

Public Art Advisory Committee Inaugural Meeting

Monday, January 14, 2019, 3:30 PM | City Hall, City Manager's Conference Room, 2nd Floor

Committee Members:

Rodger Eich, Committee Member

Phone:

(616) 283-6242

Email:

rodgereich@comcast.net

Lorma Freestone, Committee Member

(616) 403-1015

lormafreestone@gmail.com

Michele Lonergan, Committee Member

(616) 283-2582

mrlonergan@mac.com

Carolyn Marquis, Parks & Recreation Representative

(616) 392-5454

carolinamarquis@yahoo.com

Raul Garcia, City Council Representative

(616) 405-8404

r.garcia@cityofholland.com

Andy Kenyon, Parks & Recreation Director

(616) 928-2457

a.kenyon@cityofholland.com

Keith Van Beek, City Manager

(616) 355-1312

k.vanbeek@cityofholland.com

Discussion:

1. Public Comments
2. Call to Order and Roll Call
3. Welcome and Introductions. City Manager Van Beek
4. Appointment of Committee Chair
5. Review of Policy Adopted by City Council and Resolution
Establishing Committee & Purpose. *Enclosure*
6. Develop and Approve Application Documents. *Enclosure*
7. Preferred Meeting Schedule and Location
8. Next Meeting Date
9. Other Discussion
10. Adjournment

Public Art Advisory Committee

About the Committee

The Public Art Advisory Committee provides strategic input and advice to City Council on the opportunities and procedures for supporting the addition of public art throughout the City and the policies necessary to address these opportunities.

Responsibilities

The Public Art Advisory Committee, serving as an advisory body to City Council, will have the following responsibilities:

- (a) Affirm public art as a means to recognize and portray community attributes and inspirations, create and convey pride, and reinforce identity and a sense of special place throughout the community;
- (b) Recognize the value of public art as an economic development force;
- (c) Encourage the creation and placement of public art throughout the City that engages the imagination and participation of the community;
- (d) While maintaining an openness to the location of public art in any venue, develop a public art framework that identifies specific public art opportunities in specific locations throughout the City;
- (e) Actively review and evaluate current and proposed public art installations and evaluate existing and proposed maintenance programs and initiatives, while advising City Council in all such matters;
- (f) Engage others throughout the community who are involved in or interested in promoting and installing public art throughout the City;
- (g) Serve as a community forum for the exchange of ideas and solutions concerning the public art needs and opportunities of the City;
- (h) Review and update the City's Public Art Policy at least once every three years and refer proposed changes to the City Council to implement; and
- (i) Assist in the implementation of Council-approved public art policies, programs and installations.

Who we are

The Public Art Advisory Committee composed of five (5) members to be appointed by the Mayor, with the advice and approval of the City Council, consisting of:

- One (1) member of the City Council for a one-year term;
- One (1) member of the Parks and Recreation Commission for a one-year term;
- Three (3) members who are residents of the City of Holland who are interested in art, landscaping or architecture for staggered three-year terms.

Public Art Advisory Committee

Who we are

All members are residents of the City of Holland and demonstrate a significant knowledge of arts and culture.

The Committee will meet a minimum of _____ times during the year. Additional meetings may be called to address specific project requirements.

The Committee is subject to the City's Public Art Policy to ensure fair and equitable treatment of all participants involved in public art processes and to ensure accommodations are without bias.

Current Members

Rodger Eich	Term Expires	December 2020
Lorma Freestone	Term Expires	December 2021
Michele Lonergan	Term Expires	December 2019
Carolyn Marquis	Term Expires	December 2019
Raul Garcia	Term Expires	December 2019

City of Holland Staff

Keith Van Beek

City Manager

k.vanbeek@cityofholland.com

616.355.1310 (o)

Committee Assistant

Sinka Babinec

Assistant

s.babinec@cityofholland.com

616.355.1317

Attachments: Public Art Policy; Resolution

Policy Title:	Public Art Policy
Policy Number:	2018.01
Report Number:	12E4.1
Approved by:	City Council
Meeting Date:	October 3, 2018
Council Action Number:	18.587
Resolution Number:	R2018.61
Effective Date:	October 3, 2018
Department:	City Manager

1.0 BACKGROUND

The City of Holland desires to ensure that only public artwork of the highest quality and enduring value is accepted into the City’s collection. The City periodically receives requests to accept Public Art to be City-owned. City Council has established a Public Art Advisory Committee (PAAC) to advise City Council, and desires to adopt a Public Art Policy to further support the opportunities of Public Art and the policies necessary to address these opportunities.

2.0 PURPOSE

To establish criteria and procedures for Public Art, including acceptance of art, memorials and related gifts to be City-owned. Public Art enhances the City’s visual and cultural aesthetics. But if inappropriately placed, produced with inadequate material, improperly maintained, or including features or elements incompatible with its setting, Public Art can also impair the public health, safety and welfare or vitiate visual and cultural aesthetics.

3.0 ENABLING LEGISLATION

Resolution No. R2018.61 establishes the PAAC responsibility “to advise City Council on the opportunities and procedures for supporting the addition of Public Art throughout the City and the policies necessary to address these opportunities”.

4.0 DEFINITIONS

- 4.1 Public Art:** Works of visual art accessible to public view and enjoyment on City-owned property.
- 4.2 Public Art Advisory Committee (PAAC):** A professionally qualified citizen committee appointed by City Council to oversee quality control of the City’s Public Art program and collection and to advise Council on the acceptance, placement, removal, policies, and procedures concerning Public Art within the City.
- 4.3 Gift:** An existing or proposed work of art offered as a donation (either permanent or temporary) to the City for placement at a public site under the City’s jurisdiction; alternatively, a monetary gift for the purpose of acquiring artwork for the City.

5.4 Formal Agreement: If the proposal is approved by City Council, a formal agreement will be executed between the City and the donor and/or artist. This agreement will include the following terms and conditions, in addition to other conditions as adopted by City Council.

- A.** The donor assumes responsibility, including any costs, for the installation of the work.
- B.** Ownership of the work, including certain rights under federal law, is relinquished to the City of Holland.
- C.** The City will consider proposed gifts of art with the understanding that no City funds will be required for the fabrication, siting or installation of the work. In addition, the donors will be required to make financial arrangements or assurances to avoid any lingering adverse impacts and to address any damage to or additional maintenance costs for any affected City Property. A maintenance endowment, security deposit, bond, or other security deemed appropriate by the City may be required. If, in the opinion of the City, the proposed work is likely to incur high maintenance cost certain additional funding may be required by City Council. Excessive maintenance cost, in the opinion of the City, may be grounds for rejection.
- D.** The donor provides any insurance required by the City of Holland.
- E.** The City of Holland retains the right to alter, repair, remove or relocate any piece (including site specific pieces) if the use of the site changes or if deemed necessary for the health and safety of the general public. This right will not be executed capriciously. Should the piece be removed, the City will attempt to return it to the donor or artist if requested and of reasonable cost. If any of the preceding terms and conditions are not acceptable to the donor or artist, the City shall make a final determination of the terms and conditions that will apply.
- F.** Any warranty applicable to the work or its installation shall be in the name of, assigned to, or otherwise be enforceable by the City.

6.0 Criteria for Review: City acceptance of ownership and placement of gifts of works of Public Art shall be subject to said gift meeting the following criteria:

- 6.1** The work supports a high standard of visual aesthetics on public property. The history, reputation and/or promise of the artist may also be key considerations.
- 6.2** The materials used in, placement of, and financial arrangements for the work shall minimize the cost and any detrimental impact upon City operations which may result from accepting, placing, and maintaining the work.
- 6.3** The work shall be placed and maintained in a way that (i) preserves the primary intended use and (ii) does not detrimentally affect the character of the public space in which it is

placed. Conceptual compatibility and appropriateness of the proposed artwork to the surrounding neighborhood or environment will be factors for consideration, and will include scale, form, content and design.

- 6.4** It is the City’s policy to avert the intrusion of political, religious, or commercial displays into parks and other public property.
- 6.5** To the extent reasonably practicable, the work should be accessible to all persons.
- 6.6** The work and its placement shall not endanger the public health, safety, or welfare. Specifically, it shall:
 - A.** Be structurally sound and durable enough to withstand the elements and other conditions to which it may be subjected;
 - B.** Not adversely affect nearby utilities, facilities, or infrastructure;
 - C.** Not impair pedestrian, bicycle, or vehicular traffic safety; and
 - D.** Not adversely affect the physical conditions of the site on which the piece is located by causing erosion, corrosion, hazardous runoff, unduly increase maintenance costs, etc.
- 6.7** The work or its display shall comply with all other applicable laws, rules, regulations, City policies, contractual requirements, and grant requirements, and shall not void or invalidate any warranties or guarantees applicable to City-owned improvements, structures, facilities or equipment.
- 7.0 De-Accessioning:** The City may de-access artwork in the City’s collection as decided by City Council. When considering any de-accession, the PAAC shall consult with City staff and other outside persons (experts).
- 8.0 Implementation:** The City Manager may establish and implement procedures and other appropriate measures to implement this policy.

AMENDMENTS

Regular Council Meeting	City Manager Report Number	Description
June 4, 2014	14E1.2*	Approval Option 2 which includes the “Government Speech” language and a process for submitting and reviewing proposed installations of art involving Council and relevant boards and commissions
October 3, 2018	12E6.5*	Public Art Policy and Establishment of a Public Art Advisory Committee – Resolution No. R2018-61 Adopted

- 4.4 Donor:** An individual, group, organization, or business that proposes a work of art for placement or installation on a City-owned site, and/or, when applicable, the artists(s) who created the proposed gift.
- 4.5 Memorial:** Memorials to be erected on City-owned property shall be in remembrance of a person or persons, concept, or event that has a positive meaningful significance to the Holland community as a whole.

5.0 REVIEW PANEL AND PROCESS

- 5.1 Role of the Public Art Advisory Committee:** The City believes that decisions about the acceptance, placement, materials, maintenance, and other aspects of Public Art are best addressed by City Council as advised by the PAAC. The PAAC, in consultation with City staff, will make recommendations to Council consistent with criteria in this policy.
- 5.2 Involvement of Other Public Bodies:** Depending on the specific location of the proposed Public Art, the PAAC shall involve the chair or chair's designee of the following public bodies where appropriate: Parks Commission, Downtown Development Authority, Principal Shopping District, Historic District Commission, Neighborhood Improvement Committee, and Airport Authority.
- 5.3 Review Procedure:** Proposals for City ownership of Public Art shall be referred to the PAAC. The City Manager's Office will provide staff support on these matters. The PAAC will consult City staff on the proposal, and Department Heads must approve proposals for sites over which their department has jurisdiction. The PAAC may consult outside persons, experts or other community members, as the PAAC deems necessary or appropriate.

Proposals shall include the following materials prior to review by the PAAC:

- A.** A brief statement of intent from the artist, including any message or theme that the proposed work is intended to convey;
- B.** Adequate visual representation of the proposed work in drawing(s) and/or photographs and/or model(s), with scale and materials indicated;
- C.** A scale drawing showing the proposed work as it will be sited;
- D.** A comprehensive budget, with projected cost for the project, funds committed to date, proposed source(s) of funds, approach and funding for ongoing maintenance; and
- E.** Artist's resume and any additional supporting material relevant to the artist's experience.

A recommendation will be developed and presented to City Council for action, including a proposed formal agreement including such elements as outlined in section 5.4.

**RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF HOLLAND
REGARDING THE ADOPTION OF A PUBLIC ART POLICY AND
ESTABLISHMENT OF A PUBLIC ART ADVISORY COMMITTEE**

At a regular meeting of the City Council of the City of Holland, Holland, Michigan, held at City Hall in Holland, Michigan on the 3rd day of October, 2018 at 7:00 p.m. E.S.T.

PRESENT: Mayor De Boer, Council Members Byrd, Trethewey, Peters, Garcia, Lynn and Hoekstra

ABSENT: Council Members Corbin and Klomparens

The following Resolution was offered by City Council Member Hoekstra and supported by City Council Member Lynn.

RESOLUTION

PUBLIC ART POLICY AND PUBLIC ART ADVISORY COMMITTEE

WHEREAS, the City of Holland is fortunate to have over 70 outdoor pieces of public art on public streets and sidewalks, in public parks, on public properties, and on private property fully within view of the public which enliven the physical environment while enhancing the City's desirability and livability;

WHEREAS, the City of Holland's sense of place and connection to our creative businesses, industry, and educational institutions are enhanced by the creativity and excitement of diverse public art;

WHEREAS, the purpose of this Resolution is to adopt the City of Holland's Public Art Policy to provide guidance on decisions relating to public art displays;

WHEREAS, this Resolution establishes a Public Art Advisory Committee to advise City Council on the opportunities and procedures for supporting the addition of public art throughout the City and the policies necessary to address these opportunities;

WHEREAS, the Public Art Advisory Committee will work with boards, committees and City staff charged with overseeing public places and with various policies directed at procedures and content for realizing such installations;

WHEREAS, the Public Art Advisory Committee, serving as an advisory body to City Council, will have the following responsibilities:

- (a) Affirm public art as a means to recognize and portray community attributes and inspirations, create and convey pride, and reinforce identity and a sense of special place throughout the community;
- (b) Recognize the value of public art as an economic development force;
- (c) Encourage the creation and placement of public art throughout the City that engages the imagination and participation of the community;
- (d) While maintaining an openness to the location of public art in any venue, develop a public art framework that identifies specific public art opportunities in specific locations throughout the City;
- (e) Actively review and evaluate current and proposed public art installations and evaluate existing and proposed maintenance programs and initiatives, while advising City Council in all such matters;
- (f) Engage others throughout the community who are involved in or interested in promoting and installing public art throughout the City;
- (g) Serve as a community forum for the exchange of ideas and solutions concerning the public art needs and opportunities of the City;
- (h) Review and update the City's Public Art Policy at least once every three years and refer proposed changes to the City Council to implement; and
- (i) Assist in the implementation of Council-approved public art policies, programs and installations; and

WHEREAS, the Public Art Advisory Committee shall meet as necessary to conduct the business of the Committee. The Committee shall adopt rules and procedures as are appropriate to the performance of its duties. The members shall elect a chairperson to serve a one-year term. The City Manager, or the City Manager's designated representative(s), shall provide secretarial and staff services for the Committee.

NOW, THEREFORE BE IT RESOLVED that the City Council for the City of Holland adopts the attached Public Art Policy effective on this date;

IT IS FURTHER RESOLVED that the City Council hereby establishes the Public Art Advisory Committee composed of five (5) members to be appointed by the Mayor, with the advice and approval of the City Council, consisting of:

- One (1) member of the City Council for a one-year term;

- One (1) member of the Parks and Recreation Commission for a one-year term;
- Three (3) members who are residents of the City of Holland who are interested in art, landscaping or architecture for staggered three-year terms.

IT IS FURTHER RESOLVED that the terms of the Committee members shall be consistent with the City's fiscal year, i.e., expiring on June 30.

After discussion, the vote was:

AYES: Council Members Byrd, Trethewey, Peters, Garcia, Lynn, Hoekstra and Mayor De Boer

NAYS: None

ABSENT: Council Members Corbin and Klomprens

Dated: October 3, 2018

CITY OF HOLLAND

By Kathy Mitchell
Kathy Mitchell
Its City Clerk

CERTIFICATE

STATE OF MICHIGAN)
) ss
COUNTY OF OTTAWA)

I, the undersigned, the duly qualified City Clerk of the Holland City Council, City of Holland, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular City Council Meeting of the Council of the City of Holland, held on the 3rd day of October, 2018, insofar as the same relates to the Resolution of the Holland City Council Regarding the Adoption of a Public Art Policy and Establishment of a Public Art Advisory Committee, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in full compliance with Act 267, Public Act of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 3rd day of October, 2018.



Kathy Mitchell, City Clerk

APPLICATION FOR DONATION OF ARTWORK TO THE CITY OF HOLLAND, MICHIGAN

Thank you for your interest in donating artwork to the City of Holland.

Please complete and submit this application to the

City of Holland's Public Art Committee
 ATTN: City Manager's Office
 Holland City Hall, 2nd Floor
 270 South River Avenue
 Holland, MI 49423
 Contact City Staff at 616.355.1310 for assistance.



Please attach additional sheets. The City reserves the right to request additional information in order to process a donation proposal. No Fee Required.

DONOR			
Name(s)			
Organization (if applicable)			
Please check one: _____ Individual(s) _____ Corporation _____ Not-for-Profit _____ Other: _____ (specify)			
Address			
City	State	Zip Code	Country
Phone	Fax	Email	
Provide the donor's name as it should appear in labels, publications and publicity			
Conflict of Interest – Disclose whether the donor has any active contracts with the City or is involved in any in any stage of negotiations for a City contract.			
ARTIST			
Name		Alias (If applicable)	
Nationality	Birth Date	Death Date (if applicable)	
Address			
City	State	Zip Code	Country
Phone	Fax	Email	

Website			
Artist Representation / Gallery Name (if applicable)			
Artist Representation / Gallery Address			
City	State	Zip Code	Country
Phone	Fax	Email	
Website			
For donations of commissioned artwork, please explain the method for the selection of the art			
ARTWORK			
Title			
Artwork type (e.g. painting, sculpture, etc.)		Medium	
Description			
Period / Date		Dimensions and Weight	
Finishes applied to surface			
Construction technique(s)			
If this artwork is part of an edition, what is the edition number and the total number of the edit			
If this artwork is part of a series, what is the total number in the series?			
If this artwork is part of a pair or a group, what is the total number in the pair or group?			

Describe frame, if any.		Describe base or pedestal, if any.	
Describe any accompanying accessories.			
Current location of artwork			
(Optional) Proposed City-owned site for placement			
For memorials, describe the person or event to be commemorated.			
ARTWORK HISTORY			
Provenance/Past Owners – List all past owners and period of ownership for each.			
Exhibition History – List the exhibition history including exhibition titles, venues and dates for each.			
Publications and References – List all publications about and references to the artwork.			
COPYRIGHT OWNERSHIP			
Name of current copyright owner		Title	
Address			
City	State	Zip Code	Country
Phone	Fax	Email	

If the donor is the current copyright owner, does the donor intend to transfer the copyright to the City of Holland should the donation be accepted by the City?

ARTWORK VALUATION

Fair Market Value \$

How was this fair market value determined and by whom?

CONDITION

Describe the current condition of the artwork noting any existing breaks, tears, scratches, abrasions, paint losses, or other insecurities or defects in the artwork.

If the artwork has been conserved, describe the conservation treatment.

Optional) Provide recommendations for routine maintenance of artwork. Indicate whether these recommendations were provided by a conservator.

(Optional) Provide recommendations for security, installation, transportation and/or storage.

For donations of commissioned artwork, please outline the installation plan.

OTHER REQUIRED MATERIALS

Please submit the following materials along with this completed form.

- Artist's résumé and bio
- Digital, color images of existing artwork by artist
- Color renderings of commissioned artwork

- (Optional) Maps or Images of proposed site for artwork
- Itemized list of any costs to be borne by the City for transportation, installation, exhibition, operation, maintenance, conservation, and/or security.
- For commissioned artwork, submit an itemized budget for design, fabrication and installation.
- For commissioned artwork, submit a timeline for design, fabrication and installation.
- Exhibition catalogs, publications and/or references, if available
- Formal, written appraisal for any artwork with a fair market value of \$_____ or more
- Condition report, if available
- Conservator's report, if applicable
- Proof of authenticity, if available
- Any other information relevant to the artwork

DONOR'S AUTHORIZATION TO INITIATE A DONATION REVIEW

Authorized Signature	Title
Print Name	Date

COMMISSION STAFF ONLY

Received by	Date

APPLICATION FOR DONATION OF ARTWORK ON CITY OWNED PROPERTY CITY OF HOLLAND, MICHIGAN

Thank you for your interest in donating artwork to the City of Holland.

The donor/owner must complete and sign this application form. If the donor/owner is not the artist who created the artwork, the artist must also sign this Application below.

Please complete and submit this application to the

City of Holland's Public Art Committee
 ATTN: City Manager's Office
 Holland City Hall, 2nd Floor
 270 South River Avenue
 Holland, MI 49423
 Contact City Staff at 616.355.1310 for assistance.



Please attach additional sheets. The City reserves the right to request additional information in order to process a donation proposal. No Fee Required.

ARTIST/DONOR			
Name(s)			
Address			
City	State	Zip Code	Country
Phone	Fax	Email	
Title of Work:			
Description of Work: (The form must be accompanied by drawings, models, photographs or a other graphic depiction which will help more clearly define the artwork.)			

Materials/Size:

Proposed Location: (For inside or outside installation)

An Appraisal or Other Evidence of the Value of the Proposed Public Artwork:

By signing this Application below and in consideration for participating in the City's Public Art program on City-Owned Property, the artist/owner hereby acknowledges and understands that upon completion and installation of the artwork, and upon its acceptance by the Holland City Council, the work shall become the property of the City of Holland. The City retains the right to remove or relocate the artwork in its sole discretion as the interest of the public welfare, health and safety may require.

If the artwork is damaged, defaced, altered or destroyed by human acts or by acts of nature, the City retains the right to remove, restore, repair or replace the artwork at any time in keeping with the artist's original design intent, without consulting the artist, or his or her heirs or assigns. The City will make reasonable efforts to contact the artist, or if unavailable, another design professional, to advise or assist in any restoration work.

I have read, understand and accept the terms of this Application and represent that I am the _____ of the artwork which is the subject of this Application.
(owner, artist, or owner and artist)

DONOR'S AUTHORIZATION TO INITIATE A DONATION REVIEW

Authorized Signature	Title
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Print Name	Date
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I have read, understand and accept the terms of this Application and represent that I am the _____ of the artwork which is the subject of this Application.
(owner, artist, or owner and artist)

DONOR'S AUTHORIZATION TO INITIATE A DONATION REVIEW

Authorized Signature	Title
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Print Name	Date
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STAFF ONLY

Received by	Date
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