

**CITY OF DUVALL
WASHINGTON
RESOLUTION NO. 23-12**

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF DUVALL, WASHINGTON,
ADOPTING A PUBLIC ART POLICY.**

Whereas the City of Duvall Cultural Commission advises the City Council on the support and furtherance of all arts and cultural activities within the City and

Whereas Duvall Municipal Code provides that the Duvall Cultural Commission will create a Public Art Policy to guide the City in the selection, acquisition, retention, and decommission of public art and that such Public Art Policy becomes effective upon approval by the City Council and

Whereas on May 12, 2015, the Duvall City Council approved and adopted a Public Art Policy recommended at that time by the Duvall Cultural Commission.

Whereas the Duvall City Council, Mayor, and City administration desired to update the City of Duvall Public Art Policy and

Whereas, the Duvall City Council has deliberated on a revised Public Art Policy which incorporates provisions from the 2015 Public Art Policy, enhances and amends policies related to the selection, acquisition, retention, and decommission of Public Art, and redefines the roles and responsibilities of the Duvall Cultural Commission, City Council, and City Departments related to Public Art in Duvall; and

Whereas the Duvall City Council would like to adopt the Public Art Policy by Resolution.


Now, Therefore, THE CITY COUNCIL OF THE CITY OF DUVALL, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Adoption of Public Art Policy.

The Public Art Policy, as attached hereto as Exhibit A, is adopted by the City Council as the policy for the acquisition, retention, and decommission of Public Art by the City of Duvall.

Approved by the City Council of the City of Duvall at a regular public meeting thereof and signed by the Mayor, this 7th day of November 2023.

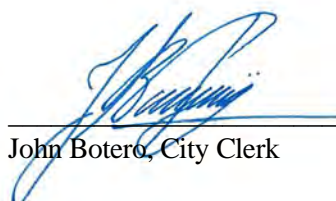
Approved as to form:


Daniel P. Kenny (Nov 10, 2023 09:14 PST)
Daniel P. Kenny, City Attorney

CITY OF DUVALL


Amy Ockerlander (Nov 9, 2023 13:12 PST)
Amy Ockerlander, Mayor

ATTEST/AUTHENTICATED:


John Botero, City Clerk

Duvall Public Art Policy

OVERVIEW

Public art serves as a crucial component in the City of Duvall's civic and cultural life. The City intends to integrate a wide range of artworks reflecting diverse artistic disciplines into public locations throughout the community to support the enrichment, education, and enjoyment of residents and visitors to the City of Duvall. The City of Duvall's Public Art Policy focuses on public art as a tool for economic growth and sustainability, social cohesion and cultural understanding, public health, and belonging, respect for artists as contributors, promoting the heritage and history of Duvall while centering all members of the community to reflect their unique contributions to the community.

In support of this goal, the Public Art Policy outlines the guidelines, processes, and procedures that facilitate the development, accession, and deaccession of public art throughout the City of Duvall.

SECTION 1: PUBLIC ART IN DUVALL

1.1 Purpose

Public art should bring meaning to public spaces, reflect the rich cultural diversity of the community, and encourage the creation of many types of art.

The purpose of this policy is to give direction for:

- a. Establishing a diverse and accessible collection of public artworks.
- b. Creating public artworks with the community's cooperation and overseen by the Duvall Cultural Commission.
- c. Involving local, regional, and national artists of diverse backgrounds and viewpoints
- d. Providing ongoing opportunities for artists to advance their art forms with temporary or permanent public artworks.
- e. Embracing and acknowledging the unique history of Duvall through honoring the tribal, agricultural, and economic heritage of the community.
- f. Considering economic development and cultural tourism when advocating for public art.
- g. Understanding of public art and encouraging public dialogue.
- h. Providing a legacy of art and culture in Duvall for future generations.

1.2 Public Art Project Types

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

- a. Sculpture in the round, bas relief, mobiles, fountains, kinetic, and electronic work in any approved material or combination of materials.
- b. Painting in all media, including oils and acrylics, that are portable or permanently affixed, such as murals.
- c. Graphic arts, such as printmaking, drawing, and banners.
- d. Mosaics, including works executed in tile, glass, stone, or other materials.

- e. Crafts using clay, fiber and textiles, wood, metal, plastics, stained glass, and other materials, both functional and ornamental.
- f. Photography, including digital and traditional photographic print media.
- g. Mixed media, which may include any combination of two-and three-dimensional forms of media, including collage.
- h. Earthworks, environmental installations, and environmental art.
- i. Experimental geography, mapping, and walking that combine a multidisciplinary approach to visual art-making that borrows from geography, mapping, GIS, orienteering, wayfinding, and navigated urban space.
- j. Ornamental or functional decorative elements designed by practicing artists or other persons submitting as artists, including design professionals who are not members of the Duvall community.
- k. Light-based or luminal art that is experiential, site-specific, or installation-based work that explores optical phenomena or work composed of transmitted light, artificial or natural light sources, projections, or sculpture that incorporates light sources as major compositional and expressive elements.
- l. Sound art or media with primarily aural-based expressive elements, including electronic, audio media, found, or experimental sound sources.
- m. Video and animation projected or displayed on a video monitor.
- n. Portable art that may be displayed at locations other than a substantially permanent location or adjacent to the projected site.
- o. Temporary performance or time-based art.

1.3 Criteria for Selection

The Duvall Cultural Commission may consider the following questions when conducting reviews of proposed artwork for recommendation to City Council:

1.3.1 Aesthetic Quality and Artistic Merit

- a. What has the artist accomplished with the work, and does it align with the proposed project goals?
- b. Does the work under consideration have artistic merit?
- c. 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 an overall project, plan, or design of a new building within the City?
- d. Is the work of art appropriate for the community it serves?
- e. Does public art have enduring value?

1.3.2 Placement/Siting

- a. What is the relationship of the work to the site? Is it appropriately scaled?
- b. Will the work help to anchor and activate the site and enhance the surrounding area?
- c. Will there be convenient public access to the site that is accessible to all?
- d. Will additional parking or access accommodations be required?
- e. What are the utility requirements of the artwork?
- f. Does the artwork have a connection with the surrounding community?

g. Will a permit be required for the proposed placement or siting?

1.3.3 Fabrication, Handling, Installation and Environmental Sustainability

- a. Are the projected costs accurate and realistic?
- b. Have written estimates been obtained from qualified technical support and fabrication contractors?
- c. Does a certain site present any obstacles to installation?
- d. Can the work easily be removed if necessary?
- e. Is the work environmentally sustainable or made of environmentally sustainable materials, as appropriate?

1.3.4 Maintenance Requirements

- a. Is the work suitable for outdoor display or particular indoor environments?
- b. Are the materials durable, and will they last? Does the work have a limited lifespan due to built-in obsolescence or any inherent weakness?
- c. What are the existing or projected maintenance requirements of the work? Are they excessive or cost-prohibitive? Are any unusual or ongoing costs likely?
- d. What are the artist's suggestions for a project of the work from vandalism, and are there funds available for any vandalism protection?

1.3.5 Liability and Safety

- a. Is any aspect of the work a potential safety hazard?
- b. Does the work meet building code requirements?
- c. Does the work or any portion of the work require professional expertise beyond the artist (i.e., a structural engineer, electrical engineer, etc.)
- d. Will fencing or other types of security measures be required?

1.4 Criteria for Non-Acceptance

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

- a. Faults of design or artistry pose a public health or life safety hazard or diminish the value of the work.
- b. The artwork is fraudulent, inauthentic, or appears to be of inferior quality to the quality of other works displayed in the City of Duvall.
- c. The artwork is not the original work of fine art, such as a sculpture or painting. If the artwork is one of multiple, it will be accepted only as an authorized limited edition. For fine art prints and photographs, a limited edition is 200 or fewer.
- d. Architectural treatments where no identified artist is involved or the treatment is prefabricated.
- e. Electrical, hydraulic, or mechanical service costs for routine and ongoing operation and maintenance of a work of art.
- f. Art is designed or created without incorporating sufficient artistic content.

1.5 Community Input

Community input on public art projects is part of the overall conceptual design development and is an essential element of this Public Art Policy. The Duvall Cultural Commission is encouraged to seek community input and information sharing in as broad of a manner as possible, including in the following ways:

- Open public meetings of the Cultural Commission
- Neighborhood and home-owner association meetings
- Review of existing plans, histories, or public art plans
- Meetings of the Planning Commission and City Council
- Surveys or interviews of nearby residents or site users
- Hosted or facilitated Internet discussions.
- Events such as public meetings, forums, or design workshops
- Cultural events and gatherings.

1.6 Bi-Annual Work Plan

Consistent with and before the adoption of the City of Duvall's biennial budgeting process, the Duvall Cultural Commission shall produce a biennial Work Plan, which shall be approved by City Council and which shall include:

- Goals for public art in the City of Duvall during the biennium
- Anticipated site selection and projects for the biennial period
- Identification of opportunities and needs for public art across the City
- Strategy for the equitable distribution of public art in public places
- Criteria for ensuring equitable access to displaying public art across artistic disciplines and viewpoints
- Plan for maintenance requirements for public art
- Identification of opportunities for collaboration with outside entities and agencies to broaden the impact of public art in Duvall
- Identification of any known funding mechanisms for public art in Duvall

1.7 Public Art Project Selection Methods

1.7.1 Open Invitational/Open Entry

This process is open to all qualified artists with possible limitations based on geographical or other eligibility criteria. Some competitions may also be available to other design professionals. The project is advertised, and project guidelines are published. No fees will be charged to artists submitting materials and applications.

1.7.2 *Limited Invitational/Focused Invitational*

Selected artists are invited to submit proposals or are pre-selected as candidates for a particular project or site. Artists are considered for a commission by invitation only. This method applies when a certain type of artwork or certain specifications or qualifications are required, such as sculpture competitions, site-specific works, and works requiring design team experience.

1.7.3 *Direct Purchase*

A direct artwork purchase must be adopted in the City of Duvall Budget and approved by City Council.

For open and limited competitions, a call for artists will be issued by the Cultural Commission and/or City departments. Depending on the selection method calls for artists may be published in local and regional newspapers, arts websites, on the City website, online list sites, direct mail, or all of the above.

SECTION 2: ROLES AND RESPONSIBILITIES

2.1 Duvall City Council

The City Council periodically reviews the Public Art Policy and related documents to assess compliance by City Departments. The City Council approves the Biennial Work Plan and appropriates related funding. It is expected that the Duvall Cultural Commission will provide a report of their work, meetings, and plans twice annually to City Council.

2.2 City of Duvall Cultural Commission

The City of Duvall Cultural Commission comprises members appointed by the Mayor of Duvall and approved by the Duvall City Council following the Duvall municipal code. The Cultural Commission develops bylaws adopted by City Council and governs the work of the Cultural Commission. The Cultural Commission recommends to City Council works of art before they are acquired or transferred, sold, or deaccessioned from the municipal art collection. The Cultural Commission reviews public art projects generated and supported by City funding. The Duvall Cultural Commission also recommends projects that could feasibly incorporate public art to City Council and identifies future projects, grants, or commissions that could enhance Public Art in Duvall.

The Duvall Cultural Commission also establishes curatorial and programmatic goals, policies, and guidelines as they pertain to artwork acquired on behalf of the City as well as reviews (in coordination with City Departments) the cleaning, repair, and overall care of artwork in the municipal art collection in compliance with the currently accepted standards of care.

2.3 City Departments

The City of Duvall is responsible for the appropriate permitting, maintenance, and conservation of Public Artwork, as well as maintaining a database and/or catalog of art throughout the City. City Departments shall also seek opportunities to integrate and expand public art as City projects are developed and implemented.

2.3.1 Maintenance and Conservation

Public Art requires maintenance and occasional repairs. Although the City's Public Art Policy encourages artwork requiring minimal maintenance, artworks will vary in the amount of necessary maintenance, resistance to vandalism, and ease of repair.

To understand maintenance needs before installation, the artist should provide a maintenance plan, specifications, drawings, and/or schedule of maintenance for the artwork as applicable and to the best of the artists' ability before acquisition and installation.

Routine maintenance of City-owned public artwork will be conducted by Public Works and other appropriate City Departments as necessary. Routine maintenance includes items such as trash and graffiti removal, cleaning, minor landscaping, light bulb replacement, and mechanical activities like tightening, adjusting, and oiling.

Major repair and conservation needs will be assessed on a case-by-case basis and may require contracting with the artist or conservation specialist. If such costs are beyond normal maintenance covered by the Public Works budget, those costs must be adopted in a budget approved by City Council.

SECTION 3: DEACCESSION

Deaccession is to remove an object of art from the municipal art collection, including the removal of the artwork from its public site.

An artwork will be considered for deaccession under the following conditions only:

- a. Security: The condition or security of the artwork cannot be reasonably guaranteed.
- b. Theft: All stolen artworks will be documented through an official police report.
- c. Inauthentic: The work is discovered to be inauthentic, fraudulent, or stolen.
- d. Damage Beyond Repair: The work has been damaged beyond repair, damaged to the extent that it no longer represents the artist's intent, or damaged to the extent that the expenses of restoration and repair are found to exceed the current market value of the artwork.
- e. Loss of Site: The Duvall Cultural Commission will make every attempt to find a suitable location for every piece of Public Art in the City of Duvall. However, lack of siting or proper storage could merit deaccession.
- f. Site Alteration: For site-integrated artwork, if the site for which a piece of artwork was explicitly created is structurally damaged or otherwise altered so that it can no longer accommodate the work or if the piece is made publicly inaccessible by a change in the surrounding environment such as new construction or demolition, that artwork may be considered for deaccession.
- g. Temporary Art: The time approved by permit for the art has expired, or the artwork was approved as a semi-permanent acquisition, and the City's obligation is terminated.
- h. Safety: The artwork endangers public safety.
- i. Excessive Representation: The work is duplicative or excessive in a large holding of work of that type or that artist.

- j. Aesthetic Value: The work has not withstood the test of time. It has been professionally determined to lack aesthetic or artistic value to justify its continued upkeep and/or storage.
- k. Content: Once the artwork has been accessioned into the Public Art collection of Duvall, it may not be deaccessioned based on content alone.

3.1 Deaccession Report

All artwork under consideration for deaccession will be accompanied by a report from the Cultural Commission that includes:

- a. Reason for suggested deaccessioning.
- b. Original accession method, cost, and, if possible, to be ascertained, current market value.
- c. Documentation of correspondence with the artist.
- d. Photo documentation of site conditions, if applicable.
- e. Official police report, if applicable.

The report will be made to the Duvall City Council for their review and adoption.

3.2 Artist Notification

The Cultural Commission shall notify artists of any determinations by the Cultural Commission that the artist's work is being considered for deaccession. Artists whose works are being considered for deaccession shall be formally notified by mail using the current address of record initially provided by the artist. Efforts should be made to inform the artist by email or phone as well.









Res. 23-12 - Public Art Policy Resolution

Final Audit Report

2023-11-10

Created:	2023-11-08
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-  Document created by John Botero (john.botero@duvallwa.gov)
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-  Document e-signed by Amy Ockerlander (amy.ockerlander@duvallwa.gov)
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2023-11-10 - 5:13:58 PM GMT
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