



ARTS, CULTURE, AND HERITAGE COMMISSION AGENDA

July 19, 2023 at 5:00 PM

Wilsonville City Hall

PARTICIPANTS MAY ATTEND THE MEETING AT:

Wilsonville City Hall, 29799 Town Center Loop E, Wilsonville, OR

You can watch the meeting here: <https://us02web.zoom.us/j/84456798576>

TO PARTICIPATE REMOTELY OR PROVIDE PUBLIC COMMENT:

Register with Erika Valentine:

EValentine@ci.wilsonville.or.us or 503-570-1629

Individuals may submit comments by 12:00 PM on the day before the meeting date via email to the address above, or may mail written comments to:

Erika Valentine - Wilsonville City Hall

29799 SW Town Center Loop East, Wilsonville, OR 97070

CALL TO ORDER [5:00 PM]

1. Roll Call

CONSENT AGENDA [5:02 PM]

- [2.](#) Approval of Minutes: 6.21.2023

CITIZEN INPUT [5:05 PM]

CONTINUING BUSINESS

- [3.](#) Arts & Culture Program Coordinator Update (Valentine) [5:05 PM]
- [4.](#) ACHC Information Refresher (Valentine) [5:20 PM]
- [5.](#) Draft Public Art Program Guidelines and Policy (Valentine) [5:40 PM]
- [6.](#) Community Enhancement Project - Skate Park Mural (Valentine) [6:00 PM]

ADJOURN

NEXT MEETING

Wed, August 16, 2023 5:00 PM

Time frames for agenda items are not time certain (i.e. agenda items may be considered earlier than indicated). The City will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting Laura Ruggles, Program Coordinator at 503-783-7529 or ParksandRec@ci.wilsonville.or.us: assistive listening devices (ALD), sign language interpreter, and/or bilingual interpreter. Those who need accessibility assistance can contact the City by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

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ARTS, CULTURE, AND HERITAGE COMMISSION MINUTES

June 21, 2023 at 5:00 PM

Wilsonville City Hall

PARTICIPANTS MAY ATTEND THE MEETING AT:

Wilsonville City Hall, 29799 Town Center Loop E, Wilsonville, OR
You can watch the meeting here: <https://us02web.zoom.us/j/84920988050>

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via email to the address above, or may mail written comments to:
Erika Valentine - Wilsonville City Hall
29799 SW Town Center Loop East, Wilsonville, OR 97070

CALL TO ORDER [5:00PM]

1. Roll Call

PRESENT

Member Elaine Swyt, Member Angela Sims, Member Joan Carlson, Member Benjamin Mefford, Member Deborah Zundel, Member Jason Jones, Member Steven Traugh

ABSENT: Member Susan Schenk, Member David Altman

EX OFFICIO/ CITY STAFF PRESENT:

Mayor Julie Fitzgerald, City Council Liaison
Brian Stevenson, Program Manager
Erika Valentine, Arts and Culture Program Coordinator

CONSENT AGENDA [5:02PM]

2. Approval of Minutes: 4.5.2023

Motion made by Member Swyt, Seconded by Member Sims. Voting Yea: Member Carlson, Member Mefford, Member Zundel, Member Jones, Member Traugh

Approval of Minutes: 5.3.2023

Motion made by Member Carlson, Seconded by Member Swyt. Voting Yea: Member Mefford, Member Zundel, Member Jones, Member Traugh, Member Sims.

CITIZEN INPUT [5:05PM]

None

COMMISSION BUSINESS [5:05PM]

3. 2023 Officer Appointments

Valentine let the ACHC know they will go through this process of appointments annually each June, to elect or re-elect a Chair and Vice Chair based on Bylaws.

Motion was made to re-elect Deb Zundel as Chair, by Member Carlson, Seconded by Member Sims. Voting Yea: Member Mefford, Member Jones, Member Traugh, Member Swyt.

Motion was made to elect Angela Sims as Vice Chair by Deb Zundel, Seconded by Member Carlson. Voting Yea: Member Mefford, Member Jones, Member Traugh, Member Swyt

4. Classes and Special Events Presentation (Behler)

Recreation Coordinator Erica Behler Presented on current special events put on by the Parks and Recreation Department. The purpose of this presentation was to get the ACHC thinking of ways to partner with events and ways to enhance existing events with arts, culture and heritage elements. ACHC suggested having ability to table at events to engage with the community and inform them about the ACHC. The ACHC was interested in having a table with some kind of activity at the Party in the Park Event taking place in August. Members mentioned chalk art as an easy activity that would work well, with interest for staff to pursue hiring a chalk artist. Presentation also included information on existing classes ran through the Parks and Recreation department with contract instructors. Behler asked the ACHC to assist in soliciting new contract instructors. The ACHC asked for a flyer or add to send out to people who may be interested in teaching.

5. Draft Public Art Program Guidelines and Policy (Valentine)

Arts and Culture Program Coordinator Erika Valentine presented the Draft Public Art Program Guidelines and Policy in order to receive feedback and input from the ACHC. Member Sims and Member Traugh expressed that the policy was a positive start for implementation of a public art program and took a lot of effort and time by staff. Member Mefford told the group about the Arts Council of Lake Oswego model which the public art program is managed by the Arts Council, a nonprofit, and expressed concerns about Wilsonville's program being housed within the City. Consultant Bill Flood stated that Erika Valentine is in the position to work City wide and cross departments to leverage resources to benefit Wilsonville's Public Art Program and that the majority of public art programs are housed within various City Departments. Valentine let the ACHC know other departments were also providing input and feedback to the policy and that she would bring an updated draft back to the ACHC for a future motion to approve taking the policy to City Council for final approval.

6. Clackamas County Arts Alliance (CCAA) Artist Exhibit Program (AAEP) (Valentine)

Arts and Culture Program Coordinator Erika Valentine presented about gallery program housed in City Hall, to be ran by CCAA. The City Hall Gallery would feature rotating exhibits of local artists that change every 3 months. Chair Zundel mentioned the desire to host receptions for the exhibits and to advertise in the Boones Ferry Messenger. There was also interested for the first exhibit to be an artist local to Wilsonville.

Motion was made by Chair Zundel to approve staff moving forward with working with Clackamas County Arts Alliance (CCAA) in bringing a gallery program to City Hall, seconded by Member Jones. Voting Yea: Member Carlson, Member Swyt, Member Sims, Member Traugh, Member Mefford.

7. Public Art Acquisition/ Donation - Michihiro Kosuge (Valentine / Mefford)

Arts and Culture Program Coordinator Erika Valentine made an introduction about Michihiro's sculptures and that Member Mefford brought this opportunity to her/the City's awareness. Member Member went over some history about the artist and outlined the City' opportunity to acquire sculptures are no cost which will enhance the City's current collection. Valentine explained that at a future ACHC meeting they would consider potential locations.

Motion was made by Chair Zundel to approve staff moving forward with obtaining the sculptures from Michihiro Kosuge, Seconded by Member Traugh. Voting Yea: Member Carlson, Member Swyt, Member Sims, Member Mefford, Member Sims.

ADJOURN

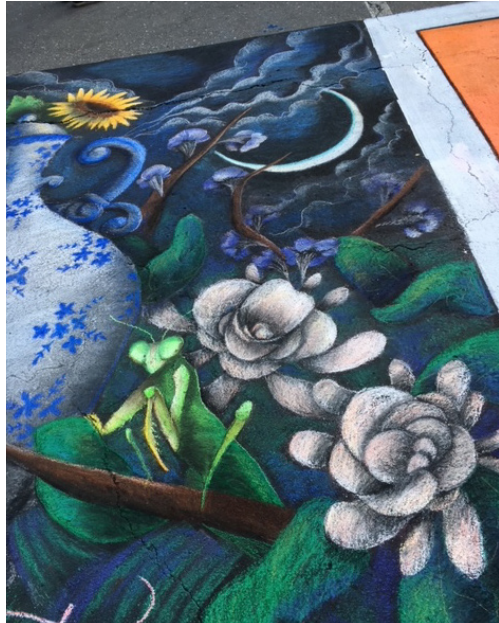
Meeting adjourned at 6:59 PM

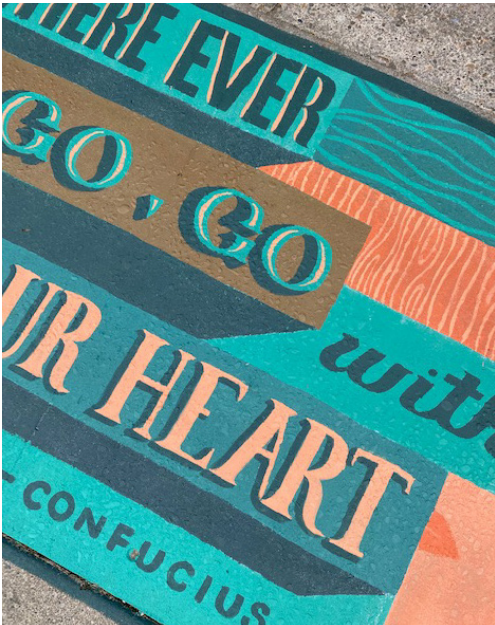
NEXT MEETING

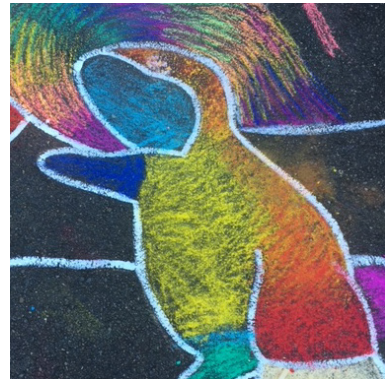
Wed, July 19, 2023 5:00 PM at City Hall

Time frames for agenda items are not time certain (i.e. agenda items may be considered earlier than indicated). The City will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting Laura Ruggles, Program Coordinator at 503-783-7529 or ParksandRec@ci.wilsonville.or.us: assistive listening devices (ALD), sign language interpreter, and/or bilingual interpreter. Those who need accessibility assistance can contact the City by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

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Summer Art Symposium
Tuesday August 29, 6pm – 8pm
Stein Boozier Barn

Inviting artists and creatives of all kinds in the community to gather in the Stein Boozier barn in Memorial Park on August 29th from 6-8 PM to eat, drink, talk art and build a network with like-minded folks! Attendees are encouraged to bring samples of their own work to contribute to a pop up gallery which will help break the ice.

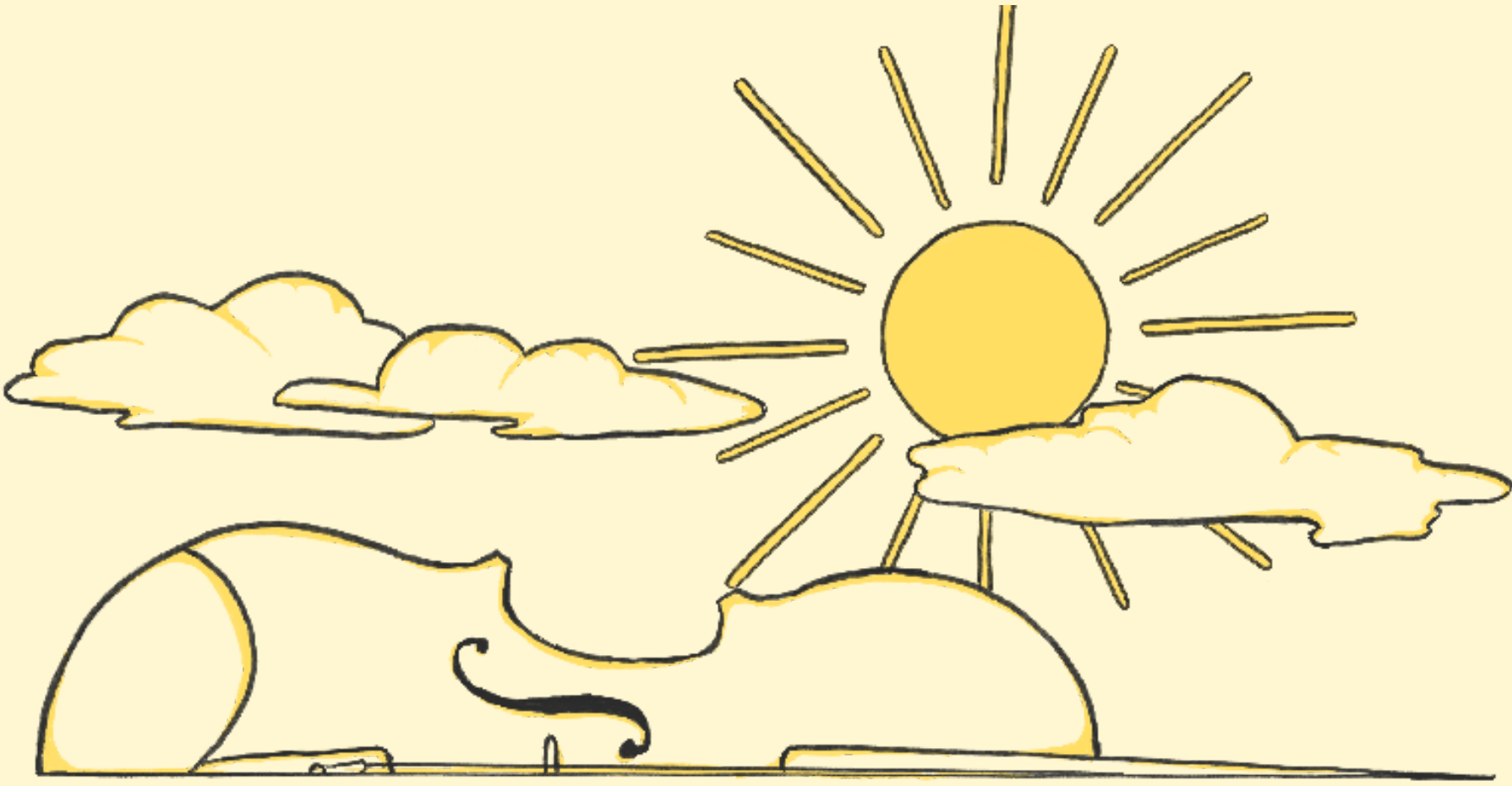
All ages and skill levels are welcome to attend.

Event is hosted by Wilsonville Arts and Culture Council (WACC) with support from the City of Wilsonville’s Arts, Culture and Heritage Commission (ACHC). We look forward to connecting with you to strengthen Wilsonville’s artist network, and to plan future art events and programs in our city.

Light refreshments and a beautiful venue will be provided!

INVITING ARTISTS AND CREATIVES to the
SUMMER ART SYMPOSIUM





S e c o n d A n n u a l
SUNNYSIDE YOUTH

F i d d l e C o n t e s t

JULY 29TH, 2023

WILSONVILLE COMMUNITY CENTER-7965 SW WILSONVILLE RD
WILSONVILLE, OREGON

\$2,000 IN PRIZES!

THREE DIVISIONS

8 & UNDER | 9-12 | 13-19

DOORS OPEN AT 10AM, CONTEST AT NOON

**WE INVITE ALL OOTFA MEMBERS TO COME
ON OUT FOR ALL AGES JAM SESSIONS!**

JAMMING! FOOD! FUN!



QUESTIONS: [FIDDLESAREGOOD@GMAIL.COM](mailto:fiddlesaregood@gmail.com)

MADE POSSIBLE BY A GRANT FROM THE CITY OF WILSONVILLE

Arts, Culture, and Heritage Commission

July 19, 2023

Item 4.



WILSONVILLE
OREGON

Purpose

- volunteer municipal board that **advises** the City Council and other City boards, commissions and committees on **promoting the advancement** of arts, culture, and heritage activities, events, facilities and programs that benefit the community. (resolution)



Mission

Item 4.

- To enhance the Wilsonville community by supporting, advocating and advising on matters relating to advancing arts, culture & heritage. We strongly believe residents' lives are enriched and enhanced through a thriving arts and culture environment.

Our Vision describes our desired future...

Lives will be enriched and enhanced through a thriving arts and culture environment in Wilsonville. Our vision for Wilsonville is one that:

- Supports all creatives
- Fosters a sense of inclusivity for all cultures
- Has a vibrant cultural identity
- Celebrates local history and heritage
- Is recognized for accessible community cultural facilities, parks, and other spaces to host a variety of creative forms and activities
- Features a robust Public Art program

- 1. Oversees implementation of the Arts, Culture, and Heritage Strategy (ACHS)
 - Develops annually for City Council approval fiscal year plans for Five-Year Action Plan and annual One-Year Implementation Plan for prioritizing and fulfilling recommendations of the ACHS.

- 2. Makes recommendations to the City Council and other City boards, commissions and committees as is appropriate to:
 - a. provide public-sector leadership and coordination to support arts, culture and heritage activities, events, facilities and programs;
 - b. improve inter-governmental collaboration and coordination to advance arts, culture and heritage;
 - c. work with partners to advance an arts and cultural center/facility;
 - d. develop a long-term, sustainable public-arts programs;
 - e. suggest ways to make cultural diversity, ethnic inclusivity and accessibility for all community members a priority for cultural programs;
 - f. provide strategic assistance with Wilsonville cultural non-profits in order to build organizational capacity; and
 - g. identify and recommend the use of sustainable funding mechanisms to support arts, culture and heritage.

- 3. makes recommendations to the City Council concerning the goals and objectives, and the selection and disbursement of funds of the Community Cultural Events and Programs Grant Program that is intended to aid organizations that produce projects, programs or events that promote local business and tourism, and for festivals and special events for the benefit of the Wilsonville community.
(resolution)

ACHC

- Advise, give feedback and recommendations on public art policy and procedures
- Advise, research, give feedback, make recommendations to staff on potential projects, programs, etc.
- Feedback on prioritization of staff work
- Give feedback and recommendations on draft RFQ/RFPs, call for art, etc.
- Review artist applications
- Serve as the selection panel and review body for projects
- Voting/recommending on artists/applications
- Providing design input and direction to artists once selected
- Voting/recommending on final designs
- Assisting with marketing and outreach of arts, culture and heritage programs
- Make suggestions on ways to support local nonprofits
- Make suggestions on ways to make cultural diversity a priority

STAFF

- Draft policies, procedures, etc. and present to ACHC for input
- Cross-department collaboration on policies, procedures, funding (i.e finance, community development, planning, public works, etc.)
- Take policy and funding recommendations to City Council for approval and adoption
- Program development - draft potential project/program ideas and present to ACHC for input
- Writing RFQ/RFP, Call for Art, Marketing and distribution of these opportunities
- Facilitation of artist panels/interviews
- Artist contract development/management with collaboration with Legal dept.
- Work with Public Works, Engineering, etc. on installations, maintenance plans, etc.
- Collections management
- Hires performers/artists, etc.
- Makes purchases of supplies for events (has spending ability, manages budget)

Rules

- Prepare effectively for the meeting by reading the packet ahead of time.
- Start on time, end on time... out of respect for busy schedules.
- Don't tell other people's stories without their permission. This helps to create a safe space for our work together.
- Encourage everyone to participate. Speak once on any topic, then look around and invite others to chime in before you speak again.
- Clear, honest, direct communication is essential for success. If there are bumps in our road and/or you are misunderstood, say so. Say the hard things even when it's difficult.
- Take care of yourself during meetings; take breaks as needed.



Member Qualifications

Item 4.

- Commissioners shall be community members with knowledge and experience in arts, culture or heritage activities, events, facilities and/or programs, and includes artists, business professionals, youth, community members of diverse ethnic backgrounds and those with proficiency relevant to the purpose of the Commission. **Members are not appointed to represent specific constituencies, but to act on behalf of the entire community.**

Meetings

- Will meet at least four (4) times per fiscal year.
- All meeting notices may be given by email or regular mail and will be published on the City's website.
- All Commission meetings are open to the public.
- A meeting may be held without a quorum; however, a quorum of at least five (5) voting members is required in order for the Commission to vote on any matter.

City of Wilsonville

Public Art Program Guidelines and Policy

I. PURPOSE

Cities gain significant cultural, social, and economic value through public art. Public art is a distinguishing part of our shared history and our evolving culture. It reflects and reveals our society, adds meaning to our cities and uniqueness to our communities. Public art humanizes the built environment and invigorates public spaces. It provides an intersection between past, present and future, between disciplines, and between ideas. Public art is freely accessible.

The purpose of the City of Wilsonville's (the City's) Public Art Program is to promote the acquisition, construction, installation, restoration and maintenance of a public art collection in Wilsonville (the Public Art Program). The City's Public Art Program is a collaborative endeavor between the City, its community, and artists.

This policy document (this Policy) identifies goals, standards, procedures and best practices for the Public Art Program. This Policy must be followed by City staff; the Arts, Culture & Heritage Commission (ACHC); any subcommittee of the ACHC; and all other applicable governing bodies of the City, including, but not limited to, the City Council.

II. HISTORY OF THE PUBLIC ART PROGRAM

The City Council approved Resolution No. 2857, adopting the Arts, Culture & Heritage Strategy in November 2020, which includes:

- Recommendation #6, "Develop a long-term, sustainable public art program," and,
- Recommendation #4, "City forms an Arts and Culture Commission and provides support staffing resource."

The City Council formed the ACHC in December 2021 via Resolution No. 2941, which began meeting in April 2022, and hired an Arts and Culture staff person in November 2022 to propel the recommendations within the Arts, Culture, and Heritage Strategy forward.

The majority of the City's current Public Art Collection was obtained by the nonprofit organization, Wilsonville Citizens for Public Art in the 2000's.

III. KEY OUTCOMES AND GOALS

The City’s Mission is: “To protect and enhance Wilsonville’s livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.”

The ACHC’s Mission is: “To enhance the Wilsonville community by supporting, advocating and advising on matters relating to advancing arts, culture & heritage. We strongly believe residents’ lives are enriched and enhanced through a thriving arts and culture environment.”

The City’s Public Art Program supports these missions by developing projects and programs that:

- Celebrate the community;
- Tell and preserve stories that are unique to the City’s community (e.g., stories about its history, heritage, culture, landscape, and natural environment);
- Create opportunities for the public to experience and appreciate art outside of traditional settings;
- Foster appreciation of arts, culture, heritage, and the natural environment among the public;
- Foster creativity and freedom of expression among the public;
- Inspire a deeper connection to place, civic pride and a strong sense of community identity among the public;
- Encourage the community to experience art, value art spaces, appreciate diversity and participate in the creative process;
- Increase accessibility and visibility of the arts throughout the community;
- Showcase artwork that intrigues, attracts visitors and broadens the community’s experience; and,
- Support creativity by inviting artists to create new, site-specific work, unique to Wilsonville with varied opportunities for a diverse range of artists, mediums and styles.

IV. PUBLIC ART DEFINED

Public Art is defined as original works of art, created by artists, that are accessible to the public. Public Art may be placed on land within public view or that is accessible to the public, or in public places such as on City property (e.g., City-owned parks or on the interior or exterior of a City-owned facility). Public Art may be permanent or temporary, fixed or portable, an integral part of a building, facility, park or structure, or integrated with the work of other design professionals and artists.

Public Art includes, but is not limited to:

- Paintings of all mediums, including permanently affixed works such as murals;
- Sculpture, which may be made of any material or combination of materials, free-standing, wall-supported, suspended, kinetic, electronic, or mechanical; and which may include sound or performance;

- Other visual mediums, including, but not limited to, prints, drawings, stained glass, calligraphy, mosaics, photography, film, video, ceramics, fiber or textiles;
- Artwork made of a wide range of materials, including, but not limited to organic natural materials (e.g., clay, wood, or rocks);
- Functional artwork that possesses practical or functional qualities as well as aesthetic ones;
- Temporary artwork or installations (e.g., 'pop up'); and,
- Performance art (e.g., dance, music, and poetry reading).

The following items are not considered Public Art:

- Directional elements such as super graphics, signage or color-coding, except where these elements are an integral part of the original artwork;
- Art objects that are mass-produced from a standard design (e.g., reproductions of original artworks, playground equipment, commercially produced fountains, flags, or banners); and,
- Services or utilities necessary to operate or maintain an artwork (e.g., water supplied to a water fountain).

V. FUNDING

The City's Budget Committee and City Council may consider annual budget allocations to support the City's Public Art Program. Various funding sources (e.g., grants, percent for art ordinance) may be researched and pursued as directed by the City Council.

The Public Art Program may receive funding from the capital projects process to support art projects that may accompany major capital projects or park development.

VI. MANAGEMENT

A. City Departments

The Public Art Program is managed and administered by the City's Parks and Recreation Department. The City's Parks and Recreation Department may seek input and collaboration from other City departments, as necessary.

With respect to the Public Art Program, City staff duties include, but are not limited to, the following:

- Manage the Public Art Program and facilitate communication among Public Art Program stakeholders (e.g., City departments, the ACHC, artists, and cultural organizations);
- Identify Public Art Program project opportunities and coordinate development of Public Art Program project opportunities identified by the ACHC;
- Oversee and manage projects that are a part of the Public Art Program, which includes, but is not limited to:

- maintaining and updating all forms and templates related to the Public Art Program, including the Donation/Loan Proposal Form used for in kind donations of artwork;
- overseeing project timelines;
- presenting project updates to the ACHC;
- administering the artist selection process;
- working with the City's Legal Department to manage the contracting process with artists and other Public Art Program participants; and
- coordinating community engagement and publicity of Public Art Program projects;
- Oversee, maintain and manage any funds remitted to the City's Parks and Recreation Department in connection with the Public Art Program (e.g., the proceeds from the sale of an artwork in the Public Art Collection) in accordance with this Policy; and,
- Oversee, maintain and manage the Public Art Collection.

B. Consultants

The City may retain the services of one or more consultants to advise City staff on issues arising under the Public Art Program or to oversee an aspect of the Public Art Program, subject to the oversight of City staff.

C. The ACHC

The ACHC serves as an advisory board to the City Council, City departments, and staff that manage the Public Art Program.

1. Appointment

The Mayor is responsible for appointing members of the ACHC, whose appointments are confirmed by the City Council. City Council should attempt to appoint persons who have a background or professional expertise in the arts such as practicing artists, other arts-related professionals, or knowledgeable amateurs (e.g., curators, art historians, architects, designers, writers, critics, arts administrators, arts activists and arts volunteers).

2. Rights of ACHC Members

Each member of the ACHC may participate in and vote on each matter under consideration by the ACHC, except as otherwise provided in Section 13 of the ACHC Bylaws and Subsection 4 herein. Except as expressly provided in this Policy or requested by City staff who are directly involved in the management or administration of the City's Public Art Program, ACHC members do not have the right to directly participate in the management or administration of the City's Public Art Program.

3. Public Art Subcommittee

The ACHC may form a Public Art Subcommittee, appoint members of the Public Art Subcommittee, and may delegate its limited authority to the Public Art Subcommittee. Once a Public Art Subcommittee is formed duties may include:

- Making recommendations to the ACHC regarding the Public Art Program (e.g., potential new members of the Public Art Subcommittee, potential sites for future placement of Public Art);
- Evaluating and assessing the City's Public Art Collection; and,
- Participating in the artist selection process.

Public Art Subcommittee members may be, but are not required to be, members of the ACHC.

4. Restriction on Direct Financial Benefit for ACHC Members and Affiliates

If a person serves on the ACHC, that person, their relative(s) and/or any of their businesses (as those terms are defined in ORS 244.020) is not eligible to receive any direct financial benefit from the City's Public Art Program during their tenure on the ACHC. This restriction extends for a period of one year following the end of their service on the ACHC, and indefinitely for projects that were developed or acted upon during their tenure on the ACHC.

VII. ACQUISITION OF PUBLIC ART

The City may acquire artwork for the Public Art Collection in three ways, by: commissioning artwork, purchasing existing artwork, or accepting a donation of existing artwork.

A. Commission of Artwork

The ACHC may recommend to the City Council or City staff a public artist selection process under this section, subject to compliance with the restrictions in this Policy, any applicable laws, and oversight by City staff.

1. Artist Selection Panels

Each artist that participates in the Public Art Program must be selected and approved by an artist selection panel (a Panel, each member being a Panelist). Each Panel must also approve each project proposal submitted by each selected artist.

a. Panel Appointment

The ACHC must designate each Panel, which may be the ACHC itself or the Public Art Subcommittee. The ACHC may appoint non-voting advisors to a Panel, as it deems necessary or beneficial (e.g., site users, public art specialists, City staff).

b. Disclosure of Conflict of Interest

Any member of a Panel is subject to Oregon Ethics Laws concerning conflicts of interest.

2. Panel Administration

City staff facilitate and administer Panel activities.

Prior to a Panel's first meeting, and for each particular project, City staff must:

- pre-screen applicants to verify that each applicant presented to the Panel meets any minimum qualifications that have been established by City staff;
- develop goals and specifications that apply to a project;
- determine which of the following procurement processes is appropriate for a particular project; and,
- send each Panelist a project description along with written instructions outlining the selection process, decisions that must be made by the Panel, his or her duties and responsibilities in this selection process, potential issues or concerns that may affect artist selection, and recommended interview questions.

All project proposals must be reviewed by the Community Development Department to ensure all permitting, construction, building, public safety, and other regulatory issues have been addressed and, where applicable, mitigated prior to final selection of an artist.

3. Procurement Processes

City staff will undertake the appropriate procurement process during an artist selection process to ensure compliance with state and local public contracting laws:

- Public Art That Is Not a "Public Improvement"
 - Request for Qualifications (RFQ) and Request for Proposals (RFP). A project that is estimated to cost more than \$10,000 should be conducted using an RFQ or RFP. Artists' responses should include their credentials and a description of their past work.
 - RFQ Process. The RFQ process may be used for projects involving existing facilities, for smaller budget projects that may be more appropriate for entry-level artists, or for projects that have a clear scope and description developed by City staff. If this process is used, City staff would issue an RFQ requesting conceptual proposals and detailing the proposal requirements. The Panel may choose finalists from the proposals received in response to the RFQ, and may select the successful proposal following interviews with these finalists.
 - RFP Process. The RFP process may be used for larger budget projects, or when an artist is expected to play a larger role in the development of a project. During the RFP process finalists may be asked to develop a

preliminary proposal which is evaluated during an interview with the Panel. If a preliminary proposal is requested, the City may pay the artist an honorarium. RFPs are most common best practice in public art programs, in order to solicit multiple options for the City to evaluate for higher budget projects.

- **Public Art That Is a “Public Improvement”**
 - “Public Improvement” is defined as a project for construction, reconstruction, or major renovation on real property by or for the City (ORS 279A.010(1)(cc)). Generally, artwork will not meet the definition of Public Improvement, but in the event it does, the City will follow state and local public contracting laws and regulations for the selection of the successful bid, including, but not limited to ORS 279C.300 et seq. and OAR Chapter 137-049.
- **Invitational Competition.** An invitational competition may be appropriate in the case of complex projects where a limited number of artists may be capable of successfully competing or where there are severe scheduling restrictions. If an invitational competition is used, the Panel is responsible for selecting the artists who are invited to submit qualifications or a proposal to the Panel for consideration. The City may pay an honorarium to artists who are invited to participate in this process.
- **Small Projects.** For projects estimated to cost \$10,000 or less that are not subject to Oregon public improvement contracting laws, including temporary art, City staff may elect to issue a less complex “call for art” application. A call for art application process should be utilized when working with youth artists. A work of art is considered “temporary” if it is accessible to the public for two (2) years or less.

4. Artist Roster

City staff may maintain a list of pre-qualified artists, which should be updated periodically. This list should include established and emerging artists; and, local, regional and national artists. Further, this list should include any known information regarding each artist’s medium, and fee range. Portland’s Regional Arts and Culture Council and Oregon Arts Commission maintain rosters may be used as a resource by City staff to develop this list.

5. Evaluation Criteria

Panelists must consider the following characteristics to evaluate artists and project proposals from artists:

- Artistic excellence and quality;
- Ability to respond to the specific contextual issues and considerations of a particular project, site location, its community and users;

- Ability to successfully manage all aspects of the project including budgets, committees, sub-contractors, installers, fabricators and other construction and administrative logistics;
- Credentials including experience, past clients, training and critical or other professional recognition;
- Connection to the City's community or region;
- Willingness and experience working with input from the community and various stakeholders; and,
- Ability to contribute to both the diversity of artwork (temporary or permanent, style, scale, media) and artists (local and non-local, ethnic heritage, gender, etc.) represented in the Public Art Collection.

If an artist presents a project proposal, Panelists must also consider the following factors:

- The proposed materials, their characteristics (e.g., aesthetics, durability, ease of maintenance, susceptibility to theft or vandalism), and their appropriateness for the project;
- The proposed method of installation;
- The safety of the proposed artwork; and,
- The proposed budget and cost of the project.

6. Ineligibility and Eligibility Criteria

Artists are not eligible for consideration if they are currently engaged in a Public Art Program project, nor are artists be eligible to receive more than one commission in connection with the Public Art Program in a three-year period. This criterion is designed to foster a broad and diverse Public Art Collection.

City staff and the ACHC may establish other ineligibility or eligibility criteria.

7. Approval by Panel

Panel decisions are made by a vote of a simple majority of Panelists.

The Panel may impose conditions of approval regarding deadlines or timelines, necessary permits, or any other details deemed significant by the Panel.

Panelists may elect to not recommend any artist for a project, in which case City staff may recommend another artist selection process or an alternative process to the ACHC.

8. Approval by the ACHC

The ACHC must approve the selection of an artist to participate in the Public Art Program. If the Panel did not consist of the entire ACHC, the Panel must forward its recommendation to the ACHC for approval. If the ACHC disagrees with the Panel's recommendation, it must direct City

staff to reconvene the Panel and designate a representative to present specific concerns to the Panel for its consideration.

9. Approval by City Council

In accordance with Wilsonville City Code Section 2.313(1)(a), if the cost of a proposed Public Art project is expected to exceed \$100,000, the City Council must approve the contract for the procurement of the artwork.

B. Purchase of Artwork

Before purchasing an artwork for the Public Art Collection, City staff must establish that the artwork meets at least one of the following criteria:

- The proposed artwork relates to a program, building or event in the City;
- The proposed location for the artwork is unique and none of the existing artworks in the Public Art Collection are appropriate for the proposed location; or
- More than 50% of the cost of the proposed artwork is being funded through grants and or donations.

Before the ACHC conducts its review of a proposed purchase of artwork, City staff must compile an application packet that includes the following materials:

- Information about the artwork proposed to be purchased, including, but not limited to, photographs, slides, renderings, descriptions of size, weight, medium, year of creation, maintenance requirements;
- The artist's resume or other information about the artist's background; and, Documentation establishing the seller as the clear and unencumbered titleholder of the artwork.

The ACHC must recommend approval of the City's purchase of an artwork using the acceptance criteria outlined below.

C. Donations

The ACHC must review all donation applications and may choose to recommend acceptance or refusal of a donation. The ACHC may make recommendations regarding donated artwork (e.g., regarding siting, installation, maintenance, long-term conservation and funding requirements, and Deaccession) to City staff once artwork is accepted into the Public Art Collection, or on an ongoing basis.

1. Monetary Donation

The ACHC must review all proposed monetary gifts and may choose to accept or refuse a donation. The ACHC's review of a proposed monetary gift must include a review of a writing from the proposed donor that gives some information about the donor's background, and that

states any stipulations regarding the use of proposed donation; further, the ACHC must consider any recommendations from City staff.

If there are stipulations on the use of the funds, City staff must provide a recommendation to the ACHC after reviewing for feasibility and appropriateness.

2. In-Kind Donation

Before the ACHC conducts its review of an in-kind donation (i.e., a donation of artwork), City staff must compile an application packet that includes the following materials:

- A Donation/Loan Proposal Form;
- Information about the artwork being offered for donation, including, but not limited to, photographs, slides, renderings, descriptions of size, weight, medium, year of creation, maintenance requirements
- The artist's resume or other information about the artist's background; and,
- Documentation establishing the donor as the clear and unencumbered titleholder of the artwork.

The ACHC must approve the City's acceptance of a proposed donation of artwork using the acceptance criteria outlined below.

The City may accept donated artwork without a valuation for tax purposes. City staff must clearly communicate to the donor that the City disclaims responsibility for establishing the value of the donated artwork.

3. Gifts of State

The City, through its Mayor, City Council or various agencies, periodically receives gifts of artwork from official representatives of other cities, states and governmental agencies. City staff must refer all such "gifts of state" to the ACHC for its recommendations.

D. Acceptance Criteria Applicable to All Public Art Program Artworks

The ACHC must review any proposed purchase or donation of artwork for artistic merit, site appropriateness, potential liability, safety, cost of installation, cost of maintenance and any seller or donor stipulations to approve or deny the gift. An artwork may not be accepted into the Public Art Collection if the following criteria are not satisfied, which must be determined and documented by the ACHC, in consultation with City staff, prior to accession:

- The artwork must be an original and unique work, or a limited edition artwork;
- The artwork may not be a duplicated copy or reproduction;
- If the authenticity of an artwork could reasonably be questioned, it must be authenticated by a reputable authority; and,

- There must be a budget allocation available for the acquisition and other associated costs (e.g., transportation, installation of the artwork, installation of a plaque or signage, and maintenance).
- The City must be able to adequately and safely display, and maintain and reasonably secure the artwork.

Factors affecting these considerations may include materials, construction, durability (long and short term, depending on the intended life of the artwork), maintenance requirements, repair costs, potential for theft or vandalism, public access, and safety.

VIII. LEGAL REQUIREMENTS

A. Compliance with Law

Regardless of how an artwork is accepted into the Public Art Collection, City staff must ensure compliance with all applicable federal, state, and local laws and regulations during all phases of the acquisition process, including, but not limited to:

- Oregon Revised Statutes Chapters 279A through C, regarding Public Contracting – Public Procurements, as applicable
- Wilsonville City Code Sections 2.311 to 2.319, regarding Public Contracts
- Wilsonville City Code Chapter 3, regarding City Property
- Wilsonville City Code Chapter 9, regarding Structures (the City of Wilsonville Building Code)
- The Visual Artists Rights Act of 1990

City staff must work with the City Attorney to determine which laws are applicable to a particular project or process, and to develop a compliance strategy.

B. Artist Agreements

Regardless of how an artwork is accepted into the Public Art Collection, before the City takes possession of the artwork, City staff must ensure that each artist who may have rights to the artwork has signed a contract with the City that details the terms and conditions that apply to the parties' relationship, including, but not limited to:

- The City's requirements or any applicable specifications,
- Any City obligations (e.g., the City's agreement to display the artwork for a certain period of time),
- Any fee payable to the artist,
- Any deadlines applicable to the artist's work,
- If the seller or donor is the artist, a disclosure of the artist's designated heir(s) or legally recognized representative(s) (the Successors), an obligation for the artist to update the City of any changes to his or her Successors, and an acknowledgement that the City has

no obligation to independently identify or locate the artist's Successors when the artwork is Deaccessioned; and

- The City's rights to Deaccession or decline to display the artwork.

Such contracts must clearly specify whether: (a) title to the artwork will be merely licensed or leased to the City on a temporary basis, and the artist will retain his or her rights under the Visual Artists Rights Act of 1990 (VARA), or (b) the City will take title to the artwork, and the artist will waive his or her rights under VARA. Any waiver of rights under VARA must be specific and explicit.

C. Transfer of Title

City staff must consult with the City Attorney to determine whether it is necessary or beneficial for clear title to the artwork to be transferred to the City. If transfer of clear title is necessary or beneficial, as determined by City staff, City staff must ensure that before an artwork is accepted into the Public Art Collection, the City receives a signed bill of sale from the donor(s), owner(s) or artist(s) in a form that is approved by the City Attorney.

IX. MAINTENANCE

A. Regular Maintenance

The City recognizes that maintenance of artwork on a regular basis is essential to maintain its integrity and condition. City staff must reasonably assure that all art work on public land is properly cleaned and protected, taking into account the recommendations of the artist as stated in the maintenance criteria provided by the artist during installation.

B. Restoration

Dependent on the ownership of the artwork, if an artwork requires major repair work, the City must give the original artist the opportunity to do the repair for a reasonable fee. If the City and the original artist disagree regarding what constitutes a reasonable fee, City staff may solicit bids for the repair from three other qualified sources. If the fee payable to the original artist can be renegotiated within the range of the three other bids, the City may work with the original artist to complete the repair. If the original artist does not agree to a fee that is within the range of the other three bids, the City is not required to work with the original artist to complete the repair.

Minor repair work, or damage or vandalism to the base, plaque, frame, lighting or other elements of an artwork that are not considered to be a part of the actual artwork may be repaired as needed by City staff or contractors without consulting or collaborating with the original artist. The City may decide, in its sole discretion, if a repair is major or minor.

If Damage to an artwork constitutes a health or safety risk to the community, the City may remove the art or make emergency repairs as needed, in its sole discretion, without contacting or consulting with the original artist.

C. Funding for Maintenance and Restoration

Maintenance and restoration of the Public Art Collection is funded by the Parks and Recreation Department as approved by Council as part of its annual budget process.

X. DEACCESSION

Deaccession is the process of removing a work from the Public Art Collection. Deaccession is a sensitive matter and should be managed by clear criteria. The ACHC must recommend approval any decision to Deaccess an artwork in the Public Art Collection using the acceptance criteria outlined below.

A. Deaccession Criteria

An artwork may be Deaccessioned only if at least two of the following criteria are satisfied:

- The condition or security of the artwork cannot be guaranteed, or the City cannot properly care for or store the artwork
- The artwork requires excessive maintenance
- The artwork has serious faults in design or workmanship
- The condition of the artwork requires restoration in excess of its monetary value, or is in such a deteriorated state that restoration would prove either unfeasible or would render the work essentially false
- The artwork is of poor quality or is judged to have little artistic merit, historic or cultural value
- The site for the artwork has become inappropriate, is no longer accessible to the public, is unsafe or is due to be demolished
- Significant changes to the use, character or design of the site require the re-evaluation of the relationship of the artwork to the site
- The work can be sold to finance, or can be traded for, a work of greater importance by the same artist
- There has been sustained and overwhelming public objection to the artwork
- A written request from the artist has been received to remove the work from public display

If artwork, damaged or otherwise, constitutes a health or safety risk to the community, the City may remove, Deaccession or relocate the artwork as needed, in the City staff's sole discretion, without contacting the artist.

B. Initiation

Deaccession may be initiated by City staff, the City Council, the ACHC, the artist, or the artist's Successors. The initiating party must submit the Deaccession request to City staff overseeing the Public Art Program, and must include the following information:

- any applicable Deaccession criteria (outlined above),
- any additional reasons why the artwork should be Deaccessioned, and,
- an explanation of the initiating party's relationship to the artwork and stake in Deaccession.

A Deaccession request is first reviewed by City staff, who must make a reasonable effort to contact the artist, any Successors, and any other known parties with a vested interest in the artwork. City staff must work with the City Attorney to ensure that any Deaccession process complies with any applicable laws.

City staff must facilitate the ACHC's review and approval or disapproval of a Deaccession request.

C. Artist's Right of First Offer

If the ACHC has approved the Deaccession of an artwork, when reasonably possible, City staff must provide the artist or his or her Successors (as applicable), the opportunity to purchase the artwork for fair market value (as determined by a qualified art appraiser that is selected by City staff). If the artwork is determined to be of negligible value, the artist or his or her Successors (as applicable), must be given the opportunity to claim the artwork at their own cost. The artist or his or her Successors must elect to exercise their right to purchase or claim an artwork under this section within a reasonable period of time, which may be determined by City staff in their sole discretion.

D. Deaccession

If the artist or his or her Successors do not elect to purchase or claim an artwork within a reasonable time frame, the City, at its discretion, may use any of the following methods to Deaccess the Artwork:

- Sale through an art dealer or by auction
- Trade or exchange of for another artwork
- Donation of a Deaccessioned artwork to a non-profit organization, institution or agency
- Destruction

An artwork may be destroyed in only the following circumstances:

- The entire artwork has been damaged or has deteriorated;
- Most of the artwork has been damaged or has deteriorated, any remaining intact parts of the artwork are deemed to have negligible value, and the artist or his or her Successors are not willing to claim the remaining parts at the artist's own cost (or City staff is unable to contact the artist or his or her Successors to coordinate their claim of the remaining parts);
- Public safety considerations support destroying the artwork; or,
- The City determines that no other method of Deaccession is feasible or cost effective.

E. Use of Proceeds

Any revenue received from the sale of a Deaccessioned artwork must be remitted to the City's Parks and Recreation Department, and must be used to acquire new artworks or maintain artworks within the Public Art Collection.

XI. EDUCATION AND OUTREACH

City staff and the ACHC may recommend that the City sponsor or provide events and activities designed to foster a greater understanding of art by the City's constituents, and build community ownership of and participation in the Public Art Collection. These events and activities may include the following: workshops; artist lectures; public art tours; cooperative programs with schools and community organizations; performances; temporary projects; and, the creation and distribution of promotional information, including press releases, public service announcements, and brochures.

XII. WILSONVILLE PUBLIC LIBRARY

The Wilsonville Public Library (Library) has a robust collection of donated, loaned and commissioned artworks of various mediums. The Library may manage its art collection independent of the ACHC, which includes, but is not limited to, the following activities: managing art donations to the Library, maintaining the art gallery housed in the Library, and, Deaccessioning or re-siting works within the Library's collection. When applicable and reasonable, the Library must follow the policies and procedures outlined in this policy.

Should the Library wish to commission an artwork such as a mural or permanent sculpture, Library staff must work with City staff who oversee the Public Art Program to discuss potential opportunities for collaboration.

Memorial Park Skate Park Mural

ERIKA VALENTINE, ARTS & CULTURE PROGRAM COORDINATOR

Community Enhancement Projects

- ▶ The **Wilsonville-Metro Community Enhancement Program (CEP)** provides funding annually to individuals or organizations to complete projects that improve the city's appearance or environmental quality, increase reuse and recycling opportunities or improve recreational areas and programs.
- ▶ Funded by a per-ton fee charged by Metro regional government on solid-waste transfer stations located in communities throughout the greater Portland region.

Community Enhancement Projects

▶ **GOALS FOR CEPs INCLUDE:**

- ▶ Improve the appearance or environmental quality of the community.
- ▶ Reduce the amount or toxicity of waste.
- ▶ Increase reuse and recycling opportunities.
- ▶ Result in rehabilitation or upgrade of real or personal property owned or operated by a nonprofit organization.
- ▶ Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas, and/or improve the public awareness and the opportunities to enjoy them.
- ▶ Result in improvement to, or an increase in, recreational areas and programs.
- ▶ Result in improvement in safety.
- ▶ Benefit youth, seniors, low income persons or underserved populations

▶ **Preference will be given to projects which:**

- ▶ Grant requests that do not exceed \$20,000,
- ▶ Meet more than one goal,
- ▶ Projects including a financial or in kind match, and/or
- ▶ Benefit diverse or traditionally underserved populations

Enriches the physical environment – brings spaces to life

Improves well being

Enhances creativity



Builds civic engagement

Can increase tourism

Inclusive and can benefit everyone

Provides opportunities to artists

Opportunity to engage with the community

Creates sense of community

Arts, Culture & Heritage Strategy

- ▶ The ACHS, a City Council 2019–20 Goal, provides findings and recommendations for cultivating a sustainable, long-term plan that supports community aspirations for a vibrant cultural scene in Wilsonville
- ▶ Research, interviews, surveys, etc.
- ▶ 1 Key finding: Public art is recognized as a significant cultural asset in Wilsonville.
- ▶ 1 Recommendation: Develop a long-term, sustainable public art program



Location & Medium

- ▶ Skate Park
- ▶ Memorial Park
- ▶ Mural



Public Art Best Practices and Process

- ▶ Engagement with the community (Park goers, Skate Community, ACHC, Parks & Rec Advisory Board, etc.)
- ▶ ACHC review body for Public Art in the City
- ▶ Compensating artists for design work, even if not selected



Budget

- ▶ **\$15,000 – Artist(s) fees** (design, community engagement, prepping and painting the mural)
- ▶ **\$5,000 – Materials & Supplies** (priming, brushes, anti-graffiti coating, marketing, etc.)



Timeline

- ▶ August 2023
 - ▶ Begin engaging with the Skate Community (I.E Skate Jam event)
- ▶ September 2023
 - ▶ RFQ released for artist qualifications
- ▶ October 2023
 - ▶ ACHC review and score, make recommendations
- ▶ November 2023
 - ▶ Top artists identified, invited to engage with community prior to design work
- ▶ January - February 2024
 - ▶ Top artist design proposals due for review (ACHC, Skate Community, Parks & Rec, etc.)
- ▶ March - April 2024
 - ▶ Artist selected and contract executed
- ▶ April - June 2024
 - ▶ Muralist(s) working to complete the project

Questions?