

**CITY OF LIBERTY LAKE,
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 19-254**

**A RESOLUTION ADOPTING A PUBLIC ARTS POLICY AND PROCEDURES
FOR THE CITY OF LIBERTY LAKE, WASHINGTON**

WHEREAS, the addition of public art in the City of Liberty Lake adds value and a sense of community to the City and its citizens;

WHEREAS, the Public Art Policy and Procedures provides guidelines for elected officials, members of the Parks and Arts Commission, and City of Liberty Lake employees in acquiring and maintaining public art; and

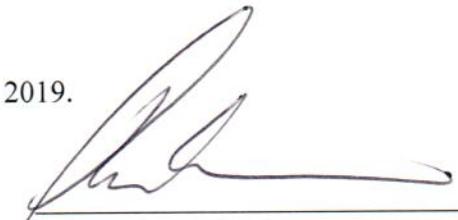
WHEREAS, the establishment and maintenance of public art policies and procedures also benefits the citizens of the City of Liberty Lake.

NOW, THEREFORE, be it resolved by the City Council of the City of Liberty Lake, Washington as follows:

Section 1. Public Art Policy and Procedures Adopted. The policies and procedures for acquiring and maintaining public art in the City of Liberty Lake is set forth in the document entitled "Public Art Policy and Procedures", which is attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby adopted as the official policy and procedures for public art in the City of Liberty Lake.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage by the Liberty Lake City Council.

Adopted this 6 day of March, 2019.



Steve Peterson, Mayor
City of Liberty Lake

ATTEST:



Ann Swenson, City Clerk

APPROVED AS TO FORM:



Sean P. Boutz, City Attorney

EXHIBIT A

City of Liberty Lake
Public Art Policy & Procedures





TABLE OF CONTENTS

- 1. Public Art in the City of Liberty Lake**
 - 1.1. Purpose
 - 1.2. Public Art Funds
 - [1.3. Public Art Defintion](#)
 - 1.4. Community [Input](#)
 - 1.5. Public [Art Five-Year Strategic Plan](#)
 - 1.6. Art [in Private Development](#)
- 2. Roles and Responsibilities**
 - 2.1. City of Liberty Lake City Council
 - 2.2. City of Liberty Lake Parks and Arts Commission
 - 2.3. City of Liberty Lake Staff
 - 2.4. Artist Selection Panel
- 3. Municipal Art Collection**
 - 3.1. Collections Maintenance and Responsibilities
 - 3.2. Maintenance Procedures
 - 3.3. Placement of Works of Art
- 4. Deaccessioning Policy and Procedures**
 - 4.1. Process [for Deaccessioning](#)
 - 4.2. Criteria for Deaccessioning
 - 4.3. Procedure for Deaccessioning[ing](#)
 - 4.4. Use [of Net Proceeds from Deaccessioning](#)
 - 4.5. Records
- 5. Definitions**

Appendix

- A) Criteria for selection of Public Art



TABLE OF CONTENTS

1. Public Art in the City of Liberty Lake

The City of Liberty Lake recognizes the value of public art to its citizens and visitors. Public art matters because it is an essential building block for engaging community and conversation, encouraging and inviting imaginative spaces that enliven the public realm and fosters shared community interactions. Art allows citizens to celebrate unique stories and share collective history that inspires us to experience the world with fresh perceptions. We envision public works of art that will transform and activate civic spaces and create a unique identity for the City of Liberty Lake as a destination place.

The City of Liberty Lake commenced an exciting civic undertaking in 2018 with the creation of a Parks and Arts Commission (PAC) to manage future art endeavors in the City among other responsibilities. The Commission has developed goals, a vision and mission statement as well as a five-year strategic plan. The goal of the City public art program is to incorporate the work and ideas of artists and designers into public settings while creating connections among artists, project partners and communities.

1.1. Purpose

The purpose of this policy is to define the process that will be followed to achieve the following goals:

- Establish a diverse collection of public artworks.
- Create works of public art with the cooperation of the community.
- Involve local, regional and national artists of diverse backgrounds.
- Consider economic development and cultural tourism when advocating for public art.
- Encourage public dialogue and community involvement.
- Incorporate art and design projects of the highest quality throughout the community, creating a museum without walls and making art accessible to all.
- Provide a legacy of art and culture for future generations.

1.2. Public Art Funds

City Staff and the PAC will work together to develop a program and recommend funding for Public Art (PA) in the annual budget process. Funding for PA will be considered by City Council as part of the annual budget process. PA and PA services will be purchased, procured and selected in accordance with City's and/or State's financial and procurement policies.

The PAC will develop a five-year strategic plan. This Plan will be adjusted annually based on the approved budget and submitted to City Council for approval.



TABLE OF CONTENTS

1.3. Public Art Definition

For the purposes of this document, works of public art may include but are not be limited to:

- Sculptures
- Paintings including murals
- Graphic arts
- Mosaics
- Crafts
- Photography
- Mixed media and collages
- Earth works and environmental art
- Ornamental or functional decorative elements
- Light-based or luminal art
- Sound art or media
- Video and animation
- Portable art
- Temporary performance or time-based art

1.4. Community Input

Community input on public art projects is important and adds value to the Parks and Arts Commission. There are numerous opportunities for community involvement, public input and discussions of location, safety, and maintenance. Community input and information sharing may take place at neighborhood meetings or occur in other ways, such as:

- Reviewing existing plans, histories or public art plans for the site or area at meetings of City commissions, boards and other organizations.
- Surveying or interviewing of nearby residents or site users.
- Hosting facilitated internet discussions on social media and the City's website.
- Events such as public meetings, forums or design charrettes/ workshops.
- Cultural events and gatherings.

1.5. Public Art Five-Year Strategic (Work) Plan

The Five-Year Strategic (Work) Plan will be developed by the PAC in coordination with City Staff and community input. On an annual basis, the plan will be presented to City Council



TABLE OF CONTENTS

and modified to reflect current adopted budget allocations. The purpose of the 5-year plan is to advance goals for public art in the City of Liberty Lake which includes:

- Identifying opportunities and needs for public art across the City.
- Developing a strategy for the equitable distribution of public art in public places.
- Aligning goals with the priorities of the City Council.
- Reflecting and documenting community input obtained during the master planning process.
- Identifying funding mechanisms for public art.

1.6. Art in Private Development

As municipal public art programs have become increasingly common throughout the nation, private developers are demonstrating a growing commitment to public art. The City of Liberty Lake does not have a formal policy regarding art in private development.

Accordingly, the City encourages creative public/private partnerships that enhance the profile of art in the City, support the City's mission and Public Art Policy and contribute to a culturally vibrant and aesthetically beautiful destination.

2. Roles and Responsibilities

The following are the defined roles and responsibilities related to the Public Art Policy:

2.1 City of Liberty Lake - City Council

The City Council confirms appointments by the Mayor to the PAC, approves the 5-year strategic plan and approves funding for public art projects. They also review and approve donations and sponsorships consistent with Ordinance 168 Donation Policy. City Council will also provide feedback to PAC and City Staff during project update reports.

2.2. City of Liberty Lake - Parks and Arts Commission

The City of Liberty Lake Parks and Arts Commission (PAC) is appointed by the Mayor and confirmed by City Council. Ordinance 245A was adopted as the bylaws for the PAC in 2018. The PAC oversees the Public Art Program, 5-year strategic plan and coordinates approved public art projects with City Staff. The PAC advocates for public art in the City of Liberty Lake and reviews public art projects.

Duties include:

- Establishing curatorial and programmatic goals, policies and guidelines as they pertain to artwork acquired on behalf of the City.



TABLE OF CONTENTS

- Make recommendations on the accession, care and deaccession of all donations of artwork accepted into the Municipal Art Collection.
- Reviews the cleaning, repair and overall care of artwork in the Municipal Art Collection at the recommendation of the public art director and in compliance with currently accepted standards of care.
- Recommends temporary public art projects.
- Recommends citizen-initiated public art projects.

2.3. City of Liberty Lake - Staff

- The Director of Operations and Maintenance will provide staff support and coordination to the PAC. The Director will also review and provide input on public art projects, the 5-year strategic plan, recommended annual budget allocations and oversight of the acquisition/selection process for consistency with City policy.
- City staff will provide regular reports at each council meeting, as appropriate, on all current projects of the PAC.

2.4. Artist Selection Panel

Artist Selection Panel(s) (ASP) are convened to review, interpret and provide recommendations for qualified artists and art proposals, based on criteria provided at the inception of the public art selection process.

Duties include:

- Reviewing and narrowing the artist application pool based on the project's goals and the site criteria.
- Reviewing and narrowing the finalists through proposals or interviews.
- Reserving the option to make no selection from submitted applications and to reopen the competition or propose other methods of selection.
- Providing recommendations to the PAC for projects and final concept designs.

The ASP may be dependent upon scope and may consist of the following as recommended by the PAC:

- A. Arts professionals
- B. The project's architect, landscape architect, engineer, interior designer or project manager (as applicable)
- C. Citizens who reside within city limits



TABLE OF CONTENTS

- D. City Council member
- E. Special interest representative appointed by the City Council
- F. PAC members
- G. City staff

- Each member's term will be through and until the completion of the project.

3. Municipal Art Collection

The City of Liberty Lake will acquire many works of art that will be displayed in public spaces, including parks, municipal buildings and City offices. This inventory of public art items will be managed and maintained by City staff.

3.1. Collections Maintenance and Responsibilities

PAC Responsibilities

- The PAC creates and maintains a physical inventory of all artworks in the Municipal Art Collection. The inventory is conducted annually, with findings reported to the City. The inventory record tracks object movement and is updated as needed. An inventory of artworks in the Collection is continuously maintained and includes estimated valuations of objects in the Collection. New donations to the Collection require an appraisal at the time of the gift, typically provided and paid for by the donor. Valuations of artworks are established principally for insurance purposes.
- The PAC and City staff oversees the assessment, treatment, maintenance and relocation of artwork. Cleaning and repair of artworks in the Municipal Art Collection are under the direction of City staff, who complies with currently accepted standards of care and conservation.

City Staff/Department Responsibilities

- City staff and department representatives work with the PAC to identify art under their purview and assist with proper documentation and cataloguing of artworks in the municipal inventory. Following the initial site cataloguing, City staff conducts annual inventories.
- Staff is responsible for protecting the artwork from damage caused by watering systems, furniture placement and maintenance equipment, such as mowers.
- City staff should report any graffiti, damage or vandalism of artwork in the Collection to the City Administration. The City Administration and/or staff reports the incident to police, corrects the damage and prepares a report for the PAC detailing damage to artworks, whenever possible.



TABLE OF CONTENTS

- Agreements for treatment and maintenance of artworks are developed when needed. These agreements ensure the integrity of the artworks and stipulate the roles of each responsible department in staffing, funding and maintenance for the lifespan of the artworks. These agreements should provide direction to city staff for routine maintenance and cleaning, including frequency and type of work to be performed.

3.2. Maintenance Procedures

Objects in the Municipal Art Collection require a wide range of care. The PAC creates an annual maintenance plan and long-term forecast reports to determine current and future Collection needs. City staff works closely with departments to determine funding for special conservation or restoration projects outside the scope of routine maintenance.

All documentation, both written and visual, is maintained in an easily retrievable format. Exhibited artworks are labeled with the title, artist and date of the work, at a minimum. At the discretion of City staff and the PAC, artworks may be temporarily placed in storage or loaned to other institutions such as nonprofit galleries and museums.

3.3. Placement of Works of Art

Works of art in the Municipal Art Collection may be moved throughout City facilities at the discretion of City staff, considering requests from individual departments. As mentioned in Section 3.2, the PAC works closely with City departments to ensure consensus and open communication for determining site locations for artwork. While the intent is that a site-specific artwork remains in the location for which it was created, City Administration reserves the right to move a piece if circumstances dictate. City Administration may consider relocating site-specific artwork for one or more of the following reasons:

- The condition or security of the artwork can no longer be reasonably assured at its current site.
- The artwork has become a danger to public safety in its current site.
- The site has changed so that the artwork is no longer compatible as placed.

4. Deaccessioning Policy and Procedures

4.1. Process for Deaccessioning

- Deaccessioning is the process of removing artwork from the Municipal Art Collection. This policy recognizes that over time there may be reasons to deaccession artworks. Deaccessioning is considered only after careful and impartial evaluation of artworks within the context of the Collection recommended by the PAC and City Staff and approved by City Council; in accordance with 17 U.S. Code 106A. Rights of certain authors to



TABLE OF CONTENTS

attribution and integrity (also known as VARA (Visual Artists Rights Act). Generally, objects are acquired for perpetuity and not with the thought of disposal. In the event that there is living artist (or family of the artist) who desires return of their art after deaccessioning is approved, the City will return the art.

- It is also important to state that objects in the Collection should be retained permanently if they continue to be useful to the purposes and activities of the PAC and the Collection, if they continue to contribute to the integrity of the Collection and if they can be properly stored, preserved, used and exhibited.

4.2. Criteria for Deaccessioning

Objects may be deaccessioned when conditions require or when such action would improve or refine the Collection. Reasons for deaccessioning may include but are not limited to situations where:

- The use of the site has changed, the artwork is no longer appropriate, and the artwork cannot be reasonably protected or maintained.
- The artwork's annual maintenance cost is deemed excessive.
- The artwork has been damaged beyond reasonable repair.
- The artwork requires extensive conservation or restoration that is cost-prohibitive.
- The artwork is deemed inappropriate or requires removal because of new developments in the direction of the Collection.
- The artwork was commissioned or accepted with the provision or understanding that it was to have a limited lifecycle or installation period.

4.3. Procedure for Deaccessioning

Deaccession of any object from the Collection is based on a written recommendation by the PAC and City staff and the approval by the City Council. The recommendation must specify reasons for the deaccession. City, State and Federal regulations may apply when deaccessioning City property.

4.4. Use of Net Proceeds from Deaccessioning

Net proceeds from the sale of deaccessioned objects (i.e., the proceeds of the disposition less all related expenses) must be used on future PA projects only. Net proceeds are designated for and must be used only for the growth or care of the Collection, consistent with acquisition procedures. The donor of a deaccessioned object that enters the Collection as a gift is fully credited in documentary files, in publications and on identifying labels for artwork purchased with proceeds of the sale. The purchased artwork, so credited, is labeled and identified as a "gift of [name of original donor] by exchange."



TABLE OF CONTENTS

4.5. Records

Conditions and circumstances of any deaccession are entered in the Collection's permanent records. If possible, a file on the object is retained, including object and donor history, photographs, conservation/restoration records, appraisals and other relevant records.



TABLE OF CONTENTS

5. Definitions

Acquisition: The inclusion of an artwork in a permanent art collection acquired through a commission, purchase, gift or other means.

Accession: The formal process used to accept an artwork into the Municipal Art Collection and record an item as a Collection object.

Artist: Individual artist, team of individual artists or artist team leader of individuals from other disciplines whose body of work and professional activities demonstrate serious ongoing commitment to the fine arts.

Artist Fees: The portion of the project budget reserved for payment to the artist for creative services for design, fabrication and project management. Fees do not include other labor, materials, travel and per diem allowances for out-of-town artists.

Artist Selection Panel (ASP): An ad hoc panel whose charge is to review artists and art proposals and make recommendations to the Parks and Arts Commission for their selection.

Artwork or Work of Art: A tangible creation by an artist.

Capital Improvement Program (CIP): A 6-year plan, adopted by City Council that serves as a statement of City policy regarding the timing, location and funding of major public facilities in the City of Liberty Lake.

City: The City of Liberty Lake.

City of Liberty Lake Parks and Arts Commission (PAC): Charter-mandated commission governed by 12 members appointed by the City Council. The PAC serves as the official advisory body and advocate for the arts to the City Council. The makeup, function, powers and duties of the PAC are defined in City defined in Ordinance 245A.

Deaccession: The process of removing an object permanently from a collection through sale, exchange or any other transaction by which title is transferred from the collection to another institution or individual. Under certain conditions, it may also include disposal by intentional destruction.



TABLE OF CONTENTS

Director: City appointed Director to oversee the PAC.

Donor: The individual, corporation or other entity offering a donation to the City.

Loaned Artwork: Artwork given for use over a period of time and returned to the owner at the end of the use period.

Monuments: Structures, sculptures or other objects erected to commemorate a person or an event.

Municipal Art Collection: The Municipal Art Collection comprises all artworks owned by the City that have been accessioned by the PAC on behalf of the City.

Plaque: Signage affixed on or near an artwork to identify the title, artist, media, etc.

Public Art: Artworks purchased or commissioned with funds. The artworks are created, usually by artists or design team collaborations, for public places and public experiences.

Public Art Program: The PAC program that administers the purchase and commissioning of artworks.

Site: Real property or land that is owned, leased or operated by the City of Liberty Lake.

Site Agency: The City department conducting the CIP/CFP project that generates public art funds and the recipient of the art purchased or commissioned by the PAC.



TABLE OF CONTENTS

Appendix A – Criteria for selection and rejection of Public Art

- *Aesthetic Quality and Artistic Merit*
What has the artist accomplished with the work and does it align with the proposed project goals?
 - Does the work under consideration have artistic merit?
 - Is the work relevant to the City, its values, culture and people and does it contribute to the fabric of the City? Is the work an integral component of the overall project?
 - Is the work of art appropriate for the community it serves?
- *Placement/Siting*
 - What is the relationship of the work to the site? Is it appropriately scaled?
 - Will the work help to anchor and activate the site and enhance the surrounding area?
 - Will there be convenient public access to the site?
 - Will additional parking or access accommodations be required?
 - What are the utility requirements of the artwork?
 - Does the artwork have a connection with the surrounding community?
- *Fabrication, Handling and Installation*
 - Are the projected costs accurate and realistic?
 - Have written estimates been obtained from qualified technical support and fabrication contractors?
 - Does a certain site present any special obstacles to installation?
 - Can the work easily be removed if necessary?
- *Maintenance Requirements*
 - Is the work suitable for outdoor display or special indoor environments?
 - Are the materials durable and will they last? Does the work have a limited lifespan due to built-in obsolescence or any inherent weakness?
 - What are the existing or projected maintenance requirements of the work? Are they excessive or cost prohibitive? Are any unusual or ongoing costs likely?
 - What are the artist's suggestions for protection of the work from vandalism?
- *Liability and Safety*
 - Is any aspect of the work a potential safety hazard?
 - Does the work meet building code requirements?
 - Does the work or any portion of the work require a professional seal (structural engineer, electrical engineer, etc.)?
 - Will fencing or other types of security measures be required?



TABLE OF CONTENTS

The following are examples of why Art and Art work is not selected:

Artwork fails to meet professional standards for acceptable public art practice if one or more of the following applies:

- Faults of design or workmanship pose a public health or life safety hazard or diminish the value of the work.
- The artwork is fraudulent, inauthentic or appears to be of inferior quality relative to the quality of other works in the municipal art collection.
- The artwork is not the original work of fine art, such as a sculpture or painting. If the artwork is one of a multiple, it will be accepted only as an authorized limited edition. In the case of fine art prints and photographs, a limited edition is 200 or fewer.
- The artwork fails to meet criteria set by staff, which is subject to change at staff discretion.