

**POLICY
RECEIPT OF ART
CITY OF LONGVIEW, WASHINGTON**

**Adopted by the Longview Visual Arts Commission
July 18, 2002**

1.0 PURPOSE:

To provide an effective mechanism for determining the appropriateness and method of placement of artwork, be it temporary or permanent, on the property of the City of Longview. In order to be considered by the Commission, it shall be the intent that the artwork shall be in place for a period of time greater than two (2) weeks.

To establish the policy, criteria and procedure for the review and selection of artwork to be placed on the property of the City of Longview.

To expand the opportunity for Longview residents and visitors to experience art in public places and create a more visually pleasing community.

2.0 DEFINITIONS:

2.01 PUBLIC ART. All forms of original creations of visual art, including, but not limited to:

1. Calligraphy and signage
2. Crafts - in clay, glass, paper, fiber and textiles, wood, metal, plastics and other materials
3. Graphic arts - printmaking and drawing
4. Mixed media - any combination of forms and media, including collage and assemblages
5. Mosaics - tile and brickwork.
6. Painting - all media, including portable and permanently affixed works, such as murals.
7. Photography
8. Sculpture - in the round, bas-relief, high relief, mobile, fountain, kinetic, electronic, play equipment, etc., in any material or combination of materials

2.02 ARTIST. A practitioner in the visual arts who produces artwork as described above and exhibits in recognized forums.

2.03 VISUAL ARTS COMMISSION. Hereinafter referred to as the Commission, refers to the body of individuals serving in an advisory capacity to the Longview City Council for the purpose of evaluating the appropriateness of donations or commissions of art to be placed on City of Longview property

2.04 DEPARTMENT. Refers to the Longview Parks and Recreation Department

3.0 CRITERIA FOR SELECTION OF WORKS OF ART:

3.01 QUALITY: The inherent quality of the work is the highest priority.

3.02 ABILITIES OF THE ARTIST: Artists' resumes should demonstrate a professional level of commitment to their work.

3.03 STANDARDS OF EXCELLENCE: Art to be considered shall be in the judgment of the Commission to be of exceptional quality, and judged for artistic excellence, appropriateness in terms of scale, material, and enduring value.

3.04 STYLE AND NATURE: Models of artwork should be appropriate in scale, material, form and content for the proposed site and setting. The social and physical content of the artwork should be given consideration, noting how people will interact with it

3.05 ELEMENTS AND DESIGN: When deemed appropriate and beneficial by the Commission, art projects may be incorporated into the function and structure of facilities (e.g. doors, windows, walkways, etc.)

3.06 DIVERSITY: The overall arts program for the city will strive for diversity in style, scale, media, subject matter and geographic distribution of artworks. The program should strive to include innovative work as well as more traditional art forms.

3.07 BUDGET: Unless otherwise stipulated, the budget for the project should be adequate to cover all costs for design, fabrication, applicable state and federal taxes transportation, insurance costs and installation of the proposed artwork.

3.08 PERMANENCE: Due consideration shall be given to structural and surface soundness and to permanence in terms of relative proof against age, theft, vandalism, weathering, excessive maintenance and repair costs, intended life expectancy of the artwork and the manner in which the public may interact with the work.

4.0 PLACEMENT AND PLANNING FOR ARTWORK: Certain criteria must be met for placement of artwork on City property.

4.01. Materials must be compatible to the site.

4.02. The safety to the public must be considered, i.e. sharp edges, height, support and Americans with Disability Act considerations.

4.03. The artwork must not interfere with existing and future public use of the city property.

4.04. Landscape should be considered for the placement of artwork, i.e. base treatment, foliage. Existing and new irrigation systems must be considered as part of the artwork installation.

4.05. Prominent placement of artist's name and title of the artwork will be considered. Also, any contributor/sponsor recognition shall be non-obtrusive and compatible with the artwork and the setting.

4.06. Proper maintenance of the artwork and the surrounding site along with lighting must be considered.

4.07. Provision of required utilities must be considered as part of the artwork installation.

4.08. The Commission shall develop an artwork site plan that identifies locations within the city for the placement of art. This plan should be reviewed and updated at least every two (2) years. See Appendix A.

5.0 PROCEDURE FOR REVIEW OF ARTWORK BEING PROPOSED FOR CITY OF LONGVIEW PROPERTY:

5.01 Requests for all artwork must be made in writing to the Director of Parks and Recreation for the City of Longview or his/her designee and include a completed application form. A meeting with the Parks and Recreation Director or designee is required before any submittal of request will be forwarded to the Commission.

5.02 The Commission will establish a date to meet with the artist to evaluate the proposed artwork.

5.03. The Commission will examine proposals and submissions submitted by artists and recommend a selection within the intent and scope of the Procedural guidelines of this policy and present their recommendation to the Parks and Recreation Advisory Board as a basis for future review and consideration relative to the location.

5.04. The Parks and Recreation Advisory Board shall make recommendations regarding site placement of artwork on City property, ensuring that the artwork is compatible with the purpose, use, aesthetic and environmental characteristics of the site; and that safety, vandalism potential and impact on maintenance and operation are within acceptable limits.

5.05. The Commission will review the application for further recommendation to the City Council for its consideration. Artists will be selected on the basis of their qualifications, as demonstrated by past works of art and professional references

regarding past art projects, appropriateness of the proposal to the particular project, and its probability of successful completion.

5.06. The Parks and Recreation Director or designee will notify the artist as to the outcome of his/her application.

6.0 ART SELECTION PANEL

6.01 DEFINITION: “Art Selection Panel” means a group of individuals, including artists, art and design professionals, Commission members and non-artist citizen representatives established by the Commission to select artists to provide works or services to the City. The Commission shall not select Panel members who may have a conflict of interest.

6.02 RESPONSIBILITIES: The art selection panel shall review and examine proposals submitted by artist applicants. They shall recommend artists to be considered by the Commission to be commissioned to create artwork, or select an existing work to be purchased, based on the established criteria, subject to confirmation by the Commission. A report to the Commission stating the reasons for its selections based on established criteria shall be provided along with the panel’s recommendations.

6.03 COMPOSITION: The Arts Selection Panel shall be composed of three to five voting members, depending upon the size and complexity of the project. The majority of the panelists shall be art and design professionals.

6.04 VOTING: Each panelist shall have one vote. Advisors to the panel may participate freely in discussions and debate, but shall not vote. In the event the panel is unable to arrive at a consensus in a reasonable period of time, the chair shall call for a vote and the majority vote shall rule. The panel has the option to make no selection if, in its opinion, there is insufficient merit in the entries.

7.0 ARTIST SELECTION PROCESS

7.01 Eligibility: the Commission for each project will establish Eligibility requirements and review criteria. Artists will be selected on the basis of their qualifications as demonstrated by their application materials.

7.02 Methods of Selecting Artists: Artists shall be selected to participate in the city’s public art program through one of the following ways:

7.021 Open Competition. The Commission or funding sponsor may solicit through public advertisement requests for artists’ slides, resumes, and letters of interest. The Commission or arts selection panel will review

submittals and recommend an artist who meets the Commission's requirements.

7.022 Invitational or Limited Competition. The Commission or funding sponsor may invite a limited number of artists to submit applications or prepare proposals. From this limited pool, the Commission may recommend an artist based upon established criteria. Because some projects require specialized skills, experience or technical abilities, the Commission may establish and maintain juried registries. These registries may be used for direct selection of artists at the discretion of the Commission.

8.0 PROCEDURES FOR THE ARTIST:

1. Proposals shall be submitted to the Parks and Recreation Director or his/her designee.
2. If selected, the artist shall sign a contract of agreement authorized by the City Council and be commissioned to execute and complete the work in a timely and professional manner.
3. The artist shall transfer title of the work of art to the City of Longview
4. All copyright privileges associated with a work of art shall be retained by the artist. The artist shall irrevocably authorize and permit the city to make, create, use and display, without the payment of any royalties or other charges, photographic reproductions, drawings or other two dimensional reproductions of the art for noncommercial purposes including but not limited to, advertising, brochures, educational and promotional materials, tourist guides and other similar material. The city shall assure that all reproductions by the city contain a credit to the artist and a copyright notice in a form that complies with U.S. copyright laws.
5. The artist shall maintain a close working relationship with the Parks and Recreation Director or designee and the Commission until title has been transferred.
6. The artist shall be responsible for assuring that the artwork is properly identified. Plaques or labels identifying the work shall be permanent, unobtrusive and well designed. Identification, mutually agreed upon between the artist, city and the donor may include the name of the artist, title of the work, if any, medium, year completed and funding sources.
7. The artist shall return the proposal to the City of Longview for review and approval should any significant change occur in the scope, material or design of the work subsequent to preliminary design.

8. The artist shall be responsible for all phases of the design and execution of the work, including site preparation and installation, unless otherwise stipulated in the contract.
9. The artist shall complete conservation records that include:
 - a. Specific materials and sources used in the execution of the piece
 - b. Methods of fabrication including diagrams and names of fabricators.
 - c. Installation specifications, methods, description and diagram of structural support, company and persons involved in installation.
 - d. Method and frequency of maintenance including routine maintenance requirements, cyclical maintenance requirements, recommendations and cautions about possible negative influences on work (such as climate, pollutants, sunlight, etc.).
 - e. Desired appearance of work (i.e. matte or glossy patina).
 - f. Estimate the life of the work and guarantee work as provided in the contract.
 - g. The artist is requested to provide a written statement of intention regarding the concept, site, symbolism and cultural context (if any) of his/her artwork. Artworks of cultural functions are created for social, civic, political and economic purposes.
 - h. At some time during the proposed design phase, the artist may be required to make a public presentation at an appropriate forum in the community where the work will be placed.
10. If for any reason, a design for an art project proposed by an artist is not implemented, all rights to the proposed design shall remain the property of the artist.

9.0 INTEGRITY:

The City shall not alter, modify or change the artwork without written authorization from the artist regarding the proposed alteration, modification or change.

9.01 In the case of artwork which is specifically created for a site or which is integral to the design or construction of the building, the city will not alter, modify, or change the artwork and/or the site without notifying the artist and attempting to reach an agreement regarding the proposed changes to the artwork or the site.

9.02 The request for removal or alteration shall first be submitted to and considered by the Visual Arts Commission for a written recommendation to City Council for a final decision.

9.03 In the event that the artist disagrees with the decision of the Visual Arts Commission, he/she may appeal to the City Council in writing within ten days of receipt of the Commission's written decision.

9.04 The Council reviews the appeal and affirms or reverse the decision made by the Commission. The Council may also determine that no review is necessary. The decision of the Council shall be final.

9.05 In the event that the Council decides to remove the artwork, the artist shall have the right of first refusal to purchase his/her artwork, providing it stands alone and is not integrated into a larger piece.

9.06 If an alteration or modification should occur, the City will no longer represent the work as that of the artist, without the artist's written permission.

10.0 PAYMENT TO THE ARTIST:

When the city contracts for a piece of art, payment of the artist's basic services shall be at regular intervals. They shall be in proportion to services actually performed and completed. The total payments received by the artist shall not exceed the following levels for the various stages of completion unless negotiated otherwise through the contract.

Preliminary Design Phase	20%
Upon 25% completion	15%
Upon 50% completion	15%
Upon 75% completion	15%
Upon installation, completion and acceptance	35%

11.0 GIFTS OF WORKS OF ART:

11.01 Proposed gifts of works of art are referred to the Commission for their review and recommendation to the City Council for final consideration. Review is based on the quality of the work, maintenance requirements, conformance to structural and fabrication standards and applicable safety codes, donor conditions, availability of an appropriate site for the work, the advice of administrators at the proposed site and staff research and artistic, financial, curatorial, and legal ramifications.

11.02 An artwork may be deemed appropriate for accession if one or more of the following conditions exist:

- a) The artwork is of significant artistic merit
- b) The artwork is appropriate to a contemporary public art collection
- c) The artwork has cultural significance

11.03 An artwork may be deemed inappropriate for accession if one or more of the following conditions exist:

- a) No suitable location for the artwork can be found

- b) The nature of the artwork indicates it may present extraordinary maintenance or expense for placement
- c) The artwork does not meet the objectives of the collection
- d) Acceptance of the artwork indicates extraordinary liability, or represents other risk or exposure to the City of Longview

11.04 The refusal by the Visual Arts Commission of any proposed donation may be appealed by the donating individual or body in writing within thirty days of receiving the Commission's determination. The appeal shall be addressed to the City Manager who will respond within 30 days with a determination of action.

12.0 MAINTENANCE AND CONSERVATION OF WORKS OF ART:

12.01 The Parks and Recreation Department shall be responsible for the normal cleaning, maintenance and operation of the City's works of art.

12.02 Artists are required to provide accurate maintenance information through completion of the Care and Information form submitted to the Commission. Artwork will not be accessioned without this information.

12.03 An annual review of the repair and maintenance of the City's collection of art works shall be completed by the Commission.

12.04 Facilities housing artworks shall keep the artwork clean, maintain the surrounding area and report damage or maintenance needs.

12.05 When artwork is found to be in need of repair, relocation, restoration, or conservation, the Commission shall be responsible for insuring that corrective action is taken, and for assuring that the maintenance work is undertaken in accordance with appropriate professional standards.

13.0 ACCESSION AND DEACCESSION:

13.01 **ACCESSIONING ARTWORK.** Accessioning artwork into the City of Longview's art collection implies the application of professional standards of care, display and maintenance of the artwork.

Artworks will be accessioned into the collection only upon completion of all facets of the commissioning or purchasing contract.

The artist's signed contract transferring title for the artwork and clearly defining the rights and responsibilities of all parties will accompany every acquisition. In the case of interagency or interlocal agreements, a copy of the agreement and signatures of all parties will be kept at City Hall and the Department.

13.02 DEACCESSIONING ARTWORK. The deaccessioning of artwork is the removal of an object from the City of Longview’s art collection. This implies the removal of the artwork from its public site, removal from the maintenance cycle, and moving of records, both hard copy and electronic, into a Deaccessioned Collection file. Artwork may be removed from the City’s art collection following review by the Commission and the Parks and Recreation Advisory Board with final approval by the City Council under the following conditions:

1. Theft. All stolen artworks will be documented through an official police report and the City’s loss report form.
2. Damage beyond repair. The artwork has been damage 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 is found to exceed current market value of the artwork. In the event artwork is damaged, staff shall prepare a report that documents the original cost of the artwork, estimated market value and the estimated cost of repair.
3. Site Alteration. For site-integrated artworks, in the event that the site for which the artwork was specifically created is structurally or otherwise altered and can no longer accommodate the work, the work is made publicly inaccessible as a result of new construction, demolition, security enhancement, or has its surrounding environment altered in a way which significantly impacts the art, that artwork may be considered for deaccession.
4. Craftsmanship. The artwork requires excessive maintenance or has faulty design or workmanship, which places excessive demands on staff to maintain the work.
5. Replacement. The sponsoring agency or the artist wishes to replace the artwork with a more appropriate work by the same artist.
6. Safety. The artwork represents a threat to public safety.
7. Disposal. It is the obligation of the Commission to ensure that all disposals with regard to the Collection, be formally and publicly conducted and adequately documented. Deaccessioning proceedings shall be held before the Commission and shall be conducted in the following manner:
 - a. All proceedings shall be open to the public.
 - b. The artist whose work is being considered for deaccession shall be notified by mail using the current address provided by the artist.
 - c. All artworks under consideration for deaccession will be accompanied by a staff report that includes:
 - i. Reasons for suggested deaccession.
 - ii. Acquisition method, cost and current market value.
 - iii. Documentation of correspondence with the artist.
 - iv. Photo documentation of site conditions (if applicable).
 - v. Official police report (if applicable).
 - d. The artwork or its remains shall be disposed of by the Department staff upon deaccession approval by City Council. The artist will be given the opportunity to purchase the artwork, or its parts before disposal.

CITY OF LONGVIEW

**APPLICATION FOR ACCEPTANCE OF DONATION OF ART
AND
TRANSFER OF OWNERSHIP**

WHEREAS, on behalf of the City of Longview, Washington (hereinafter “the City”) the Longview City Council has reviewed and agreed to accept the art work proposed to be donate by _____ hereinafter “the Donor”; and

WHEREAS, the art work proposed to be donated to the City by the Donor is described as follows: _____

_____ ; and

WHEREAS, the Donor has agreed to transfer title to the art work to the City; now, therefore,

IT IS HEREBY AGREED BETWEEN THE CITY AND THE DONOR AS FOLLOWS:

1. The City accepts the donation from the Donor of the above described art work; and
2. The Donor unconditionally transfers ownership of said art work to the City, which art work shall become property of the City for all lawful purposes.

DATED this _____ day of _____, 20____.

DONOR

By: _____
Donor

CITY OF LONGVIEW

By: _____

CITY OF LONGVIEW
ARTS COMMISSION

TECHNICAL AND MAINTENANCE RECORD

Name of artist _____ Project Number _____

Title of Work _____

Special Methods and Materials Utilized in Execution of Artwork

A. Material _____

_____ Material thickness _____

B. Welding or Jointing Method _____

C. Welding Rod Alloy or Joint Material _____

D. Casting Alloy, Wax Body, Glass or Fiber Type _____

E. Technique or Construction Method (attach fabrication drawings)

F. Material Finish (glaze, paint color and type, sanding grit, tool pattern, patina, surface sealer, etc.) _____

G. Foundation Installation Structure (including bolt/pin size and grout)

H. Is there any other consideration pertinent to the maintenance of this piece?

APPENDIX A

ARTWORK SITE PLAN

April 2012

The Commission approved a plan that supports the efforts of the Longview Outdoor Gallery committee to place artwork in the historic downtown area. The LOG committee in 2011 commissioned eleven artists to temporarily place sculptures along Commerce Avenue from Vandercook Way to Hemlock Street. Their intent is to continue commissioning with other artists to increase the number of sculptures for display. The Commission supports this plan by designating priority placement zones in the downtown area. Any donor requests to the City for the placement of outdoor artwork and any commissioned work brought forward to the City will be directed to the hierarchy of zones beginning with Zone 1. Once the Commission determines that this zone has sufficient sculptures, they will begin consideration of placement in Zone 2.

ZONE 1: Commerce Avenue from 15th Avenue to Florida Street

ZONE 2: 14th Avenue from Vandercook Way to Florida Street including cross streets between Commerce Avenue and 14th Avenue

Any requests for placement of public artwork in locations other than what is defined in this plan must be submitted to the Commission for approval.

This plan shall be reviewed in two years or less from its approval date.

Approval date: April, 2012