

**CITY OF WEST DES MOINES  
PUBLIC ARTS ADVISORY COMMISSION**

**AGENDA**

**5:30 p.m.  
Thursday, October 27, 2022**

**City Hall Council Chambers  
4200 Mills Civic Parkway**

**Members of the public wishing to participate telephonically, may do so by calling:  
515-207-8241, Enter Conference ID: 907 289 852#**

- 1. Call to Order / Approval of Agenda**
- 2. Citizen Forum**
- 3. Approval of Minutes of September 22, 2022 Meeting**
- 4. Old Business**
- 5. New Business**
  - A. Motion – Approval of Public Art Master Plan (2023-2027)
  - B. Motion – Approval of Recommendation to City Council – FY 23-24 Public Art Fund Budget
  - C. Motion – Approval of 2023 Art on the Campus Selection Committee
  - D. Motion – Establish November/December Meeting Date – November 9, 2022
- 6. Committee Reports**
  - A. Events Committee
  - B. Communications Committee
  - C. Exhibition Committee
- 7. Project Work Group Reports**
  - A. Railroad Park Public Art
  - B. DART Art Shelter
  - C. Raccoon River Park Public Art
- 8. Staff Reports**
  - A. Arts, Culture & Enrichment Supervisor
  - B. Director of Parks and Recreation
- 9. Other Matters**
- 10. Receive, File and/or Refer**
  - A. City Council Communications

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the City Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.

**WEST DES MOINES PUBLIC ARTS ADVISORY COMMISSION PROCEEDINGS**  
**Thursday, September 22, 2022**

The regular meeting of the West Des Moines Public Arts Advisory Commission was called to order on Thursday, September 22, 2022, at 5:30 p.m. by Chair Brenda Sedlacek.

<b>Commission</b>	Brenda Sedlacek <i>Chair</i>	Mahesh Mathrubutham <i>Secretary</i>	Jeff Phillips <i>Vice Chair</i>	Ryan Crane	Rita Luther
<b>Present</b>	X	X	X	X	
<b>Commission</b>	Diane Boyd	Amenda Tate			
<b>Present</b>	X				

<b>Staff</b>	Sally Ortgies <i>Director of Parks &amp; Recreation</i>	Ryan Penning <i>Assistant Director of Parks &amp; Recreation</i>	Allison Ullestad <i>Arts, Culture, and Enrichment Supervisor</i>	Tina Tate <i>Secretary Parks &amp; Recreation</i>	Marnie Strate <i>Arts, Culture, and Enrichment Coord.</i>	Kevin Trevillyan <i>Council Liaison</i>
<b>Present</b>	X	X	X	X		

**On Item 1. Approval of Agenda**

Phillips moved to approve the agenda as presented. Crane seconded. Motion carried, 5 ayes.

**On Item 2. Citizen Forum**

No report.

**On Item 3. Approval of Minutes of August 25, 2022 Meeting**

Boyd moved to approve the minutes as presented. Mathrubutham seconded. Motion carried, 5 ayes.

**On Item 4. Old Business**

No report.

**New Business**

**On Item 5A. Presentation – Proposal for “Hello, River” Project – BRAVO/Great Outdoors Foundation**

Ortgies stated that the Parks and Recreation Department was approached by Maggie McClelland, Director of ICON Water Trails, and Sally Dix, Executive Director of BRAVO, about partnering on the “Hello, River” public art piece. Currently, the Parks & Recreation Department is working on creating an access point to the Raccoon River located just west of 1<sup>st</sup> Street, on the north side of the river that will include a parking lot, boat launch, and additional auxiliary items. It is also planned to expand the trail system, connecting to the existing trails at Raccoon River Park creating a 10k loop. Ortgies mentioned that construction could begin in 2023 on this project. If the “Hello, River” project is approved, this artwork would be placed at the river access location.

Maggie McClelland presented the proposed “Hello, River” project to the Commission. McClelland works for ICON Water Trails whose initiative is to create a regional water trails network through 80 planned improvements across 150 miles of waterways. A \$125,000 grant was awarded for shoreline signals using public art to improve water safety by communicating the water flow/levels. Group Creative sent an RFP to artists and selected an artist group from Minnesota called Plus/And.

After looking at several sites within the ICON network, the 1<sup>st</sup> Street location was chosen because of the following reasons:

1. Stretch of Raccoon River heavily used
2. ICON plans for downtown which will remove the Fleur Drive Dam
3. Visibility
4. Trail Access

McClelland described the “Hello, River” piece as a steel, iridescent structure containing a speaker that relays sound/recordings from a hydrophone placed in the riverbed. These live, underwater sounds indicate how fast the river is flowing on that particular day to help the user determine water safety levels. A meter will be placed on the structure to act as a visual cue of sound level and flow rate.

Because the art piece is fully funded by the federal grant, everything except for the ongoing maintenance is covered. The piece would become part of the West Des Moines Public Art collection and would need the approval of the Commission because it is on City property. Ortgies explained that this project would be referred to the Exhibition Committee which will then work through any additional details or questions.

### **Committee Reports**

#### **On Item 6A. Events Committee**

No Report.

#### **On Item 6B. Communications Committee**

Boyd stated that the Communications Committee submitted updates for the DEIA language to the Public Arts Advisory Master Plan.

#### **On Item 6C. Exhibition Committee**

The Exhibition Committee will meet soon about the “Hello, River” project to discuss technical details such as durability, environmental factors, and sound mechanics. The Committee will also need to address the cost of maintenance for the piece. The timeline of the project has not been determined. Ullestad stated that the next Exhibition Committee meeting will also include approval of the WDMurals Call for Artists.

### **Project Work Group Reports**

#### **On Item 7A. Railroad Park Restrooms Public Art**

Ullestad stated that the work group still needs to meet. The Railroad Park restrooms are now open for events. Banners have been installed displaying the QR code survey requesting ideas from the public on what they would like to see for public art. At this point, there haven’t been many survey entries received.

#### **On Item 7B. DART Bus Shelter Public Art**

Ullestad stated that they have confirmed the members of the work group. This is a lower-priority project due to a longer timeline than the Railroad Park Restrooms and Raccoon River Park Playground Public Art.

#### **On Item 7C. Raccoon River Park Playground Public Art**

Ullestad stated that everyone identified to be part of the work group has accepted. Kevin Conn will give a presentation on the future playground design during the first meeting. Ortgies confirmed that the contract for the playground construction was awarded.

### **Staff Reports**

**On Item 8A. Arts, Culture & Enrichment Supervisor**

Ullestad stated that voting is still in progress for Art on the Campus and WDMurals. Ullestad filled the vacancy for the high school student member of the judging panel for the WDMurals. The Call for Artists for Art on the Campus is still open until the end of October. The Parks and Recreation Department is preparing for Illumifest this weekend.

**On Item 8B. Director of Parks and Recreation**

Ortgies stated that a draft of the budget will be discussed during the next Executive Committee meeting and then brought to the Commission for approval during the October meeting.

**On Item 9. Other Matters**

Sedlacek mentioned that a new date will need to be approved for the combined November/December Public Arts Advisory Commission meeting. Ortgies suggested December 8<sup>th</sup> for this joint meeting date.

Ortgies stated that the draft of the Public Arts Master Plan will be sent out to the Commission for review and then added to the October meeting agenda. Ortgies commented that there is a Public Arts section in the City Code that now has been implemented into the Master Plan. A copy of the City Code will also be sent to the Commission to potentially revise in the future.

**Receive, File and/or Refer**

**On Item 10A. City Council Communications**

The meeting adjourned at 6:19 p.m.

Respectfully submitted,

\_\_\_\_\_  
Christina Tate  
Secretary

ATTEST:

\_\_\_\_\_  
Mahesh Mathrubutham  
Public Arts Advisory Commission Secretary

**PUBLIC ARTS ADVISORY COMMISSION  
EXHIBITION COMMITTEE MEETING PROCEEDINGS  
Thursday, October 20, 2022 at 1:00 p.m.**

<b>Commission</b>	Brenda Sedlacek <i>Chair</i>	Rita Luther	Mahesh Mathrubutham <i>Secretary</i>
<b>Present</b>	X	X	

<b>Staff</b>	Sally Ortgies <i>Director of Parks &amp; Recreation</i>	Ryan Penning <i>Assistant Director of Parks &amp; Recreation</i>	Allison Ullestad <i>Arts, Culture, and Enrichment Supervisor</i>	Marnie Strate <i>Arts, Culture, and Enrichment Coord.</i>	Tina Tate <i>Secretary of Parks &amp; Recreation</i>
<b>Present</b>	X	X	X	X	X

Meeting began at 1 p.m.

**1. 2023 WDMurals Call for Artists**

Ullestad gave an overview of the 2023 WDMurals Call for Artists draft. The Exhibition Committee discussed the theme and the artist’s depiction. Strate stated that last year’s theme, “Walk & Roll”, had several different interpretations. Sedlacek suggested “Community” because it could also be viewed in different ways while also incorporating diversity. After some discussion, the Exhibition Committee agreed on the theme of “Our Community” and artists are asked to depict their interpretation of the vision that our community symbolizes.

Ullestad also included additional funding for power washing and painting each year. The Exhibition Committee agreed to increase the murals to ten exhibit locations because the survey results indicated that the public would like to see more murals installed. This will increase the budget by \$6,000 and will need to be approved through the Commission. These additional expenses could be covered under the budget line for unexpected opportunities.

Ullestad made a few other modifications to the draft such as removing the word “stipend”, updating timeline dates, emphasizing that artists should follow the template, and adding that submissions not adhering to the dimensions will not be considered. The Public Arts DEI statement was also included.

**2. ICON Water Trails – “Hello, River” Artwork Location Proposal**

Ullestad gave an overview of the Hello, River public art project that was presented in the last Public Arts Advisory Commission meeting. ICON Water Trails and BRAVO asked that the Commission partner with them on a public art piece that could potentially be part of the permanent collection. They received a \$100,000 grant that would cover the fabrication of the piece and then once installed, the maintenance would likely be the responsibility of the City. The requested location would be part of a river access project that the Department is currently working on. This location raised several questions about the technical and maintenance issues that could arise due to environmental factors such as freezing/flooding of the river. Ullestad explained that the art piece consists of a steel structure that would contain a speaker reading a gauge in the river to play an audio recording of the flow that day. The purpose is to communicate water safety to the public.

The Exhibition Committee reviewed the list of questions/considerations that need to be answered before the Commission can vote on this project. Strate asked if an ICON representative could be

assigned to monitor the art piece. The Committee also would like to see if it is possible for ICON to own and maintain the artwork.

**3. Other matters**

None.

Meeting adjourned at 2 p.m.

**CITY OF WEST DES MOINES  
PUBLIC ARTS ADVISORY COMMISSION**

DATE: October 27, 2022

**ITEM:** Motion – Approval of Public Art Master Plan (2023-2027)

**FINANCIAL IMPACT:** None

**SYNOPSIS:** The Public Art Master Plan that guides the work of the Public Arts Advisory Commission was last updated in 2015 and included goals and a work schedule through 2020. The proposed updated Public Art Master Plan will cover the next 5 years, 2023-2027.

In two separate workshops in September 2020, Ellen Nelson and Pam Pepper of Funding Solutions, Inc., facilitated strategic planning sessions with Commission members. Funding Solutions, Inc. prepared a final report that included goals for the Commission for the next five years, taking into consideration all the items discussed in the two sessions.

The Commission continued to work on updating the Public Art Master Plan throughout 2021 and 2022. What is presented for approval is the final draft of the Public Art Master Plan (2023-2027).


**BACKGROUND:**

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** That the Commission approves the Public Art Master Plan (2023-2027) and recommends the City Council officially approve soon after.

**Lead Staff Member:** Allison Ullestad, Arts, Culture, and Enrichment Supervisor

**STAFF REVIEWS**

Department Director	Sally Orgies, Director of Parks and Recreation 
Appropriations/Finance	
Legal	
Agenda Acceptance	

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	PAAC Executive		
Date Reviewed	10/19/22		
Recommendation	<b>YES</b>		

# **City of West Des Moines Public Art Master Plan**



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## History of the City of West Des Moines Public Arts Advisory Commission

In 2008, the West Parks Foundation, a non-profit organization supporting the West Des Moines Parks and Recreation Department, hired public art consultant Jerry Allen to develop a Public Art Program Plan for the City of West Des Moines (“City”). This extensive plan provided fundamental elements used in this Public Art Master Plan.

In 2011, the City established a Public Arts Advisory Commission (“Commission”) to advise and assist the West Des Moines City Council in the promotion of public art within the city’s physical environment and public spaces. At the same time, an ordinance was passed to direct public arts and provide for funding of a public arts program. (For additional information on service terms, organization, qualifications, powers and duties, and direction of the public arts program reference Ordinance 1903, 1-24-2011 and Ordinance 1904, 1-24-2011.)

In 2014, the Commission contracted Lynette Pohlman to meet with the Commission; develop an abbreviated Public Art Master Plan that condensed the policies, guidelines, and procedures included in the 2008 Plan; identify priority public art sites; and make recommendations for initial public art projects.

In 2020, the Commission retained the services of Funding Solutions, Inc. to facilitate two strategic planning sessions to review goals and objectives from the 2014 Public Art Master Plan and to identify new priorities. The results of these strategic planning sessions were used to update the Public Art Master Plan for the next five years (2023-2027).

## Vision

The vision of the West Moines Public Art Program is the creation of a diverse collection of public works of art of high aesthetic and intellectual quality and excellence along with a program that promotes cultural expression and artistic appreciation. At the heart of the aspiration for public art in West Des Moines is the wish for an authentic, rich, and diverse arts culture that is seen and understood as uniquely arising from the community – an arts culture that benefits and enriches all those who live in, work in, and visit West Des Moines.

## Mission

The mission of the West Des Moines Public Art Program is to create a city with enriching public spaces incorporating public works of art that offer moments of discovery and opportunities for reflection and growth--a city with public art woven into the fine grain detail of the public infrastructure. The Public Art Program champions excellence in art, design, architecture, and landscape. The Public Art Program and Collection should be the most visible symbols of West Des Moines’ commitment to creativity, diversity of ideas and expression and socio-cultural multiplicity. A creative city provides inclusive and equitable environments for its residents, business communities and visitors, extending opportunities for life-long learning and community connection.

## **Five-Year Goals (2023 – 2027)**

The following goals and associated objectives have been identified by the Commission as areas to focus on over the next five years. They are based upon the foundational goals included in Section 2.0 of the Public Art Program and Collection Guidelines, Principles, and Procedures.

### **Expansion of Public Art Collection**

While the Public Art Program and Collection will include permanent acquisition and placement of public art, temporary exhibitions of public art, performance art, and diverse educational programs, the Commission will concentrate its primary resources on commissioning one major, site-specific and/or site-integrated public work of art every two years. The time needed to commission, design, fabricate and install a significant public work of art may require two to three years or more. By 2027, the City should have commissioned three new major public works of art. In addition, the Commission will set aside contingency funds in the annual budget to allow for small-scale projects to be implemented when opportunities arise.

Public works of art will be placed equitably throughout the city. The following sites have been identified by the Commission as priority locations for new public art projects:

### **Priority Public Art Sites (listed in no order of priority or importance)**

1. Trail/Interstate Underpasses
2. Five Waters Project Locations
3. MidAmerican Energy Company RecPlex
4. Valley View Park
5. City Parks and New City Facilities
6. Major Street Corridors

### **Care and Maintenance of Public Art**

At least annually, a member of the Commission and/or City staff will physically visit each public work of art in the Public Art Collection. During this visit, a condition report will be completed including photo-documentation and a schedule of maintenance and conservation requirements. The condition report will be reviewed by the Exhibition Committee and presented to the Commission.

As the public art collection grows, it is critical to plan for the care and maintenance of permanent public works of art. A Public Art Maintenance Fund, a sub-fund of the Public Art Fund, will be established with ten percent (10%) of the budget for each project added to it each year (Ordinance 1903, 1-24-2011). Any funds not expended at the end of a fiscal year will carry over into the next fiscal year.

## Cultural Equity

### **Inclusivity Statement**

To support an authentic, rich, and diverse arts culture for all, the Commission commits to championing policies and practices of cultural equity that empower a vibrantly diverse, inclusive, equitable community.

### **Definition of Cultural Equity**

The Commission commits to values, policies, and practices that ensure that all people—including but not limited to those who have been historically underrepresented based on race/ethnicity, age, disability, sexual orientation, gender, gender identity, socioeconomic status, citizenship status, or religion—are represented in the development of arts policy; the support of artists; the nurturing of accessible, thriving avenues for expression; and the fair distribution of programmatic, financial, and informational resources.

### **Acknowledgements & Affirmations**

- The commission acknowledges that there are systems of power that grant privilege and access unequally such that inequity and injustice result, and that must be continuously addressed and changed.
- Cultural equity is critical to the long-term viability of the arts sector.
- The commission commits to be accountable, because acknowledging and challenging inequities and working in partnership is how change will happen.
- Everyone deserves equal access to a full, vibrant creative life, which is essential to a healthy and democratic community.
- Artists and art are valuable to challenge inequities and encourage alternatives.

### **Modeling Through Action**

To provide informed, authentic leadership for cultural equity, the Commission strives to...

- Pursue cultural consciousness throughout our organization through substantive learning and formal, transparent policies.
- Acknowledge and work to remove any inequities within our policies, systems, programs, and services, and to report Commission progress.
- Commit time and resources to expand more diversity in artists hired, communities represented through Public Art, and individuals on Project Work Groups/Artist Selection Committees.

### **Community Engagement**

The City's Public Art Program and Collection will strive to align public art with community interests, expressing and responding to topical areas of interest, as defined by the community. The Commission will build more awareness of the Public Art Program by creating a public relations plan. Regular marketing will widely promote the Public Art Program and Collection to West Des Moines residents and visitors through electronic and print media. Information on each temporary exhibit and permanent public work of art in the Public Art Collection will be available on the City's website.

Each new major public art project will include a minimum of two community engagement opportunities. These opportunities will invite community participation in the public artist or art selection process and/or the artist's public art proposal development to ensure the artist is informed of community values and aspirations. Community engagement opportunities will have as few barriers to participation as possible.

### Public Art Program Administration

The Commission will work to formalize processes and procedures related to the Public Art Program and Collection and clarify roles and responsibilities. As part of position responsibilities integrated into job descriptions, the City will assign duties and responsibilities to City staff to officially support the Commission. An Executive Committee of the Commission will be established, and descriptions will be created for all Commission positions and committees.

The Commission will create a Public Art Collection checklist and object archive for all public works of art owned by the City. This checklist will be updated annually. The object archive will exist to file all information regarding each accessioned public work of art in the permanent Public Art Collection.

A process will be developed to track, review, and act upon all new project ideas and proposals presented by City staff, Commission members, citizens, or outside organizations. The process will allow the Commission to take advantage of unplanned opportunities that may arise while ensuring adequate due diligence, fiscal responsibility, and adherence to the Public Art Program mission.

The Commission's annual budget and a two-year projected budget will be annually presented to the City Council to allow for multi-year Commission contracts and projects. Fiscal allocation guidelines should approximate the following:

- 75% Allocation for the commissioning and purchase of permanent public works of art including allocations for administration, community participation, and maintenance
- 15% Temporary art exhibits
- 10% Allocation for miscellaneous unplanned opportunities including training

Per the Public Arts ordinance, fifteen percent (15%) of the allocation for each project will be set aside in a separate account for public arts program administration and community participation activities (Ordinance 1903, 1-24-2011). This could include artist selection, design/proposal/maquette costs, consultant fees, project documentation, publicity, community education activities, interpretive plaques, and other purposes deemed appropriate by the Commission for the administration of the program.

As mentioned in the Care and Maintenance of Public Art goal, an amount equal to ten percent (10%) of the allocation for each project shall be set aside in a separate account for curatorial services and the preservation and maintenance of artworks in the public art collection (Ordinance 1903, 1-24-2011).

The Commission will review the gifting and deeding processes that allow individuals and business partners to support the mission of the Commission. Support may be expressed through financial donations and gifts of appreciated property (including works of art appropriate for public spaces). In the event of a gift of public art, all acquisition requirements of the Public Art Collecting Policy must be followed.

## Public Art Program and Collection Guidelines, Principles, and Procedures<sup>1</sup>

### 1.0 Purpose

The purpose of these public art guidelines and principles is to establish procedures for the implementation of the goals and objectives of the Public Art Program and Collection for the City.

### 2.0 Goals

The primary goals of the Public Art Program and Collection are to develop an aesthetically interesting environment, to integrate public works of art into public spaces, and to promote tourism and economic vitality of West Des Moines through the enhancement of public spaces.

Specifically, the City seeks to develop and maintain a Public Art Program and Collection that:

1. Creates a collection of public works of art that reflects a unique municipal aesthetic.
2. Reflects West Des Moines' diverse history, citizenry, and natural beauty.
3. Promotes the integration of public art with the community, architecture, and landscape of the City.
4. Enables local and regional artists to create in the public sector, while also involving public artists with national or international reputations.
5. Advances imaginative design as a component of the City's community development goals.
6. Involves the community directly through participation in the public art processes (acquisition, care, and education) and through community engagement.
7. Fosters innovation and promotes artistic excellence.
8. Strengthens community identity and pride.

### 3.0 Funding

The Public Art Program budget is primarily funded with a portion of hotel/motel funds as determined annually in the adoption of the final City budget. The funds shall be used for costs and expenses incurred in the process of designing, fabricating, installing, and maintaining artworks in association with current City projects or in existing public facilities and spaces which are owned by the City (Ordinance 1903, 1-24-2011). By resolution of the City Council, the Public Art Program will receive a minimum annual amount of \$50,000 and a maximum of \$120,000 when the discretionary portion (3/7ths) of hotel/motel funds exceeds a base amount of \$2,550,000. Grant funds and private gifts of appreciated property and cash may also be sought for special projects and to augment the public art budget. Public art funds may be pooled/accrued and expended on appropriate City projects, unless specifically prohibited by law or funding source.

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<sup>1</sup> Jerry Allen and Associates, *City of West Des Moines, Public Art Program Plan*, November 11, 2008. Excerpts from pages 34-53 were adapted for this Master Plan (2022).



Commission projects may also be funded through allocations in the City's Capital Improvement Program (CIP), including buildings, parks, decorative or commemorative structures, parking facilities, bridges, viaducts or pedestrian overpasses, interstate highways, street construction or reconstruction, streetscapes, road beautification, bikeways, trails, transit and aviation facilities, and above-grade utilities.

The Capital Improvement Program is reviewed annually by the City's public art staff, in conjunction with city departments and the City Manager. The Commission may make recommendations to the City Manager and City Council on the incorporation of public art in CIP projects

The Public Art Program budget shall be approved by the Commission on a schedule that coincides with the adoption of the City operating and capital budget each year. The Commission shall also give an annual written report and/or presentation of the status of all ongoing and completed public art projects. Hotel/motel funds shall be transferred to a Public Art Fund at the end of each fiscal year. The Fund's budget shall be managed by the City's public art staff. The Commission may from time to time during the year modify the budget. The City Council shall review any significant changes that are proposed.

#### **4.0 Use of Public Art Funds**

Monies in the Public Art Fund may be used for public artist design services and the acquisition or commissioning of public works of art for the West Des Moines Public Art Collection. Monies may be expended for public artist design fees; proposals/drawings/maquettes; artist travel and expenses; art purchases and commissions; art fabrication and/or materials; shipping and crating; artist insurance; the preparation, installation, or placement of public works of art; public programs and events; training/travel; promotions; and/or other purposes as decided by the Commission for the implementation of the Public Art Program and Collection.

#### **5.0 Eligible Public Works of Art**

In general, all forms of artistic expression created by professional public artists (see sec. 5.1) are eligible for inclusion in the public art program and collection. These may be in a wide variety of styles, media, and genre, all representing the identity of the community. They may include freestanding works of art, as well as art that has been integrated into the underlying architecture or landscape of a site. They may include permanently installed works of art, as well as temporary installations, if such projects contribute to community understanding and participation. They may also include public artist-designed infrastructure elements, such as sound walls and utility structures, as well as public artist designed street furniture, such as benches, bus stops, tree grates, etc. Performance art that is ephemeral may also be included in the public art program when it creates art in real time that contributes to the city's public art culture. In all cases, public art must be free and accessible to all.

### 5.1 West Des Moines Public Art Definition and Collecting Statement

*What is public art? As all artistic definitions expand, contract, and evolve over time, so has the contemporary view of public art. Today, public art has moved beyond that of permanence and solidity, seeking to engage the community in a manner that, while not excluding the methods of the past, brings them to life as part of the community. Contemporary public art is not simply an aspect of the landscape, expanding to examine the ideas of personal and community engagement, the context and recontextualization of place and fomenting the exchange of ideas and identity within a community.<sup>2</sup>*

The Commission, in collaboration with each Project Work Group or Artist Selection Committee, will define the specific outcomes of each public art project by writing a public art statement.

Generally, the Commission desires to concentrate on commissioning site-specific and site-integrated public works of art in municipal locations throughout the city. Professional public artists, with previous accomplishments as revealed/identified in professionally juried and curated local, state, regional, national and international exhibitions, and public collections, will be given priority as dictated by the project.

### 5.2 Public Art Collection Ownership, Accessioning into the Permanent Collection

It is the desire of the Commission to commission/acquire public art to be owned by the City and formally accessioned into the City's Permanent Collection of public works of art. The permanent Public Art Collection is specific and unique to West Des Moines and accessioning of public works of art into the permanent collection must be approved and recommended by the Commission to the City Council. Only accessioned public works of art in the permanent Public Art Collection will receive care, maintenance, conservation, community engagement (education), and other resources as defined under the West Des Moines Public Art Program and Collection.

Each accessioned public work of art should be uniquely numbered with a permanent collection accession number (never to be reused, even if the object itself is deaccessioned from the permanent collection). The permanent collection accession number should utilize the year accessioned into the collection, followed by the serial, numerical number of objects accessioned in that year, example 2015.1, followed by 2015.2. The accession number is the dominant designation for creating and maintaining the Public Art Collection Archive. (See Sec. 5.3)

### 5.3 Public Art Collection Checklist and Object Archive for the Permanent Record

The following object information shall be collected and maintained as part of the permanent record for each public work of art accessioned into the Public Art Collection.

- Artist, life dates, nationality

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<sup>2</sup> Forecast Public Art website. Public Art Toolkit: *What is Public Art?* (2011). Accessed February 8, 2015. <http://forecastpublicart.org/toolkit/didactic.html>

- Title of public work of art, year of completed work of art
- Dimensions
- Media
- Site of public art
- Years of the public art project, from beginning through installation and dedication
- Artist's statement regarding public art
- Selection Committee's Public Art Statement
- Members of commissioning Selection Committee and Commission during project

The City's public art staff will establish and maintain a permanent file for each accessioned public work of art into the permanent Public Art Collection. The archive record should include the following: budget, commissioning contracts, procurement documents and title; all correspondence regarding the communication related to the commissioning, fabrication, installation of the public work of art; public art statement; artist statement of the public works of art; artist's recommended care/maintenance statement; annual condition reports; photo-documentation fully documenting the work of art with date and image identification; public artist's professional resume; and, any relevant information relating to the public work of art. This Public Art Collection Archive is intended to be an expanding archive for each public work of art.

## 6.0 Responsibilities

### 6.1 Public Arts Advisory Commission

The Commission shall:

- Be responsible for the ongoing oversight of the Public Art Program and Collection.
- Establish policy and procedures under which the Public Art Program and Collection operates.
- Advise on the acquisition, siting/placement, maintenance, and removal of all exterior public art on property of the City of West Des Moines, regardless of funding source. These Commission recommendations will be made to the City Council.
  - No existing exterior public art or interior public art funded by the Public Art Fund on City property shall be removed without review and recommendation by the Commission.
- Advise on the acquisition, siting/placement, maintenance, and removal of all interior public art which is funded by the Public Art Fund. These Commission recommendations will be made to the City Council.
  - Privately funded interior art may be installed and/or removed without the Commission's review and recommendation.
- Review and recommend to the City Council the annual budget for public art.
- Make recommendations regarding the care, maintenance, and conservation of the Public Art Collection to the City's public art staff.
- Identify pool(s) of potential Public Art Project Work Group and Artist Selection Committee members.
- Act as liaisons to the individual Public Art Work Groups and Artist Selection Committees.
- Ensure community engagement and citizen participation in the Public Art Program.

- Review and recommend proposed gifts of public art to the City, as well as loans and long-term exhibitions of public art on City-owned property.
- Review and recommend accessioning and deaccessioning of public works of art to and from the Public Art Collection. Periodically review and recommend changes to the Public Art Program guidelines, policies, and procedures. Recommend permanent text plaques identifying each public work of art accessioned into the Public Art Collection.
  - o Plaque text should include the following object information:
    - artist name,
    - title of public art,
    - year of completion,
    - donor, and
    - object interpretation.

o Example:

*The Moth*

Mac Adams

2008

Commissioned by the City of West Des Moines Public Arts Advisory Commission

The term 'debug' used to describe fixing a problem with a computer, was actually a moth that landed on an early vacuum tube computer and rendered it temporarily inoperable. The artist has used the moth image as a metaphor embodying the concepts of invention, perception, precision, and interactivity as relates to electrical and computer engineering. This sculpture requires participation of the viewer to locate the optimal spatial position from which to discover *The Moth*. The image only exists as a virtual image and is a relational factor between the marble stones. When the viewer changes position, *The Moth* vanishes and the voids and sculptural elements acquire other meanings, as interpreted by the viewer, with ongoing narratives affected by the prevailing light conditions that offer surprises and new perceptions.

- Be sensitive to the public nature of the project and the necessity for diversity in the Public Art Program and Collection.

[Commission Member Position Descriptions](#)

- Executive Committee – The Executive Committee is made up of three (3) Commission members that are nominated and selected by the Commission to serve as Chair, Vice Chair, and Secretary. Selected Executive Committee members will serve a 1-year term but are eligible for re-election. In the event a Commission member is selected to fill a vacated Executive Committee position, they will serve out the remaining portion of that term.
  - o Executive Committee Member Descriptions and Responsibilities:
    - Chair
      - Provide leadership
      - Ensure the Commission functions properly
      - Ensure the Commission is managed properly
      - Provide support to public art staff
      - Represent the Commission
    - Vice Chair
      - Acts for the Chair when unavailable

- Undertakes assignments at the request of the Chair
  - Secretary
    - Review and sign Commission meeting minutes
    - Ensure the Commission complies with City code in terms of reporting, changes to governing documents, etc.
- Commission Member – The Commission is made up of seven (7) members individually committed to upholding the values and objectives of the Public Art Program, giving adequate time and energy to the duties of being a Commission member, and acting with integrity. Commission members are appointed to serve on the Commission by the Mayor. Commission Members will serve a 4-year term. In the event a Commission position is vacated, the Mayor will appoint a representative to fill the position. This person will serve out the remaining portion of that term. Appointments will be made to ensure gender balance according to Iowa law.

#### Commission Executive Committee Nomination and Selection Process

- During the Commission meeting held during the month the Executive Committee position terms expire, Commission members will nominate and select current Commission members to serve in the identified Executive Committee positions.
- A Commission member will nominate another Commission member for an Executive Committee position. The nominated person will accept or reject the nomination. The nomination process will continue until all nominations for the position are completed. The Commission will then vote for the nominees for the Executive Committee position. This process will be performed for the Chair position, Vice Chair position, and then the Secretary position.

#### Commission Standing Committees

All Standing Committees (except the Executive Committee) are comprised of two Commission members other than the Chair. The Chair has the option to attend any of the Standing Committee meetings. Executive Committee members may serve as substitutes on any other Standing Committee. Any action taken by a Standing Committee is a recommendation to the full Commission and is not a final decision.

**Executive Committee** members guide governance issues, policies, and procedures. The Executive Committee meets or communicates monthly with staff to review regular Commission meeting agenda items; drafts policies and procedures and recommends them to the Commission; and evaluates progress towards master plan goals and initiatives.

**Communications Committee** members promote the public art program through activities and materials that increase the visibility and viability of the Commission and the Commission's projects and programs. The Communications Committee assists in the development of posters, brochures, social media campaigns, presentations, and activities at events; researches and recommends grants and other outside funding opportunities; reviews Supplies/Programs area of the annual budget and recommends an annual budget request; encourages and promotes diversity, equity, and inclusion as it relates to the

public art program; and identifies and recommends work group and selection committee members.

**Exhibition Committee** members consider public art projects, both those that are planned and those that present themselves as opportunities, and make recommendations to the Commission. The Exhibition Committee determines the scope and budget for commissioned works of art; reviews requests presented to the Commission by outside groups that involve funding from the Public Art Fund; recommends the purchase of artwork from the Art on the Campus temporary exhibit and locations for purchased artwork; reviews Public Art Maintenance Plan and Public Art Accessioning Program; reviews “Maintenance/Repairs” and “Equipment (Works of Art)” areas of the annual budget and recommends an annual budget request.

**Events Committee** members guide the planning and implementation of community events where the event is the work of art or where the event is launching or celebrating a work of art. The Events Committee determines the scope and budget for events and develops an annual calendar of events; assists staff with event preparation, setup, and hosting; reviews guest lists; reviews “Supplies/Programs” area of the annual budget and recommends an annual budget request.

## 6.2 City Public Art Staff

Public art staff shall:

- Steer the overall work objectives of the Public Art Program and Collection, such as staff project administration, artist project management, strategic planning, and community outreach.
- Monitor the overall development of the Public Art Program and Collection, including ensuring that local, state, regional, national, and international public artists are represented in the Public Art Collection and ensuring the Public Art Collection is reasonably balanced over time with respect to media and genre and diversity of artists.
- Oversee an annual maintenance survey of the Public Art Collection and manage routine maintenance/care of public art. When required, the staff will consult with the artist and/or public art conservators for recommendations of treatment proposals and treatments for public artworks of art.
- Make program recommendations to the Commission.
- Prepare and recommend the annual budget to the Commission.
- Oversee all public artists’ contracts in association with the Public Art Program.
- Present approved recommendations to the West Des Moines City Council.
- Fabricate and install permanent plaques identifying public works of art.

## 6.3 Public Art Project Work Groups/Artist Selection Committees

Project Work Groups and Artist Selection Committees shall:

- Consist of approximately 5 to 8 members with additional members if the public art project warrants expanded representation.
- Be allowed to serve a maximum 3-year term if assigned to recurring projects, such as Art on the Campus or WDMurals.

- Be ad-hoc groups or committees formed for a limited period of time and charged by the Commission with recommending public artists for individual projects or groups of projects for specific public art sites.
- Consist of individuals broadly representative of the following categories: artists, arts professionals, community members, donors, project architects and/or engineers, landscape architects, project managers, and others as deemed appropriate.
- Author and approve a public art statement for each proposed public art project. The public art statement will outline community values and beliefs to be expressed by the public art project and will be shared with the community and selected public artists. The public art statement must be officially approved by the Commission prior to moving forward with public artist/art selection and public artist proposal submissions.
- Review professional credentials, prior work, proposals, and other materials submitted by public artists for projects.
- Recommend to the Commission public artist(s) to be commissioned for a project, or who will be engaged to join the design team for public art projects.
- Respond to the charges outlined in the public art project prospectus and project guidelines, concerning the requirements and concerns addressed within the project.
- Be sensitive to the public nature of the project and the necessity for diversity in the Public Art Program and Collection.
- Continue to meet, when appropriate, to review the selected public artist's design concepts.

#### 6.4 Public Artists

The artists shall:

- Submit professional public art credentials, visuals, proposals and/or project materials as directed for consideration by the Project Work Group/Artist Selection Committee.
- Conduct necessary research, including attending project orientation meetings and touring project sites, when possible and appropriate.
- If selected, execute and complete the public work of art or transfer title of an existing work of art in a timely, fiscally sound, and professional manner.
- Work closely with the project manager, City Staff, design architect and/or other design professionals associated with the project.
- Make presentations to the Commission and other reviewing bodies at project milestones as required by contract.
- Make public presentations, conduct community education workshops, or do a residency at appropriate times and forums in the community where the public work of art will be placed, as required by contract.

#### 6.5 City Departments

If public art is part of a Capital Improvement Program project and/or located on a site or within a facility operated by a City department, that department shall:

- Determine, in consultation with the City public art staff, which projects are eligible for public art inclusion, the amount of eligible project costs available for public art, and whether the project is appropriate for public artist involvement.
- Provide the City public art staff with information on the Capital Improvement Program, budgets, and schedules.

- Designate a departmental representative to participate in the public artist selection process.
- Include City public art staff on architectural or engineering services selection committees, where feasible.
- Review the maintenance needs survey for public works of art located at the site agency.
- Inform the project architect, landscape architect, or engineer of the public artist involvement in the Capital Improvement Project and involve the project designers in artist selection.
- Designate, in consultation with the appropriate leadership, a City representative or project manager for the Capital Improvement Project to act as the Department's agent for all coordination issues related to public art and the overall project.

#### 6.6 City Council

The City Council shall:

- Review and approve the annual budget presented by the Commission.
- Appropriate monies which shall be transferred into the Public Art Fund as part of the annual budgeting process.
- Approve contracts with public artists as required by the City's purchasing policy.
- Approve the purchase and/or donation of public works of art to the permanent City's Public Art Collection.

#### 6.7 Advising City Departments (City Attorney, Finance Department, etc.)

Advising City departments shall:

- Work with the Commission on the development of the annual budget for program administration and budget allocations.
- Aid in the development and review of contracts for selected public artists and make recommendations regarding liability, insurance requirements, and artists' rights.
- Provide consultation and information regarding the needs and concerns of the Public Art Program.

#### 6.8 Construction Project Managers (City staff and/or Contractors)

Construction project managers shall:

- Collaborate with the City public art staff on the development of public art projects.
- Coordinate with the City public art staff on all issues related to the Public Art Program and the overall project including safety, liability, timeline, code requirements, installation deadlines, etc.
- Provide the City public art staff and public artists with the appropriate documentation necessary for project compatibility and completion (i.e., architectural/engineering design drawings and specifications, as-built drawings, structural drawings, mechanical drawings, electrical drawings, materials to support public outreach efforts, etc.).



## 7.0 Public Art/Artist Selection Process

### 7.1 Goals

The overarching goal of the public art/artist selection process is to acquire public works of art of the highest aesthetic quality. Selecting a public artist whose skill, experience, expression, style, commitment to collaboration, and community facilitation skills match the needs of the project is critical to the success of any project. Specifically, the goals of the selection process are to:

- Encourage the highest level of creative engagement and vibrant thinking regarding individual public works of art.
- Select a professional public artist or artists whose existing public works of art or past collaborative efforts have maintained a high level of quality and integrity.
- Further the mission and goals of the Public Art Program and Collection and the Commission.
- Select a public artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
- Select a public artist or artists who can work successfully as a member of an overall project team.
- Ensure the selection process represents and considers the interests of all parties concerned, including the public, the arts community, and the City department involved.
- Eliminate as many barriers to artists within the selection process as reasonably possible.
- Cultivate a collection that is not only diverse in subject matter, media, and style, but also represents a diverse group of artists.

### 7.2 Methods of Selecting Public Artists

The method of selection for individual public art projects shall be determined by the City public art staff, in consultation with the Commission, in accordance with the adopted Public Art Program guidelines and principles. Any of the following methods may be used, depending upon the requirements of a particular project.

The following recruitment and public art acquisition methods are all legitimate forms for seeking the best public art as well as talented and qualified public artists. Each process has advantages and limitations. Deciding which method to use is dictated by the vision and criteria set forth by the Project Work Group/Artist Selection Committee for each individual public art project. In order to reduce bias, initial artist selection will utilize a blind process whenever possible.

**Open Competition:** An open competition is a call for public artists for a specific project in which artists are asked to submit evidence of their past public works of art, proposal concept, and/or completed projects. Any public artist may submit credentials and/or proposals subject to any limitations established by the Project Work Group/Artist Selection Committee or the Commission. Calls for entries for open competitions will be sufficiently detailed to permit public artists to determine whether their art is appropriate for the project under consideration. This type of competition involves public advertisement, requests for qualifications, letters of interest, and applications or proposals.

**Limited or Invitational Competition:** A limited number of public artists shall be invited by the Project Work Group/Artist Selection Committee to submit professional credentials and/or proposals for a specific project. Artists shall be invited, based on their past public art projects (proposed and/or completed) and demonstrated ability to successfully respond to the conditions posed by the particular public art project (i.e., water features, light works, paintings, sound works, landscape works, design team efforts, etc.), or based on other non-aesthetic Public Art Program goals (i.e., artists who reside in a particular community or neighborhood where a project is occurring, local, regional or national artists, etc.).

**Direct Selection:** At times the Commission may elect to recommend a direct selection in which it contracts with a specific public artist for a particular project. Such an election may occur for any reason but will generally occur when circumstances surrounding the project make either an open or limited competition unfeasible (for example, project timeline, community or social considerations, client demand, etc.). This type of commission is often used when the project is such that after a period of research and review, a specific public artist's art is exclusively appropriate and meets the goals of the specific public art project.

**Public Art Consultant:** The Commission may contract with a public art consultant with expertise in public art curating and administration to recommend a short list of potential public artists for the Commission and Project Work Group/Artist Selection Committee's consideration for a particular public art project. This type of artist selection process is often efficient and assures a high-quality pool of public artists to select from that fits the project. Over time, public artists presented in these consultant reviews may be added to a future list of potential artists for invitation for other public art projects which affords an opportunity for time and project savings.

**Purchase of Existing Art:** The purchase of existing works of art may be rare for the City's Public Art Collection but may be suitable under certain circumstances. The approach may limit or omit the involvement of commissioning public artists if a project is multi-phased and requires design development. Purchased works of art may be designed and conceived into a public space that reflects community values, and thus may be site-specific.

**Mixed Process:** A mixed process may include any combination of the above approaches.

**Pre-Qualified Public Artists List:** The Commission may, from time to time, use an Artist Selection Committee to create a pool of pre-qualified artists. This list can be utilized by the Commission to select artists for small, community-based projects where a separate Project Work Group/Artist Selection Committee may not be warranted. The pre-qualified artists list should be reviewed annually by the Commission. The pre-qualified artists list may include emerging public artists and/or professional studio artists seeking entry-level commissions or acquisitions. The Commission and Project Work Group/Artists Selection Committees may also utilize the Iowa Arts Council's Public Art Registry as an educational tool for committee members and to become informed on pre-qualified artists known to the Iowa Arts Council.

### 7.3 Criteria for Selection of Public Artists or Public Works of Art

- *Qualifications:* Public artists shall be selected based on their professional qualifications as demonstrated by previously completed public works of art and/or proposals, and the appropriateness of their concepts to the project. Quality standards will be reviewed and may be based upon previous, professionally curated, and/or juried art competitions at significant, non-profit fine art institutions.
- *Quality:* The intellectual, expressive, and design capabilities of the artist and the inherent quality of art are of the highest aesthetic priority.
- *Media:* All forms of visual arts shall be considered, subject to any requirements set forth by the public art project prospectus.
- *Style:* Artists whose art is representative of all schools, styles, expressions, and tastes shall be considered.
- *Appropriateness to Public Site:* Public art designs shall be appropriate in scale, material, form, and content to the immediate social and physical environments with which they relate.
- *Permanence:* Consideration shall be given to structural and surface integrity, permanence, and protection of the proposed public art against theft, vandalism, weathering, and excessive maintenance and repair costs.
- *Elements of Design:* Consideration shall be given to public art as a genre that is created in a public context and must be judged by standards that include factors in addition to the aesthetic. Public art may also serve to establish focal points; terminate areas; modify, enhance, or define specific spaces; establish identity; address specific issues of urban design; and/or commemorate.
- *Community Values:* While free artistic expression shall be encouraged, consideration must be given to the appropriateness of public works of art in the context of local community and social values.
- *Public Liability:* Safety conditions or risk factors that may bear on public liability must be considered in selecting a public artist or work of art.
- *Diversity:* The Public Art Program shall strive for diversity of style, scale, media, and artists. The program shall also strive for an equitable distribution of public works of art throughout the City.
- *Communication:* The ability of public artists to effectively communicate (verbal, written, and electronic) with a variety of groups, including other design professionals, public officials, and community members, should be taken into consideration.

## 8.0 Collection Review

At least once in every five-year period, the Public Art Collection should be evaluated by a Commission member and/or City public art staff or an independent agency for the purposes of collection management and to assess the Public Art Program and Collection's future. The City, with the advice of the Commission, shall retain the right to deaccession any public work of art in the Public Art Collection, regardless of the source of funding for the public work of art.

### 8.1 Objectives

- To establish a regular procedure for evaluating art in the Public Art Collection.
- To establish standards and best practices for the acquisition of public works of art by the Commission.
- To ensure that deaccessioning is governed by careful, best practice procedures.

- To insulate the deaccessioning process from fluctuations in taste – whether on the part of the Commission, the City, or the public.

## 8.2 Public Art Acquisition Review Standards

- Acquisitions should be directed toward public works of art of the highest quality.
- Acquisition of art into the Public Art Collection implies a commitment to the ongoing preservation, protection, maintenance, and exhibition of the art for public benefit.
- Acquisition of public art, whatever the source of funding, should imply permanency within the Public Art Collection, so long as physical integrity, identity, and authenticity are retained, and so long as the physical sites for the public art remain intact.
- Public works of art will be acquired/accessioned into the Public Art Collection without legal or ethical restrictions as to future use and disposition. The public work of art must be solely owned/titled to the City of West Des Moines without restriction.

## 8.3 Deaccessioning Review Standards

Any proposal for deaccessioning, including the destruction or removal of a public work of art in the collection or relocation of a public work of art shall be reviewed by the Commission according to the policy and procedures contained herein and shall be as deliberate as those practiced during the initial selection. The deaccessioning process should operate independently from short-term public pressures and fluctuations in artistic or community taste. During the review process, the public work of art shall remain accessible to the public in its original location. The final decision with respect to deaccessioning of public works of art shall reside with the Commission.

Deaccessioning should be a seldom-employed action that operates with a strong presumption against removing public art from the permanent Public Art Collection.

Public art may be considered for review toward deaccessioning from the Public Art Collection if *one or more* of the following conditions apply:

- The condition or security of the public art cannot be reasonably guaranteed.
- The public work of art requires excessive maintenance or has faults of design or lacks structural integrity and repair or remedy is impractical or unfeasible.
- The public art has been damaged and repair is impractical or unfeasible.
- The public art's physical or structural condition poses a threat to public safety.
- No suitable site is available, or significant changes in the use, character, or design of the site have occurred which affect the integrity of the public work of art.
- Significant adverse public reaction has continued unabated over an extended period of time.
- Deaccessioning is requested by the artist.
- The site and/or agency housing the public work of art is undergoing privatization.

Whenever a public work of art in the collection is being considered for deaccessioning, the artist shall, whenever practical, be given the first right of refusal to purchase the work at current fair market value.

## 9.0 Public Works of Art Donations and Loans

From time to time, private individuals, organizations, and agencies may make donations of art (or funding to acquire or commission art) to the City for general or specific purposes. This policy outlines the procedures that the City will follow in accepting donations of art. This policy shall also apply to art that is proposed for long-term loan to the City.

Acceptance of a public work of art into the Public Art Collection implies a commitment to its long-term care and preservation as well as education program. Therefore, the acceptance of such donations must be deliberate, maintain high aesthetic standards, and further the goals of the Commission. Recognizing that West Des Moines' public spaces are a valuable and limited public resource, each proposed public work of art must add significant and long-term value to the space in which it is proposed to occupy.

The purpose of this policy is to:

- Provide uniform procedures for the review and acceptance of donations or loans of public works of art to the City.
- Vest in a single agency the responsibility of insuring the management and long-term care of donated public works of art.
- Facilitate planning for the placement of public works of art on City-owned property.
- Preserve the City's public spaces for the greatest enjoyment of citizens and visitors.
- Maintain high aesthetic standards for public works of art exhibited and/or installed in City facilities.
- Provide for appropriate recognition for donors of public works of art to the City.

### 9.1 Public Art Donation Policy

Any time a donation or loan (up to five years ) of a work of art is proposed for the City of West Des Moines, the City agency or department that operates or maintains the site of the proposed public work of art shall consult with the Commission, which shall have final responsibility of reviewing and approving such proposed public art donation or long-term loan.

The City may place public works of art on loan for a maximum accumulative total of five (5) years. The Commission does not engage in permanent loans (over five years) of public art.

### 9.2 Donations Guidelines

**9.2.1** When a donation or loan (up to five years ) of a work of art has been proposed, the City department or agency receiving the proposal shall notify the Commission and City public art staff. The Commission shall contact the prospective donor to inform the donor of the City's donation policy and gather information about the proposed donation.

**9.2.2** Under the guidance of the Commission, the prospective donor and the City department or agency receiving the proposal shall meet with City public art staff and prepare written and visual documentation of the proposed donation.

This documentation shall include, at a minimum, the following:

- Images, slides, drawings, photographs, or a model of the proposed public work of art.
- Biography and professional resume of the public artist.
- List of professional fine art exhibitions, public and private collections.
- Provenance of the public work of art.
- Proposed site and installation plans.
- Budget for site preparation and installation.
- Ongoing operating costs for the public work of art, if applicable.
- Maintenance requirements for the public work of art.
- Conditions or limitations on the loan as proposed by the lender.
- Contact information for the donor, lender, and the artist.
- Fair market value of the public work of art to be determined by the listed purchase price or an independent professional appraisal paid for by the City department or agency receiving the proposal.
- Plans for the creation of a maintenance endowment for the purpose of caring for the public work of art over time.

**9.2.3** The City department or agency receiving the proposal shall:

- Inform the Commission of the relationship of any advisory boards to the department.
- Confer with City public art staff concerning the financial and practical responsibilities for maintaining or operating the public work of art.
- Refer proposals for the donation of art to the advisory board which shall in turn make a recommendation to the department head and the Commission.
- Convey the department's or advisory board's recommendation to the Commission in writing.

**9.2.4** Upon reviewing the proposed donation and considering the criteria in section 7.3, the Commission shall decide to accept or reject the donation. The Commission shall not accept donations with contractual limitations on the future use, exhibition, or disposal of the public work of art. When appropriate, the Commission shall ask the donor to provide funds to permanently endow the maintenance of the public work of art. If a specific City department operates and maintains the site of the public work of art, City public art staff shall consult with the department head to discuss the financial and practical responsibilities of maintaining or operating the public work of art.

**9.2.5** If the Commission chooses to accept the public work of art as a donation or a loan, City public art staff shall obtain either a legal instrument of conveyance of title or an executed loan agreement as appropriate. Any conditions the City or donor place on a loan shall be stated in writing and attached to the instrument of conveyance.

**9.2.6** Proposed public art donations shall be submitted to the City Council for final acceptance.

**9.2.7** Once the public work of art has been accepted and the City becomes the legal owner, the City public art staff shall coordinate all processes relating to the installation,

maintenance, removal, or relocation of the public work of art on City-owned property. The Commission will recommend siting/placement of all exterior public works of art on City property to the City Council.

**9.2.8** The Commission, working with the department head and the donor, shall provide for appropriate recognition of the donor's contribution to the City.

### **9.3 Exception to the Guidelines for Donation of Public Works of Art**

Gifts of state presented to the City by foreign governments or by other political jurisdictions of the United States – municipal, state, or national – which may be accepted by the Mayor, City Council, or City Manager shall be reviewed as follows:

- Permanent placement of art suitable and accessible for public display shall be determined jointly by the appropriate City department and the Commission.
- Appropriate recognition and publicity shall be the responsibility of the City department with jurisdiction over the site of permanent placement, in consultation with the Commission.
- If not provided by the donor, maintenance of the art shall be the responsibility of the department with jurisdiction over the site.

### **9.4 Acquisition of Art by City Agencies outside the Public Art Program and Collection**

Recognizing that many City facilities were developed without public art, City departments are encouraged to allocate funds on a voluntary basis to enhance their offices and facilities.

Proposed art acquisitions by City departments of *interior works of art* shall not be reviewed by the Commission, and exhibition, care, and other related duties are not part of the charge of the Commission.

The Commission will review, advise on, and recommend all exterior public works of art for acquisition, including siting/placement and maintenance, regardless of funding source, by the City, and make recommendations to the City Council. No exterior public art shall be installed or existing public work of art removed without a review and recommendation by the Commission to the City Council.

Proposed exterior public art acquisitions by City departments shall be reviewed by the Commission. Proposed exterior public art acquisitions shall be accompanied by the information listed in section 9.2.2.

Art proposed for loan (up to five years) to a City department shall be subject to the same considerations outlined above. Art proposed for placement in private offices or in non-public areas of City facilities shall not be subject to Commission review.

## 10.0 Conservation and Maintenance of the Public Art Collection

The Commission shall survey the entire Public Art Collection annually to meet the following objectives:

- Provide for the regular inspection of public works of art.
- Establish a regular procedure for effecting necessary repairs to public works of art.
- Ensure regular maintenance of public works of art.
- Ensure that all maintenance of public art is completed with the highest standards of professional care and conservation.

### 10.1 Responsibilities

#### 10.1.1 The Artist shall:

- Guarantee and maintain the public work of art against all defects of material or workmanship for a period of five (5) years, or as defined by the Commission, following installation, within the terms of the contract.
- Provide the Commission with detailed drawings of the installation; a detailed specification list of all products and materials used in fabricating the public work of art; a minimum of 24 images depicting the fabrication through the installation of the public work of art; and detailed instructions regarding routine maintenance/care of the public work of art.
- As City planning evolves in future decades, the artist shall be given the opportunity to comment on and participate in all relocating, repairs, and restorations that are made during the artist's lifetime, provided the artist has supplied the City with current contact information.
- Hold the copyrights for all works of art (preparatory and final) and designs created under City contracts, provided that the artist shall grant the City an irrevocable license to reproduce the work in two-dimensional form for the purposes of education and promoting the City and the Public Art Program and Collection and other non-commercial purposes.
- Provide current contact information to the City.

#### 10.1.2 The City shall:

- Be responsible for routine maintenance of public art upon the advice of the City's public art staff and shall perform all maintenance work in a manner that is consistent with care and conservation requirements supplied by the artist.
- Be responsible for reporting to the Commission any damage to a work of art at a site over which the Commission has jurisdiction.
- Not intentionally destroy, modify, relocate, or remove from exhibit any work of art without prior consultation with the Commission and artist.
- Not cause or undertake any non-routine maintenance or repairs to works of art without prior consultation with the Commission.

#### 10.1.3 The Commission shall:

- Provide oversight for conducting an annual comprehensive maintenance survey of the Public Art Collection. This survey shall include a report on the location and condition of each public work of art, photographic documentation, prioritized



recommendations for the care, restoration or repair or maintenance of art, and estimated costs.

- Communicate with the artist directly to report any necessary modifications to the public work of art.
- Based on the condition report, the Commission may, for those public works of art in need of attention, recommend:
  - 1) That no action be taken
  - 2) That City public art staff work to ensure the work of art is properly restored
  - 3) That a professional conservator be engaged to evaluate the condition of the work, provide a treatment proposal, or effect repairs/conservation to the public work of art
  - 4) That the artist be asked to repair the art for a fair market value fee
  - 5) That the public work of art be considered for deaccessioning

## Public Art Program Principles

### 1.0 Artist Rights

The Commission is committed to a climate in which artists will thrive and receive the economic benefits of, and recognition for, their work and art. For that reason, it is important that artists retain reasonable control over the integrity of their art and receive equitable compensation for their creative endeavors. At the same time, the Commission must also stay aware of the City's need to balance artists' rights with the necessity of making changes from time to time to City-owned buildings, structures, and sites that house public art or have public art incorporated into them.

#### 1.1 Principles

The Commission should assure the following rights to artists, which should be embodied in artist contracts for the commissioning or purchase of public works of art.

- Recognizing that successful public art is generally inseparable from the site for which it is created, the Commission should encourage the City to acknowledge artists' rights under the federal Visual Artists Rights Act (VARA) and should encourage City departments or site agencies not to move or remove a work of art unless its site has been destroyed, the use of the space has changed, or compelling circumstances require relocation of the work of art. Should it become necessary to move or remove a public work of art, the Commission should encourage the City to make reasonable efforts to consult with the artist before effecting any removal or relocation. However, the Commission and the City should reserve the right to move or remove the public work of art without notification under emergency circumstances where an immediate threat to property or public safety is present.
- Although the City, in its contract with an artist, may ask the artist to waive their federal and state rights in order to protect the City's interests, if a public work of art is significantly altered, modified, or destroyed, whether intentionally or unintentionally, the artist retains the right under VARA to disclaim authorship of the public work of art. Should an artist choose to exercise this disclaimer, the Commission should, upon the artist's request, officially request that the City department or site agency remove any plaques, labels, or other identifying materials, including digital publications, that associate the work with the artist.
- The integrity of a work of art depends upon regular conservation and maintenance. The Commission is committed to periodically inspect the public works of art in its collection and make reasonable efforts to ensure that each object is properly and professionally maintained.
- The Commission should use its best efforts to ensure that all maintenance and repair of public works of art is accomplished in accordance with any maintenance and repair

instructions the artist has provided to the Commission at the time of accession, and that all such maintenance and repairs adhere to the highest professional standards of public art conservation. The Commission should make reasonable efforts to notify the artist before the City department or site agency undertake repairs or restorations to the art during the lifetime of the work of art. Where practical, the Commission should seek to ensure that the artist be consulted and given an opportunity to accomplish the repairs or restorations at a reasonable fee for the lifetime of the work of art. The Commission and the City department or site agency reserve the right to make emergency repairs without prior notification to the artist if an immediate threat to property or public safety is present.

- The artist shall retain all copyrights associated with public works of art accessioned into the permanent collection under this program, including those acquired for the City. The Commission agrees that it should not copy or reproduce the works of art in any way without prior written permission of the artist, except those rights which should be obtained when the artist and City enter into their agreement. Notwithstanding this policy, the Commission and the City reserve the right to make photographs or other two-dimensional representations of the public works of art for public, noncommercial purposes, such as catalogs, brochures, guides, electronic media/social media, and websites.

## **2.0 Artistic Freedom of Expression**

The Commission recognizes that free expression is crucial to the making of public works of art of enduring quality. At the same time, public art must be responsive to its immediate site in community settings, its relatively permanent nature, and the sources of its funding.

### **2.1 Principle**

It is the policy of the Commission to encourage free expression by artists participating in the Public Art Program and Collection, consistent with due consideration of the values and aspirations of the citizens of West Des Moines. Community representatives will be invited to serve on Project Work Groups/Artist Selection Committees to ensure discussion of community sensibilities. Artists selected to participate in the program will be required to engage the community directly in the process of developing their artistic concepts and designs.

## **3.0 Community Participation and Outreach**

The purpose of the Public Art Program and Collection is to serve the citizens of West Des Moines. By building a regular program of educational and promotional activities, a sense of community ownership can be instilled and cultivated. Such activities can generate broader community appreciation of public art and recognition of the role of public art in reflecting the community's culture.

### 3.1 Principles

The Commission shall make community participation a part of each public art project, as well as of the Public Art Program and Collection as a whole. This goal will be met by utilizing community-based advisory committees, community representation on Project Work Groups/Artist Selection Committees, and artist interaction with the community.

The Commission will develop a comprehensive approach to educational outreach concerning the Public Art Program and Collection. Elements of this ongoing educational policy may include programs in public schools, the city library, the parks and recreation department and special events, such as exhibitions, public art tours, artist-in-residence programs, education and/or school programs, publications, brochures, films/videos, social media, websites, and public meetings. In addition, avenues such as print, electronic, and broadcast media will be cultivated to give access to the Public Art Program and Collection to the widest possible audience.

To implement this policy, the Commission shall utilize a Standing Committee to oversee efforts to increase community understanding and participation in the Public Art Program.

## 4.0 Conflicts of Interest

The Commission recognizes it is essential for local artists and other related professionals to serve as members of the Commission and Project Work Groups/Artist Selection Committees. It further recognizes that artists and other related professionals may have a real or perceived conflict of interest when serving in such a capacity while competing for projects. In general, a conflict of interest may arise whenever a Commission member or Project Work Group/Artist Selection Committee member has a business, familial, or personal relationship that would make it difficult to render an objective decision or create the perception that an objective decision would be difficult. A conflict may also arise whenever a Commission or Project Work Group/Artist Selection Committee member possesses inside information or has a role in the decision-making process that could influence the outcome of a public art process or project. Therefore, the Commission has established principles to govern service on the Commission and its Project Work Groups/Artist Selection Committees.

### 4.1 Principles

#### *Members of the Commission*

- Must disclose any real or potential conflict of interest.
- Are not eligible for any competition, commission, or project during their tenure on the Commission.
- Must withdraw from participation, discussion, or voting on any competition, commission, or project for which any family member or business associate has any financial interest or personal gain.

- Are ineligible for participation in any competition, commission, or project of the Commission for a period of one (1) year following the end of an individual's term on the Commission.
- Are ineligible for any competition, commission, or project on which they voted during service on the Commission, regardless of the length of time that has elapsed following Commission service.

*Members of Project Work Groups/Artist Selection Committees*

- Must disclose any real or potential conflict of interest.
- Must withdraw from participation, discussion, or voting on any artist who is a family member or business associate with any financial interest or personal gain.
- May not enter any competition, commission, or project on which they are serving as a Project Work Group/Artist Selection Committee member.

## **5.0 Balance of Local and Non-Local Artists**

The Commission recognizes that, while the primary objective of a program is the enhancement of public spaces in the City for the general benefit of its citizenry, a public art program can also be an important tool in developing the community of artists who reside in the city, county, state, region, and internationally.

### **5.1 Principles**

The Commission shall seek a balance over time in the awarding of contracts for public art projects among local, state, regional, national, and international artists. Factors such as the size of the public art project, projected budget allocation and fiscal resources, the level of visibility of the public site, and the availability of overall funding may influence the decision on the part of the Commission to seek artists from a local, state, regional, national, or international pool of artists. Over time, the Commission is committed to ensuring that a share of public art projects is awarded to local, state, and regional artists, to the extent permitted by law.

## **6.0 Non-Discrimination**

The Commission recognizes the City's diversity of citizens and seeks to be inclusive in all aspects of the Public Art Program and Collection.

### **6.1 Principles**

The Commission will not discriminate against any artist, program participant or community member, based on race, gender, age, ethnicity, socio-economic status, religious preference, sexual orientation, or political affiliation.

The Commission will take all reasonable and appropriate steps to ensure that the City's public art collection is accessible to all persons, in accordance with the Americans with Disabilities Act.

#### **6.2 Inclusivity Statement**

To support an authentic, rich, and diverse arts culture for all, the Commission commits to championing policies and practices of cultural equity that empower a vibrantly diverse, inclusive, equitable community.

# Appendices

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## Appendix A

### Sample project management schedule for public art projects.

Each public art project management schedule should be reviewed and customized.

The Commission shall annually review and amend as needed a three (3) year budget that will be presented in public hearings and to City Council for review and approval.

1. The Commission shall identify public art projects/sites to be initiated with the fiscal budget for each project. Broad community engagement may be involved in site selection and fiscal determinations.
2. The Commission shall for each public art project, select/appoint a Project Work Group/Artist Selection Committee composed of citizens, representative(s) of the Commission, city staff, and others as appropriate.
3. The Project Work Group/Artist Selection Committee shall define the public art project scope, author the public art statement, and determine the public artist selection process. Broad community engagement beyond the work group or selection committee may be involved. These determinations shall be reviewed and approved by the Commission.
4. Finalize public artist solicitation process; invite and/or solicit finalist(s).
  - Engage public relations on project.
  - Plan and implement education and community engagement activities for project.
5. Contract negotiations with the public artist following City procurement procedures.
6. Fabrication and possible visits to public artist's studio to view progress.
7. Mediate, manage, and motivate issues between the artist, design team, Project Work Group/Artist Selection Committee, community, and Commission.
8. Monitor and track project progress and status.
9. Control change orders and eliminate unnecessary costs.
10. Maintain a schedule and confirm the scale of work and appropriateness for the site.



11. Review the project and monitor details.
12. Facilitate transportation of public art to site.
13. Coordinate site construction/installation, and verify insurance and indemnification.
14. Confirm copyright and transfer of ownership (title) of public art from artist to City.
15. Formally accession public works of art into the permanent Public Art Collection.
16. Monitor and complete project documentation including the creation of an object file/record, photo-documentation of object, and updating Public Art Collection checklist.
17. Finalize and dedicate the public art project.
18. Extend notes of appreciation to the public artist, Public Art Work Groups/Artist Selection Committees, contractors, and others as appropriate.
19. Evaluate the public art project and process, and incorporate improved processes in future public art projects.

CITY OF WEST DES MOINES  
PUBLIC ARTS ADVISORY COMMISSION

DATE: October 27, 2022

ITEM: Motion – Approval of Recommendation to City Council - FY 23/24 Budget Request

FINANCIAL IMPACT: Total expenses of \$245,520 from the Public Art Fund.

SYNOPSIS: The Commission is asked to review and approve a budget request for FY 23/24. This request will be included in the Parks and Recreation Department's overall operating budget. A recommended budget is attached. Several items of note include:

Expense Variances

- **Maintenance/Repairs:**
  - \$102,700 is allocated to comply with City Code which requires 10% of the value of the permanent art collection be set aside in a separate maintenance fund
- **Supplies/Programs:**
  - \$20,400 is allocated for the addition of 2 mural locations (\$2,000/mural) as well as underpass wall prep (\$2,000) for the WDMurals exhibit
  - \$2,000 was removed from the Art on the Campus Opening line item
  - \$15,000 was removed from the Unexpected Opportunities line item leaving a \$10,000 allocation
- **Equipment (Works of Art):**
  - \$20,000 is allocated for consulting for Commissioned Work of Art #5 as well as \$50,000 to cover one-half of Commissioned Work of Art #5 with the second half planned for FY 24-25

Revenue Opportunities

- **BRAVO Public Art Grant:**
  - \$25,000 grant request to be applied to the \$75,000 allocated for the Raccoon River Park Playground Sensory Wall
- **Hotel/Motel Fund Increase:**
  - \$30,000 request to City Council, increasing the annual cap on the Hotel/Motel Tax allocation for the public art program to \$150,000


BACKGROUND:

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: That the Commission approves the recommendation to City Council to approve the FY 23/24 budget request.

Lead Staff Member: Sally Ortgies, Director of Parks and Recreation

STAFF REVIEWS

Department Director	Sally Ortgies, Director of Parks and Recreation 
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	PAAC Executive
Date Reviewed	10/19/22
Recommendation	YES

**Public Arts Advisory Commission Budget**  
**DRAFT**

10/27/2022

	Balance (6/30/21)	FY 21-22 (Budgeted)	Actual Spent (6/30/22)	Remaining FY 21-22 Budget	FY 22-23 (Budgeted)	FY 23-24 (Proposed)	FY 24-25 (Planned)
<b>Expenses</b>							
Maintenance/Repairs		\$ 10,000.00	\$ 1,492.89	\$ 8,507.11	\$ 10,000.00	\$ 102,720.00	\$ 11,000.00
Training/Travel/Memberships		\$ 3,200.00	\$ 4,414.21	\$ (1,214.21)	\$ 3,200.00	\$ 3,000.00	\$ 3,000.00
Supplies/Programs							
Art on the Campus Artist Fees		\$ 24,500.00	\$ 24,500.00	\$ -	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00
Art on the Campus Opening		\$ 8,800.00	\$ 9,996.04	\$ (1,196.04)	\$ 2,000.00	\$ -	\$ -
Promotions/Outreach		\$ 2,000.00	\$ 938.70	\$ 1,061.30	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Public Art Audio Tour		\$ 1,300.00	\$ 1,350.00	\$ (50.00)	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
WDMurals Artist Fees/Underpass Wall Prep		\$ 14,300.00	\$ 15,300.00	\$ (1,000.00)	\$ 20,300.00	\$ 20,300.00	\$ 20,300.00
Unexpected Opportunities		\$ 25,000.00	\$ 6,650.00	\$ 18,350.00	\$ 19,000.00	\$ 10,000.00	\$ 10,000.00
		\$ 75,900.00	\$ 58,734.74	\$ 17,165.26	\$ 70,800.00	\$ 59,800.00	\$ 59,800.00
Equipment (Works of Art)							
Art on the Campus Purchase		\$ 10,000.00	\$ 7,750.00	\$ 2,250.00	\$ -	\$ 10,000.00	\$ 10,000.00
Amphitheater Art Project		\$ 54,600.00	\$ 51,020.00	\$ 3,580.00	\$ -	\$ -	\$ -
Raccoon River Park Playground Sensory Wall - Consulting		\$ 15,000.00	\$ -	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -
Raccoon River Park Playground Sensory Wall		\$ 50,000.00	\$ -	\$ 50,000.00	\$ 75,000.00	\$ -	\$ -
Commissioned Work of Art #5 - Consulting		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Commissioned Work of Art #5		\$ -	\$ -	\$ -	\$ -	\$ 20,000.00	\$ -
Light Valley Junction Art Project - "Limelight"		\$ 40,000.00	\$ 40,618.24	\$ (618.24)	\$ -	\$ 50,000.00	\$ 50,000.00
Railroad Park Public Art Project		\$ 50,000.00	\$ -	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -
DART Bus Shelter Public Art		\$ -	\$ -	\$ -	\$ 12,000.00	\$ -	\$ -
		\$ 219,600.00	\$ 99,388.24	\$ 120,211.76	\$ 152,000.00	\$ 80,000.00	\$ 60,000.00
<b>Total Budgeted Expenses</b>		\$ (308,700.00)	\$ (164,030.08)	\$ (144,669.92)	\$ (236,000.00)	\$ (245,520.00)	\$ (133,800.00)
<b>Revenue</b>							
Hotel/Motel Tax		\$ 120,000.00			\$ 120,000.00	\$ 150,000.00	\$ 150,000.00
Interest		\$ 1,121.00					
Donation		\$ 75.00					
Grant - Potential BRAVO Public Art Grant					\$ 25,000.00		
<b>Total Budgeted Revenue</b>		\$ 121,196.00			\$ 145,000.00	\$ 150,000.00	\$ 150,000.00
<b>Public Art Fund Balance (at end of FY)</b>		\$ 307,477.10	\$ 264,643.02	\$ 307,477.10	\$ 173,643.02	\$ 78,123.02	\$ 94,323.02
		FY 20/21	FY 21/22	FY 21/22	FY 22/23	FY 23/24	FY 24/25
	Actual	Actual (through 6/30/22)			Budgeted	Projected	Projected

Will be carried over from FY21/22, revised, or added to FY22/23

CITY OF WEST DES MOINES  
PUBLIC ARTS ADVISORY COMMISSION

DATE: October 27, 2022

ITEM: Motion – Approval of 2023 Art on the Campus Selection Committee

FINANCIAL IMPACT: None

SYNOPSIS: A Selection Committee comprised of citizens and commission members needs to be established to review artist submissions for the 2023 Art on the Campus exhibit. Staff and the Exhibition Committee recommend a 5-person committee including the following individuals:

- Mahesh Mathrubutham (Commissioner / Year 1)
- Jeff Phillips (Commissioner / Year 1)
- Suzanne Allen (Citizen / Year 1)
- Shirley Houghtaling (Citizen / Year 2)
- David Basler (Citizen / Year 2)


BACKGROUND: Staff recommends members of the Selection Committee be limited to serving a 3-year term on this annual work group.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Staff and the Exhibition Committee recommend approval of the proposed Selection Committee.

Lead Staff Member: Allison Ullestad, Arts, Culture and Enrichment Supervisor

STAFF REVIEWS

Department Director	Sally Ortgies, Director of Parks and Recreation 
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	
Recommendation	

**CITY OF WEST DES MOINES  
PUBLIC ARTS ADVISORY COMMISSION**

**DATE:** October 27, 2022

**ITEM:** Motion – Establish November/December Meeting Date – November 9, 2022

**FINANCIAL IMPACT:** None

**SYNOPSIS:** Since the November Commission meeting falls on Thanksgiving, and the December meeting falls on December 22, which is close to the holidays, staff recommends that one meeting be held on Wednesday, November 9, 2022, at 5:30 pm.

**BACKGROUND:**

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** That the Commission move the November meeting to Thursday, November 9, and cancel the December meeting.

**Lead Staff Member:** Allison Ullestad, Arts, Culture, and Enrichment Supervisor

**STAFF REVIEWS**

Department Director	Sally Ortgies, Director of Parks & Recreation
Appropriations/Finance	
Legal	
Agenda Acceptance	

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	
Date Reviewed	
Recommendation	