

**CITY OF FLORENCE
RESOLUTION NO. 4, SERIES 2016**

A Resolution Adopting the Public Art Guidelines for the City of Florence and establishing policies for acquisition, maintenance and deaccessioning of public art and other policies related to the City's Public Art Program.

RECITALS:

1. Since July 2015, the newly formed City of Florence Public Art Committee has been working toward the goal of utilizing Public Art to help stimulate economic development in Florence by preparing a process and guidelines for a public art program.
2. On January 27, 2016, the Public Art Committee completing the drafting of the proposed Florence Public Art Guidelines and recommended they be forwarded for City Council review.
3. At its work session on February 17, 2016, the Florence City Council reviewed the proposed Public Art Guidelines as prepared by the Public Art Committee.
4. Establishment of a Public Art Program and Guidelines would work toward the City of Florence's work plan to improve livability and quality of life.

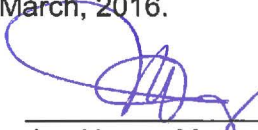
Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE RESOLVES AS FOLLOWS:

1. The City Council adopts the Public Art Guidelines as shown in Exhibit A.
2. This Resolution takes effect immediately upon adoption.

ADOPTION:

This Resolution is passed and adopted on the 7th day of March, 2016.



Joe Henry, Mayor

Attest:



Kelli Weese, City Recorder

CITY OF FLORENCE
Resolution No. 4, Series 2016
Exhibit A

PUBLIC ART GUIDELINES

1. INTRODUCTION & PURPOSE
2. MAINTENANCE OF THE PUBLIC ART COLLECTION
3. ACQUISITION OF ARTWORK
4. GENERATION OF REVENUE
5. DEACCESSIONING WORKS OF ART
6. PUBLIC ART DONATIONS AND MEMORIALS POLICY
7. LOANS FROM THE COLLECTION
8. GALLERY / ART RENTAL PROGRAM
9. PROCESS FOR SPECIAL PURCHASE OF ARTWORK FROM THE GALLERY / ART RENTAL PROGRAM
10. FLORENCE CELEBRATE ARTS PUBLIC EXHIBITION & AUCTION
11. DEFINITIONS

Attachment 1 – Ordinance No. 3, Series 2016 Public Art Committee

1. INTRODUCTION & PURPOSE

Art increases the livability, human interaction, and artistic richness of a City by making art a permanent part of the environment and a legacy for future generations. The City of Florence public art program plays a strong role in community and helps stimulate economic vitality. The art initiative for the City of Florence is a vital ingredient in the cultural fabric and streetscape of our creative city. The initiative provides opportunities to increase awareness, appreciation, knowledge and education of public art by developing a sense of place, community pride and identity through the creation of new works. Public art provides an opportunity for artists to reach creative solutions to aesthetic opportunities.

The art collection of Florence is held in trust for the public. It seeks to engage people and capture the essence, diversity and personality of the City of Florence. The art collection complements the City's mission of enhancing the lives of its citizens. The guidelines contained in this document define how the collection shall be developed and maintained, as well as how the City shall proceed with its public art initiatives.

2. MAINTENANCE OF THE PUBLIC ART COLLECTION

2.1 Cataloguing the Collection

The Public Art Committee as established by Ordinance No. 3, Series 2016 and contained as Attachment 1, shall ensure that there is a current listing of all holdings in the City of Florence 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.

2.2 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.

2.3 Maintenance of Collection

The Public Art Committee shall be responsible for the performance of all repairs, cleaning, labeling, etc. that may be necessary to maintain the public art collection. Should repairs to art in the collection be necessary, the committee shall coordinate the repair with professional services, volunteers or City staff, based on consultation with the artist and/or the maintenance plan on record.

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

2.4 Maintenance Instructions

When the city purchases, displays or creates a new work of art, the artist shall be required to submit a maintenance plan and instructions to be kept on file by city 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 with the Public Art Committee and the Committee City Staff Ex-Officio member.

2.5 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.

3. ACQUISITION OF ARTWORK

3.1 Background

The City public art collection includes works that were in the City's possession prior to 2016, works purchased with City and/or Florence urban renewal agency funds, and gifts of art to the City. Artworks are acquired by the City of Florence 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.

3.2 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 foster 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. The members of the committee are selected because they possess expertise in art. They should understand the issues and strive to maintain a balance in their selection of art works.

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

3.2.1 Required Conditions

All pieces of art selected for inclusion in the collection of the City of Florence must meet all of the following criteria:

1. Clear Title: The Artwork must be able to be transferred to the City of Florence 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 and documented appraised value based on previous sales.
2. Restrictions: Artwork accessioned by the City of Florence must not have attendant restrictions. The City will endeavor to acknowledge artists and donors in the display of artwork to the extent possible under the discretion of the committee.
3. Reflects Public Aesthetics: While recognizing the First Amendment freedom of artists to express themselves in any way they choose, the City of Florence reserves the right to not select pieces or projects which the Committee deems to not represent 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.
4. 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 be reasonably questioned, it must be authenticated before accession. Art objects which are mass produced and of standard design are not allowed, however original prints, photographs, or cast sculptures may be purchased. Limited editions of no more than 25, signed by the artists, may be considered on a limited basis.
5. 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.
6. Maintenance and Security: The City of Florence 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.

3.2.2 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.

1. Artistic Excellence: Art selected for the collection should represent the skill and competence of the originator(s), and should be an example of artistic excellence. Accepted works of art shall be of exceptional quality and enduring value as judged by the Public Art Committee. The definition of artistic excellence changes over time, but the collection should always be representative of the best examples available.
2. 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.
3. 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 Florence should strive to represent works from a wide range of artists of varied public status. Art should be chosen solely on the basis of 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.
4. 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. All art pieces may be authenticated by an art consulting or appraisal firm to authenticate value at the discretion of the Public Art Committee. This action is recommended when a piece of art has a price of more than \$10,000.
5. Selected for Specific Site: Major art pieces should be selected as part of a process that takes into account the formal 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 land use patterns of the area in which it will be placed.

3.3 Methods of Accession

There are several ways that a work of art may be accessioned. The selection criteria listed in Section 3.2 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 several 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.

3.3.1 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, international, 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 site 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.

3.3.2 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. Such purchases shall conform to the criteria in Section 3.2.

3.3.3 Artist Invitation

The Public Art Committee may choose to invite one or more artists to submit proposals to create a project for a specific site(s). 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.

Criteria for when invitations will be sent will be based on the needs for the project and its specific site.

3.3.4 Donations

At times civic-minded citizens may wish to contribute to the public art process. 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 contribute to the public art process. *See Section 6. Donations and Memorials* for a more detailed explanation of how donations are reviewed and accepted.

3.4 Process for Accessioning Artwork

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

The Public Art Committee shall confirm the available budget, identify the site for the work(s) of art, identify the goals of the project, and if appropriate, form a selection committee to choose the artist and/or artwork, and determine the most appropriate accession method in each circumstance,

depending upon the project funding source.

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

1. Confirm the total project budget available for purchase of services and/or artwork, including installation costs.
2. Identify a site for the final location of art. If the committee is considering a site in the public right-of-way, all appropriate departments must be consulted before the site is finalized. Likewise if any elements of a project fall under the jurisdiction of another department, that department must be consulted early in the selection process.
3. Identify the goals of the art project.
4. Determine which acquisition method, according to *Section 3.3, Methods of Accession*, is most appropriate based upon the project goals.
5. Establish a selection process that addresses the project. The committee shall keep in mind the City's goals of maintaining artistic integrity and encouraging public involvement, as needed, in each selection process.
6. Select an artist and/or art purchase / commission through a majority vote.

3.5 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 3.2. 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 utilize an invitation process in lieu of open competition in order to simplify the selection process. Criteria for when invitations will be sent will be based on the needs for the project and its specific site.

3.6 Artist Contracts

The City shall enter into a contractual agreement any time an artist is hired to perform services for the City. 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, but is not limited to, 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, proof of purchase of coverage for insurance should be included in the total proposal.
3. Submit the following items before final payment is authorized:
 - a. Submit a completed catalogue form that describes the work of art (materials, size, weight, artist biography, address, current contact information and alternative contact information)
 - b. Digital photos, video and/or audio of the process of the works creation and documentation of aspects of the project
 - 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 materials suppliers, fabrication and installation process of artwork.

4. GENERATION OF REVENUE

4.1 Overview

The Public Art Committee is tasked with evaluating, advocating for and implementing methods to generate revenue for the City of Florence's public art program. These revenue generation techniques may include establishing programs to sell art, rent art display space to artists, and create revenue generating events.

In addition to the above revenue generation techniques, the Public Art Committee is tasked with assisting the City Council in researching and evaluating potential public funding methods for the Public Art Program.

These funds will be leveraged with grant opportunities to increase the City's public art collection, and public art programs as determined by the Public Art Committee. The City of Florence and the Florence Urban Renewal Agency will reserve all revenue generated by the Public Art Program activities for the exclusive use of the Public Art Program to be allocated by the Public Art Committee. The method of separation of public art funds shall be at the discretion of the Finance Director based on the established budgetary systems of the City of Florence. Such methods may include setting up a direct public art fund or a public art budgetary line item.

5. DEACCESSIONING WORKS OF ART

5.1 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.

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

5.2 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 artist(s) or artist's estate whose work is being considered for deaccessioning.

5.3 Eligible Artworks

All artworks owned by the City of Florence 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.

5.4 Deaccessioning Procedure

Should it be deemed necessary, the Public Art Committee may elect to appoint a deaccessioning subcommittee of the Public Art Committee. Should a subcommittee be formed, this subcommittee will consist of no more than five arts professionals or experts, four (4) members of the subcommittee may be members of the Public Art Committee, and an art appraiser or consultant, if deemed necessary. Should a sub-committee be formed, the committee shall consist of an odd number of members, with no more than seven members total. If the value of the artwork is less than \$10,000, 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.

5.5 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.
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.

5.6 Sequence of Action

1. The Public Art Committee or the subcommittee appointed by the Public Art Committee shall determine whether an artwork meets one of the criteria listed in Section 5.5 above.
2. A representative from the appointed committee shall submit a report to the Committee City Staff Ex-Officio member, which may include 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.
4. The Public Art Committee shall provide a report to the City Council of the intended deaccessioning prior to its completion.
5. After consultation with the City Council, 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, City Officials, or Public Art Committee, consistent with the conflict of interest policies.
 - v. Proceeds from the sale of a work of art shall be returned to the Public Art Trust Fund 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 shall be 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 Public Art Committee sees fit.

6. PUBLIC ART DONATIONS AND MEMORIALS POLICY

6.1 Background

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 3.2 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 consultation on the review and acceptance process for donated artworks.

6.2 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 Florence. 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. The specific placement of non-portable works will be considered but may not be stipulated as a condition of the gift.
2. Commissioned Works of Art
 - a. Works of art which are commissioned gifts to the City and which usually require a specific site.

6.3 Review Criteria

1. Artistic Excellence: Accepted works of art shall be of exceptional quality and enduring value as judged by the Public Art Committee.
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 and styles.
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 should provide the Public Art Committee with detailed maintenance instructions for the work(s) of art. The Public Art Committee must consider potential funds for future maintenance when determining whether or not to accept the gift. If available, such instructions shall include 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 should also provide detailed description of all materials and processes used to fabricate art, and names and addresses of materials suppliers, fabrication and installation process of artwork.
5. Documentation: If available, donors should provide the Public Art Committee with the following art documentation:

- a. Submit a completed catalogue form that describes the work of art (materials, size, weight, artist biography, address, current contact information and alternative contact information)
 - b. Digital photos, video and/or audio of the process of the works creation and documentation of aspects of the project.
6. Adherence to Existing Master Plans: All works of art should adhere to any applicable master plans. The Public Art Committee will help to advise the sponsor of existing master plans.

6.4 Review Process

6.4.1 Existing Works: Portable or Non-Portable

1. Initial Contact: Sponsor should send images of work(s) of art to the Public Art Committee with written materials, including name of the artist, his/her biography or resume, medium, size, date of execution and estimated value of the piece.
2. Review by Public Art Committee: The Public Art Committee will review the images 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 archival framed and three-dimensional works must have a pedestal or appropriate hanging or mounting apparatus.
4. Acceptance: In consultation with the City Council, the Public Art Committee will determine whether to accept or deny the proposed donation and its installation and maintenance provisions.

6.4.2 Commissioned Works of Art

1. Initial Contact: The Public Art Committee or its representative will meet with the sponsor to discuss the commission. If no artist has been selected, representative(s) will advise the sponsor about artist selection options.
 - a. 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 of the project and will also be reviewed by that department.

2. Review “In Concept” by Public Art Committee: The sponsor must submit a written proposal to the Public Art Committee, including the process for selection of an artist(s) and the general concept behind the project. The Public Art Committee, in consultation with the City Council, will review the proposal and make a determination 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 determination for acceptance, denial, or additional conditions. The Public Art Committee must consider available funds for maintenance when making its determination to accept or deny the final gift.
 - a. Note: If, in the development and execution of the project, the concept of aesthetic of the work is substantially changed, the concept and design must be re-approved before the work will be considered for final acceptance.

6.5 Requests for Commissioning a Work of Art

Requests for commissioning a work of art should go through the process outlined above (i.e. 6.4.2) 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.

6.6 Requests to Florence Public Art

Requests for use of Public Art Funding 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. The Public Art Committee will assume responsibility to work with the trustees to finalize details of the gift.

7. LOANS FROM THE COLLECTION

Loans from the City’s permanent collection will be considered by the Public Art Committee, on a limited basis, in consultation with the City Council and/or City Manager. When loans are made from the collection, it is the responsibility of the borrowing gallery or institution to cover all expenses of packaging, shipping and insurance. At the discretion of the Public Art Committee, a loan fee may be included when loans are considered. Should a loan fee be required, revenue from such fees may be used solely for the City’s public art program. The borrowing gallery or institution shall submit proof of insurance coverage for the value of the piece and provide documentation of intended use, location, length of time to be borrowed, and how the piece will be maintained and secured during the length of use. Other criteria may be determined by the committee when considering each individual loan. All promotional materials used for the piece will need to be submitted for approval by the Public Art Committee or representative(s) prior to publication. All publication materials shall include proper credit and copyright.

8. GALLERY / ART RENTAL PROGRAM

8.1 Background and Overview

The City of Florence's Gallery / Art Rental Program is designed to enhance the beauty and livability of our community by regularly introducing original art into Florence to create a unique sense of place and enhance community identity. The City's Gallery / Art Rental Program provides an opportunity for artists to display their work for sale.

8.2 Duration

Art displayed in the gallery / art rental program are intended to be available for sale to the public. Initial art displayed will be installed for a period of two years. Should art be purchased prior to the end of the two year period, the artist shall be given first opportunity to replace art with a suitable piece to be approved by the Public Art Committee via the provisions of Section 8.6. No art piece shall be removed unless approved by the Public Art Committee. Should an art piece be removed during the two year installation period, any new piece of art shall be displayed for the remainder of the two year installation period.

8.3 City of Florence Responsibilities

Each artist will be provided a stipend for the installation of their art. The City of Florence will underwrite the costs for installation of the art piece at installation locations designed especially for the program. The City of Florence will provide all art identification to accompany each art installment, including plaques or other methods of display. The art installation will be marketed by the City of Florence as a product for sale and will be displayed in one of a variety of locations in the City.

8.4 Artist Responsibilities

Entrants may be individuals or artist teams. Artist(s) are responsible for design, construction, transportation and installation of public art piece(s) to its designated end location within the City of Florence. Artist will be responsible for any structural reviews with an inspector through the City's Building Department which may be necessary for the installation of the art. The selected artist or artist team will bear the entire risk of loss or damage to the work during design, fabrication, packing, shipping and installation. When the work is completely installed and formally accepted by the City of Florence, then the City of Florence assumes the risk of loss. The artist or artist team will also agree to warranty the material and workmanship of the commissioned work for a period of two years after the date of acceptance by the City of Florence.

The selected artist or artist team will provide, maintain and require all subcontractors to provide and maintain insurance to cover claims for damages for personal injury, bodily injury and property damage. The coverage will provide protection for all operations by the artist and/or artist teams or any subcontractor, or by anyone directly or indirectly employed by either of them. This insurance shall be maintained for the duration of the contract.

Prior to installation the artist shall submit the following:

1. Submit a completed catalogue form that describes the work of art (materials, size, weight, artist biography, address, current contract information and alternative contact information).
2. Digital photos, video and/or audio of the process for the work's creation and documentation of aspects of the project.

8.5 Selection Process

The Public Art Committee, in meeting the goals of the City of Florence, shall oversee the process for the selection and placement of works of art. The Public Art Committee shall confirm the available budget, identify the site for the work(s) of art, identify the goals of the project, and if appropriate, form a selection committee to choose an artist and/or artwork.

Original sites will be selected for a two year period. Each year as new sites become available, the committee will extend a call to artists for an additional two year period, with the intent to stagger installations on an annual basis.

Art selected for the Gallery / Art Rental Program shall follow the open competition method of accession shown in section 3.3.1. When considering the submittals for the program, the committee may consider the following submission requirements:

1. Statement of Qualifications: Biographical information, including previous experience, for all team members (limit of one page per team member). This should include the name and contact information of all person(s) who will be responsible for the final completion of the project with a description of each person's experience in performing the type of services being requested. Include up to three images of previous work, or related projects, accompanied by a brief description of each project.
2. Proposed Art Piece:
 - a. Incomplete Piece: A drawing or sketch of concept. Include dimensions and material that will be used for the piece, including maintenance and durability. Applicant shall provide at least two different perspectives of the piece.
 - b. Completed Piece: Include video and a clear photograph(s) of the completed art piece. Include dimensions and material used for the piece, including maintenance and durability. Applicant shall provide at least two different perspectives of the piece.
3. Statement of Interest: Statement indicating interest in submitting the proposed art piece.

4. Narrative / Description of Piece: Provide a written statement of inspiration and if applicable meaning of the piece.
5. Provide Marketing Language: Provide marketing language and a photograph of the piece for marketing material to be produced and distributed by the City of Florence.

8.6 Selection Criteria

The following listed criteria will be used in the evaluation of proposals. Evaluation criteria will be weighted at the discretion of the evaluation committee.

1. Reflects Public Aesthetics: While recognizing the First Amendment freedom of artists to express themselves in any way they choose, the City of Florence reserves the right to not select pieces or projects which the Committee deems to not represent 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.
2. 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 be reasonably questioned, it must be authenticated before accession. Art objects which are mass produced and of standard design are not allowed. Limited editions of no more than 25, signed by the artists, may be considered on a limited basis.
3. Suitability, Sustainability and Durability: All art pieces must be suitable for display in a public setting. Sculpture must be secured to prevent accidents. Pieces executed in fragile media must be able to be protected while displayed. All art pieces must be dependable relative to theft, vandalism and the environment and must consider the ease of maintenance and safety.
4. Overall strength of design concept: Art must be appropriate to the program in terms of scale, context and materials. Art must consider the appropriateness of design solution for the climate and outdoor site through appropriateness of materials selected and feasibility and ease of installation.

9. PROCESS FOR SPECIAL PURCHASE OF ARTWORK FROM THE GALLERY / ART RENTAL PROGRAM

9.1 Purpose

The Public Art Committee may request funds from the City Council and/or Florence Urban Renewal Agency in advance of their budget process. These agencies may consider whether an appropriation of funds is to be provided for a special purchase of a work of art from the Gallery / Art Rental Program. This consideration may occur annually. Funds may also come from public art revenue funds as administered by the Public Art Committee.

The process for the special selection of a work of art from the Gallery / Art rental program shall follow the general acquisition procedures in Section 3 above. In addition, the selection process will be expanded by including greater public involvement in selecting the artwork in order to build a sense of citywide concern and ownership of the program.

9.2 Operational Procedures

Initiation of selection process: In administering the selection process for purchasing artwork from the Gallery / Art Rental Program, the Public Art Committee will:

1. Request the funding during the City and Florence Urban Renewal Agency's annual budget process. Such request shall include a project proposal to include budget and timeframe estimates and an overview of the process as described in Section 9.
2. If the budget request is approved, the Public Art Committee will oversee the selection process. If deemed necessary by the Public Art Committee, the Committee may elect to establish a Selection Committee or the Public Art Committee may elect to serve as the Selection committee for the project.
 - a. Should a selection committee be formed, the committee shall consist of:
 - i. An odd number of members, with no more than seven members total
 - ii. No more than five arts professionals or experts,
 - iii. Four (4) members of the selection committee may be members of the Public Art Committee,
 - iv. An art appraiser or consultant if deemed necessary

9.3 The Selection Process

The Public Art Committee, or Selection Committee, shall establish the selection objectives, which shall include:

1. Identifying site(s) for the selected artwork;
2. Creating a list of up to five pieces for consideration as possible purchases; and

3. Establishing a process for the public to indicate its preference from among the pieces on the list. This may include a survey or community wide vote, or other method deemed appropriate by the committee.

The Selection process shall proceed as follows:

Upon notification of objectives, the Selection Committee will review the current pieces in the program and establish a list of up to five pieces from which a public process will select one. 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, online voting, etc.

9.4 Final approval of selected artwork

The Public Art Committee shall report to the City Council of the selection made through the public process. Payment shall be made to the artist and arrangements made for relocation of the art to its final location, if necessary, following the exhibition period.

9.5 Clarification of Policy

The procedure in this section is to be used for a single purchase of art from the Gallery / Art Rental Program. Nothing in this procedure shall preclude additional purchases by the city through other processes.

10. FLORENCE CELEBRATE ARTS PUBLIC EXHIBITION & AUCTION

10.1 Background and Purpose

It is the desire of the City of Florence to encourage economic development in the community, which includes public art. The purpose of this display and event is to celebrate art by creating a juried art show which will display the works and ultimately sale of the works for the benefit of artists and the city's public art program. Attractive displays stimulate the imagination and inspire an appreciation of art. Display space including Florence City Hall, Public Facilities, and potentially approved private facilities deemed appropriate, is free and is intended to showcase local art, spotlight local collections of general interest, and introduce citizens to national and regional art. Such exhibitions will result in a juried art exhibition and artists will be invited to submit works for approval.

It is not the intent that the exhibit space be used for advertising for commercial enterprises or partisan political candidates and/or parties. The views in the works exhibited are those of the artists and are not necessarily those of the City of Florence or Public Art Committee. Nothing in this section shall preclude the Public Art Committee from displaying art within the City's permanent collection within City Hall or other City Facilities.

10.2 Duration

The works will be on display for one year. Works can be sold any time during this period. At the end of the display year, art will be sold at auction at the Florence Events Center. Should art be sold and removed prior to the end of the display period, any replacement will be installed for the duration of the original one year display period.

10.3 Artist Selection Criteria

Artists will be judged and selected based on their qualifications which could include demonstrated past work and appropriateness of the proposal to the particular project. 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 3.2.2. In all cases, consideration will be given to materials, maintenance, public access and safety.

When considering the submittals for the program, the committee will consider submissions based on:

1. Narrative and Description of the Piece: Provide a written statement of inspiration, history, background and if applicable the artist's interpretation of the meaning of the piece.
2. Proposed Art Piece: Include a clear photograph and/or video of the completed art piece. Include dimensions and material used for the piece.
3. Statement of Qualifications: Biographical information, including previous experience, for all team members (limit of one page per team member). This should include the name and contact information of all person(s) who will submit pieces for display.

10.4 Methods of Selection of Art for Display

The Public Art Committee shall be responsible for reviewing, selecting and approving art to be displayed. The Public Art Committee may elect to establish and delegate its selection authority to a selection subcommittee. At its discretion, the Public Art Committee may elect to use the Open Competition (Section 3.3.1) and Artist Invitation (Section 3.3.3) methods of selection of art to be displayed.

10.5 Display Location Process

The Public Art Committee, in meeting the goals of the City of Florence, shall oversee the process for the selection and placement of works of art. The Public Art Committee shall identify the site for the work(s), identify the goals of the project, determine whether to form a selection committee to choose the artist and/or artwork, and determine the most appropriate selection method in each circumstance.

10.6 Liability

The City of Florence does not accept liability or provide security for any item on display. The owner of an item to be displayed must sign an Inventory of Items and Hold Harmless Agreement before display.

10.7 Display Areas

Displays may be scheduled for the City Hall Lobby / Public Areas, any other public facilities deemed appropriate, or for private facilities deemed appropriate by the Committee and for which a prior agreement has been made with the property owner for display of public art at the facility.

10.8 Public Art Committee Responsibilities

The City Council has established a Public Art Committee and appointed members. The Public Art Committee has a staff ex-officio member. The Public Art Committee is responsible for reviewing display applications and approving artist(s) to be displayed.

The Public Art Committee shall have the following responsibilities based on display criteria established by the Committee.

1. Solicit Artists for the display area
2. Contact artists to schedule displays and to obtain hold harmless agreement
3. Supervise installation and take-down of displays
4. Advise the City Council on policies regarding displays

10.9 Marketing

The Public Art Committee will be responsible for promoting the display and sales event through the city website, social media, local and regional outlets that serve the area, and any other method deemed appropriate by the committee. Contact information for artists will be on all media and marketing listings and postings. Information about the artist will be accessible either adjacent to the art, or at the main counter as deemed appropriate.

10.10 Sales / Revenue

The City of Florence acts as the sales agent for the artist. Pricing will be displayed in an appropriate location that will accompany where the art is displayed. The Artist and the Public Art Committee will agree to prices when art is accepted. The City will receive a commission for the display, marketing, and sales transaction for art pieces. Payments will be made to artist within 30 days of payment to the City of Florence. The same procedure will apply if art is sold at auction. If the art is not purchased by the end of the term, the works will be returned to the artist within 30 days after the auction.

10.11 Exceptions

The City Manager has the discretion to make exceptions to this policy as deemed appropriate. This policy does not supersede existing policies within the City of Florence including the Florence Events Center Gallery, the Siuslaw Public Library, and others subject to a separate policy for the facility.

11. DEFINITIONS

GENERAL DEFINITIONS

ACCESSION	To accept a work of art into the City's permanent collection.
ADVISOR	A professional asked by the Public Art Committee to provide advice on some aspect of a project
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 of delineated proposals for consideration. Proposals are reviewed and an artist is selected for the project.
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.
DEACCESSIONING	Relinquishing title and claim of ownership to a work of public art.
PERMANENT ART COLLECTION	All works of art owned by the City of Florence, 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 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 works of art accessible and visible to the public and/or public employees including:

- A) Painting of all media, including both portable and permanently fixed works, such as murals;
- B) Sculpture which may be in the round, bas-relief, high-relief, mobile, fountain, kinetic, electronic and others, in any material or combination of materials.
- C) 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.
- D) Works of a wide range of materials, disciplines and media which are of specific duration, including performance events, and those which are documented for public accessibility after the life of the piece has ended.
- E) Art works that possess functional as well as aesthetic qualities.

PUBLIC ART COMMITTEE

The committee as established by Ordinance No. 3, Series 2016 is appointed to maintain the City’s public art collection, and implement the City’s public art initiatives. The Public Art Committee develops policies and goals for the selection, placement and maintenance of works of art. 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 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.