



**CITY OF COVINGTON  
SPECIAL MEETING AGENDA  
CITY COUNCIL JOINT STUDY SESSION WITH ARTS COMMISSION**  
Council Chambers – 16720 SE 271<sup>st</sup> Street, Suite 100, Covington  
[www.covingtonwa.gov](http://www.covingtonwa.gov)

**Tuesday, October 25, 2016 – 6:00 p.m.**

**GENERAL INFORMATION:**

*The study session is an informal meeting involving discussion between and among the City Council, Commissioners, and city staff regarding policy issues. Study sessions may involve presentations, feedback, brainstorming, etc., regarding further work to be done by the staff on key policy matters.*

**CALL CITY COUNCIL JOINT STUDY SESSION TO ORDER**

**APPROVAL OF AGENDA**

**ITEM(S) FOR DISCUSSION**

1. Arts Commission Projects – 2016 In Review
2. Public Art Policy Update Status Review
3. Public Art Funding
4. Open Discussion

**ADJOURN**

Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).

***\*Note\* A Regular Council meeting will follow at approximately 7:00 p.m.***

## Items for Discussion

Covington City Council Special Study Session

Date: October 25, 2016

SUBJECT: JOINT MEETING WITH THE ARTS COMMISSION

RECOMMENDED BY: Ethan Newton, Parks & Recreation Director  
Pat Patterson, Recreation Manager

ATTACHMENT(S):

1. Public Art Policy - Resolution 03-164
2. 2017 Public Art Decision Card

PREPARED BY: Pat Patterson, Recreation Manager

EXPLANATION:

The purpose of this joint meeting with the Arts Commission and City Council is to update Council on the Arts Commission's accomplishments during 2016 and provide information on the commission's ongoing work with 4Culture to update policies and develop best practices in public art management.

Additionally, the commission will present the 2017 public art decision card and have an open discussion about the future of art in Covington.

ALTERNATIVES:

None.

FISCAL IMPACT:

None.

CITY COUNCIL ACTION: \_\_\_ Ordinance \_\_\_ Resolution \_\_\_ Motion X Other

### PROVIDE INPUT TO COMMISSION

REVIEWED BY: Parks and Recreation Director, Finance Director, City Manager

**ATTACHMENT 1**

**RESOLUTION NO. 03/164**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, ESTABLISHING A POLICY FOR THE DISPLAY AND MANAGEMENT OF ARTWORK IN PUBLIC AREAS.**

**WHEREAS**, the City of Covington recognizes the benefits of beautification of its public areas; and

**WHEREAS**, public art adds to the enhancement of the quality of life of Covington residents, attracts tourism and provides incentives to businesses to locate in the City; and

**WHEREAS**, public art plays an important role in civic revitalization and neighborhood development; and

**WHEREAS**, public art helps define a community's past and present through works of art that define the history and goals of the people who reside there; and

**WHEREAS**, the City Council wants to provide the opportunity for the display and management of public art displays; now therefore

**BE IT RESOLVED** by the City Council of the City of Covington, King County, Washington, as follows:

**Section 1.** The Covington City Council hereby adopts the Public Art Policy attached hereto as Exhibit "A" and Gift Acceptance Policy attached hereto as Exhibit "B".

**PASSED** in open and regular session on this 13th day of May, 2003.

Pat Sullivan  
MAYOR PAT SULLIVAN

Attested:  
Jackie Cronk  
Jackie Cronk, City Clerk

APPROVED AS TO FORM:  
Duncan C. Wilson  
Duncan C. Wilson, City Attorney

## EXHIBIT A PUBLIC ART POLICY

### 1.0 Purpose

- 1.1 The purpose of the Public Art Policy is to establish a structure to provide legal and ethical guidance for the management of Covington's public art collection.

### 2.0 Structure

#### 2.1 City Council

- A. The City Council of the City of Covington shall act on all public art proposals forwarded by the Arts Commission for consideration as an "addition to" or "removal from" the City's public art collection

#### 2.2 Arts Commission

- A. The Arts Commission will oversee the development and implementation of a Public Art Program and forward recommendations to the City Council on all elements of the program, including: Development of new public arts projects, project funding, gifts of public art, maintenance of public art inventory and removal of public art for the purpose of maintaining diversity in style, scale, media, and materials of the City's public art collection.
- B. The Chair of the Arts Commission shall make regular reports to the City Council.

#### 2.3 Parks Department

- A. The Parks Director or designee will coordinate all elements of the Public Art Program including, but not limited to: Planning for specific artwork projects, developing procedures for accepting gifts of public art, making recommendations on allocation of funds, selection procedures and guidelines for each public art project, promotion of art projects or displays and maintenance of art.
- B. An annual review and inventory of the status of the City's art collection shall be done by the Parks Department staff. A report will be submitted to the Arts Commission and the City Council regarding the condition of the collection.

### 3.0 Elements of the Public Arts Program

#### 3.1 Public Art Projects

A. Integrated Public Art – Capital improvement projects that integrate the work of artists into the planning, design and construction of city owned facilities, buildings and public spaces.

1. During the City's annual budget process, City departments, planning capital projects for the coming year, shall submit a list of those projects to the Parks Director.
2. The Parks Director, working with the Arts Commission will forward recommendations to City Council for consideration for budget appropriations.
3. Recommended Integrated Public Art Projects, forwarded to Council, shall have a budget attached of 1% of the total estimated construction cost of the project.
4. Only projects that can reasonably include a public art element, such as buildings (new or remodeled), street projects, park improvements, and above ground utility projects shall be forwarded to Council for consideration of an Integrated Public Art Project.
5. Once approved, all capital projects with an Integrated Public Art Element may include an artist in the planning, design and construction of the project.

3.2 Non-Integrated Public Art – Stand alone pieces, which may or may not be part of a capital improvement project. Examples of stand-alone pieces may include sculpture or two-dimensional art such as paintings.

A. During the City's annual budget process, the Arts Commission may forward Public Art projects, that may be placed generally in public places throughout the City, to Council for consideration of budget appropriations.

#### 3.3 Placement of Public Art

A. Works of art may be attached or detached within or about any municipally owned, leased, or rented property. Said works of art may be either temporary or permanent. Projects may be developed to respond to a specific site or building location or purchased to circulate among various sites or facilities.

B. Placement of works of art shall be authorized by the City Council upon review and recommendation of the Arts Commission and any other board or commission that may have code authority.

C. The City reserves the right to determine if and when relocation of a work of art will or should be made.

### 3.4 Call for Artists

- A. At the discretion of the Parks Director, a Call for Artists to provide artwork proposals shall be undertaken.
- B. The Arts Commission shall determine the artist eligibility requirements.
- C. The Arts Commission shall choose the method by which the selection of an artist's proposal will be done from one of the following three options:
  - 1. **Open Competition:** A wide circulation calling for proposals from artists.
  - 2. **Invitational or Limited Competition:** A two-step process requiring a submittal of material documenting past work from a wide range of artists. Following initial review, a small number of artists, typically 3 to 5, will be selected to submit proposals of which one may be chosen.
  - 3. **Direct Selection:** A wide range of artists submit material documenting past work from which one may be selected to provide a final proposal.
- D. The Arts Commission has the right to make no selection if, in its opinion, there is insufficient merit in the submission.
- E. The City Council shall make all final decisions regarding approval of artist's proposal.
- F. Upon approval by the City Council, a contract will be executed between the artist and the City fully describing, the artist's services regarding the development, purchase, installation and maintenance requirements of an artwork.

### 3.5 Public Arts Funding

- A. A Public Art Fund shall be established as a reserve to fund the Public Art Program and ongoing maintenance concerns of the City's public art collection. Public Art Program funds may accumulate, in any of the following or other ways:
  - 1. Private donations
  - 2. Endowment donations
  - 3. Arts grants
  - 4. City General Fund contributions
  - 5. Other budget appropriations approved during the annual budget for use on Public Art project proposals.

B. Integrated Capital Projects Contribution

1. Integrated Capital Projects, approved by Council, shall be funded with an amount equal to 1% of the estimated construction cost of the approved project.
  2. Funds approved by Council for use on Integrated Public Art Projects shall be transferred into the Public Art Fund as soon as the funds are available.
- C. The Public Art Fund may be used to pay for any or all aspects of a Public Arts Project, including but not limited to, costs associated with call for artists, art proposals, arts programs, events, development of an art piece, construction landscaping, direct administrative costs and maintenance costs as approved by City Council.

3.6 Public Art Gifts

A. Public Art Donation

1. The Arts Commission shall review all proposed gifts of artwork that are donated, loaned, devised, or bequeathed, with or without restriction, to the City of Covington, including actual artwork, property for placement of artwork, or funds for the acquisition of artwork. The Arts Commission will evaluate the suitability of proposed gifts and make recommendations to accept or decline the artwork to the City Council.
2. If accepted by City Council, a Gift Acceptance Agreement outlining the specific conditions of acceptance shall be entered into between the donator and the City.

B. Money for Art Donation

1. Money donated for Public Art projects shall be identified and placed in the Public Art Fund. Projects funded from money donated for public art will follow the steps outlined in sections 3.4 and 3.5.

C. Loan of Art

1. The Arts Commission shall make recommendations to the City Council for acceptance of all art proposed for loan to the City of Covington.
2. Loaned artwork shall not be covered under the City's insurance plan.

D. Art Acceptance

1. All public art gifts, donations or loans of artwork shall be approved by the City Council.

3.7 Maintenance of Public Arts Collection

A. Routine Maintenance of Collection

1. The appropriate method of routine maintenance, as recommended by the original artist for each work of art, should be budgeted for on an annual basis.

B. Repairs and Restorations

1. The City reserves the right to determine if and when repairs and restorations to a work of art will or should be made.
2. To the extent practical, the original artist shall be consulted regarding the aesthetics of all repairs and restorations and given the opportunity to make or personally supervise significant repairs and restorations.
3. An annual review of the status of the City's art collection shall be done by Parks Department staff. A report, including the inventory will be submitted to the Arts Commission and the City Council regarding the condition of the collection.

3.8 Control of Public Arts Collection

A. The City does not wish the art displayed pursuant to these rules to create a "public forum" and, therefore, reserves the right to control the art displayed on all City premises. The City reserves the right to deny display of art or to remove art displayed if, in the sole discretion of the City's Park Director, said art depicts:

1. violent images
2. sexually graphic images
3. nudity
4. religious symbols or desecration of same
5. imagery which may be inappropriate to maintain in or upon public property.
6. Ethnic hatred.

# EXHIBIT B

## GIFT ACCEPTANCE POLICY

### 1.0 Purpose

- 1.1 The purpose of the Gift Acceptance Policy is to establish a structure for the acceptance of gifts and contributions for the Public Art Program.

### 2.0 Structure

#### 2.1 Gifts of Art

- A. Gifts of art work will be judged by the same standards of selection as those applied to the purchase of new materials. The City of Covington reserves the right to accept or decline gifts. There are various reasons why an item might not be accepted. Some of those reasons include: It may be an item of which the City already has a sufficient number; it may not be suitable; it is interesting but not of sufficient value to add to the Public Art Program; it is prohibitive to store and/or maintain; and/or it is in poor condition. The City of Covington accepts art work as gifts with the understanding that those works useful to the public art collection will be retained. Final decision on acceptance rests with the Arts Commission and City Council.

#### 2.2 Gifts – Of Real Property and Cash Contributions

- A. The City welcomes cash contributions and gifts of real property. Monetary contributions are placed in the Public Art Fund. The City expends cash gifts on materials, equipment, or projects, as defined in the Public Art Policy.

#### 2.3 Recognition of Gifts

- A. Donor plates are placed in/on art work, if possible, unless otherwise specified. Donors are provided with a letter for tax purposes.

#### 2.4 Use of Gifts

- A. Gifts are accepted with the understanding that it may someday be necessary to sell or dispose of them in the best interest of the City. The City cannot commit to perpetually housing or retaining a gift. The gift will be disposed of in whatever manner the Parks Director and Arts Commission deem best.

## 2.5 Income Tax Statements

- A. The City cannot appraise the value of any gift. The city will, however, issue the donor a letter acknowledging the gift. Gifts to the City as a governmental unit are tax deductible; however, the donor will be responsible for securing an appraisal if one is desired.

## 2.6 Restriction

- A. No gift can be accepted unless it is given to the City without restrictions or unless the City Council has specifically adopted an agreement to do so otherwise. Gifts are accepted only if in the opinions of the Parks Director, Arts Commission and City Council, they are in the best interests of the City. A Gift Agreement Form must be signed by the donor and approved by the City for both unrestricted and restricted gifts.

**CITY OF COVINGTON  
Decision Card Request Fiscal Year 2017**

**ATTACHMENT 2**

<b>Title</b>	Public Art Funding	<b>Criteria</b>	Critical to operations
<b>Description/Justification</b>	Over the past five years the Arts Commission has worked with the City Council to receive guidance in culminating the city's art plan and make public art in the city a reality. In December, 2014 the city secured SeaHorse as it's first piece of public art. In August, 2016 a mural was created on the deck of the Gerry Crick Skate Park by artist Aaron Lui-Kwan. Public feedback for both works has been very positive. This decision card is requesting ongoing funding for public art at a level of \$1 per resident annually.		
<b>Benefits of Funding</b>	Art inspires and enriches the lives and broadens the perspectives of our society. The Covington Arts Commission pursues its public charge to develop a thriving arts environment, which is essential to quality of life, education, and the economic vitality for all of Covington. Approving this decision card for ongoing financial support of public art will benefit our community for years to come.		
<b>Impact of Not Funding</b>	If not funded public art will remain at it's current level of inventory and financial support.		

Line Item Detail	Total Cost	One-Time	Ongoing	Cost Breakdown by Fund/Department				
				General Recreation				
Art funding at a level of \$1 per resident annually	\$18,752	<input type="checkbox"/>	<input checked="" type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
<b>Grand Total</b>	<b>\$18,752</b>							