

# CITY OF MOSCOW PUBLIC ART GUIDELINES

## **I. GENERAL PROVISIONS**

### **A. PURPOSE**

The purpose of the Moscow public art program is to provide access to the arts by integrating a wide range of public art into the community, reflecting a diversity of artistic styles, disciplines, and points of view.

### **B. PROGRAM GOALS**

Goals of the public art program include: broadening the role of the artist in the community; increasing awareness of public art's value as well as selection and management processes; prioritizing artist and community member input when identifying public art locations and project parameters; developing project budgets and timelines in accordance with current arts industry standards; maintaining good stewardship of grant and donation monies as well as resources from the 1% for the Arts fund; encouraging early collaboration among artists, architects, engineers and owners; dispensing public art throughout the City of Moscow; facilitating the inclusion of art in public places in order to beautify public areas, to enhance the quality of life for Moscow citizens, to attract tourism, and to provide incentives to businesses to locate within the City, thus expanding Moscow's economic base; providing proper cataloging and maintenance of the public art collection; preserving and relocating artworks displaced through improvement projects; ensuring that public agencies and community representatives participate in the selection of public artworks and their locations; and promoting public dialogue and understanding of public art.

## **II. MOSCOW ARTS COMMISSION**

### **A. ORGANIZATION OF MAC**

The Moscow Arts Commission was established by City Council on October 2, 1978 (by Ordinance No. 1370) and was codified into Moscow City Code Title 3, Chapter 4. Currently, pursuant to Moscow City Code, Title 3, Chapter 4, Section 4-1. the MAC is comprised of not more than twelve (12) voting members, serving without pay. A non-voting member of this Commission shall not be considered in determining the number required for a quorum or whether a quorum is present. Members of the Commission shall be appointed by the Mayor, with the advice of and subject to the approval of the Council. This Commission of not more than twelve (12) members shall also consist of not more than three (3) Latah County residents who do not reside within City Limits. One (1) ex-officio member thereof shall be a member of the Council, who shall not vote and to serve a term of one year. The other members thereof may be appointed at large. Except as otherwise specifically provided herein, the term of office of the Commission members shall be four (4) years, or until their successors are appointed and qualified, except that the members of such Commission first appointed shall be appointed such that the terms of four (4) members shall expire annually thereafter. The members shall hold office at the pleasure of

the Mayor. The Mayor may revoke their appointment at any time and for any reasons deemed sufficient by the Mayor, with the advice of and subject to the approval of the Council. Vacancies in such Commission, occurring otherwise than by expiration of term, shall be filled by the Mayor with the advice and subject to the approval of the Council, for the unexpired term. Where possible, this Commission shall include at least one (1) student enrolled at least three quarters (3/4) time in a post-secondary educational program, who shall serve a one (1) year term, which term may be renewed. At least one (1) student enrolled in high school or an equivalent educational program shall serve as a non-voting member of this Commission for a one (1) year term, which term may be renewed. This Commission shall also include at least one (1) Latah County resident who does not reside within City limits who shall serve as a non-voting member of this commission for a four (4) year term.

## B. MOSCOW ARTS COMMISSION ROLE

Pursuant to Moscow City Code, Title 3, Chapter 4, Section 4-3. The Arts Commission shall represent the City's interest in art matters; act as a spokesperson for art matters in the City and keep the Mayor and Council informed on all such matters; coordinate arts organizations and arts activities in the City; provide information and assistance for arts organizations, artists and anyone interested in cultural advancement of the community; develop cooperation between existing organizations in the City with schools and regional, State and national art organizations; search for sources of private, local, State and Federal funds and grants available to promote the arts in the City and surrounding communities; offer advice and assistance in aesthetic matters of the City regarding community planning or in any other artistic activities as may be referred to it by the City; and encourage and aid programs for the cultural enrichment of the Moscow and surrounding communities.

MAC advisory responsibilities include the following areas of interest:

1. Moscow public art projects
  - a. Collaborate with the City Arts Program Manager or designee to locate and select public art;
  - b. Make reports regarding the public art selected from time to time as requested by the Mayor and/or the Council; and
  - c. Abide by the requirements contained in Title 5, Chapter 18 of the City Code.
2. Donations of artwork to the public art collection
3. Deaccessioning artwork from the public art collection
4. Developing guidelines for the public art collection

## III. PUBLIC ARTS PROJECTS

### A. FUNDING OF PUBLIC ARTS PROJECTS

1. Overview of dedication and disbursement of funds
  - a. The public art fund is a dedicated fund of the City.
  - b. Once it is determined that a public improvement project qualifies under Title 5, Chapter 18, the Community Planning and Design department calculates the one percent (1%) for art funds available for such project

- and coordinates with the Finance department to transfer the funds to the public art fund at the end of the fiscal year in which they were generated.
- c. The City, through its Arts Program Manager, contracts with artists and manages payment as appropriate.
2. Expenditure of arts monies in conjunction with Capital Improvement Projects
    - a. Capital Improvement Projects (CIP) that qualify for public art funding shall be subject to the provisions of Title 5, Chapter 18.
    - b. If a CIP is identified by the Arts Department and the MAC as being in alignment with Public Art program goals and timelines, Arts monies collected through the public art fund shall be set aside when the qualifying public improvements project construction budget has been calculated. Funds representing the one percent (1%) dedication for the arts may be incorporated into the project during construction or upon completion of the improvement project. Public art may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it.
    - c. The art component of a qualifying Capital Improvement Project will be allocated from the public art fund as follows:
      - i. No less than seven five percent (75%) shall be allocated toward such public art, including purchase, design, fabrication, and installation.
      - ii. No more than twenty five percent (25%) shall be used for administrative costs, including, but not limited to, costs of selection, maintenance, repair, conservation, and on-going documentation and cataloging of the Public Art Collection (done, in part, to adequately insure all City-owned artwork).

## B. EXEMPTIONS FROM PUBLIC ART PROJECT CONSIDERATION

A project considered for funding through the public art fund shall comply with MCC Title 5, Chapter 18. In addition, the following shall not be considered for City public arts projects paid for by the City:

1. Works which are not entirely original (unless the non-original content is used with permission or is part of the public domain and comprises only a small portion of the work).
2. Decorative or functional elements designed by the project architects, landscape architects, interior designers, or their consultants, without the original artist's collaboration.
3. Artfully-designed objects which are mass-produced and of standard design, such as playground equipment, bike racks, or limited edition cast decorations.
4. Directional elements such as signs, maps, color coding, unless designed and/or executed by an artist.
5. Standard architect's, landscape architect's, engineer's, or interior designer's fees, unless such work was approved prior to construction.

## C. IDENTIFICATION OF PUBLIC ART PROJECTS

### 1. Artwork Site Selection

In selecting a site for public art, the Arts Program Manager and MAC should consider whether:

- a. The site is publicly accessible at reasonable times, allowing for contemplation and interaction between the public and the work of art;
- b. The site is on public property or property managed or controlled by the City;
- c. The site suggests art opportunities that would extend the breadth, vitality, and quality of Moscow's public art program;
- d. The art is likely to enhance the cultural experience of the space and contribute to the visual interest of the area;
- e. The site falls within the prominent paths of circulation (e.g., an entry point, transit corridor, or plaza area), or is near a place of congregation (e.g., park, transportation center, entertainment or retail center) in order to reach a significant portion of the population;
- f. The site meets the conditions necessary to receive public art funding or grant funding; and
- g. The site has been identified and prioritized in the most recently-updated Public Art Master Plan.

### 2. Public Art Master Plan

- a. The Public Art Master Plan (PAMP) outlines the following:
  - Program scope, vision, and alignment with MAC mission.
  - Intersection of Arts, Parks, and Community Development goals.
  - Project location prioritization identified by means of public input surveys.
- b. PAMP updates shall be completed at least once every two (2) years and shall take into consideration the following:
  - Adjustments to long-range program vision.
  - Public art project or location proposals presented by the public or City staff.
  - Project and location prioritization adjustments made with input from the public and direction from City Council.
- c. During the time between PAMP updates, public art locations already identified in the PAMP will have priority over newly-identified potential locations. When new potential project locations or concepts are presented, whether by community members or by city departments, the Arts Program Manager and the MAC shall consider their viability pursuant to these Public Art Guidelines.

### 3. Public Art Integration into Capital Improvement Projects

In the planning stages of a potential project, the project lead proposing or responsible for public works project or improvement will notify the Arts Program Manager of a qualifying improvement project to be considered for the one percent (1%) for the arts assessment. The Arts Program Manager (with advice from the MAC, when appropriate) should determine whether art should be considered as part of the proposed CIP project or whether it should be added to future art project(s).

After identifying an improvement project that qualifies for the one percent (1%) funding, the project lead and the Finance Director shall calculate the one percent (1%) of the total project cost and notify the Arts Program Manager of that estimate. The Arts Program Manager will work with the project lead to explore possibilities for a public art project to be affiliated with the CIP. If an art project is not deemed a suitable fit given the CIP scope, location, or timing, the one percent (1%) funds will be transferred into the future art(s) project fund for future use.

Where a public art project will be affiliated with the improvement project, the Arts Program Manager will meet with the respective department head and will attend pre-construction meetings as necessary. The Arts Program Manager will work with the CIP project lead and will provide the scope, location, and budget for the public art project with advice from the MAC and approval from City Council.

The Arts Program Manager or designee will conduct a survey of comparable public art projects and recommend a budget based on current market standards. The Arts Program Manager or designee will work with the CIP project lead to coordinate any necessary work with the architect, landscape architect, engineer, or others to review the following, as appropriate:

1. Allocated art budget
2. Design and construction schedule
3. Appropriate sites and project goals for artwork
4. Other items specific to the project

The Arts Program Manager and City staff will prepare and issue a Request for Qualifications (RFQ) for the arts project affiliated with the improvement project with input from the MAC and following approval of the Art Project concept by the Council. Any public art chosen shall be located in a public place with public visibility and impact, and further shall comply with any addition to any guidelines established by Council upon recommendation of the Moscow Arts Commission.

The Arts Program Manager, in consultation with MAC, may decide that funds from a specific improvement project are in excess, insufficient, or that the site is inappropriate for public art.

4. Public Art Project Development

Once a Public Art location has been identified, the Arts Program Manager shall coordinate the following process:

- a. Develop the project description, site details, and identify suitable art forms and media (considering goals and sites already determined by the participating department and the MAC, when applicable).
- b. Determine a method for selecting an artist, which may include:
  - (1) Open competition (RFP or RFQ) in which artists apply according to the requirements and limitations established by the Selection Panel, MAC, or City;
  - (2) Invitation of one (1) or more artists to submit proposals;
  - (3) Direct purchase of a completed work of art that is selected from submitted applications or other methods deemed appropriate for the project; or
  - (4) Alternate process designed to meet the City's objective for the project.
- c. Present RFQ or RFP drafts with budget recommendation to City Council
- d. Publish RFQ or RFP documents using methods agreed upon for the project.
- e. Recommend members for an ad hoc Selection Panel to be appointed by the Mayor.

#### IV. PERMANENT COLLECTION SELECTION METHODS

##### A. SELECTION PANEL APPOINTMENTS.

The Arts Program Manager will coordinate recommendation of selection panelists to the Mayor and Council. MAC will consider the guidelines hereinbelow, requests by individuals, and staff recommendations. Selection Panel members shall serve at the appointment of the Mayor.

Selection Panels will be comprised of at least the following:

1. Voting members:
  - a. Participating department representative or designee (1)
  - b. Moscow Council member or designee (1)
  - c. MAC members (2)
  - d. Community representative, preferably from project impact area (1)
  - e. Artist not involved with the respective Capital Improvement project
2. Non-voting members:
  - a. Arts Program Manager (Selection Panel facilitator)
  - b. Project architect, landscape architect, interior designer, or engineer
  - c. City staff members acting in a technical advisory capacity

Length of term. Each Selection Panel member serves through the completion of one (1) public art project.

##### B. CONFLICT OF INTEREST

1. No artist sitting on a Selection Panel may submit a proposal for the project for which the Selection Panel was formed.
2. MAC members shall declare a conflict of interest if a project comes before the Selection Panel from which he/she or the household or business could financially benefit. MAC members shall also declare a conflict of interest if a person with whom he/she shares a household or whom he/she professionally represents has a matter to be considered by Selection Panel. Such person shall recuse themselves from any participation in any process for the project the Selection Panel is considering.
3. No member of the project's architect or landscape architect, interior designer, or engineering firm may apply for a public art project being designed by that firm.

#### C. SELECTION PANEL PROCEDURES AND RESPONSIBILITIES

1. Moscow Arts Program Manager will hold an orientation for each Selection Panel. The orientation may include a presentation of works currently in the public art collection, review of program guidelines, orientation to the specific project; and/or a review of any goals already established by the participating department and the Moscow Arts Program Manager and MAC.
2. Review all submissions pertaining to the public art project using the published criteria.
3. Approve all recommendations by a majority vote of the full Selection Panel.
4. The Selection Panel will make recommendations on finalists and their work to the Arts Program Manager. MAC members on the Selection Panel will report the Panel's recommendation to the Commission during a regular meeting, after which the MAC will vote to recommend an action on the project to City Council.
5. The Arts Program Manager will then generate a project report to present to the Mayor and Council for final approval.
6. The City reserves the option of making no recommendation from submitted applications and may require reopening of the competition or may propose other methods of selection, if no proposal is accepted.
7. The Selection Panel must always adhere to the requirements of Moscow City Code Title 5, Chapter 18.

#### D. ARTIST / ARTWORK SELECTION CRITERIA

Criteria to be used when considering retention of an artist or acquisition of artwork by either purchase or commission may include, but not be limited to, the following:

1. **Artist Qualifications**  
Artists for design teams should ideally have the ability to think conceptually, the ability to communicate and be flexible, experience working with design professionals and integrating artistic concepts into construction documents, the ability to work with architectural drawings, and prior experience with collaborative group work situations and public art projects of a similar scale.
2. **Conceptual Quality and Originality**

- a. The artist presents a compelling concept.
  - b. The proposed design is original to the presenting artist.
  - c. The design is unique (i.e. edition of one), rather than a mass-produced item.
3. Form
- a. The proposed design reveals mastery of formal craftsmanship.
  - b. The scale of the proposed design is appropriate to the site.
  - c. The colors used, if any, are chosen with an awareness of local educational institutions as well as their athletic rivals.
  - d. The proposal aligns with the design parameters in the project description and does not present a hazard to public safety.
  - e. The proposed artwork is made with materials suitable for the location (i.e. designed with materials impervious to environmental degradation).
  - f. The proposed artwork is designed for resistance to theft or vandalism.
4. Content and Context
- a. The content of the proposed design aligns with the project description.
  - b. The content of the proposed design is relevant to the City of Moscow's values, culture, and people.
  - c. The proposed design reflects the architectural, historical, geographical, geological, and socio-cultural context of the site.
  - d. The proposed design serves to activate or enhance the intended location.
  - e. The proposed design has the potential to expand the formal and conceptual range of the Public Art collection.
5. Budget and Production Schedule
- a. The budget is clear, complete, and within the stated fiscal parameters for the public art project.
  - b. The production schedule supports the proposal's feasibility and denotes installation according to the project timeline.
6. Description of Anticipated Maintenance Needs
- a. Maintenance needs for the artwork are described clearly and realistically.
  - b. Maintenance needs for the artwork are not excessive in terms of labor or material investment.
7. Community Engagement
- a. The artist's proposal for community engagement aligns with the project's goals and requirements.
  - b. The artist's proposal for community engagement has the potential to reach a broad audience in the community.
  - c. The artist's proposal for community engagement has the potential to foster understanding of one or more of the following:
    - The goals of public art and its benefits to a community
    - Moscow's civic identity as it relates to the artwork's content or context
    - Formal art-making skills or conceptual strategies
    - Professional experiences and/or practices in the arts field

## V. TEMPORARY PUBLIC ART COLLECTIONS

### A. TEMPORARY COLLECTION OVERVIEW

1. The City of Moscow currently maintains two temporary collections: the Vinyl Wrapped Traffic-Control Boxes and the Intermodal Transit Center (ITC) Sculpture Garden.
2. Costs associated with the Temporary Collection are paid for using the General Ledger code dedicated to Community Public Art. Arts staff may, at the direction of City Council, seek grant or sponsorship funding to offset General Fund support of these collections.
3. Temporary works of art commissioned will be documented with appropriate media either by the artist(s) or the City.
4. Where a work of art will be placed on a site not directly owned and/or controlled by the City, the placement terms and conditions shall be specifically approved of by City Council.
5. Artist eligibility, selection methods, and criteria for assessment will be tailored to fit the needs of each component of the Temporary Collection

### B. VINYL WRAP COLLECTION

#### 1. Artist Eligibility

Eligibility for participation in this program is limited to artists 18 years of age or older who live in Latah County, Nez Perce County, Asotin County, Whitman County, Nez Perce or Coeur d'Alene tribal members. Artists are eligible regardless of race, color, religion, national origin, gender, age, marital or familial status, physical or mental disability, sexual orientation, and gender expression or identity. Artist teams are eligible to apply, including teams of artists from multiple disciplines. Selection panelists and their immediate family members are not eligible for participation. No artist sitting on a Selection Panel may submit a proposal for the project for which the Selection Panel was formed.

#### 2. Selection Panel

A. Selection Panel Formation. The Arts Program Manager and Public Art Subcommittee will recommend selection panelists to the MAC. The MAC will create the Selection Panel by a majority vote during a regular Commission meeting. The Selection Panel will be comprised of the following:

##### 1. Voting members:

- a. Moscow Arts Commission Member (1)
- b. Local Business Representatives (2)
- c. Technical Consultant (1)
- d. City Staff Member (1)

##### 2. Non-voting members:

- a. Arts Program Manager (Selection Panel facilitator)
- b. City staff members acting in a technical advisory capacity

- B. Length of Term. Each Selection Panel member serves through the review and selection of one (1) round of annual submissions for the project at hand.

3. Selection Criteria

a. Conceptual Quality and Originality

- 1. The artist presents a compelling concept.
- 2. The proposed design is original to the presenting artist.

b. Form

- 1. The proposed design reveals mastery of formal craftsmanship.
- 2. The colors used, if any, are chosen with an awareness of local educational institutions as well as their athletic rivals.
- 3. The design files are prepared according to stated parameters and are scaled to fit the specific locations stated in the RFP.

c. Content and Context

- 1. The artwork's subject matter and content is appropriate for public exhibition and does not contain advertising, religious references, sexual content, negative imagery, or convey political partisanship.
- 2. The content of the proposed design is relevant to the City of Moscow's values, culture, and people.
- 3. The proposed design reflects the architectural, historical, geographical, geological, and socio-cultural context of the site.
- 4. The proposed design serves to visually activate or enhance the location.

C. INTERMODAL TRANSIT CENTER SCULPTURE GARDEN

1. Artist Eligibility

Eligibility for participation in this program is limited to artists 18 years of age or older who live in Latah County, Nez Perce County, Asotin County, Whitman County, Nez Perce or Coeur d'Alene tribal members. Artists are eligible regardless of race, color, religion, national origin, gender, age, marital or familial status, physical or mental disability, sexual orientation, and gender expression or identity. Artist teams are eligible to apply, including teams of artists from multiple disciplines. Selection panelists and their immediate family members are not eligible for participation. No artist sitting on a Selection Panel may submit a proposal for the project for which the Selection Panel was formed.

2. Selection Panel

A. Selection Panel Formation. The Arts Program Manager and Public Art Subcommittee will recommend selection panelists to the MAC. The MAC will create the Selection Panel by a majority vote during a regular Commission meeting. The Selection Panel will be comprised of the following:

- 1. Voting members:
  - a. Intermodal Transit Center Staff Member (1)
  - b. UI Art + Architecture Faculty or Graduate Student (1)
  - c. UI Facilities Staff Member (1)
  - d. Moscow Arts Commission Member (1)
  - e. Member of Artist Community (1)

2. Non-voting members:
  - a. Arts Program Manager (Selection Panel facilitator)
  - b. City staff members acting in a technical advisory capacity

B. Length of Term. Each Selection Panel member serves through the review and selection of one (1) round of annual submissions for the project at hand.

### 3. Selection Criteria

- a. Conceptual Quality and Originality
  1. The artist presents a compelling concept.
  2. The proposed design is original to the presenting artist.
- b. Form
  1. The proposed design reveals mastery of formal craftsmanship.
  2. The colors used provide visual variety in contrast with the muted hues of the Sculpture Garden landscaping and are chosen with an awareness of local educational institutions as well as their athletic rivals.
  3. The proposal aligns with the design parameters in the project description and does not present a hazard to public safety.
  4. The proposed artwork is made with materials suitable for the location (i.e. designed with materials impervious to environmental degradation).
  5. The proposed artwork is designed for resistance to theft or vandalism.
- c. Content and Context
  1. The artwork's subject matter and content is appropriate for public exhibition and does not contain advertising, religious references, sexual content, negative imagery, or convey political partisanship.
  2. The content of the proposed design is relevant to the City of Moscow's values, culture, and people.
  3. The proposed design serves to visually activate or enhance the intended location.

## VI. PORTABLE COLLECTION

- A. Two and three-dimensional works of art that are not site-specific are part of the Portable Collection.
- B. This collection is distinct and separate from the items in sculpture-on-loan programs
- C. such as the ITC Sculpture Garden.
- D. Items in the Portable Collection are installed in City facilities at the discretion of the Arts Program Manager upon consideration of the following criteria:
  1. Requests from City departments and staff members.
  2. Ideal conditions for preserving the artwork's condition.
  3. The potential for the artwork to have a positive impact on the staff and members of the public who frequent the proposed location.

- E. Accessions into this collection are made at the discretion of the Arts Program Manager, with advice from members of the MAC when appropriate. Annual additions may come from the following:
  - 1. Artwalk and Moscow Farmers Market Poster Art Competitions
  - 2. Palouse Plein Air
  - 3. Artworks exhibited at the Third Street Gallery or other local venues that fit the collection's needs and the current fiscal year's budget.
- F. Portable Collection accessions, maintenance, and display needs (e.g. framing, pedestals, and vitrines) are managed and funded through the Arts Department budget.

## **VII. OTHER CONSIDERATIONS**

### **A. MAINTENANCE AND MANAGEMENT OF PUBLIC ART**

It is the responsibility of the Arts Program Manager to manage and coordinate the maintenance of all works of art in the City's public art collection.

- 1. All commissioned artists will be required to complete a conservation record form that provides information on materials, fabrication methods, installation details, and recommended maintenance.
- 2. The Arts Program Manager will maintain a computer database inventory and a catalog of relevant documents for artworks owned by the City.
- 3. City will facilitate routine cleaning and maintenance of artworks based on recommendation by a professional art conservator or based upon information provided by the artist on the conservation record form.
- 4. A professional art conservator or person(s) trained by a conservator may be consulted or hired to provide maintenance and conservation work for the City's public art collection.
- 5. Participating departments should notify the Arts Program Manager immediately if an artwork is either damaged or stolen or if the participating department plans to move the artwork or in any way alter its location or use.
- 6. The City shall maintain adequate insurance coverage for its public art collection.

### **B. DONATIONS OF ARTWORK**

- 1. Donation of artworks to the City's Public Art Collection
  - a. Works of art are occasionally offered as donations to the City of Moscow. The Arts Program Manager (in consultation with MAC) is responsible for reviewing and evaluating the suitability of a proposed artwork and recommending to the City Council whether or not to accept it as a gift, and/or allow it to be installed on city property. If accepted by

the City Council, the maintenance of a gift of art is the responsibility of the City (unless otherwise specified). When considering a gift, the Arts Program Manager may recommend that the Council require that the donor establish a maintenance endowment to ensure an adequate quality of care for the artwork.

- b. The Arts Program Manager and MAC is responsible for review of all proposed gifts of art to the City, including donations by individuals, neighborhoods, community groups, and international organizations. Such donated artwork may be placed temporarily on City property without being offered to the City as a gift, provided that the donor obtains the appropriate approvals and/or revocable permits (if any) for placement of the works and the donor and City enter into an agreement for the donation. The donor agrees to maintain the art throughout the life of the work. The City reserves the right to decline offers of donated public art gifts, whether permanent or temporary.
2. Donation of works of art to City's Portable Collection
    - a. Donor contacts appropriate City staff to discuss the potential gift, providing photos or the actual artwork.
    - b. Arts Program Manager presents consideration of the gift to the MAC. If presented in graphic form, the MAC reserves the right to postpone any decision until the actual artwork is reviewed.
    - c. Arts Program Manager (in consultation with MAC and as approved of by City Council) accepts or declines the gift. If accepted, the donor is acknowledged (if requested).
    - d. Funds for maintenance are agreed upon by the donor and Arts Program Manager and deposited by the donor into a public art maintenance fund.
  3. Donation of commissioned works of art
    - a. Donor contacts Arts Program Manager and appropriate City staff for a meeting to discuss idea for commission as well as to plan for artist selection and location of art following completion of the artwork. All processes for artist and site selection shall be in alignment with those described in these Public Art Guidelines.
    - b. Arts Program Manager (in consultation with MAC) accepts or declines the idea and/or the selection process.
    - c. If City accepts the concept of the donated commissioned artwork, the Arts Program Manager presents the donation proposal to the MAC and City Council which may approve, reject, or provide further direction for the proposal. If the donated commission is accepted, a plan for its

placement and maintenance is developed in conjunction with the donor and formalized in an agreement including agreed-upon value of the donation, maintenance, and donor recognition.

- d. A donor agreement is executed upon Council approval.

#### C. RELOCATING SITE-SPECIFIC WORKS OF ART

1. While it is the intent that site-specific works will remain in the site for which they were created, the City reserves the right to relocate a piece of public art.
2. No site-specific artwork may be moved without the recommendation of MAC and the Arts Program Manager and specific Council action. The MAC may consider recommending relocating a site-specific artwork for one (1) or more of the following reasons:
  - a. The condition or security of the artwork can no longer be reasonably guaranteed at its current site;
  - b. The artwork has become a hazard to public safety in its current site and condition; or
  - c. The site has changed so that the artwork is no longer compatible with the site.
3. Once the MAC and Arts Program Manager have determined that an artwork meets one (1) or more of the above criteria, the following process shall be followed:
  - a. The Arts Program Manager makes a good faith attempt to discuss relocation of the art work with the artist or representative of artist, if available.
  - b. If the artist agrees to the proposed relocation, the recommendation will be considered by appropriate City staff, and the City Supervisor or designee, then presented to Council for approval.
  - c. If the artist does not agree to the proposed relocation, the artist or representative may request that the artist's name not be used as the author of the artwork when relocated.

#### D. DEACCESSION

In the event a work of art may need to be considered for removal, sale, trade, or gifting (deaccessioning), the Arts Program Manager (and MAC) shall present the request to City Council. The Arts Program Manager or designee shall state in the request that the artwork is of no further use to the City; the recommendation of whether the artwork should be removed, sold, traded or gifted; the reasoning for the recommendation; and how the recommendation will provide for maximum value with attendant benefits to the citizens of Moscow (I.C. 67-5722, 5732A). Proceeds of a sale shall cover the expenses of the sale with any net revenues deposited into the general account of the City of Moscow.