
CITY OF PULLMAN
ART IN PUBLIC PLACES - POLICIES AND PROCEDURES

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ARTICLE I
POLICY ON ACQUIRING PUBLIC ART

SECTION 1.1. OBJECTIVES

- A. To establish policies and guidelines for adding works of art to the City of Pullman's permanent collection of public art.
- B. To establish procedures for the acquisition of works of art.
- C. To establish procedures for acceptance of loaned works of art.
- D. To establish procedures for the de-accessioning works of art.
- E. The objectives, definitions, policies and selection criteria contained in Article I shall apply throughout Article I through IV.

SECTION 1.2. DEFINITIONS

- A. Acquisition: Procurement of works of art for the City of Pullman's permanent collection. This includes commission through competition, invitation, donation, direct purchase, or any other means.
- B. Works of Art: All forms of original visual and tactile art.
- C. The City: City of Pullman, Washington
- D. Council: The City Council of Pullman, Washington
- E. PAC: Pullman Arts Commission
- F. Open Competition: The project is widely publicized and proposals are accepted from all artists. Proposal development fees to artists are not paid.
- G. Limited Competition: A small number of artists are invited to submit proposals. Generally, proposal development fees are paid to the artists.
- H. Invitation: One artist is invited and paid to develop a proposal for the project.
- I. Direct Purchase: An existing work is purchased.
- J. Traditional Public Forum: Those places that, by tradition, people gather to express ideas, including public parks, streets, and sidewalks.
- K. Designated Public Forum: There are no designated public forums in the City of Pullman.
- L. Limited Public Forum: Nonpublic forums that the government intentionally opens up to certain groups or certain topics. These places may, depending on the circumstances, include but are not limited to City Hall, aquatic facilities, and public theater venues.

SECTION 1.3. POLICIES & SELECTION CRITERIA

- A. The City shall acquire and display public artwork for the benefit and enjoyment of its citizens.
- B. Public art differs from art intended for private enjoyment, in that it must speak, in a significant way, to a larger portion of the population. Public art is a gesture to the public and as such, should provide a generous benefit and be accessible and meant for public engagement.
- C. Public art is founded in the freedoms of thought and creative expression. It should reflect the diversity and richness of the community. It will spark interaction and stimulate discussion.
- D. The City shall acquire art that is consistent with the policies established by the PAC and adopted by the City through the Council.
- E. The acquisition process shall encourage the creation of many types of art work.
- F. Selection procedures shall try to ensure that all concerned parties are involved, including the City through the PAC and the receiving department, the general public, the business community, and the arts community.
- G. Whenever appropriate, selection procedures shall encourage collaboration between artists and design professionals, including architects, landscape architects, project managers and engineers.
- H. Selection procedures shall establish specific criteria for the acceptance of gifts or the long-term loan of art to the City. Generally, gifts shall be accepted without restrictions as to future use or disposition.
- I. Acquisition of an artwork implies that it will become a permanent part of the City collection, that it will be thoughtfully sited or displayed, and that it will be properly maintained.
- J. The City shall establish and maintain complete records that include documents transferring title, artist's contracts, reports, invoices and other pertinent material.
- K. Works of art shall be acquired without legal restrictions about use and disposition, except with respect to copyrights, or other specifically defined rights as part of the contract negotiated with the artist.
- L. The liability associated with ownership of public works of art shall be covered under the City's personal injury coverage and other applicable insurance programs.
- M. In addition to the above, all works of art shall be subject to the following selection criteria:
 - 1. Be appropriate in size, scale, and material for the environment in which it is to be placed.

2. Be durable.
 3. Have high resistance to vandalism.
 4. Be maintainable at a reasonable cost.
 5. Prioritize public safety.
 6. Be screened for content prior to installation.
- N. The work may also be an integral part of a larger project design and may serve to establish focal points, define spaces, and other design oriented purposes.

SECTION 1.4. SELECTION PROCESS OPTIONS – for purchased work:

- A. There are three selection process options, which are as follows:
1. Works of art equal to or greater than \$5,000.00 in total value.
 2. Works of art less than \$5,000.00 in total value.
 3. Acceptance of donated works of art or art loaned on a long term basis.

SECTION 1.5. WORKS OF ART COSTING \$5,000 OR MORE – for purchased work:

- A. Project budgets include:
1. The cost of the work, including installation.
 2. Identifying plaques.
 3. Honoraria for artists invited to participate in a limited competition.
- B. Works shall be selected through open competition or limited competition, or a combination of both. Works shall be selected by the PAC with final approval by the Council.
- C. The PAC shall provide, in writing, appropriate background information, objectives, and selection criteria for the project to the Council.
- D. The PAC shall meet as often as necessary to reach a final decision. All meetings shall be open to the public and shall be well publicized. There will be at least one opportunity for public comment during the selection process.
- E. If the PAC cannot reach a consensus decision, then a vote shall be taken with majority rule and/or final approval to the Council.
- F. The PAC shall have the option of making no selection if, in its opinion, there is insufficient merit or information to make a final selection. In this event, the PAC shall initiate a new selection process.
- G. The PAC shall make a recommendation to the Council. The selection is to be considered final, provided that:

1. The selection process was consistent with acquisition policies, procedures and selection criteria.
 2. The selection is reviewed with the receiving department to determine that installation is technically feasible.
- H. If the PAC finds that the process was not correct or legitimate installation problems are demonstrated, the PAC may reject the selection and begin a new selection process.
- I. The PAC shall send a written recommendation to the Council for final project approval. If the Council does not approve the project, the selection shall be voided, and the PAC shall begin a new selection process.
- J. The selected artist shall:
1. Enter into a contract with the City to execute and complete the work in a timely and professional manner, or transfer title of an existing work;
 2. Maintain a close working relationship with the PAC, and if appropriate, the project architect and the City's Manager;
 3. Deliver and install the work, unless specified otherwise in the contract; and
 4. Be available for at least one public presentation, if so requested by the Council.
- K. Should the artist propose any significant change to the scope of work, including the design, materials, or siting of the work, the artist will submit a request in writing to the PAC for review and approval.

SECTION 1.6. WORKS OF ART COSTING LESS THAN \$5,000

- A. The PAC shall have the option of selecting works through any of the following methods:
1. Open Competition;
 2. Limited Competition;
 3. Invitation; or
 4. Direct Purchase.
- B. All procedures shall be the same as set forth in Section V above.

SECTION 1.7. ACCEPTANCE OF DONATED WORKS OF ART

- A. The PAC shall review all proposed donations of art to the City. City staff shall meet with the prospective donor to discuss the nature of the gift and these acceptance policies. Staff shall report findings to the PAC.

- B. The proposed gift shall be evaluated based on the following criteria:
 - 1. Condition of the work.
 - 2. Maintenance requirements.
 - 3. Installation issues.
 - 4. Availability of an appropriate site.
 - 5. Donor conditions, if any.
 - 6. Advice of City staff from receiving department.
- C. If further discussion with the donor is necessary, City staff and the PAC will meet with the donor to discuss appropriate sites, and receiving department or donor conditions, if any.
- D. The PAC shall review and make a recommendation to the Council.
- E. Generally gifts shall not be accepted unless sufficient funds are provided by the donor to pay for installation, framing or base (if applicable), display needs, and an identification plaque.
- F. The PAC shall send a recommendation to the Council for final action.
- G. If the work is accepted:
 - 1. City staff shall prepare the instrument of transfer and prepare a written implementation plan.
 - 2. The receiving department shall arrange for the actual installation of the work according to the specifications in the implementation plan.
- H. If the donation is to commission a work of art, the PAC shall initiate a selection process as outlined above.
- I. Works of art proposed for long term loan (one year or more) to the City shall go through a similar review process. Short term loan proposals shall be reviewed directly by the PAC, with a recommendation to the Council. If the loan is approved, all terms and conditions shall be set forth in an agreement signed by both parties.

**ARTICLE II
POLICY ON DISPLAY AND SITING WORKS OF ART**

SECTION 2.1. OBJECTIVES

- A. To establish a plan for the thoughtful display and siting of public works of art.
- B. To establish procedures for the display and siting of public works of art.

SECTION 2.2. DEFINITIONS

- A. Display: The temporary showing of a work of art
- B. Siting: The permanent installation of a work of art

SECTION 2.3. POLICIES

- A. In coordination with the Parks & Recreation Commission, the Library, City Hall, and all other city agencies with an interest in the siting of artwork, the PAC shall establish and recommend an Artwork Site Plan that identifies and prioritizes locations within the City for the placement of public art. Public art shall contribute to the specific site and the overall design and character of the community.
- B. The plan shall address permanent locations and the planned movement of appropriate works of art to various locations in the City.

SECTION 2.4. PROCEDURES

- A. The PAC shall establish and annually update an Artwork Site Plan. The plan shall be annually reviewed by the Council. Site or location priorities shall be based on specific criteria that include:
 - 1. Maximum visibility and public benefit.
 - 2. Public safety.
 - 3. Integration with formal City plans.
 - 4. Permanence.
 - 5. Appropriateness to the type, scale, and scope of potential projects.
 - 6. Security and ease of maintenance.
 - 7. Integration and coordination with proposed or potential private sector projects.
- B. Several general principles shall apply to the display and siting of public art. Works of art should be located:
 - 1. In uncluttered settings that are monitored by knowledgeable personnel.

2. Where it is protected from improper physical contact.
 3. Away from direct heat, air conditioning sources, or other harmful elements.
 4. Out of direct sunlight unless the work is intended for such exposure.
- C. Works of art should not be located in areas that are visually inaccessible to the general public.

ARTICLE III
POLICY ON DOCUMENTATION AND CONSERVATION OF WORKS OF ART

SECTION 3.1. OBJECTIVES

- A. To ensure the care of public works of art through systematic record keeping.
- B. To ensure regular examination, preservation, and restoration of public works of art.

SECTION 3.2. DEFINITIONS

- A. Conservation: A broad concept of care encompassing three activities: examination, preservation, and restoration.
- B. Preservation: Actions taken to retard or prevent deterioration or damage in works of art, and to maintain them in as unchanging a state as possible.
- C. Restoration: The treatment of a deteriorated or damaged work of art to approximate as nearly as possible its original form, design, color, and function with minimal further sacrifice of aesthetic integrity.

SECTION 3.3. POLICIES

- A. The PAC shall systematically document all works of art in the City's collection.
- B. The PAC shall examine all works of art on a regular basis.
- C. The PAC shall preserve all works of art in a planned and orderly manner.
- D. When works of art require restoration, the PAC shall provide a plan for such in cooperation with the City department that houses the work.

SECTION 3.4. PROCEDURES

- A. Conservation (Preservation & Restoration): If the City or a member of the PAC feel that, after review or examination, a work(s) needs to be conserved, a formal presentation to Council should be made addressing that need.
 - 1. If Council agrees, the PAC will contact the artist first for advice and information on the nature of the problem and request information as to the conservation of the work.
 - 2. If the artist can do the work, the City will consider making restitution to the artist for his or her time and materials.
 - 3. If the artist cannot do the work, the City, with a certified conservator will consider completing the repairs. The City will consider making restitution to the conservator for his or her time and materials.

**ARTICLE IV
POLICY ON DE-ACCESSIONING OF WORKS OF ART**

SECTION 4.1. OBJECTIVES

- A. To establish regular policies and procedures for reviewing the status of public works of art.
- B. To establish procedures for the de-accession, disposal, or relocation of public works of art.

SECTION 4.2. DEFINITIONS

- A. De-accessioning: The removal of an artwork from permanent display, whether it is disposed or not.
- B. Disposal: Actions that result in the cessation of ownership and possession of an artwork.

SECTION 4.3. POLICIES

- A. The City shall seek to ensure the ongoing presence and integrity of all works of art at the sites where they are located.
- B. At least once in every five year period, the status of all works of art acquired within the past five years shall be reviewed by the PAC. This review shall be taken cautiously in order to avoid potential influence of fluctuations in taste or immediate pressures of public controversy.
- C. For temporary work, removal or relocation shall generally not be considered before the work has been in place for 60% of its anticipated life span.
- D. Consideration for de-accession or disposal shall be subject to careful review procedures that shall include input from art professionals and the public. Criteria for reviewing public art shall address the work itself, and how it relates to the City's goals and policies for public art.
- E. A work of art may be considered for de-accessioning or disposal for the following reasons, including but not limited:
 - 1. The condition and security of the work of art cannot be reasonably assured.
 - 2. The work endangers public safety.
 - 3. The work is damaged and repair is not practical or feasible.
 - 4. The work requires excessive maintenance.

5. A suitable site for display of the work is no longer available. This could include a significant change in the use, character, or design of an existing site which affects the integrity of the work.
6. The work is not or is rarely displayed.
7. The quality or the authenticity of the work is called into question.
8. Removal is requested by the artist. Works may not be removed based on public opinion.

SECTION 4.4. PROCEDURES

- A. The review process shall be initiated by a majority vote of the PAC or specific direction from the Council.
- B. The PAC shall make an initial recommendation based on the following information, reviewed and discussed at open public meetings:
 1. Review of the artist's contract and other pertinent documents.
 2. Discussion of review with the artist, if he/she can be notified by reasonable means.
 3. Opinions of several independent professionals qualified to make recommendations (conservators, architects, engineers, safety experts, art historians, etc.)
- C. If reasonable measures exist to address the concern prompting review, the PAC shall so recommend to Council.
- D. If reasonable measures do not exist, or the Council determines that the recommended measures do not resolve the concern, the City shall consider the removal of the work.
- E. The PAC shall select a competent and independent panel of qualified persons to make a final determination for recommendation to the Council. The panel shall include a balance of viewpoints and could include: artists, curators, arts administrators, designers and architects, and members of the community.
- F. The panel shall consider, in order of priority, the following:
 1. Relocation.
 2. Remove the work and place in storage, with the intent of finding a new site for the work. If a new site is not found in a five year period, the work shall be removed from the City collection.
 3. Removal of the work from the City collection by sale, trade, or gift.
 4. Destruction of the work. If the panel cannot reach consensus, then a vote shall be taken, with majority rule.