



City Council Policy: CP063 - Public Arts Fund

Effective Date: September 5, 2023

Approved By: Governing Body

I. SCOPE

II. PURPOSE

A. To establish guidelines for the Governing Body and Arts Council in the purchase and placement of public art.

III. RESPONSIBILITY

A. Governing Body and Arts Council

IV. DEFINITIONS

V. POLICY

A. The following process is outlined as a guide for the purchase and placement of public art.

VI. PROCEDURES

A. Art Purchases

1. Purchase Process: The Arts Council shall make recommendation(s) to the Governing Body regarding the purchase of public art. The recommendation should focus on public art appropriate for areas identified in an approved "Priority List".

For each location on the Priority List that the Arts Council is recommending a specific piece of public art to be purchased, the Arts Council shall provide the following information:

- a. A brief description of the public art;
- b. Whether the art is available or would need to be located/commissioned and the recommended purchase method;
- c. The list price of the public art or an estimated commission charge for artwork to be related and the recommended funding source; and
- d. The Arts Council may also recommend a theme for public art at a specific location.

The final decision authorizing the purchase of either a specific piece of art or authorizing the commission of a specific artist to create a specific piece of art rests with the Governing Body.

Upon acceptance of an Arts Council recommendation, the Governing Body shall direct the City Administrator or designee to commence negotiations with the artist to agree on a price and contract terms. As needed, the City Administrator or designee shall draft the contract/commission and approve

as to form. The City Administrator or designee may work collectively with one or more members of the Arts Council and Governing Body to negotiate the final purchase and/or commission terms with the artist. Public art purchases are exempt from the City's administrative purchasing policy.

B. Purchase Selection Factors

When making public art purchases the Governing Body shall consider factors such as:

1. Durability of design and material;
2. Maintenance requirements including resistance to vandalism;
3. Quality and impact of work;
4. Appropriateness of the public art to the project site, including suitability to fit, content and scale;
5. Price;
6. Lighting, labeling and installation requirements;
7. Public safety, and
8. Any other applicable factors.

C. Purchase Methods

Public art may be purchased through multiple methods. The Arts Council will recommend to the Governing Body a method of purchase based upon the public art piece the Arts Council is proposing. There are four general methods of purchase:

1. Standard Purchase: The Governing Body may recommend the purchase of a specific completed piece of art.
2. Open Competition: The City may recommend a request for proposal (RFP) that shall be sent to arts identified by the Arts Council and may be advertised on the City's website, the Arts Council website, and/or in specialized magazines or websites for the arts. The RFP should be tailored to fit the specific public art sought but will generally include a description of the art desired; a description and a photograph of the location where the public art will be placed; if appropriate the medium in which the artwork should be prepared; and an estimated time within which the public art should be completed. Artists responding to the RFP will submit slides or photographs of examples of their works as well as proposals for the project and a cost for the completed public art. The Arts Council will review all proposals and recommend a proposal for acceptance to the Governing Body.
3. Limited Competition: The Governing Body may request the Arts Council invite a select group of artists to submit materials to the Arts Council for review. The Arts Council shall then recommend final approval of an artist to the Governing Body for consideration.

4. Direct Selection: The Governing Body may directly commission a specific artist to create a piece of public art.
- D. Funding: Public art may be acquired with a variety of funds upon approval of the Governing Body. Funding sources for public art include but are not limited to:
1. Funding itemized in the annual City budget by the Governing Body specific for arts purchases;
 2. Arts Council funds upon the recommendation of the Arts Council;
 3. Grants and other private funding;
 4. Fundraising;
 5. Private Donation; and
 6. Public/private funding partnerships.
- E. Art Locations: In determining the placement of public art, the following guidelines shall be followed:
1. Priority List: Annually, the Arts Council shall review the Priority List to determine if adjustment or changes should be recommended for consideration by the Governing Body. When the locations are in City parks, the Arts Council should discuss locations with the Parks and Recreation Committee. The Governing Body, on its own initiative, may also review the Priority List.
 2. Location Selection Factors: In determining a specific site, the Arts Council and Governing Body shall consider a number of factors, including but not limited to:
 - a. Durability;
 - b. Maintenance requirements;
 - c. Appropriateness of piece of artwork for the site;
 - d. Accessibility of the site;
 - e. Secure location; and
 - f. Fit with the other pieces of City public art.
 3. Art Displays on Loan to the City of Prairie Village: In addition to purchasing public art, the Governing Body and the Arts Council may consider securing art displays that rotate or travel throughout the City. Such public art displays would be on loan to the City. Prior to approval of such public art displays, the Governing Body shall direct the City Attorney or designee to commence negotiations with the artist(s) or agent to agree on contract terms for loan of the public art display. The City Attorney or designee shall draft the contract and approve as to form.