

Public Art Advisory Committee Meeting

Monday, April 15, 2019, 3:30 PM | City Manager's Conference Room

Discussion:

1. Public Comments
2. Consideration of the March 18, 2019 meeting minutes. Enclosure
3. Flow for Applications for Donations. Enclosure
4. Application for Donation of Art and Memorials. Enclosure
5. Public Art Map: Inventory and Potential Sites
6. Next Steps
7. Parking Lot Items:
 - Tour of Potential Artwork Sites
 - Tour of Holland Civic Center Place
 - Process / Policy on Indoor Art
8. Next Meeting Date: Monday, May 13, 2019, City Manager's Conference Room
9. Other Discussion
10. Adjournment

Public Art Advisory Committee
Proposed Meeting Minutes
March 18, 2019

The City of Holland's Public Art Advisory Board met in the Green Rom at the Civic Center Place.

Present: Committee Members Eich, Lonergan, Marquis, and Council Member Garcia
Absent: Chairperson Freestone
Guest: Parks and Recreation Director Kenyon
Others Present: City Manager Van Beek, and Executive Assistant Babinec

Vice-Chair Eich called the meeting to order at 3:38 p.m.; and welcomed Committee members to the Civic Center Place.

2019.03.01 Public Comments

There were no public comments from the public.

2019.03.02 Consideration of the February 18, 2019 meeting minutes.

It was moved by Committee member Marquis and supported by Committee member Lonergan to approve the February 18, 2019 meeting minutes as presented. This motion was unanimously adopted.

2019.03.03 Review Proposed Application Document

Vice-Chair Eich distributed packages to Committee members that consisted of the Public Art Donation Application and a draft of a high-level flow diagram to illustrate to the Committee the flow of the application and information between donor and the departments or areas of responsibility. Committee members reviewed the application form and sections of the form were clarified.

Mr. Eich took the Committee through the relevant sections of the proposed document. Mr. Eich commented that donation buttons online could make the giving process easier for some donors who appreciate the option of suggested type of contributions: financial, artwork, memorial, parks and other assets. City Manager Van Beek indicated that donations given to the City are tracked by designated purpose by individuals, organizations, or corporations that donate funds for public purposes to projects, park improvements, memorials, programs, events, or projects that benefit the City of Holland Community.

In addition, Mr. Van Beek suggested that early in the process, the application form should include a disclosure for donations where the donor is required to comply with the City's Public Art Policy and to contact the PAAC staff to discuss options for the donation process. Committee members commented that everyone would appreciate an application form that is fast and easy to use; and that every donation is a unique experience. Mr. Eich added that the Policy would be incorporated into the process to satisfy this requirement.

Committee members reviewed the Guidelines for Gifts and Donations of Artwork in order to clarify the process further and consider any revisions. City Manager Van Beek reminded the Committee that their role is to provide advice to Council on matters related to public art. It was recommended that the approval process allow a subjective process to be more objective.

Vice-Chair Eich will amend the draft Application for Donation as appropriate.

Public Art Advisory Committee
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The Committee thanked Vice-Chair Eich for providing input into the development and review of the application content.

2019.03.04 Interactive Public Art Map

City Manager Van Beek stated that Chairperson Freestone met with the City's GIS Specialist Ebenstein for the update. There are no updates to report.

2019.03.05 Gifts and Memorials. As Time Permits

Mr. Van Beek advised that the item was under review and there are no updates to report.

2019.03.06 Tour of the Civic Center Place Facility

The tour has been postponed and will be rescheduled to another time.

2019.03.07 Next Meeting Date

- April 15, 2019, City Manager's Conference Room

2019.03.08 Other Business

- Board Member Lonergan requested that a tour of potential sites for future installation of art projects be scheduled.

- City Manager Van Beek summarized a request received by his office from the Holland Rotary Club regarding their "Service Above Self" project for their 100th Celebration Rotary Monument project. Consequently, the proposal will be considered at the PAAC's next meeting. This briefing affords an opportunity for the Committee to discuss the proposal at the next meeting.

- Mr. Van Beek provided a brief background to the Committee regarding the Wizard of Oz project. Overall, this project is receiving positive feedback. The Holland Area Convention and Visitors Bureau, in partnership with the City, Holland In Bloom, and the Herrick District Library will be placing a life-sized bronze sculptures of Dorothy and Toto, the Tin Man, the Scarecrow and the Lion, as well as 12-1/2 foot "Fighting Tree," at the north side of the library. A 3-dimensional landscaped flower bed will be installed on the southwest corner of Centennial Park. The project is scheduled to be completed by Summer 2019. There was some discussion regarding the submission/approval for the project.

In closing, Vice-Chair Eich thanked the Committee for their time and support.

2019.03.09 Adjournment

There being no further business, the meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Sinka Babinec
Assistant to the PAAC

Public Art Advisory Committee
Proposed Meeting Minutes
March 18, 2019

ACTION ITEMS			
ITEM #	ASSIGNED TO	DUE DATE	DESCRIPTION
Review Request of the Holland Rotary Club	Committee	Next Meeting	
Tour of the Civic Center Place	Committee	To Be Determined	
Review Potential Sites for Future Public Art on Public Property , including parks, plazas, pedestrian and recreational pathways, gateways and roadways.	Committee	By July 2019	
Develop Process/Policy on Indoor Art , with a specific recommendation to Council. Consider agreement with the Arts Council and/or the Museum.	Committee	By January 2020	

Flowchart for Outdoor Artwork

1

- **Application Received by Staff**
 - *If Incomplete; Return for More Information*

2

- **Application Put on PAAC Agenda**

3

- **Application Received by PAAC for "First-Level" Approval**
 - *Rejected/Denied: Does not meet review criteria; Incomplete: Return for More Information*

4

- **Application Tentatively Accepted by PACC for "First-Level" Approval**

5

- **Application Evaluated for Location Specific Placement**
 - *Tabled/Postponed: Applicant does not agree on proposed location(s)*

6

- **Tentative Location Agreed Upon for Placement**

7

- **City Attorney Prepares Formal Agreement**

8

- **PACC Recommendation and Formal Agreement Submitted to Council**
 - *Tabled/Postponed/Denied*

9

- **Approved**

Flowchart for Outdoor Memorials

- **Application Received by Staff**

- *If Incomplete; Return for More Information;*
- *Does not involve artistic feature or monument; does not go to PAAC*

1

- **Application Put on PAAC Agenda: *Artistic Feature / Monument***

2

- **Application Received by PAAC for "First-Level" Approval**

- *Rejected/Denied: Does not meet review criteria; Incomplete: Return for More Information*

3

- **Application Tentatively Accepted by PACC for "First-Level" Approval**

4

- **Application Evaluated for Location Specific Placement**

- *Tabled/Postponed: Applicant does not agree on proposed location(s)*

5

- **Tentative Location Agreed Upon for Placement**

6

- **City Attorney Prepares Formal Agreement**

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- **PAAC Recommendation and Formal Agreement Submitted to Council**

- *Tabled/Postponed/Denied*

8

- **Approved**

9



Application for donation of artwork?

The City of Holland, Michigan

should this be the umbrella for all donations? PAAC focus is on Art & Memorial branch.



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 Area Art Committee (PAAC)** on-line or mail to,

ATTN: City Manager's Office
Holland City Hall, 2nd Floor
270 South River Avenue
Holland, MI 49423

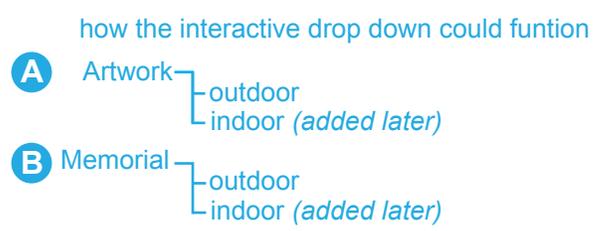
Contact City Staff at **616.355.1310** for assistance.



Type of Donation

▼ *drop down list*

Drop down list determines what form to use. (hyper link) This way we can control how we want to address indoor and roll out connections to museum and Holland area arts council, financial etc.



Donor

Name

[Grey input field for Name]

Organization *(if applicable)*

[Grey input field for Organization]

Please check one Individual Corporation Not-for-profit Other *(specify)* _____

Contact

all options will be included

[Grey input field for Contact]

Conflict of interest discloser

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.

[Grey input field for Conflict of interest discloser]

3

Artist same as donor (auto fill)

Name

Contact

all options will be included

4

Artwork

Title

Photo

Artwork type (e.g. sculpture, ceramics, painting, etc)

▼ drop down list

switch to different form based on selection

Description (100 words)

drag & drop to upload

or attach hard copy when submitting

Structural Integrity & materials

Describe materials & construction used to create artwork type

Describe existing artwork construction proven longevity, if any.

e.g. other installations / how many years installed using like materials and construction

5

Eligibility costs

Funds to maintain artworks in the City’s collection are limited. Therefore, when accepting a gift into the City’s collection, the PAAC may require that the donor sign a maintenance agreement or establish a maintenance endowment to ensure an adequate quality of care for the artwork. The Commission is unlikely to consider any donation that requires immediate or extensive maintenance.

All cost associated with transportation, installation and maintenance with we the responsibility of the Donor/ Artist.

Need clarity on criteria & language

6

Donor’s authorization to initiate a donation review

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)*

Name and Title: _____

Authorized signature: _____

date: _____

6

Review process

The PAAC typically reviews donations twice per calendar year (TBD); however, exceptions can be made if deemed appropriate by a majority of the Commission. After review, the PAAC may choose to accept or decline the donation, or to table an offer.

Bullet point list of review process & next steps

- PAAC review
- Cost eligibility review
- Holland City Council review

Application for Donation of Art and Memorials

The City of Holland, Michigan



Thank you for your interest in donating artwork or a memorial to the City of Holland. Please complete and submit this application to the City of Holland's Public Art Advisory Committee (PAAC) on-line or mail to,

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

1. Type of Donation

Artwork:	Outdoor	Indoor
Memorial:	Outdoor	Indoor

2. Donor

Name: _____

Organization: *(if applicable)*: _____

Please check one: Individual Corporation Not-for-profit Other (specify) _____

Contact:

Name: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Cell-Phone: _____ Email: _____

Conflict of Interest Discloser: Disclose whether the donor has any active contracts with the City of is involved in any stage of negotiations for a City contract

Legal Check: *Does this matter, Ron?* _____

3. Artist

Name: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Cell-Phone: _____ Email: _____

Resume or Additional supporting material relevant to the artist's experience **Section 5.3.E. Public Art Policy**

4. Artwork

Title: _____

Artwork Type:

Sculpture Ceramics Painting Other _____

Description (100 words)

Section 5.3.A. Public Art Policy

Statement of Intent from the artist, including any message or theme that the proposed work is intended to convey.

Photo

Section 5.3.B. Public Art Policy

Adequate visual representation of the proposed park in drawing(s) and / or photographs, and / or model(s), including scale.

Drag and drop to upload Or Attach hard copy when submitting

Structural Integrity and Materials

Describe materials and construction used to create artwork type.

Section 5.3.C. Public Art Policy

A scale drawing showing the proposed park as it will be sited.

5. Finance

Sections 5.4.A. and 5.4.c. Public Art Policy

Provide a comprehensive budget, with installation and long-term maintenance cost, along with sources of funding.

Describe existing artwork construction proven longevity, if any.

e.g. Other installations / how many years installed using like materials and construction.

6. Eligibility Costs

Section 5.4.C. Public Art Policy

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. Additionally, when accepting a gift into the City’s collection, the PAAC may require that the donor sign a maintenance agreement or establish a maintenance endowment to ensure an adequate quality of care for the artwork. The Committee is unlikely to consider any donation that requires immediate or extensive maintenance.

All cost associated with transportation, installation and maintenance will be the responsibility of the Donor / Artist

7. Formal Agreement

Section 5.4. Public Art Policy

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.

8. Ownership

Section 5.4.B. Public Art Policy

Ownership of the work, including certain rights under federal law, is relinquished to the City of Holland.

9. Insurance

Section 5.4.D. Public Art Policy

The donor provides any insurance required by the City of Holland.

10. Provide, if any, a proposed location in the City you want considered to locate your artwork or memorial.

11. Donor’s authorization to initiate a donation review.

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 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)

Name: _____

Title: _____

Authorized Signature: _____

Print: _____

Date: _____

12. Review Process

The PAAC typically reviews donations twice per calendar year (TBD); however, exceptions can be made if deemed appropriate by a majority of the Committee.

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.

- 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.

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