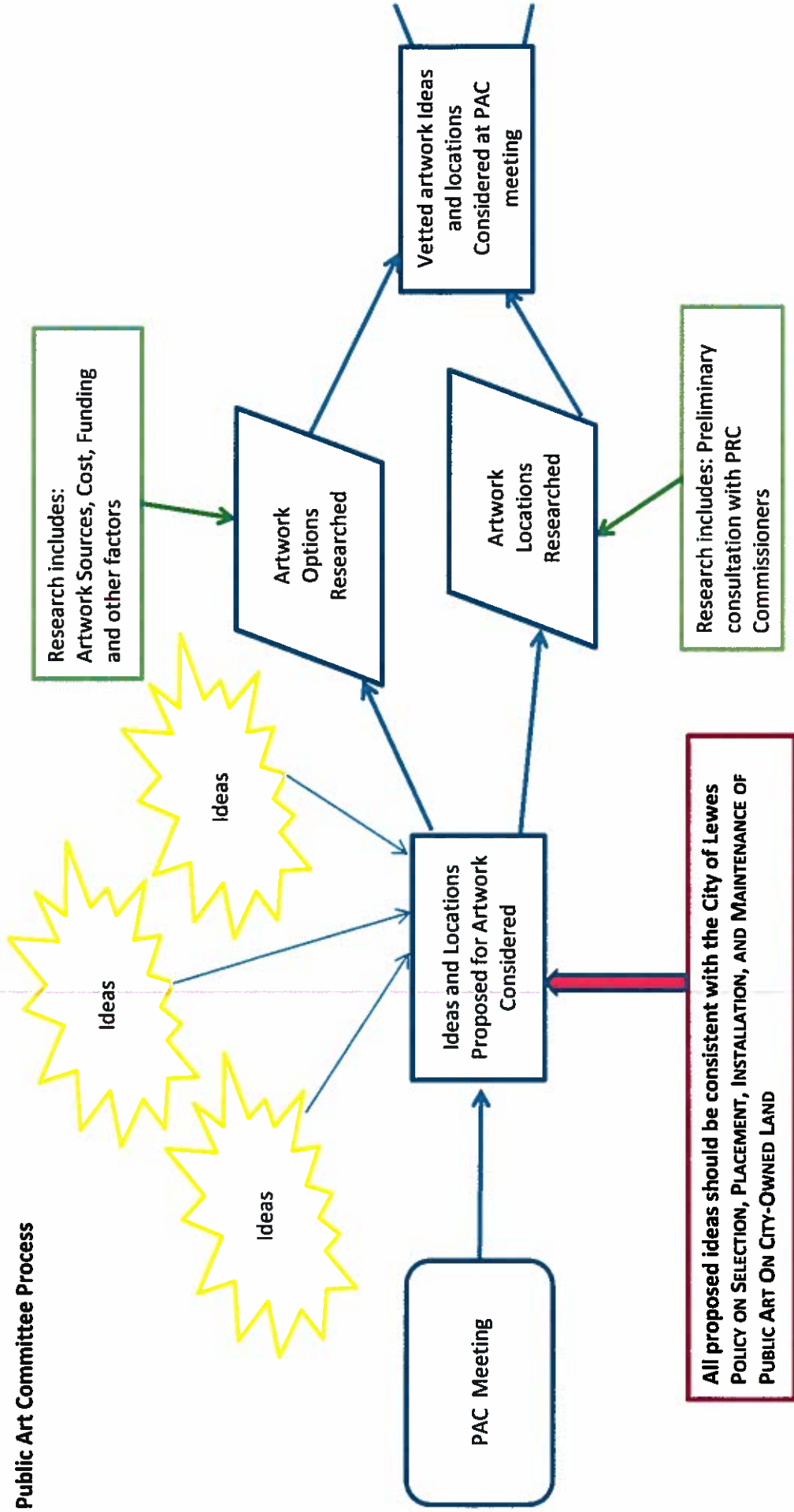
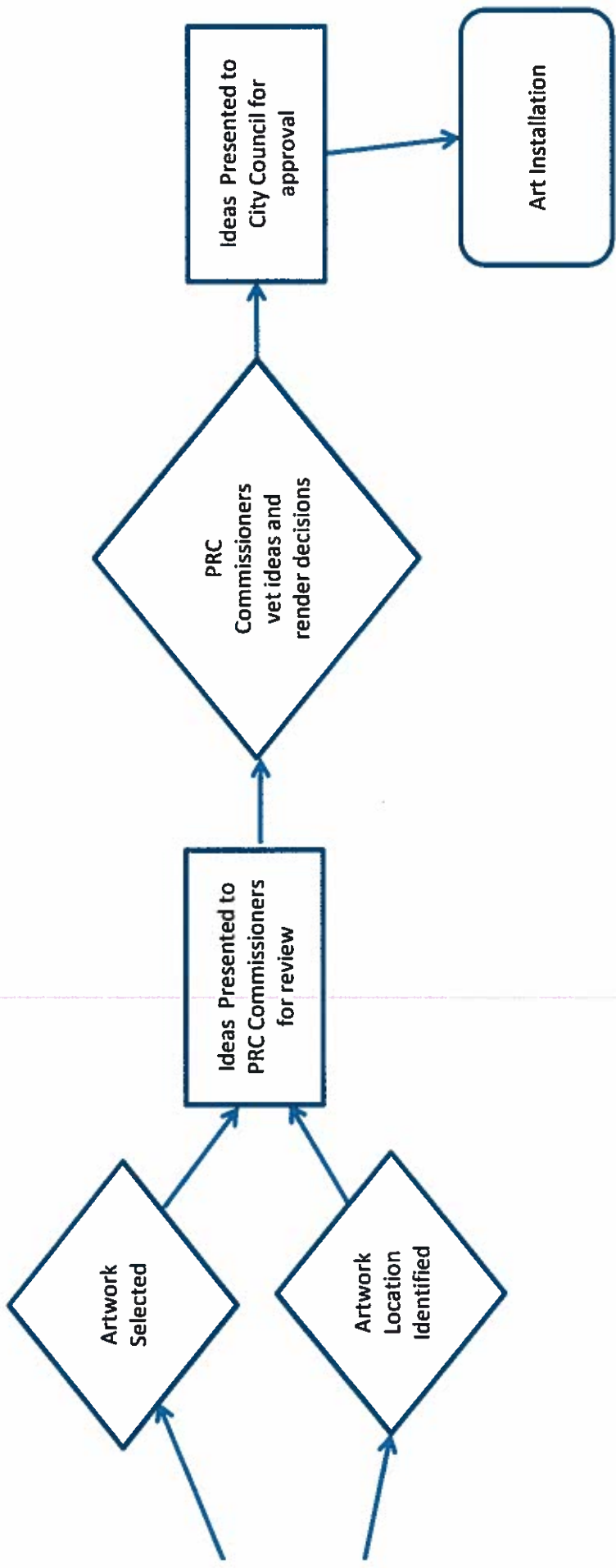


Public Art Committee Process





**POLICY ON SELECTION, PLACEMENT, INSTALLATION, AND MAINTENANCE OF PUBLIC
ART ON CITY-OWNED LAND**

This policy applies to the placement of art on City-owned land. The body of this policy is intended to be binding until revised by the City Council. Its appendices are intended as guidance for the Public Art Committee to refine as its experience may suggest.

1. The Council shall appoint a Public Art Committee (the “Committee”) as a standing committee composed of five or seven voting members. The Committee shall elect a chair, vice-chair, and secretary. The purpose of the Committee shall be to recommend a plan for art on City-owned land and to implement this policy as to specific works of art.
The Committee’s membership shall consist of 1) two representatives from Art In Bloom or Lewes In Bloom or one representative from each, 2) a local artist or art dealer, 3) a commissioner from the Lewes Parks & Recreation Commission (“PRC”), and 4) members of the public. The Chair of the PRC and a Councilperson shall serve as ex-officio members of the Committee. No more than two members of the Committee may reside outside the City. The Committee shall work in coöperation and concert with the PRC on the selection of a specific location appropriate for any work of art being considered for placement on City-owned land as part of its review of a work of art.
2. In order to be considered for placement on City-owned land, a work of art (a “Work”) must be:
 - a. Consistent with Lewes’s Core Values; and
 - b. Appropriate to the site and setting, and visually compatible with other Works already placed on or selected for the site.
3. Anyone interested in having a Work placed on City land should contact the Chair of the Committee. Such a request may come from an individual, a private group, or a public body. The Chair will have the request placed on the Committee’s agenda and call a meeting of the Committee.
4. All meetings of the Committee shall comply with the Open Meetings provisions of FOIA. Members of the public shall be afforded an opportunity to comment.
5. The Committee will remain responsible for all stages of the process for a Work through any installation.
6. A Work may be considered for acquisition by purchase – either as an existing piece or as a commissioned work --, lease, loan, or donation. If an applicant wishes to donate a work of art to the City, the applicant must provide a professional appraisal of the work for insurance purposes.
7. The Committee may review a specific Work that has been proposed or, if a specific Work has not been proposed, may recruit artists to propose Works. Appendix 1 contains guidelines for recruitment and selection.

8. In reviewing a Work, the Committee shall consider all criteria it deems appropriate. A draft list of review criteria is attached as Appendix 2.
9. The Committee shall also consider the proposed placement of the Work. A draft list of site criteria is attached as Appendix 3.
10. The Committee shall also consider the proposed installation and maintenance plan for the Work. A draft list of installation and maintenance criteria is attached as Appendix 4.
11. The Committee shall also consider public safety. A draft list of public safety considerations is attached as Appendix 5.
12. The Committee will use a standard application form. See Appendix 6. The Committee may require additional information and may modify this form as it deems appropriate.
13. The Committee will offer to meet with the applicant. Some potential interview questions are attached as Appendix 7.
14. The Committee may use the "Point System for the Process of Review, Selection and Approval of Public Art" attached as Appendix 8.
15. It is expected that the Committee will complete its review of a specific Work within 90 days from the initial meeting of the Committee to consider the specific request. Once it has completed its review, the Committee will submit the completed application along with a recommendation to the Mayor & City Council, whether or not the proposed site is in a City park.
16. The City will incur no costs, unless the City otherwise approves in advance, for the Work or the site with regard to the following:
 - a. Professional assessment of the adequacy of the site with reference to the weight and size of the Work and other relevant criteria;
 - b. Preparation of the site prior to placement of the Work, including any extension of utilities to the site;
 - c. Placement of the Work at the site;
 - d. Signage with reference to the site, description of the Work, and any warning signs regarding touching or climbing on the Work (all signage must be approved by City in accordance with its standards to promote consistency).
 - e. Safety barriers when necessary;
 - f. Insurance for installation of Work and utilities, with coverages determined by the City in its reasonable discretion; the applicant will provide a certificate of insurance to the City showing the City as an additional insured, and a release from liability of the City to the applicant in connection with the installation;
 - g. Removal of a Work not owned by the City, in the case of (i) a temporary exhibit at the end of its term, (ii) irreparable damage to the Work or the site not caused by the City, or (iii) risks to public safety caused by the Work;
 - h. Remediation of the site; and

- i. Damage to the site or the Work during preparation, placement and display.
17. The City will defray costs for:
- a. its own legal review of an application;
 - b. the cost of any inspection required by the City;
 - c. utilities provided to the site and Work including any required lighting, water, and electricity;
 - d. relocating or removing a Work if the City unilaterally determines on such relocation or removal for reasons other than specified above as the applicant's responsibility; before removal, the City will provide reasonable prior notice to the applicant and the public;
 - e. liability insurance coverage for claims arising from or relating to the Work, for which reason the Work and site should be reviewed for consistency with the City's liability coverage.
18. The City may require an endowment at the time of installation to defray future costs incurred by the City such as utilities, removal, and insurance.
19. Property insurance on the Art (to cover damage, vandalism, theft, etc.) will be the responsibility of the owner of the Work. In the case of a loaned or leased Work, it will be the responsibility of the Artist or the Applicant. In the case of City-owned Art, it will be the responsibility of the City.
20. The Council will in its sole discretion accept (with any conditions it deems appropriate), remand, or reject the recommendations of the Public Art Committee.
21. Once an applicant has incurred substantial costs to implement an approved application, the Council may revoke its approval only if it offers to reimburse the applicant for such costs.

Adopted by the Mayor and City Council on February 13, 2017.
Revised by the Mayor & City Council on August 13, 2018.

Appendix 1: Recruitment Guidelines

Recruitment methods may include the following:

1. A Call to Artists

When a “Call to Artists” is used for selecting a Work of Art, the Public Art Committee (the “Committee”) will develop a list of both general and site-specific criteria to be included in specifications before a Call is issued.

A. An open competition is a “Call to Artists” for a specific project in which artists are asked to submit evidence of their past work. Any artist may submit credentials and/or proposals, subject to any limitations established by the Committee. Calls for entries for open competition will be sufficiently detailed to permit artists to determine whether their work is appropriate for the project under consideration. (Request for Qualifications or Request for Proposals.)

B. An Invitational competition is a “Call to Artists” where a limited number of artists are invited by the Committee to submit credentials and/or proposals for a specific project. Artists shall be invited based on their past work and exhibited abilities to meet situations posed by particular project requirements or based on other public art program goals.

Invited artists shall be selected directly by the Committee through an initial slide review process. Artists shall be included in the slide review process based on their ability to meet the situation presented by the given project.

The Committee retains the right to make no selection if, in its opinion, there is insufficient merit among the submissions following a “Call to Artists.”

2. Direct Selection

At times, the Committee may elect to make a direct selection in which they contact a specific artist for a particular project. Over time an ongoing list of eligible artists will be developed by Art In Bloom and may be approved by the Committee for use in direct selection projects.