Art in Public Places Handbook 2017

Lending a Helping Hand, Cloyd Barnes, Photo courtesy of Arts Management and Planning Associates

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Introduction

The City of Golden’s Art in Public Places Program create a healthy, vibrant atmosphere that contributes to the quality and cultural identity of our community. It is inspired by a variety of goals including encouraging cultural expression and inspiring a sense of civic pride.

Artists bring a unique perspective to design development. They provide an aesthetic balance to capital improvement projects and create memorable spaces for residents, businesses and visitors.

Enhancing the character of our community through public art directly supports cultural tourism and economic development.
Section 1: City Ordinance

City of Golden Ordinance 1940 established the Art in Public Places Program and the Public Art Commission. This ordinance serves as the conduit for community enrichment by providing a wide range of art in public places, recognizing that art in a public setting is vital to a livable community and contributes to economic development.

Monarch, Buck McCain, Photo courtesy of Arts Management and Planning Associates
Golden Municipal Code Chapter 2.60 Art in Public Places

2.60.010: Purpose

The purpose of this chapter is to provide a means to fund the acquisition of artwork by the City for display in public places, to establish guidelines for selection of artwork for the City's public art collection, to provide for the display of the City's collection and to provide for the management, maintenance and repair of artwork in the City's public art collection.

2.60.020: Definitions

As used in this chapter, unless the context otherwise requires, the following words or phrases shall have the meanings ascribed below:

Artwork includes, but is not limited to, a sculpture, monument, mural, fresco, relief, painting, fountain, banner, mosaic, ceramic, weaving, carving and stained glass, but would not normally include landscaping, paving, architectural ornamentation or signs, unless such elements are an essential component of the artwork itself.

Commission means the public art commission created and established in section 2.64.010 of this Code.

Construction Cost means the actual cost of any construction project, including any contingency reserve, but excluding land acquisition costs, engineering and administrative costs, costs of fees and permits, and indirect costs, such as interest during construction, advertising and legal fees.

Construction Project means the construction, substantial renovation or addition to any public building, facility, park or other public improvement by the City or its agents, including, without limitation, all landscaping, parking areas and similar areas and facilities associated with such improvement, with an estimated total construction cost of $50,000.00 or more. "Construction project" includes only those projects designed to create a permanent improvement and does not include projects that are primarily for the purpose of ordinary maintenance, repair or replacement. The term "construction project" does not include any improvements made by any special improvement district, and any other improvements exempted by the City Manager from the requirements of section 2.60.040 of this chapter. If a question arises as to whether a construction project is subject to the provisions of this chapter, the City Manager shall make the final determination.
**Public Art** means any artwork displayed for two weeks or more in or on City-owned property in an area open to or viewable by the public, on the exterior of any City-owned facility, or on non-City property open to or viewable by the public, if the artwork is installed or financed, in whole or in part, with City funds or grants procured by the City, or if the artwork is owned by, donated to, or on loan to the City.

**Reserve Account** means the art in public places reserve account established by this chapter.

*Cameron’s Dragon, Mary Zimmerman, Photo courtesy of Arts Management and Planning Associates*
2.60.030: Account Established

There is hereby established a reserve account within the sales and use tax capital fund, to be known as the "Art in Public Places Reserve Account." The funds set aside from construction projects pursuant to section 2.60.040 of the Code, and all funds received by the City for public art, whether donated, earned, or secured through grants or otherwise obtained by the City, shall be deposited in this account. City Council may also fund the account in its discretion and subject to appropriation. The funds in this account shall be expended only for acquisition, installation, maintenance, repair or removal of public art and for expenses incurred by the City in the administration of this chapter and chapter 2.64 of this Code.

2.60.040: Funds for Public Art

a) The City shall cause an amount equal to one-percent (1%) of the construction cost of each construction project for which the total estimated construction cost is fifty-thousand dollars ($50,000) or more to be deposited in the City’s Art in Public Places Reserve Account, and that amount shall be included by the City in all estimates of necessary expenditures and all requests for authorizations or appropriations for such construction projects. If any project is partially funded from any source that precludes art as an object of expenditure of funds, then this section shall apply only to the amount of funds not so restricted. All funds set aside for artwork shall be paid into the reserve account. Alternately, the City may include public art as part of the overall design of a City construction project pursuant to section 2.60.050 of the code.

b) As an alternative to determining the funding level based upon the construction costs as provided in subsection (a) above, and in an effort to create a more predictable and consistent funding level, the City Council may, in conjunction with the annual adoption of the City Capital Improvement Program, adopt a resolution to establish a policy pertaining to a fixed amount of funds to be deposited in the Art in Public Places Reserve Account. Such resolution will consider the average or typical level of funding that would otherwise be deposited based upon the construction cost calculation in subsection (a) above.

c) Funds in the Art in Public Places Reserve Account shall be expended as directed by the Public Art Commission consistent with the terms of this chapter and chapter 2.64 of this code, the City’s policies regarding Art in Public Places, and the City’s purchasing policy.”
2.60.050: Site-Integrated Public Art

Artistic elements incorporated into the original designs of buildings and public spaces create opportunities to enhance the aesthetic character of public spaces through site-integrated public art. In lieu of the one percent deposit in the art in public places reserve account provided for in section 2.60.040 of the Code, the City may choose to include site-integrated public art as a part of the overall design and installation of a City construction project. The value of the public art provided must be equal to or greater than one percent of the total estimated construction cost of the project. Artwork included as part of a City construction project design must comply with all applicable ordinances, rules, and regulations, and with the City’s policies regarding art in public places. All proposals for site-integrated public art shall be subject to review and approval by the public art commission.

*Checkmate, Herb Minerary, Photo courtesy of Arts Management and Planning Associates*
2.60.060: Public Art Selection Criteria

The public art commission shall review all artwork proposed for the art in public places program for conformance with the following criteria and the purposes of this chapter. For more information about the Community Proposal Policy, please see page 27:

a) Conceptual compatibility of the design with the immediate environment of the site;
b) Appropriateness of the design to the function of the site;
c) Compatibility of the design and location with the architectural or historical character of the site;
d) Creation of an internal sense of order and desirable environment for the community by the design and location of the artwork;
e) Preservation and integration of natural features for the project;
f) Appropriateness of the materials, textures, colors and design to the expression of the design concept;
g) Representation of a broad variety of tastes within the community and the provision of a balanced inventory of art in public places to ensure a variety of style, design and media throughout the community;
h) Anticipated costs and labor to install, maintain, or repair the artwork;
i) Compliance with all aspects of the City's art in public places safety policy; and
j) Whether the proposed artwork will further the following goals of the City's art in public places program:

i. Enrich the public environment for residents and visitors through the incorporation of the visual arts;
ii. Increase the livability and artistic richness of the Golden community
iii. Enable the City to attain recognition on state and national levels as a leader in the visual arts;
iv. Increase public access to artwork and to promote understanding and awareness of the visual arts in the public environment;
v. Make the mundane interesting, fun, playful or inspiring;
vi. Promote diversity and pluralism in public art and to reflect a wide range of multicultural expression; and
2.60.070: Approval and Display of Public Art and Site Selection

All public art installed or relocated in the City after the effective date of this chapter shall first be reviewed and approved by the public art commission prior to installation or relocation.

a) Artwork selected by the public art commission for inclusion in the City's public art collection pursuant to the provisions of this chapter may be placed in, on or about any City property, or on private property by agreement with the owner thereof if the artwork will be visible and exposed to the public on the private property. Placement of public art shall comply with the City's policies applicable to art in public places, and the name of the artist shall be identified on or near all public art.

b) Public art owned by the City may also be loaned for exhibition elsewhere, upon such terms and conditions recommended by the public art commission and subject to approval by the City Manager.

c) City officials responsible for the design or construction of construction projects in the City shall make appropriate space available for the placement of public art, in consultation with the public art commission. The public art commission shall advise the department responsible for the particular construction project of the commission's decision regarding the design, implementation and placement of public art in connection with such project.

d) Public art may be installed on privately owned property with a written agreement between the City and the property owner specifying the proprietary interests in the artwork. Any such agreement shall be subject to review and approval as to form by the City attorney before execution by the City, and shall ensure that:

   i. The installation of the public art will be done in a manner that will protect the artwork and the public; and
   ii. The public art will be maintained in accordance with the City's policies concerning art in public places; and
   iii. The property owner shall indemnify the City and provide adequate property insurance for the artwork.

e) Installation, maintenance, alteration, refinishing and relocation of public art shall be done in consultation with the artist whenever feasible.

f) No public art shall permanently be removed, altered or changed without the review and approval of the public art commission; except that review and approval of the public art commission shall not be required for temporary removal of public art by City personnel for maintenance or repair, or for temporary or permanent removal of public art that, in the sole discretion of the City Manager, poses a public health or safety hazard.
g) The staff liaison to the public art commission shall maintain a detailed record of all public art, including site drawings, photographs, designs, names of artists and names of architects whenever feasible, shall give appropriate recognition to the artists, and shall appropriately publicize and promote the city's public art and art in public places program.

h) All other provisions of this chapter notwithstanding, the placement of public art shall be subject to the city manager's authority to issue and adopt rules, orders, and regulations as are reasonably necessary for the administration, protection and maintenance of buildings and property belonging to the City of Golden and any other public buildings and property under the control, management or supervision of the city manager, as provided in section 2.08.110 of this Code.

2.60.080: Ownership

All artwork donated to the city and all artwork purchased or acquired by the city at the direction of the public art commission and using city funds shall be titled in the name of, and owned by, the city.

2.60.090: Exemptions

The following artwork is exempt from the provisions of this chapter:

   a) All artwork in the collections of, or on display at, or under the auspices of, the Golden History Museums; and
   b) All artwork on display in private city offices or other areas of city-owned facilities that are not generally accessible to or frequented by the public.

2.08.010: Authority of City Council Generally

The corporate authority of the City of Golden being by law vested in the city council, the council shall be the body of final responsibility in all matters affecting the city, and shall have all powers, and be subject to responsibilities and limitations, which may now or hereafter be granted or imposed by law.
Golden Municipal Code Chapter 2.64 Public Art Commission

2.64.010: Creation and Appointment

a) There is hereby created a public art commission for the City, which shall be comprised of seven voting members, as follows:

b) Five of the members shall be residents of the City and appointed by the mayor, with approval by a majority of the City council;
   i. One member shall be the executive director of the Foothills Art Center or their designee, with approval by a majority of City council.
   ii. One member shall be selected by the board of directors of the Golden Civic Foundation, with approval by a majority of City council.
   iii. All members shall serve without compensation.

c) Members of the public art commission shall not hold any other municipal office or position on a standing municipal board, commission or authority, except that members of the commission may serve on other temporary committees, task forces, or similar ad hoc groups.

d) The City Manager shall appoint a Staff Liaison to provide administrative support and assistance to the commission as necessary to accomplish the duties of the commission and the purposes of this chapter.

2.64.020: Terms

The five resident members and the one member selected by the Golden Civic Foundation shall serve terms of four years, and shall be eligible for reappointment for no more than two consecutive terms. Upon initial appointment, three of these members shall be randomly selected to serve initial terms of two years. The term of the executive director of the Foothills Art Center or their designee shall be ex officio, subject to approval by City council.

2.64.030: Authority to Adopt Procedures

The public art commission shall have the authority to adopt rules of procedure governing its proceedings consistent with applicable requirements and provisions of the Golden Charter and Municipal Code, and shall conduct all of its proceedings in accordance with such rules. The rules of procedure shall be posted and available to the public.

2.64.040: Meetings

The rules of procedure shall include the time and place of regularly scheduled meetings, which shall be open to the public. A record of all meetings will be kept at City Hall.
The commission may call special meetings, as it deems necessary, subject to public notice within reasonable time before the meetings. Such meetings shall be open to the public. In the event there is no business pending before the commission, the regular monthly meeting may be cancelled.

2.64.050: Officers

The public art commission shall choose one of its members to act as chair and one member to serve as vice-chair. The chair shall preside at all meetings of the board, except that in his/her absence, the vice-chair shall preside. The City shall provide a secretary to the board.

2.64.060: Duties of the Commission

a) The primary purposes of the public art commission shall be to promote, select, acquire, and maintain public art in fulfillment of the goals of the City's art in public places program, to administer the provisions of this chapter and chapter 2.60 of this Code pertaining to the City's art in public places program, and to adopt policies and guidelines necessary for such administration.

b) The commission shall prepare and submit, not later than March of each year, a report to City council of its activities and expenditures for the prior year.

c) The commission shall prepare and submit an annual plan to City council describing its goals and plans for the City's art in public places program for the coming year, and amend such plan as necessary.

2.64.070: Adoption of Policies and Guidelines

a) The public art commission shall adopt policies and guidelines:

i. To identify suitable art objects for City buildings or property;

ii. To facilitate the preservation of art objects and artifacts that may be displayed in public places;

iii. To prescribe a method or methods for competitive selection of art objects for display;

iv. To prescribe procedures for the selection, acquisition, placement, display, rotation and Deaccessioning of public art;

v. To address safety and other precautions with respect to the selection, location and maintenance of public art; and

vi. To address any other matter necessary for the administration of chapters 2.60 and 2.64 of this Code and the City's art in public places program.

b) All policies adopted by the public art commission and any amendments thereto, are subject to review and approval by City council, and shall be effective upon City council's adoption of same by resolution.
Section 2: Acquisition Policy

The City of Golden maintains a large collection of public art and will continue to expand, refresh and add variety to the collection to enhance the tourist and economic potential of Golden and the community.

Monarch, Buck McCain, Photo courtesy of Arts Management and Planning Associates
Background

This policy provides a framework for acquiring works of art through Golden’s Art in Public Places Program (AIPP). The Public Art Commission (PAC) is responsible for the acquisition and maintenance of such art. The PAC’s mission is to enhance the cultural landscape of the City of Golden through the acquisition, placement and preservation of diverse artworks in public places.

Definitions

a) For purposes of this policy, Art in Public Places is defined as any visual work of art displayed for two weeks or more in (1) an open City-owned area, (2) on the exterior of a City-owned facility, (3) in the interior of a City-owned facility (in public areas), or (4) on non-City owned property if the work of art is installed or financed (either wholly or in part) with City funds or grants obtained by the City.

b) The terms work of art and artwork include, but are not limited to, a sculpture, monuments, murals, frescos, reliefs, paintings, fountains, banners, mosaics, ceramics, weaving, carving, electronic media, photography, stained glass or site integrated public art.

c) Artwork can be placed inside or outside; be representational or abstract. It can be integrated with architecture, landscape, or infrastructure. It can be functional commemorative, decorative, or interactive. It can employ technology, text, or sound. Artwork would not normally include basic landscaping, architectural ornamentation, or signs.

Butterfly, Patrick Madison, Photo courtesy of Arts Management and Planning Associates
Program Goals

a) The principal goals of Golden’s AIPP Program are:
   b) To enrich the public environment for residents and visitors through the incorporation of the visual arts;
   c) To increase the livability and artistic richness of the Golden community;
   d) To increase public access to works of art and to promote understanding and awareness of the visual arts in the public environment;
   e) To make the mundane interesting, fun, playful or inspiring;
   f) To promote diversity and pluralism in public art and to reflect a wide range of multi-cultural expression; and
g) To contribute to the economic vitality, quality of life, and civic pride of the Golden community; and
h) To enable Golden to attain recognition on a regional level as a leader in the visual arts.

The AIPP fund shall not be used for:

a) Reproductions or unlimited editions of original work;
b) Objects that are mass produced;
c) Architectural rehabilitation, or historical preservation; or
d) Other works deemed inappropriate for the collection

Budget

At the time of an acquisition, whether by donation or purchase, the proposed budget for an artwork should cover costs of installation, which may include:

a) Pedestals, bases or other display components;
b) Site development; and
c) An identification plaque.
d) Maintenance
Selection Process

Acquisition of an artwork may be PAC, or otherwise, initiated. This policy applies to all methods of acquisition. An additional policy applies to the following acquisition methods: proposal, donation, and loan.

Direct Purchase

The PAC may purchase existing artwork from an artist/owner in unique circumstances (e.g. when the price presents an economic advantage) or to meet one of the AIPP program goals. The PAC may approach an artist or an artist may approach the PAC. Artists who have contemplated or finished work that they wish the PAC to consider for purchase should submit the following to the PAC:

a) A proposal sheet with the artist’s name, title of the artwork, dimensions, medium, date produced, price, location, number in the edition if applicable, restrictions on reproduction, and other information the artist deems pertinent.

b) A resume and references.

c) A maquette and/or images or the actual work for review. (Images can be provided electronically or by hard copy and should show all sides and provide the proper scale of the work).

d) A cover letter explaining why the work should be added to the City’s public art collection.

e) A conservation assessment describing the artwork’s condition, along with a maintenance plan. (The plan should include an explanation of the expected life span of the work while placed in a public environment, specifying the type of environment in which the artwork may be placed. It should also discuss whether the artwork may be prone to vandalism and how the effects of any vandalism may be mitigated; it should be authored by the artist or a qualified conservator.)

f) A signed statement indicating that they have read and will comply with all aspects of the Art in Public Places Safety Policy and other relevant policies.

g) Each piece must have provenance.

h) The artist must provide a release of image rights for the piece to permit publishing of photographs of the piece as the City of Golden sees fit.

i) The PAC may request additional information. The PAC typically reviews direct purchases twice per calendar year; however, exceptions can be made if deemed appropriate by a majority of the PAC.
Open Competitions

Competitions are open to artists within the geographic limits and other specifications set by the PAC (which varies from competition to competition). The PAC strives to maintain balance between competitions involving local artists only and artists from a larger area. The PAC process for competitions is typically as follows:

a) The PAC provides a project description, budget, time schedule, and summary of duties and obligations;

b) The artist shall provide a maquette and site drawing (if appropriate), design, concept statement, budget, photographs, resume and references.

c) The PAC has the opportunity to serve as the jury for open competitions, however, may alternately select a jury to review submissions. In such cases, proposals shall be considered by the jury and a final choice or choices will be presented to the PAC for acceptance.

d) Entry materials will be returned to the artist only if appropriate packaging, postage and insurance are included with the entry by the artist.

e) The artist may be paid a design fee for creating materials during the selection process.

Artist Selection Criteria

When evaluating the possibility of working with a particular artist, the PAC generally considers:

a) The artist’s experience with public art projects;

b) The ability of the artist to work cooperatively and effectively with the PAC and the City of Golden;

c) The artist’s presentation;

d) The technical feasibility of a proposed project and the artist’s technical ability; and

e) Other factors deemed by the PAC to be important.

Community Proposals

The Golden Municipal Code section 2.60.060: Public Art Selection Criteria allows for a proposal for public art to be made to the Public Art Commission (PAC) by any organization, club or business, any City official or employee, or any individual member of the public. The PAC will review proposals every April and October unless otherwise stated. Reference the Community Proposal Policy on page 27 for more details.

Contracts

Following the final selection of an artwork or artist, a written contract shall be prepared by the PAC and the Staff Liaison and approved by the City Attorney, prior to being signed by the City Manager or City Council, as appropriate. Executed contracts shall be filed with the City Clerk.
Site Selection

The PAC is charged with selecting artwork for capital projects (designated sites) and for selecting sites for purchased or donated artwork, with the goal of enhancing the community, the travel corridor or the right-of-way. The policy does not rule out any particular application, as every installation should be weighed related to the location, the factors noted below, as well as the other site impacts.

Public Works can and will provide support, professional expertise, and advisement as needed for installations selected by the PAC. Primary contact will be through the Public Works Director and any staff member who will be supporting the project(s).

Considerations of Placement

In order to ensure public art is fairly and equitably distributed throughout the City of Golden, and that it is sited in such a way as to enhance and activate public spaces by making them interesting, fun, playful or inspiring, the PAC will follow specific criteria to guide the placement of art projects. When considering a possible site for an artwork, it is the role of the PAC to determine the relative importance of each of the considerations listed below for any given proposal.
Relationship

a) Relationship of artwork and site shall be considered in terms of the physical dimensions, social dynamics, and local character and surrounding context of the site, existing or planned;

b) Helps to improve the design of an area by emphasizing a particular location through landmarks, gateways and/or linkages to other parts of the community;

c) Relationship of proposed artwork to existing artworks within the site vicinity;

d) Compatibility of the design and location with the character of the site;

e) Artwork should not be placed in a site where it is overwhelmed by nor competing with the scale of the site or adjacent architecture, large retail signage, billboards, etc.

Visibility

There should be visibility of the site by the general public:

a) On-site locations for public art projects on City-owned property include, but are not limited to parks, greenways, neighborhood gateways, plazas, bridges, historic places and landmarks, as well as buildings, walls, ceilings, floors, windows, staircases, escalators, entrances and exits, and rooftops.

Access

The site shall be accessible to the general public, with particular attention paid to handicap access;

a) Work displayed in interior public spaces will be accessible to the public at least during normal building operating hours without requiring the public to obtain special passes or permits to view the work and without requiring payment to view the work;

b) Work displayed in exterior public spaces should be accessible to the public 24 hours per day. If a work is sited in a park or similar setting, it should be accessible during the normal operating hours of that site or facility;
c) Site access should consider Americans with Disabilities Act (ADA) requirements, providing appropriate ingress and egress for the site and ensuring site does not impede movement;

d) Site access should consider vehicular and pedestrian traffic patterns;

e) Site access should consider the impact of public accessibility on the artwork, including potential for damage.

Public Safety

The PAC will make every attempt to ensure that artwork is a safe as possible, per safety policy standards. See Safety Policy for more information.

Impacts

a) Environmental
   i. Environmental impact such as noise, sound, light and odor.

b) Operational Functions
   i. Impact on operational functions (snowplowing, etc.), of the City.
   ii. Artwork should not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building (unless such alteration is specifically a part of the experience or design of the artwork).

c) Adjacent Property Owners
   i. Impact on adjacent property owners’ views.

d) Right of Way (ROW)
   i. The City of Golden uses the Manual of Uniform Traffic Control Devices (MUTCD) when determining uses, signage, visual sightline requirements, and other issues that impact the ROW. The MUTCD is nationally accepted as the primary standard for these requirements.
   ii. In installations that involve Colorado Department of Transportation (CDOT) ROW, the PAC, Staff Liaison and Public Works will develop a joint plan to address the separate contract, review, and inspection requirements necessary with these projects; this may include cost considerations for project management if the size of the installation is large.
e) When considering installations along the ROW the following factors shall be considered by the PAC, with input from Public Works, in making a determination about a particular installation.

i. ADA requirements

ii. Impact on flow of pedestrians, bicycles, or traffic

iii. Safety Impacts (please refer to the Safety Policy)

iv. Does the installation cause undue distraction for drivers, so that vehicles are more likely to cause accidents from slowing or disorientation?

v. Does the installation cause an obstruction of sightlines such that safety for drivers, pedestrians, or cyclists is compromised?

vi. These sightlines will be different in each installation so size may be a factor at certain locations. For example, in an installation at a traditional intersection location close to the sightlines at the corners may create a significant hazard; or within roundabout; installations that create blind spots for drivers related to pedestrians will create a significant hazard.

vii. Height of installations is not generally an issue except when a foundation structure is required that may limit visibility for pedestrians in wheelchairs or may cause drivers to “rubber neck” for better viewing.

viii. In installations that are within the ROW project planners must be sensitive to pieces that may draw pedestrians into the traffic flow for viewing.

ix. In roundabout situations this is a critical factor. Generally roundabout islands are not designed in such a manner as to accommodate pedestrian traffic.

x. It is also recommended that placement of recognition for pieces (artist signatures, piece descriptions, etc.) are placed outside of the roundabouts flow of traffic versus on the island itself.

xi. Maintenance requirements that may be created by the installation, such as landscaping, lighting, plumbing and artwork accessibility for upkeep.
f) Vandalism
   i. The susceptibility of artwork and/or site to vandalism

g) Site Development
   i. Site design including landscaping, drainage, grading, lighting and seating considerations, and all costs associated with such placement, to include one-time costs and ongoing costs and maintenance
   ii. The cost of site development

h) Other Criteria
   i. Any other criteria deemed by the PAC to be important.
Collaborative Efforts for Placement

a) In cases where the Public Art Commission is seeking to locate a piece adjoining the ROW or within the ROW, prior to final selection, the PAC will provide the Public Works Department, through the Staff Liaison, with a sketch drawing with estimated measurements of the proposed artwork. The earlier in the process that detailed information can be provided; the better staff will be able to identify potential issues. Public Works staff will review the particular piece for the factors noted above. If the department has particular issues with one or several factors Public Works will provide a detailed description of the issues to the PAC, with recommendations on possible adjustments that may remedy the noted issues.

b) In the event that a particular installation is felt by City staff, such as those in Public Works or the Police Department, to be “provoking” enough to potentially cause distraction to drivers, the final decision on a particular piece and the potential “distraction factor” lies with the City Engineer, who will approve or deny such installation.

City Department Input

a) Whether working to select artwork for a designated site, or selecting a site for an already acquired artwork, the PAC strives to get input from relevant City departments. Relevant departments will typically be either a department receiving artwork for its building/grounds, or a department whose general responsibilities will be materially impacted by the placement of artwork at a particular site.

b) The Staff Liaison will contact the director of a relevant department(s) to discuss potential sites and will invite the director to provide input to the selection committee. The PAC encourages participation by the relevant department director and will provide the department director an opportunity to address the PAC during a public meeting. Selection processes, which are determined by the PAC, vary by project. The chair of the PAC will ask the director of the relevant department to provide any concerns he or she has about the sites and/or their impact on department operations before a selection process begins.
Approval Process

a) Public Input

i. After the PAC has selected a proposed artist, artwork and site, such information will be presented at a regularly scheduled public meeting of the PAC in order to permit public input prior to a final vote. Information presented should include the background of the artist, photographs, renderings, maquettes or other suitable sample of the proposed artwork and a detailed description of the proposed site. The PAC will weigh public input on the proposal before making a final vote to acquire and place the artwork.

b) Purchasing Policy

i. All decisions made by the PAC which involve spending public funds from the reserve account for Art in Public Places will comply with the City’s Purchasing Policy. The reserve account allocation will be at the discretion of the PAC, with the goal of achieving a balanced and sustainable program that meets the needs of the City and the community. Annually, an expenditure plan will be prepared by the PAC for City Council consideration, through the City’s budget process. The expenditure plan will include recommendations for general allocations towards a broad range of public art and administrative costs, and may be amended from time to time.

Installation Plan

Once a site has been selected, an installation plan will be developed by the PAC and the Staff Liaison with input from the artist, donor, and contractor when appropriate.

Post Installation

a) Once an artwork is installed, it will not be considered for removal unless the following shall occur.

b) In cases where issues are identified after installation (such as public safety concerns, the potential for significant damage or traffic concerns, but will not include complaints regarding aesthetics), Public Works, the Staff Liaison and the PAC will work collaboratively to develop a post-installation monitoring plan for traffic flow, accident data, and other factors to determine if future alterations to the installation are necessary. If alterations are identified the Staff Liaison will work with the PAC to develop possible remedies to alleviate the noted impacts.
b) Site Inspection
   i. After installation, the designated representative(s) of the PAC and the relevant department director or designee will meet to inspect the site.

c) Artist Identification and Plaque
   i. The identification plaque shall contain the name of the artwork, artist credit, year created, medium used and donor name (if applicable). The size of the work is optional.

d) The identification plaque shall conform to the guidelines provided in the Art Plaque Guidelines.

e) File Provenance, to include a photo, for each piece. Add artwork to publicity, including digital and print media.
Section 3: Community Proposal Policy

The Golden Municipal Code section 2.60.060: Public Art Selection Criteria allows for a proposal for public art to be made to the Public Art Commission (PAC) by any organization, club or business, any City official or employee, or any individual member of the public.

This policy provides a framework for the submittal, review and approval of proposals made by the community, donations and/or loans. The PAC is responsible for overseeing these processes, and will review proposals every April and October, unless otherwise noted, as posted on the PAC website. (http://www.cityofgolden.net/government/boards-commissions/public-art-commission/) After review, the PAC may choose to accept or decline the proposal, or to table a proposal until more information can be gathered.

The PAC will consider proposals for artworks to be included as part of the public art collection and to be placed on City property or on private commercial property that is highly visible to the public and allows public access during the facilities operating hours. The PAC may be able to contribute funds to proposed projects; however, funds are limited and not all proposals can be funded. When approving funding, the PAC requires that the proposed project have a primary funding source other than the requested funding, and that funding requests shall be no greater than 1/3 of the total project budget or $5,000 whichever is less. Additionally, proposals that include a funding request must have the primary funding source in place within two years of the approved request or the approved PAC funding will be reverted back to the PAC.

Funding for ongoing maintenance of artwork is also limited; therefore, the PAC may require that the applicant sign an agreement accepting responsibility for maintenance, or establish a maintenance endowment to ensure adequate care for the artwork.
Process for Consideration

The PAC requests that individuals or entities (Applicant) interested in submitting a proposal to the PAC for an artwork follow these steps:

Contact the PAC Staff Liaison to discuss if the preliminary proposal idea is within the scope of the PAC's mission.

Submit a completed Proposal Form, obtained from the PAC Staff Liaison or City website. [http://www.cityofgolden.net/government/boards-commissions/public-art-commission/](http://www.cityofgolden.net/government/boards-commissions/public-art-commission/)

Submit a cover letter explaining the following:

a) purpose of the proposal,
b) If the proposed artwork is intended for loan to the Public Art Commission, please include the loan details and terms
   ii. description of the proposed artwork, including if the artwork is in existence or to be commissioned,
   iii. preliminary budget, including fabrication, artist fee, installation and ongoing maintenance,
   iv. the source of funds, including proposed funding request,
   vi. description of the proposed site and a site plan,
   vii. list of the individuals or organizations that will be involved in the project, and at what level,
   viii. explanation of why the proposed artwork or conceptualized public art project should be included in the City's collection, and
   ix. acknowledgement that the artwork complies will all aspects of the Art in Public Places Safety Policy (page 38 in the Art in Public Places Handbook).

c) Ideally at the time of application, the applicant will provide a maquette or images of the proposed artwork for review. Images can be provided electronically or by hard copy should show all sides and provide the proper scale of the work.

d) If the artist is known at the time of application, provide a copy of the artist's resume or biography and images showing a sampling of the artist's past work.

e) If the artwork is known at the time of application, provide information about the artwork's provenance, exhibition history, a current estimate of value, and a letter of authenticity from the artist, if possible.
f) If the artwork is in existence or the design to be commissioned is known, provide a conservation assessment describing the artwork’s condition and a maintenance plan, including projected costs for maintenance. The plan should be authorized by the artist or a qualified conservator and include:
   i. explanation of the expected life span of the work while placed in a public environment,
   ii. the type of environment (interior/exterior) in which the artwork may be placed.
   iii. discuss whether the artwork may be prone to vandalism and how that may be mitigated

g) If needed, the PAC may request additional information.

Review Considerations

In reviewing proposals, the PAC considers the information requested above, as well as aesthetic quality (including craftsmanship), compatibility with the City’s existing public art collection, appropriateness of the artwork and proposed location, and budget. The PAC shall review all artworks proposed for conformance with the following criteria and the purposes of the Golden Municipal Code Chapter 2.60 Art in Public Places, including but not limited to:

a) Conceptual compatibility of the design with the immediate environment of the site;

b) Appropriateness of the design to the function of the site;

c) Compatibility of the design and location with the architectural or historical character of the site;

d) Creation of an internal sense of order and desirable environment for the community by the design and location of the artwork;

e) Preservation and integration of natural features for the project;

f) Appropriateness of the materials, textures, colors and design to the expression of the design concept;

g) Representation of a broad variety of tastes within the community and the provision of a balanced inventory of art in public places to ensure a variety of style, design and media throughout the community;

h) Anticipated costs and labor to install, maintain, or repair the artwork; (The PAC is unlikely to consider proposed artworks that require immediate or extensive maintenance.)

i) Compliance with all aspects of the City’s Art in Public Places Safety Policy); and
j) Whether the proposed artwork will further the following goals of the City's art in public places program:

i. Enrich the public environment for residents and visitors through the incorporation of the visual arts;

ii. Increase the livability and artistic richness of the Golden community

iii. Enable the City to attain recognition on state and national levels as a leader in the visual arts;

iv. Increase public access to artwork and to promote understanding and awareness of the visual arts in the public environment;

v. Make the mundane interesting, fun, playful or inspiring;

vi. Promote diversity and pluralism in public art and to reflect a wide range of multicultural expression; and

Section 4: Donation Policy

The foundation of the City of Golden’s public art has been built from the generous donations of others.

Joy of Music, George Lundeen, Photo courtesy of Arts Management and Planning Associates
Background

The City of Golden’s art collection may consist in large part of donations from arts organizations and private parties. Golden’s Art in Public Places (AIPP) program has limited funds for administration, protection and maintenance. Likewise, there are a limited number of suitable municipal sites appropriate for the installation of artwork. To ensure the quality of the collection, the Public Art Commission (PAC) uses the guidance in this policy to decide if a proposed donation is appropriate for addition to the City’s collection. The PAC accepts only those works that will, in its discretion, further the goals of the AIPP program.

Process for Consideration

The PAC requests that individuals or entities interested in donating an artwork follow these steps:

a) Submit a complete donation application to the PAC, obtained from the City website or from the Staff Liaison.

b) Provide a maquette, images or the actual work for review. Images can be provided electronically or by hard copy and should show all sides and provide the proper scale of the work.

c) Submit a cover letter explaining that the artwork is offered to the City as a gift and why the work should be added to the City’s collection.

d) Provide a copy of the artist’s resume or biography information about the artist’s significance; and images showing a sampling of the artist’s work.

e) Provide information about the artwork’s provenance, exhibition history, a current estimate of value; and a letter of authenticity from the artist, if possible.

f) Provide a conservation assessment describing the artwork’s condition and a maintenance plan, including projected costs for maintenance. The plan should include an explanation of the expected life span of the work while placed in a public environment, and the type of environment (interior/ exterior) in which the artwork may be placed. The plan should also discuss whether the artwork may be prone to vandalism and how that may be mitigated; it should be authored by the artist or a qualified conservator.

g) Review the Art in Public Places Safety Policy and sign an acknowledgement that the artwork complies with all aspects of the safety policy.
h) The PAC may request additional information.

i) Funds to maintain artwork are limited. When accepting a gift into the collection, the PAC may require that the donor sign a maintenance agreement or establish a maintenance endowment to ensure adequate care for the artwork. The PAC is unlikely to consider donations that require immediate or extensive maintenance.

j) The PAC typically reviews gifts twice per year; as posted on the PAC website, however, exceptions can be made if deemed appropriate by a majority of the PAC. After review, the PAC may choose to accept or decline a gift, or to table an offer.

**Review Considerations**

In reviewing a potential donation, the PAC considers the information requested above, as well as aesthetic quality (including craftsmanship), compatibility with the City’s existing public art collection, appropriateness of the artwork and selected location, and budget. The PAC may consider other factors contained in its Acquisition Policy.

*Newsboy, James Muir, Photo courtesy of Arts Management and Planning Associates*
Section 5: Loan Policy

The City of Golden will occasionally display work owned by others in order to further enhance the aesthetic character of the City.

*The Kayak Racer, Tyler March Ricardella, Photo courtesy of Arts Management and Planning Associates*
Background

To increase the visual and artistic quality of the community, the City of Golden will occasionally display art loaned to the City by artists, institutions or organizations. This allows the art displayed in the City to remain fresh and enables a larger number of artists to participate in the program at little cost to the City. To ensure the quality of the works displayed, the City’s Public Art Commission (PAC) uses the guidance in this policy to decide whether a proposed loan is appropriate. The PAC accepts only those works that will, in its discretion, further the goals of the AIPP program.

Process for Consideration of Loaned Artwork

The PAC requests that individuals or entities interested in loaning artwork follow these steps:

a) Submit a complete official loan application to the PAC. This form may be obtained from the PAC page of the City website or from the Staff Liaison.

b) Provide a maquette and/or images or the actual work for review. Images can be provided electronically or by hard copy and should show all sides and provide the proper scale of the work.

c) Include a cover letter explaining that you are offering the artwork to the City on loan and explain why the work should be temporarily displayed in the City’s public art collection.

d) Provide a copy of the artist’s resume or biography; information about the artist’s significance; and digital images showing a sampling of the artist’s work.

e) Provide information about the artwork’s provenance, exhibition history, and a current estimate of value. Include a letter of authentic City from the artist, if possible.

f) Provide a conservation assessment describing the artwork’s condition, along with a maintenance plan. The plan should include an explanation of the expected period of loan of the work, stipulating the type of environment (interior/exterior) in which the artwork may be placed. The plan should also discuss whether the artwork may be prone to vandalism and how the effects of any vandalism may be mitigated; it should be authored by the artist or a qualified conservator.

g) Review the Art in Public Places Safety Policy and sign an acknowledgement that the artwork complies with all aspects of the safety policy.

h) The PAC may request additional information.
Loan Agreement

The City will prepare a loan agreement which will include the following stipulations:

a) The artworks should be ready to install, either indoors or outdoors, and be able to sustain without maintenance for one year. Transportation is the responsibility of the owner. Installation and removal will take place with the assistance of the appropriate City department.

b) The artist or other owner must retain liability insurance on the loaned artwork for the duration that it is on display by the City. Such insurance must name the City as additional insured. Proof of insurance must be provided prior to the City displaying the artwork.

c) The City will strive to exercise the same care of loaned artwork as it does the safekeeping of its own property. The City is not responsible for normal wear and tear, damage resulting from the exposure to the elements, gradual deterioration, vandalism or damage due to force majeure.

d) The artist or entity must own the copyright for all artwork loaned to the City and grant the City and its agents a non-exclusive, unlimited and irrevocable license to make, and authorize the making of, photographs and other two-dimensional reproductions of the artwork for all promotional uses, including advertising, educational and promotional materials.

e) Generally, artwork is accepted on loan for one year, unless otherwise agreed upon between the PAC and the artist or owner. Contracts can be renewed during a regular meeting of the PAC. Before approving the renewal of a contract, the item will be placed on the agenda for a regular PAC meeting so that public comment can be considered prior to voting.

Exemptions

These guidelines shall not apply to:

a) Artwork loaned for inclusion in temporary exhibitions in City facilities or City owned spaces managed by the City.

b) Artwork loaned to City employees or appointed City officials for display in their personal offices.

c) Gifts of State presented to the City by other governmental entities (municipal, state, national or foreign).

d) Artwork loaned to the private collections of nonprofit organizations that manage City entities, or included in temporary exhibitions at those facilities.
Review Considerations

a) The PAC typically reviews loans twice per calendar year, as publicly posted; however, exceptions can be made if deemed appropriate by a majority of the Commission. After review, the PAC may choose to accept or decline a loan, or to table an offer.

b) In reviewing a potential loan, the PAC typically considers the information requested above, as well as aesthetic quality (including craftsmanship), compatibility with the City’s existing public art collection, appropriateness of the artwork and selected location, and budget. The PAC may consider other factors contained in its Acquisition Policy.

Nighthorse on the Mesa, Jeff Rudolph, Photo courtesy of Arts Management and Planning Associates
Section 6: Safety Policy

All art taken into Golden’s public art collection is evaluated upon acceptance and regularly thereafter to maintain a safe environment for the Golden community.

Secret Garden, Mark Lundeen, Photo courtesy of Arts Management and Planning Associates
Background

Art in public places, by its nature, is accessible to the public for up close viewing. Children and others often want to touch or play on art structures, whether or not they have been designed for this purpose. As such, the City of Golden through the Public Art Commission (PAC) should endeavor to follow safety precautions provided by the City’s risk management agency when considering art for purchase and placement.

Implementation

Design of the art: If the piece will be openly displayed without supervision, the pieces should be constructed with consideration given to the following points.

a) No sharp points, corners or edges that could cut or puncture
b) Absolutely no protrusions or projections that could entangle clothing, possibly causing strangulation
c) The absence of pinch, crush or shearing points that could entrap a body part or clothing
d) The artwork design shall not cause hazards that could trap a child’s head
   i. Completely bound openings greater than 3.5 inches and less than 9 inches fall into this hazard.
e) Tripping hazards that may cause a fall, or cause injury if fallen upon must be avoided
f) Suspended hazards that could injure if capable of entangling or striking a member of the public cannot be a part of the artwork
g) The art should be securely anchored to avoid toppling

A review process should take place to evaluate the art piece. PAC members should ask the following questions:

a) Is it suitable content for public display in accordance with community standards?
b) Does it pose any physical hazards, such as those stated above?
c) Could it be easily damaged?
d) Should it be accessible for the public to touch, or should such access be prohibited?
e) Even if such access is prohibited is it likely that people, especially children, would attempt to play on or around the art piece, especially if it is an unmonitored location?
Review the intended display location of each art piece. The PAC should consider the following points:

a) Avoid situating pieces near playgrounds, which may invite children to play on the art piece, unless the art piece was designed for that purpose.

b) Consider the proximity to roadways so that the art piece does not obstruct traffic line of sight or risk being struck by traffic.

c) Consider signage that warns of climbing or touching the art
   i. Not a Play Structure
   ii. Do Not Climb
   iii. Do Not Lean on Case
   iv. Please Keep Off

d) Once the art is on display, an inspection checklist and schedule should be in place to ensure ongoing safety. If a piece is damaged, it should be repaired or removed immediately.

e) This safety policy should be provided to any artist as part of the public art bid process.

f) The artist should sign a Release/Waiver to hold harmless and indemnify the City in order to participate in the art display program, if the art is being loaned to the City.

g) If the artist of loaned artwork believes the piece holds a high value, the artist should obtain his/her own appraisal and insurance.
Section 7: Memorials, Monuments, Markers and Plaque Policy

It is important to honor our heritage and the lives of those who have made a difference to the community.

*Sons of Liberty, James Muir, Photo courtesy of Arts Management and Planning Associates*
Background and Definitions

The goal of this policy is to provide the City Council, City Staff, the Public Art Commission (PAC), and the general public with guidelines for the acceptance, placement, and appropriateness of monuments, memorials, markers, and plaques. This policy is not intended to address street naming requests. From time to time requests are received from individuals and organizations for permission to place monuments, memorials, markers or plaques to an individual, organization or event on City property. When properly designed, planned, and displayed, monuments, memorials, markers and plaques can provide the general public with essential knowledge about Golden’s history.

The City of Golden is committed to protecting the parks, open spaces, public buildings, and other public areas of the City while providing opportunities for appropriately designed monuments, memorials, markers, and plaques that honor an individual, organization or event beneficial to the greater good of the community.

In order to preserve space for future generations, the significance of monuments or memorials of the type in A through F below sunsets after 15 years and are subject to deaccession unless the PAC determines that the relevance of the monument or memorial should be extended. Monuments and memorials will be deaccessioned in the manner prescribed in the Art in Public Places Deaccessioning Policy.
Definitions

A distinction is made between simple plaques and more elaborate memorials. The seven types of memorials will be categorized as follows:

**Adorned Plaques** are those installed as part of a larger, more intrusive setting. These plaques include installations such as those that are pedestal mounted or affixed to a boulder, wall or vertical element.

**Basic Site Accessories and Amenities** such as landscaping, site furnishings, benches, seating, picnic tables, drinking fountains, sun dials, shade structures, mosaics, unique pathways, etc.

**Fountains** may be fairly simple or large and complex. These will require additional consideration and review because of the infrastructure required (plumbing and electrical), additional maintenance implied and environmental issues.

**Markers** are small scale, conspicuous objects used to distinguish or mark something.

**Memorials** are medium scale and serve as a remembrance of a person or an event.

**Memorial Gardens** and Plazas may include some of the objects listed above but include a spatial experience.

**Monuments** are large scale and venerated for their enduring historic significance or association with a notable past person or event.

**Other Memorials** is a category to cover proposals that may not fit into any of the categories previously described.

**Simple Plaques** are those that are mounted flush with the ground. The size should be appropriately designed per the limitations and consideration of the setting.

City Installations Construction plaques, markers designations or other indicia installed as part of a City project is exempt from this policy.
Process

The PAC will consider requests during the first quarter of each year and generally will approve no more than one request per year of the type described in A through F above. Before proceeding with the subsequent steps of this process, applicants desiring to place a monument, memorial, marker or plaque should submit a letter to the PAC that outlines in sufficient detail the main purpose and concept of their proposal.

Members of the PAC will then schedule a feasibility consultation with the applicant and advise him or her of the content of this policy, the appropriateness of the proposed memorial or monument in light of this policy, and the necessary courses of action required to complete the application. The proposed project must meet the following criteria in order to be considered by the PAC.
a) Use of Public Space: Donors of monuments, memorials, markers, and plaques shall consider the primary uses of public open space in their request for a location or suitable site. While appropriate memorials may enrich an area, public open space is also a precious commodity. Therefore, monuments, memorials, markers, and plaques should be carefully reviewed to balance these two public benefits to protect the greater good.

b) Timelessness: The quality of timelessness shall be considered in the significance of the individual, community or event being memorialized. Memorial proposals should represent the values and principles of the community that will be relevant to future generations.

c) Community Significance: Proposed projects must serve to commemorate or to identify a particularly significant historic event or person. Projects that seek to honor particular individuals or events by placing them into the public realm should appeal to the broader interests of the community. To assure that the significance of an event or person has withstood the test of time, a project may only commemorate an event one (1) year or older and a person one (1) year or more posthumously. The PAC may waive this requirement for those individuals with exceptional community significance in cases of unusual and compelling circumstances.

d) Past Honors: The City inventories all publicly owned fine artworks, public art, and design enhancements, in addition to all commemorative monuments, memorials, markers, and plaques in order to enable the City to effectively evaluate proposed memorials. The PAC will consider that specific individuals, organizations or events may have been sufficiently honored in the past.

e) Maintenance Planning: Maintenance concerns should be a primary consideration, with adequate financial provision made for continued future maintenance. In all cases, permanent memorials should be made from durable materials that will stand up over time. Memorials that include moveable parts or technological elements will require additional consideration and review and must conform to the

f) Financial Responsibility: The donors of the proposed memorial are required to pay for the complete design, manufacturing, installation, and a future maintenance fee to ensure adequate quality of care for the memorial. To allow for the installation of new public art projects, as well as maintenance of existing art inventory and commemorative artworks, donations made to the City shall be credited to the Art in Public Places Reserve account. Contributions toward this account may be combined towards larger scale projects, which will recognize both individual and group donations. The City shall be responsible for maintenance of all art and memorials acquired as part of this program/policy.
g) Ownership: Improvements made on City lands become the property of the City of Golden.

h) Structures over Six Feet in Height: The International Building Code, the current building code adopted by the City, requires that any structure over six feet in height should be designed according to professional engineering practices. These structures will require an engineer’s letter.

Criteria for Design and Placement Review

The basic types of memorials vary greatly in the impact they have upon the community and open spaces; the review process for allowing them to occur on City owned land should reflect those differences. A public art review process is required for any proposals for public artwork memorials, which is outlined in Chapter 2.60 Art in Public Places. All memorials, however, will be judged for appropriateness according to the following criteria.

Design Criteria

a) The quality, scale, and character of the memorial should be at a level commensurate with the particular location or setting.
b) The memorial contributes to the location from a functional or design standpoint.
c) The memorial should be designed by a qualified professional in the field appropriate to the size, scale, and complexity of the proposal.

Placement Criteria

a) The location under consideration shall be an appropriate setting for the memorial; in general, there should be some specific geographic justification for the memorial being located in the proposed location.
b) It should be considered that a particular location may reach a saturation point and it would be appropriate to limit future memorial installations at a particular location or area.
c) The location of the memorial should complement and enhance existing and proposed circulation and use patterns.
d) The location of the memorial should be supported by any master plans in effect at the time of the submission.
The following items must be provided in order to file an application for review by the PAC.

a) All Inclusive Costs: The cost of design, fabrication, plaques, transportation, installation, site preparation work, foundation, lighting, electrical, permits etc. must be financed by the requesting party. The memorial proposal shall include all-inclusive costs and any exclusion shall be stated clearly in the proposal. Additionally, any party hired or employed by the requesting party must provide proof of insurance approved by the City that may include and not limited to: general liability, automobile insurance, professional liability insurance, performance insurance bonds, workman’s compensation coverage, and others as required by the City.

b) Site: All proposed monuments or memorials must relate to and support their proposed site and/or community. Any party proposing to install a monument, plaque or memorial must propose three feasible sites, public or private, for their project along with an explanation of the significance and relationship to each site. Maintenance: All monuments, memorials, markers, and plaques require insurance, bond and endowment fund (as appropriate), and a maintenance schedule by the memorial donor adequate to ensure its care conditions satisfactory to the donor and the City. The posted insurance or bond should also cover costs of installation and/or removal. If an adequate level of maintenance is not continued, the City reserves the right to remove or modify the memorial or any portion of the memorial.

c) Wording on memorial plaques: Individuals and groups may be recognized for their contributions towards a memorial project. All text and design must be approved by the PAC prior to the fabrication of the plaque and it shall not include logos of any kind. Logos (symbols or trademarks designed for easy and definite recognition) may not be used in the overall design concept of the memorial. Logos may not appear on a plaque acknowledging the memorial’s donors. The acknowledgment plaque should be incidental to the memorial and not the main focus of the memorial.

d) Artwork: All proposed public art memorials shall complete the public art review procedures as set forth in Chapter 2.60, the Art in Public Places Policy.

Approval Process for Adorned Plaques, Simple Plaques, and other Site accessories and Amenities

a) Written Proposal: Once the initial feasibility of the applicant’s proposed memorial has been established by the PAC, the applicant will be requested to submit a written proposal with as much information as possible as to the design, size, materials, appropriateness of preferred site, map identifying the proposed site, plaque wording, sketches, renderings, a rendering of the plaque or site accessory at the proposed site, and estimated costs. A maintenance plan must also be submitted prior to final approval.
b) Proposal Review: The requesting party is required to complete the following steps before presentation to the PAC for recommendation:

i. Prepare any additional submission requests as required by staff.

ii. Provide evidence of financing or fund raising activities.

iii. Submit proof of insurance requirements.

iv. Notify the appropriate neighboring community or business associations that may be affected by the location of the plaque or site accessory. Provide the comments and feedback from these organizations.

v. Provide site plans, detailed designs, and schematic drawings.

vi. Any engineering, structural, or site impact questions must be addressed before the proposal can be placed on the PAC’s agenda for recommendation.

vii. Submit information concerning the type of materials to be used, the type of coatings and patinas.

Once all of the requirements listed above have been completed, the proposal will be placed on the next available PAC agenda. The PAC will consider all information, including the staff recommendation, the written proposal and concepts, and public testimony in its decision making process. The PAC may recommend approval of the placement of the proposed plaque; it may request additional information on the proposal; or it may recommend denial of the placement of the plaque.

Upon approval, the requesting party will be required to enter into a contractual agreement with the City of Golden prior to the commencement of any work. No work may begin unless the applicant can provide evidence of funding sufficient to cover 100 percent of all costs associated with the design, construction, and placement of the memorial. The applicant must also provide evidence of funding of a maintenance endowment equal to 10 percent of the total cost of the memorial. All construction documents must be reviewed by the appropriate City departments before the commencement of construction.

Approval Process for Memorial Benches and Trees

The City of Golden supports the needs and principles of allowing memorial benches or trees downtown, on trails and in parks and green space areas, but is also mindful that these facilities have many uses and are enjoyed by a wide range of people. Therefore, the City desires to manage and regulate memorial benches and trees for the mutual benefit of all. It is the intention that the memorial bench and tree donation program only covers the broad sense of memorial benches and trees and is not meant to be exhaustive.
Tree Memorials

Tree memorials are a great way to honor a friend or family member and contribute to Golden’s beautiful landscape. Placement of tree memorials will follow these guidelines:

a) After initial contact with the donor, the City Forester will make arrangements on site at the approximate tree location. The Forestry Division will provide location options for the donor;

b) The City Forester will make tree species selection as appropriate, with trees being at least 2” caliper at the trunk for hardwood species or 6’ in height for coniferous species;

c) After confirmation of location with donor, the City Forester will purchase the tree and provide a copy of the invoice to the donor.

d) City staff will plant the tree at the agreed upon location and time and receive payment from the donor;

e) Staff will place a memorial tag on the permanent tree donation plaque located near the 8th Street entrance inside the Golden Community Center. No on-site plaque is permitted.

f) The City reserves the right to remove any memorial trees that have been damaged, either through age or vandalism, and is, in the view of City staff, unrecoverable.

g) The City accepts no liability for damages to any memorial trees from vandals or third parties.

Memorial Benches

Memorial benches have become an increasingly popular way to pay tribute to loved ones. Placement of memorial benches will follow these guidelines:

a) The City of Golden Parks Division has determined desired locations where benches can be placed based on needs and the maximum number of benches appropriate for each location or park. The Parks Division will provide location options to the donor;

b) Bench placement is not currently available along the Clear Creek Corridor due to the extensive number of benches currently in the corridor and the continuing development of the Clear Creek Corridor Master Plan.

c) Memorial park benches are maintained by the City for 10 years.

d) After 10 years, the bench shall be self-supporting, e.g., all costs related to the memorial shall be at the expense of the donor including repair or replacement, if necessary, at the discretion of City staff.

e) If staff recommends replacement, the donor may purchase a new bench for the location or the bench will be removed. The bench location will then be available for future park bench memorials.
f) Memorial bench donations will have a memorial plaque embedded into the bench.

g) All memorial benches will be recycled material and of uniform style per the discretion of staff. Benches will be surface mount to ensure easy removal and replacement as needed and should conform to the American Disabilities Act (ADA) resting bench program and long range City planning goals.

h) Content for plaques will be subject to approval of staff.

i) City staff will maintain a record of each donation.

j) The City reserves the right to remove any memorials that have been damaged, either through age, use or vandalism, and is, in the view of City staff, beyond repair.

k) The City accepts no liability for damages to any memorials from vandals or third parties.

Gifts

The City may, from time to time, accept memorial gifts in the form of public art. Plaques acknowledging the gift shall be bronze and no larger than ten inches by four inches (10”x4”). Memorial plaques for a tree or other plantings are not permitted.

Plaques recognizing donors for significant improvements or plaques acknowledging the naming of significant improvement such as, but not limited to, pocket parks, footbridges, fountains, grottos, gardens, gazebos, overlooks and other significant features may be placed on City property. The plaques may be no larger than 144 square inches and must be made of either cast bronze, cast aluminum (or other suitable metal), carved stone, or tile. An individual, corporation or foundation must be acknowledged with wording similar to “sponsored by, underwritten by, a gift from...” and shall not contain corporate logos. This does not preclude the official City logo from being included on any plaque.

Placement of gifts and plaques of acknowledgment are under the jurisdiction of the PAC after coordination with applicable City departments.
Section 8: Maintenance Policy

Public Art in the City’s collection shall be preserved and maintained.

Nighthorse on the Mesa, Patrick Madison, Photo courtesy of Arts Management and Planning Associates
Background and Definitions

The goal of the Public Art Maintenance Policy is to maintain the City’s collection of publicly owned artwork to ensure the long-term enjoyment of the collection by Golden citizens and visitors. The Public Art Maintenance Policy spells out the documentation, preservation, and maintenance processes that will support that goal. The Public Art Maintenance Policy will be implemented on a piece specific basis that recognizes the value of each work of art in the collection.

Definitions

Art in public places The term “art in public places” refers to any visual work of art displayed for more than two weeks in an open City-owned area, on the exterior of any City-owned facility, inside any City-owned facility in areas designated as public areas, or on non-City property if the work of art is installed or financed, either wholly or in part, with City funds or with grants the City has procured.

Documentation includes, but is not limited to, periodic condition reports, records of actual maintenance performed and an assessment of those efforts, photographs, artist’s maintenance recommendation, methods and materials information, potential problems with the work, finishes information (e.g., painter’s name; when, where, what, and how the piece was finished), quality of materials used, installation information, warranties, professional and/or other knowledgeable opinions regarding preservation and maintenance. The documentation may also include the artist’s resume, artwork history, estimated value, where the work has been exhibited, and a personal interview with the artist. This documentation will become part of the permanent documentation of the specific piece and will reside with the Staff Liaison.

Maintenance will be performed according to a scheduled piece-specific plan to clean, repair, and preserve each piece in the public collection. This plan will include measures to assess the ongoing effectiveness of preservation.

Preservation includes placement; installation; security; relocation; regularly scheduled maintenance and emergency repairs (with consideration to the natural process of aging).

Work of Art or Artwork The term “work of art or artwork” refers to, but is not limited to, a sculpture, monument, mural, fresco, relief, painting, fountain, banner, mosaic, ceramic, weaving, carving, electronic media, photography, stained glass or site-integrated public art. The term “work of art” would not normally include landscaping, architectural ornamentation, or signs, unless such elements are an essential component of the artwork itself.
Process

a) Documentation. The initial documentation will occur before a piece is accepted into the City collection. The PAC, appropriate City departments (Facilities Maintenance, Parks & Recreation, Public Works), City Council, outside contractors, service people and experts may be asked to review this documentation. Documentation will reside in the records of the Staff Liaison.

b) Maintenance documentation when artwork is accepted into the City collection, an initial level of maintenance and a maintenance schedule will be established for it. The documentation will include a standard for regular maintenance (e.g., timing, type of maintenance) and identify any maintenance issues that may require special attention. Each medium will require that personnel with the appropriate expertise be consulted with in order to develop maintenance criteria. In addition, the maintenance criteria may include future historic and aesthetic considerations for each piece. The maintenance documentation may be reviewed and revised as needed.

c) Inspection and Condition Report Once each calendar year, the PAC, through the Staff Liaison will complete an inspection and condition report. Paid professional condition appraisers/conservators and/or knowledgeable volunteers, craftspeople or industry experts will perform the inspection for each piece. The inspection and condition report will become part of the permanent documentation of the specific piece and will reside with the Staff Liaison.

d) Regular maintenance. Paid professionals and/or trained and supervised volunteers will perform regular maintenance according to the maintenance schedule and condition report for each specific piece. The Staff Liaison will initiate and coordinate the regular maintenance activities.

e) Special Maintenance. Paid professionals/ craftspeople or knowledgeable volunteers will perform maintenance that requires specialized tools, equipment, or knowledge on an “as needed” basis. The PAC will use the condition report and/or site visits to determine need.

f) Emergency Maintenance or Repair. Paid professionals/craftspeople or knowledgeable volunteers will perform emergency maintenance or repair on an “as needed” timely basis as determined by the PAC, Public Works staff or other qualified professional.

g) The PAC will make every effort to stay informed about damage to artwork and will consider such damage when making decisions with regard to acquisition, location, safety, deaccessioning and maintenance of specific pieces in the current collection and future works of art or artwork.
Implementation

a) Policy Implementation. The Staff Liaison and interested persons will implement and monitor the Public Art Maintenance Policy and will report to the PAC each quarter or more often if needed, on the status of artwork maintenance. City staff will oversee the quality control, evaluation and corrective maintenance actions carried out by this policy.

b) Funding for maintenance will be established through a budget developed by the PAC and presented to City Council during the budget process. Funds will come from the PAC Art in Public Places reserve account, established in 2.60.040. Maintenance funding will take precedence over art purchases.

c) Contract Services. Contracts with paid professionals/craftspeople will follow established City guidelines and will be handled through the appropriate City department.

d) Quality Control. The PAC believes in regulating the quality of maintenance to an established standard. Therefore, the PAC will work to collect maintenance data (e.g. Lacquer vs. waxing, annual vs. biannual maintenance, professional vs. volunteer, etc.). The PAC and Staff Liaison will use this data to develop specific quality standards and devise ways to measure if the standards are met. Once established, the standards will be used to collect relevant data, analyze that data, and create corrective action plans as needed. The Staff Liaison will identify specific areas of comparison (e.g. using multiple contractors and comparing the results of their work) and documenting specific maintenance challenges and failures (and their solutions).
Section 9: Deaccessioning Policy

Occasionally, public art needs to be refreshed and deteriorating artwork must be replaced.

Winter Wind on the Mesa, Marie Barbera, Photo courtesy of Arts Management and Planning Associates
Background

Deaccessioning is a procedure for withdrawing a work of art from the City of Golden’s public collection. Golden’s Public Art Commission (PAC) is responsible for deciding whether any piece(s) should be deaccessioned. Deaccessioning occurs only for good reason, at the PAC’s discretion.

Basis for Deaccessioning

The PAC may deaccession artwork for one or more of the following reasons:

a) The artwork endangers public safety;
b) The artwork has been determined to be in unsatisfactory condition;
c) The artwork lacks a suitable display site;
d) The condition or security of the artwork cannot be reasonably guaranteed where located;
e) The artwork is attached to a structure slated for destruction, remodeling or repair (so that it is not practical to keep the artwork);
f) The artwork is or has become incompatible with the rest of the collection;
g) The City wishes to replace the artwork with a piece of more significance;
h) The artwork requires excessive maintenance or has faults in design or workmanship.
i) The artwork is fraudulent or not authentic;
j) The City cannot properly care for or store the artwork;
k) For any other significant reason articulated by the PAC, at its discretion.

Works of art covered under the Memorial Policy will be considered in accordance with that policy.

Process and Disposition

The PAC will review the pieces in the City’s Art in Public Places collection - at least once every two years, beginning in the first year of the program - to determine whether any piece(s) should be deaccessioned. In addition, the PAC reserves the right to deaccession any artwork at any time deemed appropriate by the PAC. Deaccessioning may only be considered during a monthly or a special meeting of the PAC. A majority of commissioners in a quorum must approve deaccessioning for two consecutive meetings. After the decision is made to deaccession, a public announcement of the plan to deaccession must be made to permit public input prior to a formal vote at a subsequent meeting. After the formal vote, the artwork shall be officially deaccessioned from the City collection.
The PAC may consider the following options for disposition of a deaccessioned artwork:

a) Return to the artist;
b) Return to the donor;
c) Sale or trade;
d) Destruction (which shall be reserved for work deteriorated or damaged beyond reasonably-priced repair);
e) Donation; or
f) Any option deemed appropriate by the PAC.