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Park City Public Art Strategic Master Plan

Introduction

Brief History of Park City Public Art

Park City's first piece of public art entitled "Park City Scape", by artist James Mcbeth, was dedicated in October, 1984 by the Park City Art Foundation. This piece currently resides at the South Side of Park City's Miner's Hospital.

Since that time, several other public art projects have been commissioned by or donated to Park City. Most notably are the Bronzed Miner sculpture by Peter Fillerup on Main Street (1999), the Art at the Transit Center by various local and nationally known artists (2001), the "Life in the Ontario Mine" tunnel mural by local artist Paul Jakubowski (2001) and the "Moose on the Loose" (2003) collaborative fundraising project benefiting the Egyptian Theatre Company, the Kimball Art Center and the Park City Performing Arts Foundation. A unique aspect to Park City's Public Art includes the contributions of local artists Bill Kranstover and Mike Begay. Since the early 1990's these artists have collaborated and placed numerous pieces of metal sculpture throughout the City and County. Most recently, Park City Municipal has commissioned a new Olympic Legacy Sculpture by Los Angeles based Artist Cliff Garton and Salt Lake City based landscape design firm G. Brown and Associates to be installed on Hwy 224 in the fall of 2004.

Art has been an integral part of the Park City community for many years and has been promoted and permitted through many different processes. It is the goal of the current City Council to make sure a cohesive plan for public art is for the future to enhance the quality of life in Park City.

Park City's First Public Art Plan

In February 1999, the 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, but no mechanism for continued funding was established. This document has served as a model for the development of this plan.

Today

Park City has taken extraordinary steps to insure a livable and sustainable community for our citizens, while being recognized as one of America's most popular destination resort communities.

City leaders are committed to sustaining this momentum, and envision public art as a fundamental element, which can become a defining characteristic for Park City. 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 (attached as 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 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 all public art expenditures, and establish future funding opportunities for public art.

Program Objectives

1. To provide for a public expression that reflects the vitality of the cultural arts in our community.
2. Establish guidelines for implementation of the Public Art Policy, including selection, purchase, commission, placement, and maintenance of works of public art.
3. Establish a donations policy to accommodate the acceptance of gifted works of art to Park City.
4. To recommend the nature, type, acquisition and placement of works of art and art projects to the City Manager.
5. Make recommendations for future funding of the Public Art Fund.

Program Goals

1. To build a public art program that is embraced by the Park City Community.
2. To generate works of public art, excellent in both conception and execution, which enhance the community's environment for the enjoyment of its citizens and visitors.
3. To build civic identity and pride.
4. To provide opportunities for artists to work throughout the community in creating artwork which will be meaningful and appropriate to their settings.
5. To select sites for public art which are significant to the community and will maximize the public's interaction with art.
6. Contribute to downtown and neighborhood revitalization and redevelopment efforts.
7. Encourage early collaboration among artists, architects, and engineers, in the design of public facilities and spaces.

8. Ensure appropriate signage, cataloguing and ongoing maintenance of Park City's public art collection.
9. Provide educational materials and activities about the public art collection, and incorporate public art as an element of community education.
10. Ensure that public art is safe, accessible, durable, and compatible with community standards.
11. To encourage and promote community involvement in the creation of Public Art Projects.

Administration

The Public Art Advisory Board and Public Art Policy will be administered by the Park City Summit County Arts Council.

The seven member Public Art Advisory Board will focus on project identification, request for proposals, selection process including reviewing artists' proposals for each project, and making recommendations to the City Manager. At times, policy and planning issues may arise, and the Public Art Advisory board may recommend public art policy refinements.

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. The administrative process to address the issue of spending tax dollars on public art is to engage the expertise, through the appointment of the public art advisory board, of individuals who are knowledgeable in both practical and aesthetic matters regarding public art. In all cases, the Public Art Advisory Board will make recommendations to the City Manager, and the Mayor and City Council has the authority to make final decisions regarding all commissions of public art.

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 forwarded to City Council for direction.
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 as outlined in Park City Municipal Corporation's Executive Summary Document presented to City Council on May 6, 2004.
4. The Public Art Advisory Board will review artists' proposals, who generally will present their ideas in person with drawings or 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 selection to City Manager, who will review and forward a recommendation to the Mayor and Park City Council for final approval.
6. If 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.

Commissioned Art: From time to time, the Public Art Advisory Board may make a recommendation to City Council to commission a work of art or project at a particular site with a particular theme.

Donated Art: From time to time, 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. If accepted, the selection and approval process outlined above will be followed with the exception of the generation of a request for proposal.

Specific Proposal by Artists: An artist or group of artists may propose a project to the Public Art Advisory Board. If such a proposal meets the intent of the Public Art Policy, and is approved by City Council, a call to artist and request for proposals will be generated to insure the finest quality work, in accordance with Park City Municipal purchasing policy. In this case, the selection and approval process outlined above will be followed.

Purchase of Existing Art: The Public Art Advisory Board may consider the purchase of an existing 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 10 percent 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 will use as guidelines in the identification, selection and acceptance of public art.

- 1. Highest Quality Public Art:** Expect the exceptional! Acquire public art of the highest quality – worthy of Park City's scenic beauty. Acquisitions for Park City's Public Art Program shall be, in the judgment of the Public art Advisory Board, of exceptional quality and enduring value. Consideration will include artists experience in successful projects, material selection and craftsmanship.
- 2. Authenticity:** Successful art projects are authentic to the community and their surroundings. This element helps provide definition and pride for a community. Does the artwork speak to this specific community? Can this community understand the message or story of the art?
- 3. Celebration:** A vital element of a successful Public Art Program is the connection of the community through the "celebration of the creation" at its completion. This celebration may also become a ritual experience that occurs at a regularly scheduled time period throughout the life of the art. Such celebrations help community members to feel ownership of the art and "welcome" it into their everyday lives, and consider the "spiritual" nature of the art in relationship to telling the story of the community, past or present. The art should portray a sense of place and people that live in the community.

4. **Creativity:** It seems to be a constant struggle for artists to find the time, space, and energy to continue the creative process. We as a community should provide this opportunity and encourage each artist to find within themselves the spirit that communicates in new ways the thoughts, ideas, and feeling of being human and existing in this world. This creative spirit can be communicated in a wide range of artistic styles, from representational to abstract, and should be defined by each individual artist. We embrace and cherish the creative voice in every person.
5. **Other Considerations:** Ensure that public art is safe, accessible, durable, and compatible with community standards.

Artist Participation

It is strongly recommended to involve artists at the earliest appropriate stage for each individual 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 will be designed to celebrate our town as a cultural community with a strong appreciation for the arts. Site selection will assure that art is safe and accessible to both locals and visitors. The Public Art Advisory Board will consider all city-owned property and identify those locations that will maximize the public's interaction with art.

Commissions for site specific art may want to make a statement about the particular site, or be designed to create an interactive experience for the public.

Potential Donors of art must specify site requirements, and an inventory of potential sites will be available to donors.

Community Involvement

There is no specified avenue for public input provided in the Public Art Policy, but the Public Art Advisory Board supports holding public information meetings to assess the community's vision for and periodic review of Park City's public art program.

Based on the findings of the 1999 Art in Public Places Committee, the Park City community desires Park City's public art collection to be diverse, including: permanent and temporary art; sculpture, paintings and other media covering a wide range of sizes, styles and themes; art placed at outdoor and indoor locations; integrated into the design of local buildings and parks; and providing opportunities for youth participation.

The community's shared vision also suggests high expectations for a well-managed program. A key to a successful public art program, community members say, will be secure, stable funding. Also essential is professional management and oversight of the public art program.

Installation

The artist will be responsible for all applicable permits and fees 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, lighting fixtures, etc., should be specified in the scope of work. The artist should consider installation design that addresses visibility, cohesiveness to the artwork, lighting, additional patinas or protective coatings, accessibility, safety, durability and purpose. The installation techniques should not detract from the artwork's function or aesthetics. Required notifications should be considered and coordinated with the proper authorities in advance of any work.

Maintenance

A schedule and specifications for regular or annual maintenance should be suggested by the artist based on the function, aesthetics, and materials of the artwork. Regular maintenance includes removal of accumulated dirt, adjustment or lubrication of parts, and vandalism mitigation. Annual maintenance includes reapplication of protective coatings, replacement or reapplication of parts, and paint or patina touch-ups. Consideration should be given for future funding of the repairs, maintenance, or restoration of the artwork.

The applicant will include maintenance provisions in the artwork contract that stipulate the length of time (typically one year) the artist will be responsible for repairs. During the life of the artwork the artist will have the first right to repair and restore for a reasonable fee agreed upon by the artist and artwork's owner. Should the property, building or fixture on which the artwork is situated be destroyed, and the owner relinquishes their ownership, the artist will be given the right of first refusal to buy and relocate the piece.

Maintenance policies are clearly delineated in the commissioned art contract executed between the artist and Park City Municipal Corporation.

While the intent of acquiring public artworks is for long-term display, circumstances may arise requiring that the Park City Public Art Advisory Board recommend re-site or remove a public artwork. (See Exhibit C "Re-siting and Deaccessioning Policy")

Funding

The key to sustaining Park City's public art program is to establishing an on-going funding mechanism for the public art fund. The following are suggested 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 may be used for art at the specific site where the improvements or construction have occurred, or may 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.
3. **Public – Private Initiatives:** Public art project funding may be leveraged through challenge grant opportunities. A project may be funded partially through Public Art Funds and partially through private or corporate contributions.
4. **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.

The Public Art Advisory Board will consider all these options for funding, and present a funding recommendation to the City Manager.

Glossary of Terms

“Public Art” means any visual work of art displayed for two weeks or more in an open city owned area, on the exterior of any city-owned facility, inside any city-owned facility in areas designated as public areas, 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.

“Work of art” includes, but is not limited to the **art forms** of; sculpture, monument, mural, fresco, relief, fountain, banner, benches, architectural furniture, and performance art facilities. Works of art include, but is not limited to the **art mediums** of; weaving, carving, painting, assemblage, collage, welding, casting, and sculpting.

“Request for Proposals” A request 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.

“Re-Siting” means 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)

“Deaccessioning” means the removal of an existing 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)

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!

Project Sponsors

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

Public Art Advisory Board

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

Park City Council Members

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

Park City Staff

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

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 A

Park City Land Management Code

15-4 -15. OUTDOOR DISPLAY OF WORKS OF ART ON PUBLIC/CITY-OWNED PROPERTY.

(A) **POLICY AND PURPOSE.** It is the intent of Park City to encourage and accommodate the placement and enjoyment of outdoor public works of art. Therefore, certain public/City-owned Properties are available for the display of art that promotes the visual interest, and economic vitality of Park City's Historic, resort-based community; promotes aesthetic enhancement through artistic expression; and contributes to the festive nature of Park City's world class resort atmosphere. Accordingly, the City has adopted the following criteria:

(B) **REVIEW CRITERIA.** The outdoor display of works of art on City-owned Property shall be reviewed by the Planning, Engineering, and Building divisions for compliance to the following criteria:

- (1) The display must comply with the height and Setback requirements of the Zoning District where it is located.
- (2) Displays in excess of six (6) months must be designed and created with materials that will withstand the weather conditions and the elements.
- (3) The display must comply with all applicable Building Codes.
- (4) In cases where the City is not the Owner of record of the work of art displayed, the City accepts no liability in cases of damage or theft of the art.
- (5) No sale price may appear on the work of art, however, the name of the artist, the name of a gallery sponsoring the art, the name of the art work, and/or a brief narrative specific to the work of art, not exceeding one square foot (1 sq. ft.), may be attached to the work of art or its support base.
- (6) The display shall not create a hazard to the public due to moving parts, sharp edges, or extension into public Rights-of-Way, including sidewalks, or pedestrian and vehicular Areas; nor shall the display restrict vision at intersections.
- (7) All lighting shall conform to the lighting regulations in Land Management Code Chapter 15-5-5(l) Lighting.

(C) **CITY COUNCIL REVIEW.** Upon compliance with all criteria set forth in this section, the City Council shall review and take final action on all requests for the outdoor display or works of art on City owned Property. The City Council may seek a recommendation on requests for the outdoor display or works of art on City-owned Property from the Planning Commission, arts-related advisory boards, or a specific task force that may be appointed by the City Council prior to taking final action. The City and the Applicant shall execute all necessary agreements prior to installing any approved public art on City-owned/public Property.

(Amended by Ord. No. 03-35)

Exhibit B

Public Art Policy

Adopted by Park City Council December 2003

PURPOSE OF THE POLICY

The purpose of this policy is to establish a process for the selection, purchase, commission, placement, and maintenance of works of art via the expenditure of the monies generated through the Public Art fund established in the Park City Municipal budget for FY 2003-04 and FY 2004-05 and subsequent funding mechanisms.

INTENT OF THE POLICY

It is the stated intent of the Public Art Policy to direct the inclusion of public art in order to expand Park City citizens' experience with works of art and enable them to better understand their communities and their individual lives. By encouraging artists capable of creating works of art in public places, the Public Art Policy shall strive to stimulate the vitality and economy of the City and enhance Park City's standing as a leading cultural destination. Thus, it is the goal of the Public Art Policy to expend the funds on and facilitate works of art and art projects of redeeming quality, which advance public understanding of visual art and enhance the aesthetic quality of daily life and provide a sense of place.

GENERAL TERMS

“Public Art” means any visual work of art displayed for two weeks or more in an open city owned area, on the exterior of any city-owned facility, inside any city-owned facility in areas designated as public areas, 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.

“Work of art” includes, but is not limited to the **art forms** of; sculpture, monument, mural, fresco, relief, fountain, banner, benches, architectural furniture, and performance art facilities. Works of art include, but is not limited to the **art mediums** of; weaving, carving, painting, assemblage, collage, welding, casting, and sculpting.

ADMINISTRATION OF THE PUBLIC ART ADVISORY BOARD AND POLICY

The Public Art Advisory Board and Public Art Policy will be administered by the Park City Summit County Arts Council for FY 2003-04 and FY 2004-05. The administration of the Public Art Board and Public Art Policy shall be a separate and additional cost to the \$200,000 Public Art Fund. City Council has approved an additional \$6,750 for the annual administration of the Public Art Advisory Board to be distributed to the Arts Council in monthly installments of \$562.50. This would be in addition to their current service contract with the city. It is understood that with the funds the City provides for specific projects, the administrator of the funds will work to leverage funds for additional projects and works of art.

COMPOSITION AND FUNCTION OF THE PUBLIC ART ADVISORY BOARD

The Public Art Advisory Board shall have seven (7) members appointed by the City Council. Composition of the Board will include representation from the professional art community and the general public, and should consist of visual artists, performing or film artists, a design professional, an art educator, art professional, producer, designer, gallery director, or curator, and representatives from the Park City community and business community who are interested in serving on the Public Art Advisory Board. Board members shall live in Park City proper. Board members shall serve for no more than one two-year term every five years. The Special Events and Facilities Manager or her designee shall serve ex-officio without vote. It is also encouraged that students from the community be included on the panel to serve ex-officio without vote. Staggered terms shall be assigned by the City Council in the selection process. This board shall be reviewed as part of the budget process in 2005.

The primary functions/responsibilities of the Public Art Advisory Board are:

1. Review a cultural assessment of the Park City cultural community.
2. Create a strategic public art plan that would include public art policy refinements and recommendations of expenditures of the Public Art Fund. Ensure that public art is safe, accessible, durable, and compatible with community standards.
 - 2a. Upon completion of the strategic public art plan and review of the cultural assessment, the Public Arts Advisory Board shall meet with City Council in a work session to obtain approval.
3. Establish guidelines for implementation of the Public Art Policy, including methods of selecting artists and commissioning works of art. Process must be consistent with City purchasing procedures.
4. Process public art proposals submitted to Park City Municipal and make recommendations regarding appropriations for works of art and art projects to the City Manager.
5. Review, on an annual basis, the artwork projects of the Public Art Policy as a reflection of the program's intent, and recommend appropriate maintenance requirements.
6. Make recommendations for future funding of the Public Art Fund.
7. Make recommendations for the establishment of a contribution percentage for art based on construction cost of public and private development.
8. Make quarterly updates to the City Council on the progress of the Public Art Policy.

After the Public Art Advisory Board makes recommendations to City Council, the Council shall have final approval.

APPROPRIATION AND ALLOCATION OF FUNDS

The Public Art Advisory Board shall develop recommendations to the City Council regarding the specific allocation of the \$200,000 public art fund established in July 2003. The following are several options to be considered. Consistent with these policies, art will not be approved without review by City staff and the approval of City Council.

1. “Art on the Corner” Concept: Art on the Corner is a unique outdoor sculpture project designed to recognize the arts, develop community pride and draw people to the Main Street. This exhibit would be free to the public and can include many sculptures in a variety of media and styles. A small portion of the \$200,000 could be allocated as seed money for this type of program after which the program would become self-sustaining.

2. Public Art at Existing Public Buildings: City buildings may be selected for site specific Public Art. Possible Locations are Marsac Building, Carl Winters Library and Education Center, Miners Hospital Plaza, McPolin Farm. At the Transit Center, seven of the nine muses currently exist. The infrastructure for two additional muses is in place. The Board should consider commissioning the final two muses.

3. Art in Parks and Trails: Art parks and art along our city trail system would enhance the value of both. Specifically along the Poison Creek Trail system that would encourage pedestrian activity from City Park to Main Street. This program could include, but not be limited to sculpture, sound gardens, Murals painted inside the 4 remaining bare tunnels, performance kiosks, etc.

4. Specific Proposals by Artists or Purchase of Existing Art: The Public Art Advisory Board will consider specific proposals from artists, as well as the purchase of existing work. The commission will determine policy and criteria for the selection process.

5. Maintain and/or complete existing Public Art Property: The existing six Public Art pieces/sites owned by Park City Municipal Corporation are in a variety of disrepair and completion. The Public Art Advisory Board should consider value and original contracts to consider investing additional funds in this inventory. This might include: completion of the Transit Center art and Poison Creek tunnel murals projects, cleaning of the Bronze Miner, and plaster/paint repair of the Swede Alley Mural.

Exhibit C

Re-Siting and Deaccessioning Policy

While the intent of acquiring public artworks is for long-term display, circumstances may arise that dictate that the Public Art Advisory Board (PAAB) recommend 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 infrequently, thoughtfully, and without influence by fluctuations of taste.

RE-SITING SITE-SPECIFIC WORKS OF ART

A site-specific work refers to an artwork commissioned and created for a particular place.

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.
- 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 these conditions exist, it will proceed as follows: Public Art Advisory Board members make a good faith effort to discuss re-siting with the artist.
- If the artist agrees with the new location, PAAB members refer the recommendation to the City Council for approval. The piece is reinstalled.
- If the artist does not agree, he/she has the right to prevent the use of his/her name as the author of the artwork, as stipulated in the Visual Arts Rights Act.
- If the PAAB does not approve an alternate site, the artwork may be deaccessioned.

DEACCESSIONING WORKS OF ART

Deaccessioning is a procedure for removal of an artwork from the Public Art Collection. This applies to all works in Park City's collection, including those purchased by the City and donations. In the latter case, staff will consult legal documents relating to the donation before beginning the process. Deaccessioning will only be considered after careful and impartial evaluation of the work within the context of the collection as a whole. The PAAB will use the following criteria in determining when deaccessioning is warranted:

- A new site for a site-specific work cannot be found.
- The artwork has been damaged or has deteriorated beyond reasonable repair.
- The artwork endangers public safety.
- The artwork requires excessive maintenance or has faults in design or workmanship.

If the PAAB decides that one or more of these circumstances exist, it proceeds as follows: If the structural integrity or condition of an artwork is compromised, the City Council may authorize its immediate removal, without the Public Art Advisory Board's action or artist's consent. The City Council will declare a state of emergency and have the work placed in temporary storage. The artist and Public Art Advisory Board must be notified of this action within 30 days. The Public Art Advisory Board will recommend either repair and reinstallation or deaccessioning.

- Staff makes a good faith effort to notify the artist that his/her work is being considered for deaccessioning.
- PAAB reviews conditions as reported by staff and any special advisors, such as conservators and technicians, and votes to recommend deaccession of the work.
- PAAB considers and acts upon one of the following:
 - First option for trade or purchase to artist.
 - Sale through auction, gallery or direct bidding in compliance with laws governing surplus property. Proceeds go to the Public Art Fund, established by Park City Municipal in July 2003, for PAAB to apply to other projects.
 - Trade through gallery or other institution for comparable work by the same artist.
 - In the case of damage beyond repair, offer of materials back to artist.

Exhibit D

Park City Public Art Donations Policy Guidelines and Criteria for Review Process of Proposed Gifts of Art

Through the years, generous people have made gifts of artworks to Park City, thereby enriching Park City's public spaces and fostering civic pride among its citizens. With the creation of Park City's Public Art Program and assignment of program management to the Public Art Advisory Board, the Board is also responsible for considering all future public art gifts to the city. All decisions to accept or decline art donations will rest with the Public Art Advisory Board. The Public Art Advisory Board will make donation recommendations based upon the same selection criteria it uses for acquiring works for the Public Art Collection (see Design Criteria).

Anyone wanting to donate public art must follow the following process.

I. Written Proposal or Letter of Intent

A written proposal or letter of intent must be submitted to the Park City Public Art Advisory Board for their review. The material submitted should include specifications of the proposed gift, including artist, title, dimensions, material, proposed location, and a profile on both the artist and the donor. Depending on the proposed gift, other information that may be requested could include 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. General Standards

In general, the acceptance and placement of donated works of art should be in accordance with general standards of the public art program. The proposed site should be described in the written proposal. The location and design of the gift should be consistent with the character and design intentions of the proposed site. The quality, scale and character of the gift should be appropriate to the particular site. Maintenance, public safety and vandalism issues will also be considered.

Donations of works of art that require public art funds to be used to pay for site preparation, installation, framing, restoration or repairs are not encouraged. The Public Art Advisory Board will evaluate such expenses at the time the work is being considered.

The Public Art Advisory Board may ask for assistance in the review from such city agencies as Engineering or Planning before making a recommendation. Should the gift be proposed for a historic building, site or district, the Public Art Advisory Board will consult with the Planning staff and the appropriate Historic Commission. The Public Art Advisory Board may also choose to consult with design professionals on issues that require their expertise.

III. Memorial Gifts

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

IV. General Criteria

In general, as with all public art, the following criteria will be considered: Quality and artistic merit, pedestrian traffic patterns, public safety, relationship to built and natural environment of the site, users of the proposed site, future development plans for the site, landscape design, existing artwork at the proposed site, environmental concerns, visibility and public accessibility to the work.

V. Associated Costs

In general, the donor should cover the costs of shipping, fabrication and installation. If necessary to the project, the donor should also be responsible for engineering requirements, design and cost of pedestal, identification plaque, special lighting, structural support and foundation, and landscaping of the site (each of which would require review by the City). In some cases, the donor may establish a maintenance fund for the work.

VI. Terms of Agreement

An agreement will be drawn up for signature by the City and the donor, providing the terms of acceptance of the gift. In most cases, the artwork will be donated outright and become the property of the City. In some cases, the gift may be on long-term, permanent, or temporary loan to the City, in which case the terms of such a loan will be included in the agreement.