



Resolution No: 17-2016

**RESOLUTION AMENDING THE PUBLIC ART ADVISORY BOARD AND PUBLIC ART POLICIES**

**WHEREAS**, Art is an integral part of the Park City community and support of public art is an established goal of City Council, and

**WHEREAS**, Art is a fundamental element and defining characteristic of Park City and the City has taken steps to promote and maintain the vision of the Public Art plan to facilitate and encourage public art and desires to amend the written policy for art and the Park City Public Art Advisory Board; and

**WHEREAS**, it is the goal of the current City Council to ensure a cohesive plan for public art exists to promote a sense of community and enhance the aesthetic quality of daily life by providing a sense of place; and

**WHEREAS**, Art shall stimulate the vitality and economy of the City and enhance Park City's standing as a leading cultural destination, encouraging creative expression; and

**WHEREAS**, Art should be accessible to the public, durable to the outdoor elements, safe to the public and compatible with City vision and goals; and

**WHEREAS**, the City Council shall appropriate one percent (1%) of qualifying Capital Improvement Project funds to be spent to acquire and integrate public art;

Now therefore it be resolved that,

**SECTION 1. BOARD AND POLICY ADOPTED.** The attached refinements to the Public Art Policy and subsequent Park City Public Art Advisory Board Policy is hereby adopted on Thursday, August 4, 2016.

**SECTION 2. EFFECTIVE DATE.** This Resolution becomes effective upon adoption.

PASSED AND ADOPTED this Thursday, the 4<sup>th</sup> day of August, 2016



PARK CITY MUNICIPAL CORPORATION

*Jack Thomas*  
\_\_\_\_\_  
Mayor Jack Thomas

Attest:

*Michelle Kellogg*  
\_\_\_\_\_  
Michelle Kellogg, City Recorder

Approved as to form:

*Mark D. Harrington*  
\_\_\_\_\_  
Mark D. Harrington, City Attorney

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## **Park City Public Art History**

### **Beginnings**

In an effort to enhance Park City as leading cultural destination, Park City Council has taken steps to promote and maintain the vision of the public art collection. The Public Art collection helps to ensure the aesthetic quality of daily life and provide a sense of place in the community for its citizens. Public Art is a fundamental element and defining characteristic of the City.

The Park City Art Foundation dedicated Park City's first piece of public art entitled *Park City Scope*, by artist James Mcbeth, in October, 1984. This piece currently resides at the south side of Park City's historic Miner's Hospital Building at City Park.

In February 1999, the Park City Summit County Arts Council established the first Art in Public Places plan to help create the framework for a strong and healthy public art program. The plan was formulated, in part, to help guide the selection process for the art at the Park City Transit Center, funded through a grant from the Federal Transit Authority. Criteria and standards were developed that were applied to this particular project.

In December of 2002 the first makings of a public art policy were presented and discussed by City Council.

In May of 2003 the planning department solidified the City's commitment to art by clarifying and codifying a section of the LMC to specifically address the placement of art on public property. Code section LMC 15-4-15 (Exhibit A) addresses requirements for light, safety, and appropriate outdoor materials as well as an application process for anyone who desires to put art on public property.

In July, 2003 Council allocated \$200,000 in funds as seed money for a new Public Art Program. In December 2003, a Public Art Policy was adopted by Park City Council establishing a Public Art Advisory Board to be administered by the Park City Summit County Arts Council. (Attached as Exhibit B).

In May of 2004, a seven-member Public Art Advisory Board was appointed by Park City Council to create this strategic art plan, make recommendations to City Council regarding public art placement and expenditures, and establish future funding opportunities for public art. By July of 2004, the Public Art Advisory Board in association with the Park City Summit county Arts Council prepared the first Park City Public Art Plan.

### **Today**

The arts are an integral part of the Park City community and have been for many years. Park City is filled with artworks throughout both the City. In addition, many art galleries, private collections, performance venues and non-profit organizations thrive in Park City and are dedicated to elevating arts and culture through the City.

City Council works with the Public Art Advisory Board as well as the Park City Summit County Arts Council to ensure a cohesive plan for public art is in place now and for the future. These groups continue to work together to enhance the quality of life in Park City and to promote the City's Public Art Collection. In order to accomplish this, continued collaboration among many City, County, and State departments, as well as community partners is essential.

Today, Park City's Public Art Collection has grown to more than 35 pieces in the permanent collection. Whether riding the bus, walking on Poison Creek Trail, visiting Main Street or the many City owned buildings, you will find artwork that both inspires the future and celebrates our past. A [Public Art Map](#) is available on the City's website and an inventory list is attached as Exhibit F.

## Glossary of Terms

**Deaccessioning** The removal of an existing permanent work of art from Park City's Public Art collection. The policy for deaccessioning is outlined in the attached re-siting and deaccessioning policy. (Exhibit C)

**Long Term** A period lasting of an extended period of time.

**Maintenance** To keep in an existing state to; preserve from failure or decline.

**Permanent** A period lasting or remaining unchanged indefinitely.

**Private Art** Any visual work of art owned privately, which is displayed in or on City Property for any length of time; or any visual work, financed either wholly or in part, with City funds or grants procured by the City, displayed in or on Private Property.

**Public Art** Any visual work of art displayed for any length of time in or on City Property and/ or on non-City property if the work of art is installed or financed, either wholly or in part, with City funds or grants procured by the City.

**Request for Proposals (RFP)** A solicitation, made through a bidding process, for procurement for submissions for a specific opportunity that requires development of a proposal. The RFP defines the specific requirements for the proposal, including the project budget, criteria and constraints, description of the project site, and format for submission of the proposal.

**Requests for Qualifications RFQ** Generally refers to the pre-qualification stage of the procurement process. Those who successfully respond to the RFQ may be requested to submit a Request for Proposal.

**Re-Siting** The relocation of an existing work of art in Park City's Public Art collection. The policy for Re-Siting is outlined in the attached re-siting and deaccessioning policy. (Exhibit C)

**Repair** To fix or mend something that results from damage or fault.

**Site-Specific** A work commissioned, created, purchased or donated for a particular place.

**Temporary** A period lasting of only limited time.

**Visual Art** Art forms of; sculpture, monument, mural, fresco, relief, fountain, banner, benches, architectural furniture. Works of art include, but is not limited to the art mediums of; weaving, carving, painting, assemblage, collage, welding, casting, mixed media, multimedia and sculpting.

### **Administration**

The commission of public art is an unusually subjective arena for the public sector. Questions of taste, style and content are complex matters to be addressed through a governmental process and the products of the public art program are highly visible to the public.

Park City's Public Art Advisory Board (PAAB) was established by Park City Municipal Corporation, and is supported by the Park City Summit County Arts Council. The Public Art Advisory Board shall have seven (7) members appointed by the Mayor and City Council. Composition of the Board will include representation from the community who live in the City Limits of Park City and are interested in serving on the Public Art Advisory Board. Board members shall serve for no more than two consecutive, three-year terms. Terms are staggered. Members must reapply for a second term. Appointments to fulfill vacant terms do not include term limits. Terms begin on July 1, end on June 30, or until vacancies are filled. Board members are not compensated.

The City Manager or his/her designee shall appoint a Staff Liaison to the board as ex-officio without vote. A City Council liaison shall also be appointed to the Board as ex-officio without a vote. It is encouraged that students from the community be included on the panel to serve ex-officio without vote.

The seven (7) member PAAB makes recommendations through the Staff Liaison who shall take recommendations to the City Manager or his/her designee or City Council regarding strategic planning, acquisition, expenditures, funding and budgetary requests, project identification, donations, proposals or qualifications, maintenance, repair, re-site or deaccession of public art, as well as and policy refinements. All decisions regarding Public Art shall be made final by the City Council.

The PAAB works to make recommendations to help promote and cultivate the Public Art Plan, Policy and Public Art Collection by expending funds on and facilitating works in order to as outlined in the General Plan:

- Stimulate vitality and economy of the City.
- Enhance Park City's standing as a leading cultural destination.
- Advance public understanding of visual art.
- Enhance the aesthetic quality of daily life and provide a sense of place.

### **Public Art Program Goals**

1. CREATE a cohesive public art program that is embraced by the Park City Community by selecting projects and works of art, excellent in both conception and execution, which enhance, celebrate, reflect and inspire the community's identity, environment, culture and history for the enjoyment of its citizens and visitors.
2. SELECT sites for public art which are significant to the community, the collection as a whole and will maximize interaction with the work.
3. MAINTAIN the collection with proper identification and care of the collection through use of appropriate and consistent signage, cataloguing and maintenance of Park City's public art collection. This includes ensuring that public art is safe, accessible, and durable.
4. EDUCATE the community by providing up to date educational materials and information about the public art collection. Public art may be used as a way to engage the community and as an element of outreach.



5. ADVOCATE for and assist with the facilitation of opportunities for visual art and artists through commissions, exhibitions and funding opportunities and partnerships.

### **Public Art Program Strategies**

1. DEVELOP a Strategic Plan to support the selection of works and projects for the Park City Public Art Collection, upon review of a cultural assessment of the Park City community
2. ESTABLISH guidelines for implementation of the Public Art Policy, including selection, purchase, donations, commission, placement, and maintenance of works of public art.
3. RECOMMEND placement, acquisition, maintenance, repair, re-site, de-accession, budget and funding for works of art and public art projects to the City Manager or his/her designee or City Council. Make annual updates to the City Council on the progress of the Public Art Policy and Collection.
4. ENCOURAGE early collaboration among artists with planners, architects, engineers, and appropriate departments and partners in the design of public facilities and spaces.
5. INVOLVE the Park City Community in advancing and enhancing public art. Provide opportunities for artists to work throughout the community in creating works which will be meaningful and appropriate to the selected settings. Find ways to incorporate public art as an element of community education
6. PROMOTE continued community involvement, partnerships and outreach for the Public Art Collection, including reviewing assessments of the Park City cultural community.
7. COLLABORATE with community organizations, entities and individuals including, the Summit County Park City Arts Council (SCPCAC) and Summit County Public Art Advisory Board (SCPAAB), to create unity and ensure uniqueness in Public Art Collections.
8. CONTRIBUTE to City revitalization and development efforts both in planning and execution of projects.

### **Overview of Public Art Selection and Approval Process**

1. Public Art Advisory Board identifies a project and presents a recommendation to the City manager including nature of the project, potential site location and budget.
2. Recommendation is reviewed by City Manager and Staff, and recommendation is brought to City Council for direction by the City Staff Liaison.
3. If approved by City Council, Public Art Advisory Board will generate a request for proposals (RFP) to artists in accordance with Park City's purchasing policy.
4. The Public Art Advisory Board shall review artists' proposals, who shall present their ideas with drawings, photographs, machetes or other visual models, technical considerations and project budget. The board will then make a selection based on the guidelines and criteria outlined in this document.
5. The Public Art Advisory Board will present their recommendation to the City Manager and or his/her designee, or City Council for final approval.
6. When projects are approved, Park City Municipal Corporation will enter into a contract with the artist and work in conjunction with the Public Art Advisory Board for installation through completion and final acceptance of the project.

### **Acquisition**

As the Public Art Advisory Board acquires works of art the Public Art Advisory Board shall make a recommendation to the City Manager or his/her designee with final authority by City Council.

### Donations

Citizens of Park City and others have offered to contribute to Park City's public art collection with generous gifts of artwork. It is the responsibility of the Public Art Advisory Board to review such proposed gifts on behalf of Park City.

In the case of a proposed donation of art to the Park City Public Art Program, the donor will present a proposal to the Public Art Advisory Board in accordance with the donation policy (Exhibit D), and the Public Art Advisory Board will vote to accept or reject the donation based on the goals and objectives as set forth in this policy. If accepted, the selection and approval process outlined above will be followed with the exception of the generation of a request for proposal. If rejected, the Board shall inform and make a recommendation to the City Manager or his/her designee. Final authority for appeals should be brought to the City Council.

### Specific Proposal by Artists

An artist or group of individuals may propose a project to the Public Art Advisory Board. If such a proposal meets the intent of the Public Art Policy, the Public Art Advisory Board shall make a recommendation and state rather a call to artists and request for proposals is required. The Park City Public Art Advisory Board's recommendation will be brought to the City Manager or his/her designee with final authority by City Council. If a call to artist and request for proposals is required, it shall follow the Park City Municipal purchasing policy as well as the selection and approval process outlined above.

### Purchase of Art

The Public Art Advisory Board may consider the purchase of a work of art if the piece identified meets the intent of the Public Art Policy. Once a piece is identified, the selection and approval process outlined above will be followed with the exception of the generation of a request for proposal. In this case, no more than ten percent (10%) of the cost of the work may go toward a dealer or agent.

### Design Criteria

The following are a suggested set of criteria which the Public Art Advisory Board shall use as guidelines in the identification, selection and acceptance of public art.

- 1. Quality:** Acquisitions for Park City's Public Art Collection shall be of exceptional quality and enduring value. Consideration shall include artists experience in successful projects, material selection craftsmanship and reflect enduring artistic quality.
- 2. Authenticity:** Successful art projects are authentic to the community and their surroundings. Work shall be original and not identical of something already exists in the collection. Works of art shall be compatible in style, scale, material, form and content with their surroundings, and should form an overall relationship with either the site and/or the collection as a whole.
- 3. Engagement:** A vital element of a successful Public Art Program is the connection of the work to the community. The artwork should have the ability to engage the community from conception to completion. A work with such engagement should help the community feel both ownership of the art, as well as, an ongoing appreciation of the work. Work may tell a story of the community's past or present, and may portray a sense of the place, people and spirit that live here. The



artwork may speak to a specific community, area or neighborhood or unite our diverse community.

4. **Creativity:** Creativity can be communicated through a wide range of artistic styles. The artist should be able to explain why their work is creative and how their concept solves the problem through vision, process, thoughts, ideas, feelings, use of materials and other areas. Artwork should create excitement, be unique and/or original and have the ability to inspire, create a sense of wonder. Artwork may be innovative or imaginative, and have the ability to transcend traditional ideas or techniques, and create new meaningful interpretations or to inspire the community and our imagination.
5. **Other Considerations:** Ensure that public art is safe, accessible, durable, as pertains to the appropriate time period of display of the work and is compatible with City Building codes. Artworks shall not require excessive maintenance or repair costs. Lighting and site preparations should be considered. Artworks that require frequent maintenance are discouraged. Artwork shall not create safety problems to the public or liability problems to the City.

#### **Artist Participation**

It is strongly recommended to involve artists at the earliest appropriate stage for each public art project. City planners and developers are encouraged to include artists on project design teams. There is an immeasurable value to artists' involvement – a new perspective and fresh approach from the artist's viewpoint can often bring a whole new sense to the project and, more practically, can save on expenses.

#### **Site Location**

The Park City Public Art Program is designed to celebrate Park City's culture with a strong appreciation for the arts. Appropriate site selection will assure that art is safe and accessible to both locals and visitors. The Public Art Advisory Board may consider all city-owned property and identify those locations that will maximize the public's interaction with art.

Commissions for art may consider how they relate to the particular site, the collection as a whole or be designed to create a reflective or enriching experience for the public.

#### **Community Involvement**

The Public Art Advisory Board holds monthly public meetings, which are open to the public subject to the State Open Public Meetings Act. Each meeting shall provide time within the agenda for public input.

Based on the findings of the Community Visioning, 'Sense of Community' is defined as *what unites Parkites – a common ground – despite diverse social, economic, and cultural backgrounds. While our natural setting and recreational opportunities brought many people to Park City, it is the strong sense of Community that keeps people here. It is essential to residents that the Sense of Community they know remains intact and retains its funkiness, diversity and playfulness. For Parkites, the presence of arts and culture adds to our quality of life through the abundance of diverse local opportunities to enjoy and explore the arts through many mediums.* The Community Visioning outlines several Goals and Strategies specific to ensure that arts and culture in Park City will continue to grow as a hub, encouraging creative expression.

### **Installation**

The artist shall be responsible for all applicable permits and fees, as pertains to the contract executed by the City and Artists, regarding the installation of the artwork. Consideration should be given to the preparation of the site well in advance of the installation date. All necessary materials, including mountings, anchorages, containments, pedestals, barriers, drains, power, lighting fixtures, etc., should be specified in the scope of work. The artist should consider installation design that addresses visibility and cohesiveness to the artwork, including, lighting, additional patinas, protective coatings, accessibility, safety, durability and purpose. The installation techniques should not detract from the artwork's function or aesthetics, and shall follow the rules as outlined to appropriate building and planning codes. Required notifications should be considered and coordinated with the proper authorities in advance of any work.

### **Maintenance**

The City of Park City takes great pride in its collection of owned and displayed works of art and recognizes the importance of this artwork to the cultural and economic wellbeing of the community. The City is committed to the documentation, preservation and maintenance of the collection. The Public Art Advisory Board (PAAB) shall be responsible for recommendations in regards to this process.

The goal of the Public Art Maintenance Policy is to maintain the City's collection of artwork to ensure long-term enjoyment of the collection and to take action to prevent the deterioration of works before they come to a state of disrepair or deaccession (Exhibit C).

A Maintenance Policy recommendation shall accompany each piece as it is accepted into the collection, as well as address continued maintenance and cleaning for pieces throughout the collection as a whole. The PAAB shall review the Park City Public Art Collection on an-going evaluation or as directed by City Council or the City Manager or his or her designee.

Artists shall be required to submit a schedule with recommended specifications and costs estimates for regular and annual maintenance based on the function, aesthetics, and materials of the artwork. Regular maintenance includes removal of accumulated dirt or dust, adjustments or lubrication of parts, and replacement of lights as necessary. Annual maintenance shall include reapplication of protective coatings, replacement or reapplication of parts, fixtures, paint or patina touch-ups as well as cleaning procedures. Maintenance Plans submitted by the artist shall also address concerns regarding vandalism mitigation.

Consideration of funding of the repairs, maintenance, or restoration of artwork should be taken into account when recommending artwork. The City will include maintenance provisions in the contract that stipulate the length of time the artist shall warranty the work and be responsible for repairs. Should the property, building or fixture on which the artwork is situated be damaged or destroyed, the PAAB shall make a recommendation with regards to the situation to the City Manager or his or her designee for final approval by the City Council.

### **Funding**

The key to sustaining a vibrant and diverse public art program is to establishing an on-going funding mechanism for the public art fund. The following are suggested possible methods to accomplish this.

1. **1% for Art:** This method stipulates that 1% of the cost of constructing or renovating a public building or site shall be set aside for artwork. The 1% allocation shall be first considered for art at the specific site where the improvements or construction have occurred. When appropriate the PAAB may recommend that funds be used outside of the project site. One percent allocations what remain after a project is complete shall be deposited into the general public art fund.
2. **Annual budget for public art:** Park City Municipal Corporation may elect to allocate a certain set amount for public art in each budget cycle with a recommendation from the PAAB for the general public art fund.
3. **Public – Private Initiatives:** A project may be funded partially through Public Art Funds and partially through private, business, development, civic and/or other organization contributions. Public art funding may be leveraged through challenge grant opportunities. Such contributions shall be recommended to and approved by the City Manager or City Council as pertains to the City's purchasing policies.
4. **Donation of Artwork:** Individuals, businesses and other organizations may choose to donate artwork to the Park City public art collection.
5. **Local, State and National Grants:** Park City Municipal Corporation and the Park City Summit County Arts Council may be eligible for grants to support the Public Art Program.
6. **Maintenance Funds:** The Public Art Advisory Board shall review and recommend a Maintenance Fund Budget for public art in accordance with the City's budget cycle. The PAAB shall recommend an annual budget plan with regards Annual Maintenance to the collection as a whole, as well as anticipated maintenance or reserve funds for items such as vandalism, documentation reports including preservation efforts and/or re-siting to include temporary storage as necessary.

The Public Art Advisory Board will consider all these options for funding, and present a funding recommendation to the Budget Department with final approval from City Council.

## **Exhibit A to Public Art Policies - Acknowledgements**

The authors gratefully acknowledge the contributions of Park City citizens who joined in the process to create this Public Art Plan. We also commend the work of the 1999 Art in Public Places committee for their hard work in establishing Park City's first Art in Public Places criteria and guidelines. Their work and resulting documents have served as models for the 2004 Public Art Advisory Committee. A few of the many active participants are listed below. Thank you all for sharing your vision and great ideas!

### **Public Art Original Project Sponsors**

- Park City Municipal Corporation  
Dana Williams, Mayor
- Park City Summit County Arts Council  
Brian Hess, Executive Director

### **2004 Inaugural Public Art Advisory Board**

- Ron Butkovich
- Julie Hopkins
- Bianca Mead
- Kathleen Metcalf
- Susan Packard
- Carol Potter
- Peter Roberts

### **2004 Park City Council Members**

- Kay Calvert
- Marianne Cone (Liaison to Public Art Advisory Board)
- Candace Erickson
- Jim Hier
- Joe Kernan

### **2004 Park City Staff**

- Tom Bakaly
- Alison Butz (Liaison to Public Art Advisory Board)
- Gary Hill
- Mark Christensen

### **2004 Consultation**

- Nancy Boskoff: Salt Lake City Arts Council
- Jim Glenn: Utah Arts Council Public Art Director
- Peg Bodell: Artist and past Park City Council

## **Exhibit B to Public Art Policies - Re-Siting and Deaccessioning Policy**

While the intent of acquiring public artworks is for long-term and permanent display, circumstances may arise that require the Public Art Advisory Board (PAAB) consider and upon review, give recommendation for re-site or deaccession a public artwork. This policy is designed to create a process to ensure that re-siting of a site-specific artwork and deaccessioning occurs thoughtfully, and impartially. The re-siting and deaccessioning policy applies to all the works in Park City's Public Art Collection, including those commissioned by or donated to the City.

### **Re-siting Works of Art**

The Public Art Advisory Board is charged with reviewing potential re-siting situations and may consider moving a public artwork for one or more of the following reasons:

- The site is being eliminated, is no longer publically accessible, or there are other changes in relevant circumstances that require a work be removed from the site.
- The site is being changed so that the artwork is no longer compatible with its setting.
- The condition and/or security of the artwork cannot be reasonably guaranteed at its current site.
- The artwork has become a danger to public safety.

If the PAAB decides that one or more of the above conditions exist, it may proceed as follows:

- Public Art Advisory Board members make a good faith effort to discuss re-siting with the artist or donor.
- If the PAAB is not able to recommend an alternate site, the artwork may be recommended for deaccession or placed into storage until other options become available.
- PAAB members refer the recommendation to the City Manager or his/her designee or to City Council with final decision made by the City Council.

### **Compromising Conditions**

If the structural integrity or condition of an artwork is critically damaged, rather through environmental impacts, vandalism or other unforeseen conditions, the City Council may authorize its immediate removal without the Public Art Advisory Board's recommended action. The work shall be placed in temporary storage. The Public Art Advisory Board shall be notified of the removal at the time the action is made. The Public Art Advisory Board shall recommend repair, re-site or deaccession within thirty (30) days of the notification.

### **Deaccessioning Works of Art**

Deaccessioning is a procedure for removal of an artwork from a public art collection. This applies to all works in Park City's collection, including those purchased by or donated to the City.

Deaccessioning shall only be considered after careful and impartial evaluation of the work by the Public Art Advisory Board after efforts have been found for the piece to be within disrepair, inability to re-site. All contractual documents relating to the work shall be consulted prior to the beginning or the deaccessioning process.

The Public Art Advisory Board may recommend dissension or disposal of works of art in the Park City Public Art Collection under the following criteria.

- A new site for an artwork cannot be found for a piece that needs re-siting.
- The artwork has been damaged or has deteriorated beyond reasonable repair.



- The artwork endangers public safety, and/or the condition or security of the work cannot be assured.
- The artwork requires excessive maintenance or has faults in design, concept, construction or workmanship.
- After proper and thorough community education and outreach, there is adverse public reaction to the artwork.
- The Public Art Advisory Board has made recommendations and findings that the work has no cultural value or is fraudulent or not authentic,

If deaccessioning is being considered, PAAB may recommend the following actions.

- Request that the artist or donor purchase or exchange the artwork.
- Sale through auction, gallery dealer resale, or direct bidding in compliance with laws governing surplus property. Proceeds from any such transaction shall be designated to the Public Art Fund for PAAB to apply to other projects.
- Trade through gallery or other institution for comparable work or works of comparable value.
- Donation of artwork to another governmental agency, non-profit organization or institution. Artwork shall not be given to City employees, City Council or City Board Members.
- Destruction of artwork that is unsalable, severely damaged and/or of negligible value.

Upon finding that a work should be considered for deaccessioning, the following steps shall be followed:

- Findings or suggestions that artwork should be deaccessioned, shall be brought to the attention of the Public Art Advisory Board.
- The contract pertaining to the artwork shall be consulted.
- The PAAB shall review findings, and when appropriate, the PAAB may gather professional opinions with regards to conservators, engineers, safety experts and or art historians, etc.
- After review, PAAB shall make a recommendation to the City Manager or his or her designee for all works valued at under \$10,000 and/or to the City Council for all works valued over \$10,000. City Council shall have final authority on all matters regarding deaccession of artwork.

**Exhibit C to Park City Public Art Policy - Park City Public Art Donations Policy**  
Guidelines and Criteria for Review Process of Proposed Gifts of Art

From time to time, the citizens of Park City and others have offered to contribute to Park City's public art collection with generous artworks and donations. It is the responsibility of the Public Art Advisory Board to consider and review such proposed gifts on behalf of the City.

The Public Art Advisory Board shall be responsible for considering all gifts to the City's Public Art Collection as pertains to the definition of Public Art. The Public Art Advisory Board shall make donation recommendations based upon the same selection design criteria it uses for acquiring works for the Public Art Collection

The donor will present a proposal to the PAAB, as for the process below, and the PAAB shall vote accept or deny the donation in accordance with the selection and approval process as outlined in the Public Art Advisory Board Policies. A request for proposal or qualifications shall not be required.

All decisions to accept or decline art donations shall be recommended by the Park City Public Art Advisory Board and brought to the City Manager or his or her designee. City Council shall have the final authority on all decisions regarding donations in accordance with the value of the donation based on the City's purchasing policies.

Those wishing to make a donation to the Public Art Collection, shall follow the following process:

**I. Written Proposal or Letter of Intent**

Any person, corporation or private entity desiring to make a donation to Park City's public art collection, shall submit a written proposal or letter of intent for the PAAB for its review. The material submitted should include a description and specifications of the proposed gift, including artist, title, dimensions, material, proposed location, value and a profile on both the artist and the donor. Depending on the proposed gift, other information that may be requested, such as, a maquette, drawing or photograph of the work, site drawings, installation details, a professional appraisal of the value of the work, and estimate for maintenance costs and maintenance instructions and schedule.

**II. Design Criteria**

In general, the acceptance and placement of donated works of art shall be considered in review of the Design Criteria (Quality, Authenticity, Engagement, Creativity, and Other Considerations) of the public art program: Circumstances, such as memorial gifts, may arise that cause additional criteria to be considered for donation approval.

**III. Site Criteria**

The proposed site for the donation should be described in the written proposal. The placement of artwork shall be appropriate to the size, scale, design and character of the particular site; The work may build a relationship to the space or natural environment. The artwork's relationship to pedestrian traffic patterns, visibility and public access to the work should also be considered. The Public Art Advisory Board shall have final recommendation of potential sites for donations.

The Public Art Advisory Board may ask for assistance in the review from city departments such as, Engineering, Building, Planning and Public Works or consult with design professionals on proposals that require their expertise before making a recommendation for approval or denial of the artwork.

#### **IV. Memorial Gifts**

Memorial gifts may raise other issues to be considered. The significance of the event or person being memorialized must be documented in the proposal. The memorial may represent broad community values and should be meaningful or thought provoking to future generations. The location for a memorial is particularly important in the consideration and the proposal should give a justification for the proposed site. The context of the proposed memorial and its relationship to the site will be considered.

#### **V. Associated Costs**

The donor should cover the costs of shipping or delivery, fabrication and installation of the artwork. The donor may be responsible for engineering requirements, design and cost of pedestal or display pad, lighting, structural support and foundation, and landscaping of the site with review and approval from the Building, Planning or Engineering Departments at the City.

Donations of artwork that require public art funds to be used to pay for site preparation, installation, framing, restoration or repairs shall be considered by the PAAB when voting on acceptance or denial of the work. In addition, the Public Art Advisory Board shall consider the maintenance and repair costs of the work. The Public Art Advisory Board shall evaluate such expenses at the time the work is being considered.

The PAAB shall be responsible for the costs of an identification plaque for the work.

#### **VI. Terms of Agreement**

In cases, when the artwork is to become the property of the City, the terms of Final Art Acceptance Agreement shall be included in the recommendation to the City Manager or his or her designee or to City Council in a form approved by the City Attorney's Office.

In cases, as to which the gift is to be on temporary loan or display to the City, the terms of such a loan will be included in a recommendation to the City Manager or his or her designee or to City Council in a form approved by the City Attorney's Office.

## **Exhibit D to the Park City Public Art Policy - Park City Public Art Board Member Policy**

Park City's Public Art Advisory Board (PAAB) was established by Park City Municipal Corporation, and is supported by the Park City Summit County Arts Council. Meetings are to be held on the same patterned day, time and location each month.

### **Makeup of the Board:**

The members of the Public Art Advisory Board shall have seven (7) voting members appointed by the Mayor and City Council. The Public Art Advisory Board shall have seven (7) members appointed by the Mayor and City Council. Composition of the Board will include representation from the community who live in the City Limits of Park City and are interested in serving on the Public Art Advisory Board. Board members shall serve for no more than two consecutive, three-year terms. Terms are staggered. Members must reapply for a second term. Appointments to fulfill vacant terms do not include term limits. Terms begin on July 1, end on June 30, or until vacancies are filled. Board members are not compensated.

The City Manager or his/her designee shall appoint a Staff Liaison to the board as ex-officio without vote. A City Council liaison shall also be appointed to the Board as ex-officio without a vote. It is encouraged that students from the community be included on the panel to serve ex-officio without vote.

### **Expectations of Board Members**

#### Voting Members

PAAB will review and work towards the goals and strategies of the Public Art Program Policies and Plans. The PAAB will:

- Read and review board agendas, meetings packets and minutes as well as any other necessary materials.
- Participate in and adhere to the annual Open Meetings Training provided by the Legal Department, review the Park City Officials Handbook, sign oath of office and disclosure statement.
- Attending City Council meetings or community functions as appropriate discussions or occasions arise.
- Annually appoint a Chair and Vice-Chair position. The Chair of the board is responsible for running meetings, including keeping the board focused on agenda items, keeping time at meetings, and summarizing motions that the board makes for minutes. Additionally the Chair may assist the staff liaison in setting meeting agendas and presenting at City Council or community events. The Vice Chair shall assist the Chair with duties as described above, when the Chair is unavailable or at the request of the Chair.
- All voting members shall make efforts to adhere to the attendance policy. Two (2) absences in a total year are allowed. Those members who are absent for more than the allowed limit shall be reviewed by the Public Art Advisory Board. Should the Public Art Advisory Board find reason to recommend removal of a member that does not uphold the attendance policy, City Council shall review the matter and confirm or deny the recommendation. Only voting members are allowed to make a motion and to vote on motions brought up by the board.

#### Voting Procedures

- Super Majority Voting is required for purchase or donation recommendations on projects with budgets exceeding twenty-five thousand dollars (\$25,000.00). PAAB participation is required for such purchase recommendations, with a minimum of six (6) voting members at the physical site of the meeting. Electronic participation is not permitted during these discussions. To recommend such projects, a majority of no less than four (4) voting Board members is required.
- Purchases or donation recommendations on projects with budgets that are less than twenty-five thousand dollars will require a minimum of four (4) voting members at the physical site of the meeting. Electronic participation is allowed, but those who are participating electronically may not vote on the recommendation of the purchase or donation. To recommend such projects, a majority vote of no less than three (3) voting Board members is required for such projects, as long as it does not result in a split decision.
- Purchases or donation recommendations on projects with budgets that are less than twenty-five thousand dollars will require a minimum of four (4) voting members at the physical site of the meeting. Electronic participation is allowed, but those who are participating electronically may not vote on the recommendation of the purchase or donation. To recommend such projects, a majority vote of no less than three (3) voting Board members is required for such projects, as long as it does not result in a split decision.
- Electronic Participation is allowed and shall be counted as attendance, however, there must be a quorum at the meeting site (for PAAB, this is 4 members).
  - Members will not be allowed to vote on purchases or donations by phone or email or other forms of electronic correspondence. Members will be allowed to vote on motions made during the meeting.
  - Board members are responsible for notifying the City Staff Liaison regarding Electronic Participation no later than three (3) business days in advance of their absence so that electronic connections and necessary documents can be acquired.
  - No more than two (2) forms of electronic participation shall be permitted at one meeting.

#### Non-voting Members

- Executive Director of the Park City Summit County Arts Council supports the PAAB. The Arts Council:
  - Provides input and serve as a resource to the Advisory Board.
  - Provides feedback regarding the work of the Arts Council and the Park City Public Art Advisory Board.
  - Serves as a resource for grant writing.
  - Promotes the Park City Public Art Collection.
  - Helps to form partnerships and collaborations between the Park City Public Art Advisory Board and the Summit County Public Art Advisory Board, as well as, other arts and culture organizations.
  - Expends funds provided by PCMC through Special Services Contract with the Arts Council (not the City funds appropriated for public art collection).
- Park City Council Liaison
  - Provides advise, and input – particularly from the City Council’s perspective - serve as a resource to the Advisory Board



- Provide input to the City Council related to the work of the, or at the request of, the Public Art Advisory Board
- Youth Liaison
  - Provides advice, and input – particularly from the youth perspective – serving as a resource to the Advisory Board.
- Staff member(s) from Park City Municipal Corporation will handle the administrative needs of the board. The staff member(s):
  - Advise, provide input, and serve as a resource for the PAAB, and coordinate communications with other City Departments on projects and assist in obtaining department approvals as needed.
  - Create and post agendas and board packets and distribute to the board prior to meetings.
  - Record meeting minutes and distribute both draft and final meeting minutes to the Board.
  - Give monthly budget updates to PAAB and disperse approved allocations for public art projects. Coordinate budgetary requests on behalf of the PAAB with the Budget department or at the request of the City Manager or City Council.
  - Manage public art projects in process from creation of Request for Proposals/Qualifications through completion and final acceptance of installation. This includes coordination, communication and management of Public Art Projects with other City Departments and the community.
  - Oversee updating the Public Art Plan, Strategic Plan and implementation of Public Art projects and manage the maintenance, repair and inventory of the Public Art Collection.
  - Provide input to the City related to the work of PAAB, including preparing reports for City Council meetings on items requiring direction from City Council and/or the City Manager.