

**CITY OF MONROE**

**POLICY SUBJECT:**        **Public Art**

**REFERENCE NUMBER:**

**EFFECTIVE DATE:**        July 23, 2019

**APPROVED:**

\_\_\_\_\_ Mayor                      \_\_\_\_\_ City Administrator

**SUBMITTED TO COUNCIL:**

\_\_\_\_\_ N/A                        X   Yes                      Date: July 23, 2019

## 1.0 PURPOSE:

- 1.1 The City of Monroe views public art as integral to the Monroe community's fabric by improving quality of life, enhancing community identity, strengthening economic development and tourism, and enriching the spirit and pride of its citizens. To this end, the City may periodically acquire, fund or otherwise commission the creation of certain works of art for installation and display on designated areas that are owned or controlled by the City. The purpose of this policy is to establish the standards and procedures that will inform the selection of such public art and its location. All acquired art are subject to be added to the City's asset inventory listing as applicable.
- 1.2 This policy only addresses the selection of public art that that is acquired, funded or otherwise commissioned by the City. This policy does not address or otherwise purport to regulate the display of art by members of the public in places and/or in the manner otherwise allowed under applicable federal, state and local law. Without prejudice to the foregoing, nothing in this policy is intended to create a public forum for the purpose of expression.
- 1.3 The City may periodically designate one or more areas of public property for temporary artistic displays, including without limitation art shows, contests similar events. The standards and procedures governing such temporary displays shall be established by separate policy and are not set forth herein.

## 2.0 KEY TERMS

- 2.1 **"Public Art"** means: (i) any visual work of art; (ii) that is lawfully displayed on a permanent or semi-permanent basis in an area owned or controlled by the City, including without limitation on the exterior of any City-owned facility, inside any City-owned facility, or on other property that is leased or otherwise controlled by the City; and (iii) that is acquired, funded or otherwise commissioned, in whole or in part, by the City.
- 2.2 **"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. Work of art includes, but is not limited to, the art mediums of: weaving, carving, painting, assemblage, collage, welding, casting, and sculpting.
- 2.3 **"Selection Committee"** is a body composed of City staff and invited representatives from local organizations such as: the Monroe Park Board, Monroe Planning Commission, Monroe Arts Council, Monroe Chamber of Commerce, and Downtown Monroe Association, as appointed by the Mayor.

### **3.0 PUBLIC ART GOALS**

- A. To curate a diverse public art collection.
- B. To facilitate exposure to public art.
- C. To use public art to reflect the characteristics of the greater Monroe community.

### **4.0 SELECTION CRITERIA**

Proposed public art acquisitions will be evaluated on the following criteria:

#### **4.1 Work shall exhibit artistic quality and craftsmanship.**

Does the proposed artwork have a strong aesthetic merit? Criteria for aesthetic quality should include:

- A. Durability and craftsmanship in fabrication;
- B. Relationship of artwork to other works in the City's public art collection as a whole;
- C. Appropriateness of artwork scale to the proposed site;
- D. Appropriateness of artwork to other aspects of its surroundings; and
- E. Artist's credentials and recognition.

#### **4.2 Work shall be original.**

#### **4.3 Works that incorporate and/or reflect Monroe's natural geographical features, rich history and cultural diversity shall be encouraged (*media, subject matter, size, etc.*).**

#### **4.4 Works shall not include nudity, pornography, obscenity, profanity or overtly partisan and/or political advocacy.**

#### **4.5 Work shall be suitable size and media for the recommended site.**

#### **4.6 Budget and Contractual Information.**

- A. Projected costs must be accurate and realistic as demonstrated by artist/fabricator and/or installer estimates.
- B. If the site present special obstacles (e.g. poor drainage, steep slope) have these obstacles been adequately addressed?

#### **4.7 Vandalism and Safety.**

In considering the type, size and location of proposed works of art, any relevant concerns regarding potential vandalism and public safety issues shall be taken into account.

- A. Description of potential safety hazards and how they have been addressed.
- B. Describe elements of the artwork that might the work be prone to vandalism and how this potential for vandalism has been addressed.
- C. Describe how specific issue of graffiti vandalism has been addressed.

#### **4.8 Durability - Routine and Long-Term Maintenance.**

- A. Estimated accounting of on-going maintenance requirements and cost.
- B. Dimensions.
- C. Materials.
- D. Colors.
- E. Power, plumbing or other utility requirements.
- F. Construction/installation method.
- G. Fabricator is qualified to install the work and carries adequate insurance to meet city standards.

#### **4.9 Timeline**

Can the proposal/ artist meet the timeline established?

### **5.0 AQUISITION, MEMORIAL PUBLIC ART CONSIDERATIONS, RELOCATION AND DEACCESSION PROCEDURES**

#### **5.1 Acquisition**

##### **5.1.1 Call for Art**

###### **A. Eligibility:**

Whenever the City desires to commission the creation of a work of art, the City shall develop and issue a call specifying the general parameters of the proposal.

###### **B. Selected Location for Public Art Display:**

City shall select public locations for public art display subject to space availability, applicable regulations and policies, and prioritization of public uses. The City Council shall make the final determination regarding the specific location for the installation of public art.

###### **C. Specifications:**

1. City shall select a suitable scale for dimensions and artistic quality of public art.
2. Each work of art must require minimum maintenance and be able to withstand the effects of weather, be as resistant as possible to vandalism, able to withstand possible pedestrian contact, and not impede either walking or driving traffic.
3. It is the artist's responsibility to deliver the work of art at the specified site by the established deadline.
4. The City of Monroe reserves the right to reject any work of art that, when completed, differs from the original proposal, or does not meet standards of durability, safety, and quality.
5. Installation/Anchoring specifications to be determined by the City of Monroe for installation of the selected sculpture.

**D. Purchase Amount:**

To be determined on a case-specific basis through dedicated budgeting funding actions taken by the City Council.

**E. Selection Process:**

City shall develop a case-specific selection process utilizing selection criteria described in Section 4 of this policy.

**5.1.2 Unsolicited Donation**

- A. All accepted donated works become part of the City art collection and, as such, may be relocated at the City's discretion unless otherwise specified by contract.
- B. Unrestricted monetary donations to help fund public art acquisitions may be accepted by the City at any time. Donations with conditions or restrictions, such as use for acquisition of a specific artwork or theme, will be reviewed and accepted in accordance with this policy and any other applicable regulations, and shall be declined if the conditions or restrictions are not approved.
- C. For a work proposed for loan to the City and/or temporary display, the owner or owner's representative will be required to enter into an Art Display Agreement, in a form approved by the City Attorney, setting forth the length of the loan and other terms such as location, maintenance requirements, insurance, value of art work, installation and removal responsibility, and other conditions pertinent to the agreement.
- D. Donated or loaned/temporary art work will include identifying plaques if accepted by the City at the sole cost of the donor.
- E. If applicable, loaned artwork may be subsequently purchased by the City if there is sufficient public support to acquire it via public fundraising or City Council action.
- F. The provisions of this policy shall be construed in accordance with, and shall be subordinate to, the applicable requirements of Chapter 3.40 MMC.

**5.1.3 Memorial Public Art Considerations**

- A. Donation of memorial artwork can honor the memory of an event (contemporary or historical), an occasion, an outstanding member of the community, or serve a similar purpose.
- B. Proposed commissioned memorial art shall not ordinarily honor a living person, unless that person has made a significant and outstanding

contribution to the arts, sports, sciences or civic service. A waiting period of at least one year should elapse from the time of (1) the initial nomination of the living individual, (2) the passing away of the deceased individual(s) or, (3) the occurrence of the event in order to be eligible for consideration as a commissioned memorial public art work.

- C. Proposed memorial public art shall be reviewed by a Selection Committee with recommendation to the City Council. The Selection Committee will work with the donor and relevant City Departments to recommend an appropriate site for the work. For proposed memorial public art to be sited in a park, a recommendation from the Monroe Park Board will also be requested. The recommendation may endorse one of the proponent's proposed ideas or may recommend a different design approach or public art location.
- D. Memorials accepted by the City become a part of the City art collection and, as such, may be relocated.
- E. Proposed memorial public art will be evaluated on the following criteria:
  1. The fit of the art work with the overall character of public art already on display throughout the City.
  2. It's consistency with City interests as defined in Section 3 of City's Donation Acceptance Policy.
  3. The timeless qualities of the art work, including its significance and appeal to future generations. Memorial proposals honoring individuals or a personal event should be represented in a form that has a broader community interest and moves the viewer to a special experience. Examples include community parks, landscaped gardens and plazas, sculpture and art works, plaques about history or the environment, poetry, fountains, park benches, and site furnishings.
  4. The art work's success in expressing the spirit of the person(s) or event to be commemorated.
  5. Memorial artwork should not set a precedent that goes against the criteria outlined above. Artwork should be congruent with the existing collection, its immediate environment and site specific existing artwork.
  6. The artistic merit of the art work.
  7. The proposed location of the art work. The location should be an appropriate setting for the memorial and should not interfere with existing and proposed circulation and use patterns. It is recognized that a particular location may reach a saturation point and it would then be appropriate to consider limitations or a moratorium on future memorial installations at that location or area.
  8. The fit in terms of the size, scale, material, form and style for the area in which it is to be placed.
  9. Condition, durability, installation, and maintenance requirements of the art work.

## **5.2 Relocation**

The purpose of this section is to provide procedures for the relocation of City owned or loaned art work.

The City may relocate any public art work if one or more of the following criteria are satisfied:

- A.** The condition or security of the art work cannot be reasonably guaranteed in its present location.
- B.** The art work presents a public safety risk in its present location.
- C.** Significant changes in the use, character or actual design of the site require a re-evaluation of the art work's relationship to the site.
- D.** A more suitable location for the artwork has been identified by the City that may include other civic organization sites within the City by written agreement between the City and civic organization.
- E.** The site is needed, in the City's sole discretion, for different public use.
- F.** The art work no longer meets the mission and goals of the Public Art Policy.

## **5.3 Deaccession**

To provide procedures for the deaccession of City owned art work.

- A.** Review of any restriction which may apply to the specific work.
- B.** Assessment of options for storage or disposition of art work, which may include sale, trade, return to the artist, or gift.
- C.** Analysis of reasons for deaccessioning and recommendation to City Council for the final decision.

## **6.0 Modification; Third-Party Rights.**

The City may modify, supplement and/or repeal this policy at any time in the City's sole discretion. This policy is for the exclusive use and convenience of the City. Nothing herein shall be construed as vesting any enforceable rights in or for any other parties.

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