proceed to select an artist(s) as outlined above. When a site and a specific design have been chosen, a model and/or scale drawings of the design and maintenance provisions must be presented to Public Art Committee, who will review the materials and make a recommendation to the City Council, or, if the City contracts with an Independent Entity, to the Independent Entity.

4. Review of Design -

A. The City Council, or, if the City contracts with an Independent Entity, the Independent Entity will review the recommendation of the Public Art Committee and approve or deny the design of the work of art and the provisions for future maintenance.

B. Note: If, in the development and execution of the project, the concept or aesthetic of the work is substantially changed, the concept and design must be re-approved before the work will be considered for final acceptance.

5. Review and Final Acceptance of Completed Work -

Both the Public Art Committee and the City Council, or if the City contracts with an Independent Entity, the Public Art Committee and the Independent Entity will review the completed work of art and approve or deny its acceptance.

7.6 Requests for Commissioning a Work of Art

Bequests for commissioning a work of art should go through the process outlined above and must include financial provisions for the administration of the commission as well as the future maintenance of the work of art as determined by the Public Art Committee and the City Council, or, if the City contracts with an Independent Entity, by the Public Art Committee and the Independent Entity.

7.7 Bequests to the Public Art Trust Fund

Bequests to the Public Art Trust Fund can vary in scope from general gifts of unspecified use to gifts of a specified scope. For example, the sponsor could stipulate that the bequest be used to purchase portable works by Native American artists.

8. LOANS FROM THE COLLECTION

8.1 Policy

When loans are made from the collection, it is the responsibility of the borrowing gallery or institution to cover all expenses of packing, shipping and insurance. The borrowing gallery or institution shall submit proof of insurance coverage for the value of the piece.

9. PROCESS FOR SPECIAL ANNUAL PURCHASE OF ARTWORK FROM THE ARTS DOWNTOWN EXHIBIT

9.1 Purpose

The City Council will annually consider whether an appropriation of funds is to be provided for a special purchase of a work of art from the Arts Downtown exhibit. Funds may come from the Percent for Art Trust Fund or another identified city source.

The process for the special annual selection of a work of art from the Arts Downtown exhibit shall be administered according to the Percent for Art Guidelines of Section 5, above. In addition, the selection process will be expanded beyond that defined in the Percent for Art Guidelines, by including greater public involvement in selecting the artwork in order to build a sense of citywide concern and ownership of the Arts Downtown program.

9.2 Operational Procedures

Initiation of selection process:

In administering the selection process for purchasing artwork from the Arts Downtown exhibit, the City Council, or, if the City contracts with an Independent Entity, the Independent Entity shall:

Inform the Public Art Committee of the available funding and timeframe within which to select a work of art.

Direct the Public Art Committee to form a selection committee to oversee the selection process. The selection committee shall be composed of:

- i. A representative appointed by the City Council, who will serve as chair of the selection committee.
- ii. A LORA representative.
- iii. A project engineer or architect.
- iv. Two artists.
- v. A citizen representing community and/or business interests.

Approve the Public Art Committee's selection of membership for the selection committee.

9.3 The Selection Process

The Public Art Committee shall convene the selection committee and define the committee's objectives, which shall include:

- i. Identifying downtown site(s) for the purchased artwork;
- ii. Creating a list of up to five sculptures for consideration as possible purchases; and

- iii. Establishing a process for the public to indicate its preference from among the sculptures on the list.

9.4 The Selection Committee process shall proceed as follows:

Upon notification of the objectives, the selection committee will review the current Arts Downtown sculptures and establish a list of up to five sculptures from which a public process will select one. Downtown site(s) will be identified that will accommodate the selected works. The criteria for establishing the list of selected works and site(s) are to be developed by the selection committee.

Following the creation of the selection list and site identification, the committee shall develop a process allowing the public at large to indicate their preference for the final purchase piece. This process may include methods such as opinion surveys in the *Hello L.O.* or the *Lake Oswego Review*, online voting on the City's website, etc. The committee shall notify the Public Art Committee of the selection made through the public process.

9.5 Final approval of selected artwork

The Public Art Committee shall present the selection made through the public process to the City Council, or, if the City Contracts with an Independent Entity, to the Independent Entity, for approval. Upon approval, payment shall be made to the artist and arrangements made for relocation of the art to its final location, if necessary, following the Arts Downtown exhibition period.

9.6 Clarification of Policy

The procedure in this Section 9 is to be used for a single annual purchase of art from the Arts Downtown Exhibit (subject to appropriation of funds). Nothing in the procedure shall preclude additional purchases by the city of art from the Arts Downtown Exhibit through other processes.