

Public Arts  
Committee

Thursday

January 13, 2011

Special Meeting

5:00 p.m.

City Hall

Cowles Council Chambers  
491 E. Pioneer Avenue  
Homer, Alaska

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**NOTICE OF MEETING  
SPECIAL MEETING**

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
- 3. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA**
- 4. RECONSIDERATION**
- 5. APPROVAL OF MINUTES**  
*(Meeting Minutes are approved during regular meetings only)*
- 6. VISITORS**
- 7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS**
- 8. PUBLIC HEARING**
- 9. PENDING BUSINESS**
  - A. Administrative Guidelines and Meeting Day Time Revisions
    1. Excerpts from the Council Meetings regarding the Proposed Changes
      - a. October 11, 2010 Regular Meeting Page 5
      - b. October 25, 2010 Regular Meeting Page 7
      - c. November 22, 2010 Regular Meeting Page 9
      - d. December 13, 2010 Special Meeting Page 13
      - e. December 13, 2010 Regular Meeting Page 21
    2. Memorandum 10-148 dated December 3, 2010 from City Attorney Klinkner Page 25
    3. Ordinance 10-55 prepared by the City Attorney Page 45
    4. Emails from Chair Newby Page 49
  - B. Gateways
    1. Email from Anne Marie Holen regarding Byways Grants Page 53
  - C. Strategic Plan Page 59
- 10. NEW BUSINESS**
  - A. Discussion on concepts of a "Poet's Trail" and "Art Expeditions" Page 61
- 11. INFORMATIONAL ITEMS**
- 12. COMMENTS OF THE AUDIENCE**
- 13. COMMENTS OF THE CITY STAFF**
- 14. COMMENTS OF THE COUNCILMEMBER** *(If one is assigned)*
- 15. COMMENTS OF THE CHAIR**
- 16. COMMENTS OF THE COMMITTEE**
- 17. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, FEBRUARY 17, 2011 at 11:00 A.M. (Time to be changed to February 10, 2011 5:00 p.m. if approved by Council at January 24, 2011 Meeting)** in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer Alaska.



- C. **Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee.

Memorandum 10-122 from Public Arts Committee as backup.

ROBERTS/LEWIS – MOVED FOR THE ADOPTION OF RESOLUTION 10-80.

ROBERTS/ZAK - MOVED TO POSTPONE RESOLUTION 10-80 TO THE NEXT MEETING AND PUT THIS AS A DISCUSSION ITEM ON THE COMMITTEE OF THE WHOLE. (OCTOBER 25<sup>TH</sup>)

Councilmember Roberts noted there was confusion on the document as to what is being changed. She requested a member of the Public Arts Committee attend the Committee of the Whole on October 25<sup>th</sup>.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- D. **Resolution 10-81**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee.

Memorandum 10-123 from Public Arts Committee as backup.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 10-81 by reading of title only.

LEWIS/ROBERTS - SO MOVED.

HOGAN/ROBERTS - MOVED TO REMOVE "OF EACH MONTH" ON THE 5<sup>TH</sup> WHEREAS.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

HOWARD/ROBERTS -- MOVED TO POSTPONE TO THE OCTOBER 25<sup>TH</sup> MEETING.

There was no discussion.

RESOLUTION  
cont.

Reso. 10-80

Amended  
PAC  
Guidelines

Reso. 10-81

Amending  
Meeting Day  
& Time  
PAC

RESOLUTION  
cont.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Reso. 10-81  
Cont.

Motion carried.

E. **Resolution 10-82**, A Resolution of the City Council of Homer, Alaska, Approving the Use of the General Contractor/Construction Manager Method of Project Design and Construction Management for Designing and Constructing the Two Story Addition and Completing Renovations to the Existing City Hall Building and Authorizing the City Manager to Prepare and Issue a Request for Proposals for Services. City Manager/City Hall Renovation & Expansion Task Force.

Reso. 10-82  
GC/CM  
Method of  
Project  
Design and  
RFP City Hall  
Renovation  
and  
Expansion  
Project

Memorandum 10-124 from City Hall Renovation & Expansion Task Force as backup.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 10-82 by reading of title only.

LEWIS/ROBERTS - SO MOVED.

Brief discussion ensued on the draft RFP. The draft RFP was deemed complete and will be issued with approval of the resolution.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

F. **Resolution 10-83**, A Resolution of the City Council Certifying the Results of the City of Homer Regular Election Held October 5, 2010 to Elect the Mayor and Two Councilmembers. City Clerk.

Reso. 10-83  
Certifying  
the Results  
of Municipal  
Election

**Resolution 10-83(S)**, A Resolution of the City Council Certifying the Results of the City of Homer Regular City Election Held October 5, 2010 to Elect the Mayor and Two Council Members. City Clerk/Canvass Board.

Mayor Pro Tempore Wythe called for a motion to substitute Resolution 10-83(S) for Resolution 10-83.

HOWARD/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 10-83(S) by reading of title only.

Mayor Hornaday commented the budget was discussed at an earlier meeting. This year it is very difficult; Council will do the best they can.

B. Bid Report

**CITY ATTORNEY REPORT**

None.

**COMMITTEE REPORT**

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee
- D. Lease Committee
- E. City Hall Renovation and Expansion Task Force
  - 1. Meeting minutes of October 4, 2010

**PENDING BUSINESS**

- A. **Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee.

Memorandum 10-122 and 10-130 from Public Arts Committee as backup.

Motion on the floor from October 11<sup>th</sup>: ROBERTS/LEWIS – MOVED FOR THE ADOPTION OF RESOLUTION 10-80.

HOWARD/HOGAN – MOVED TO STRIKE LINES 329 – 333.

Discussion ensued on the City's responsibility to return art to the artist after purchase. It was suggested the City could provide a courtesy notice to the artist if the artwork were to be moved, altered, or removed.

Councilmember Howard moved for a friendly amendment to strike lines 330-333. Councilmember Hogan accepted the amendment.

The copyright clause was questioned. It was determined there were amendments needed, the City Attorney had not yet reviewed the guidelines, and the document would be forwarded to the attorney for review and comment.

HOWARD/HOGAN – MOVED TO WITHDRAW THE MOTION.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/HOWARD – MOVED TO POSTPONE TO NOVEMBER 22<sup>ND</sup>.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **Resolution 10-81(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. Not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee.

Memorandum 10-123 from Public Arts Committee as backup.

Motion on the floor from October 11<sup>th</sup>: LEWIS/ROBERTS - MOTION FOR THE ADOPTION OF RESOLUTION 10-81 BY READING OF TITLE ONLY.

WYTHE/ROBERTS – MOVED TO POSTPONE RESOLUTION 10-81(A) TO FOLLOW RESOLUTION 10-80.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **NEW BUSINESS**

- A. **Memorandum 10-129**, from Mayor, Re: Appointment Of Patricia Lillibridge to the Parks and Recreation Advisory Commission, Terry Yager to the Lease Committee, and Reappointment of Mary E. (Beth) Wythe to the Economic Development Advisory Commission and the Permanent Fund Committee.

## CITY ATTORNEY REPORT

City Attorney Klinkner provided a brief explanation of the format of the report. There were no questions from the Council.

## COMMITTEE REPORT

- A. Public Arts Committee
- B. Transportation Advisory Committee

Councilmember Roberts reported the TAC met for their quarterly meeting and had a lively discussion about the CARTS program. Several private businesses came to the meeting. As it moves forward, people in the city may be interested to participate.

- C. Permanent Fund Committee
- D. Lease Committee
- E. City Hall Renovation and Expansion Task Force

## PENDING BUSINESS

- A. **Resolution 10-79**, A Resolution of the City Council of Homer, Alaska, Determining the Area Within Which The City May Provide Water Utility Service. Zak. (Postponed from October 11, 2010.)

Motion on the floor from October 11<sup>th</sup>: MOTION FOR THE ADOPTION OF RESOLUTION 10-79 BY READING OF TITLE ONLY.

Mayor Hornaday commented he feels strongly we should not be providing water outside the city. It is the most valuable product we have and Council decided no one would hook up unless they were inside the city. Kachemak City formed because they did not want to join the City of Homer. There is no reason to live in Homer if you can live outside city limits and get the benefits. We spent millions of dollars to build the new water treatment plant.

Councilmember Roberts expressed complete agreement with the Mayor. If we voted for this we would be creating a tax free zone for businesses; businesses within the city would be paying higher taxes.

VOTE: YES. ZAK

VOTE: NO. ROBERTS, WYTHER, HOWARD, HOGAN, LEWIS

Motion failed.

- B. **Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to

Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum

10-122 and 10-130 from Public Arts Committee as backup.

Motion on the floor from October 11<sup>th</sup>: ROBERTS/LEWIS – MOVED FOR THE ADOPTION OF RESOLUTION 10-80.

Councilmember Wythe questioned the amendment on lines 329 – 333.<sup>1</sup>

WYTHE/ROBERTS - MOVED TO FURTHER POSTPONE TO DECEMBER 13.

HOGAN – MOVED FOR A FRIENDLY AMENDMENT TO POSTPONE TO JANUARY.

Motion died for lack of a second.

VOTE: (postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Attorney Tom Klinkner commented he has nearly completed a written analysis. In summary the PAC is carving out a broad chart in the guidelines, in contrast to the ordinance under which they are operating that provides for them to work on art in the public buildings program and manage a public arts fund. It is Council's prerogative to determine their charter; if Council wishes them to have a broader charter they can give them one. Mr. Klinkner advised this is not the correct vehicle for doing that. Instead, if Council wishes code should be amended prescribing additional powers and duties rather than in the administrative guidelines. Secondly, they add a section prescribing the composition of the committee. That should be addressed in the code by the Council rather than in the guidelines. Finally, as a result of a defect of HCC 18.07.060 members of the committee are appointed by the Council. Alaska Statutes state members of a board or committee are appointed by the Mayor and confirmed by Council. Attorney Klinkner recommends correcting that.

Attorney Klinkner noted in the PAC original guidelines under art and public buildings, there is a provision for the appointment of juries to select art under different circumstances. It provides the jury members are approved by Council after input from PAC. In contrast the guidelines say PAC is the appointing authority; that should be clarified. There are references throughout the proposed guidelines to the municipal art collection. There is nothing to clearly define it. Mr. Klinkner is concerned from line 307–321 in references to various exhibits. He has not seen the exhibits. The clerks are not sure what they are. If Council is to adopt something that contains exhibits, the exhibits should be reviewed and approved as well. He agrees lines 330-333 are problematic, along with several other places that the guidelines have the effect of binding future councils to do things. Mr. Klinkner will point those out in a written document. Those requirements should be made subject to appropriation by the future council

<sup>1</sup> The Regular Meeting minutes of October 25, 2010 reflect a motion was made to strike lines 329-333 and subsequently withdrawn to allow the City Attorney to review the proposed Administrative Guidelines.

working with them rather than being prescribed for all time by the council that approves the acquisition of the art piece. There are provisions in code for acquiring and disposing of city property. They don't talk to the guidelines discussions about accessioning and de-accessioning. It is a different process and the two do not connect. Mr. Klinkner will provide a written report with proposed code amendment.

C. **Resolution 10-81(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. Not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-123 from Public Arts Committee as backup.

Motion on the floor from October 11<sup>th</sup>: LEWIS/ROBERTS - MOTION FOR THE ADOPTION OF RESOLUTION 10-81(A) BY READING OF TITLE ONLY.

Councilmember Howard is uncomfortable setting a time limit when the committee can monitor themselves and have efficient meetings.

ROBERTS/LEWIS - MOVED TO POSTPONE RESOLUTION 10-81(A) TO THE FIRST MEETING IN DECEMBER TO FOLLOW RESOLUTION 10-80.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## NEW BUSINESS

- A. **Memorandum 10-139**, from City Clerk, re: Vacate a portion of the 30-foot right-of-way easement within the panhandle of a deeded parcel recorded in Book 39, Page 7 of the Homer Recording District, within Section 7, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough. And vacate the 66-foot portion of the section line easement underlying the above right-of-way easement vacation centered on the line common to Sections 7 and 8, extending north from Skyline Drive to the ¼ corner common to said Sections 7 and 8; within Township 6 South, Range 13 West, S.M., Alaska; within the City of Homer and the Kenai Peninsula Borough; KPB File 2010-152 & 2010-153; Location: City of Homer.

Mayor Hornaday called for a motion for the approval of the recommendations of Memorandum 10-139.

WYTHE/ROBERTS - SO MOVED.

There was no discussion.



Session 10-34 a Special Meeting of the Homer City Council was called to order on December 13, 2010 at 4:00 p.m. by Mayor James C. Hornaday at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

**PRESENT:** COUNCILMEMBERS: HOGAN, HOWARD, LEWIS, ROBERTS,  
WYTHE, ZAK

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
CITY ATTORNEY KLINKNER  
CITY PLANNER ABOUD  
PORT AND HARBOR DIRECTOR HAWKINS

**AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

#### **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Angie Newby, Chair of the Public Arts Committee, thanked Council and the City Attorney for their time and analysis on the PAC administrative guidelines. The attorney's recommendations helped clarify artist's rights and deaccessioning, both areas of concern. The attorney recommended leaving contracts up to individuals. Powers and duties of the PAC are still a concern, as the PAC is very pro-active. Outlining the committee helps subsequent people that might join the committee. Mrs. Newby has a great relationship with Walt and Renee is a great staff support person from the Clerk's Office. Renee looked at small and mid size communities that had successful public arts committees, and that is where some of the recommendations came from. As to the make-up of the committee, Mrs. Newby asked that people appointed have a commitment to art. At different times people on the committee didn't know why they were there and it requires time to educate them. Mrs. Newby recommends the PAC work as a catalyst bringing the government arts culture/public sectors together for the benefit of the residents. The airport diorama came through the PAC Gateway project. They will be continuing with artwork on the Baycrest Hill and the Ferry Terminal, areas that greet people coming into the community.

#### **PENDING BUSINESS**

- A. **Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-122 and 10-130 from Public Arts Committee as backup.

Memorandum 10-148 from City Attorney as backup.

City Attorney Klinkner advised it may be helpful to reorder the agenda items and review the ordinance first. The ordinance will set a framework and the resolutions can be added as guidelines. Suggested changes to the resolutions only make sense with the ordinance as the underlying document.

Council agreed to hear New Business prior to Pending Business.

- B. **Resolution 10-81(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. Not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-123 from Public Arts Committee as backup.

## NEW BUSINESS

- A. **Ordinance 10-55**, An Ordinance of the City Council of Homer, Alaska, Adopting Homer City Code Chapter 1.70, Public Arts Committee; Amending Homer City Code 18.07.040, Implementation; Amending Homer City Code 18.07.050 Selection; Repealing Homer City Code 18.07.060, Program Administration; Public Arts Committee; and Amending Homer City Code 18.07.070, Exemptions; Regarding the Appointment, Composition and Functions of the Public Arts Committee. City Manager.

Memorandum 10-148 from City Attorney as backup.

## ROBERTS/WYTHE – MOVED FOR THE ADOPTION OF ORDINANCE 10-55.

City Attorney Klinkner advised Ordinance 10-55 would elaborate on the membership, terms, duties, and other features of the PAC. Presently the only reference to the PAC and its functions within city code is in HCC Chapter 18.07 that outlines the 1% arts funding. Mr. Klinkner thought it would be consistent with the way the code handles other boards and commissions and provide a framework for considering the issues raised by the proposed guidelines. The PAC suggested a provision related to the experience of members of the committee; omission of it was an oversight and Council could put the reference to members qualifications back in. It appears in HCC 1.70.010, line 30, page 45. Adding the Mayor appointment/Council confirmation would be consistent with other committees. Line 45 and carrying over to the following page is HCC 1.70.020 that preserves the two-year terms for members.

Councilmember Roberts suggested the PAC might be comprised of five members instead of seven. We have had a difficult time getting people to be on the boards and commissions.

Angie Newby commented five members would not be a problem; with seven members they are struggling to have a quorum. That is one of the reasons they changed the meeting time to 5:00

p.m. Mrs. Newby suggested two persons as public at large if the committee is reduced to five members. There are five great people on the PAC now.

Councilmember Howard agrees reducing the PAC to five members. Referencing Line 34 "committee members shall" is too specific, and should be amended to may. People that would apply would already have an interest in art.

Councilmember Hogan concurs with Councilmember Howard. He doesn't know of any committee with such specified criteria.

Councilmember Howard asked about the word "jury", and asked if the word "panel" could be used instead.

Councilmember Wythe suggested language pertaining to applicants – preference may be given to – and that one member from outside the city be allowed. A common term for art review is jury.

Angie Newby clarified the PAC recommended "selection committee", the attorney recommended "jury". Currently there is not a councilmember on the PAC, Mrs. Newby said it would help to have one. The PAC is not an exclusive group of people. They have wide ranging interests. She asked that language "shall have a demonstrated interest and familiarity with arts" be included. The specific characteristics can be deleted.

Councilmember Zak believes the document was clearly stated. In Homer the PAC brings the community together, whether integrating trails or the library. The spirit of the ordinance brings the community together; it is not just focused on public art, but a vision.

Attorney Klinkner clarified the word jury is used in the current code. The term jury is used to refer to groups who select or valuate pieces of art. He suggested changing the guidelines to read "jury" for the sake of consistency.

Councilmember Zak commented he would love to serve on the PAC if a councilmember is needed.

ROBERTS/LEWIS – MOVED TO AMEND LINE 31 TO CHANGE THE NUMBER FROM 7 TO 5.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

WYTHE/ROBERTS – MOVED TO AMEND LINE 34 TO STRIKE THE STATEMENT "THE COMMITTEE MEMBER SHALL INCLUDE THE FOLLOWING" AND REPLACE IT WITH "WHEN CONSIDERING APPLICANTS, PREFERENCE MAY BE GIVEN TO" AND THEN LEAVING ITEMS 1 THROUGH 5 IN THERE.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/WYTHE – MOVED TO AMEND LINE 42 TO CHANGE THE NUMBER TWO TO ONE COMMITTEE MEMBER MAY RESIDE OUTSIDE THE CITY.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Hogan expressed the need for the final version to be radically altered for his approval. He recommended the ordinance be introduced and go to public hearing.

Councilmember Roberts expressed approval of the ordinance as it brought concerns of the original document together and fit with the other committees.

Attorney Klinkner referenced the proposed guidelines from the PAC Lines 37 and 38: “All members of the Public Arts Committee shall have a demonstrated interest and familiarity with arts and culture, either through professional practice or volunteer work.” He recommended just before the previous amendment regarding preference may be given to particular applicants.

WYTHE/ROBERTS - MOVED TO INSERT LINES 37 & 38 (OF THE ADMINISTRATIVE GUIDELINES) ONLY TO THE PERIOD INTO LINE 34 PRECEDING THE STATEMENT “WHEN CONSIDERING APPLICANTS”. THEN IT WOULD READ: “ALL MEMBERS OF THE PUBLIC ARTS COMMITTEE SHALL HAVE A DEMONSTRATED INTEREST AND FAMILIARITY WITH ARTS AND CULTURE, EITHER THROUGH PROFESSIONAL PRACTICE OR VOLUNTEER WORK. THEN IT WOULD SAY WHEN CONSIDERING APPLICANTS PREFERENCE MAY BE GIVEN TO ITEMS 1 THROUGH 5.

Councilmember Roberts asked about the “shall” which would limit members.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Attorney Klinkner referenced Line 61 of Ordinance 10-55 Powers and Duties. He shortened the powers and duties as proposed by the PAC in their guidelines. The PAC believes their powers and duties should be expanded. It is an area of policy for the Council’s decision.

ROBERTS/ZAK - MOVED TO CHANGE THE WORD “SHALL: TO “MAY” IN THE PREVIOUS SENTENCE.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Angie Newby asked if the PAC Administrative Guidelines could elaborate beyond what is in the ordinance.

City Attorney Klinkner advised it is a Council decision to determine what the duties are.

Angie Newby commented members would have more clarity if the duties were embellished a bit, but she has no objections. The attorney has streamlined things and helped make the document more functional.

Councilmember Roberts referenced Line 69 in the ordinance that refers to furthering the development and public awareness of the arts in the City. Mrs. Newby agreed that was her favorite line in the ordinance.

VOTE: (main motion as amended) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **PENDING BUSINESS**

- A. **Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-122 and 10-130 from Public Arts Committee as backup.

Memorandum 10-148 from City Attorney as backup.

Motion on the floor from October 11<sup>th</sup>: ROBERTS/LEWIS – MOVED FOR THE ADOPTION OF RESOLUTION 10-80.

Angie Newby asked the City Attorney about deleting lines 146-149 in the Administrative Guidelines.

City Attorney Klinkner stated the three items:

- G. Perform other duties as required by the City Manager and or City Council
- H. Oversee the 1% for Arts Program
- I. The Public Arts Committee administrative guidelines are to be reviewed periodically and updated as required

Council could include item G if desired. Item H is included in the duties. Item I is included in Section 2 of the ordinance beginning on Line 71.

Councilmember Roberts noted the new Administrative Guidelines Mr. Klinkner proposed are in the ordinance area. She asked how the amended changes in the guidelines should be included.

City Attorney Klinkner answered if Council chooses to accept the recommended changes in the guidelines as prepared by the City Attorney, Council can amend the resolution by substituting his guidelines currently attached to Resolution 10-80.

ROBERTS/HOWARD - MOVED TO SUBSTITUTE THE GUIDELINES ON PAGE 55 FOR THE ORIGINAL PROPOSED GUIDELINES.<sup>1</sup>

Councilmember Howard noted Line 137 in the attorney revised guidelines state four members shall constitute a quorum. City Attorney Klinkner said it should be

WYTHE/LEWIS - MOVED TO AMEND LINE 137 BY REPLACING THE WORD "FOUR: WITH THE WORD "THREE".

There was no discussion.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Roberts asked for clarification on the municipal art collection.

Angie Newby answered there is a collection of both acquired and donated art. There is an inventory of that collection that includes the Sister City art. She asked that the guidelines as recommended by the attorney are consistent with the changes in the ordinance.

City Attorney Klinkner answered when revising the guidelines he was careful not to duplicate in the ordinance.

City Manager Wrede asked if the resolution should wait for Ordinance 10-55. City Attorney Klinkner advised they do go together and it makes sense the resolution is deferred with the ordinance.

HOGAN/WYTHE – MOVED TO DEFER TO JANUARY 10.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

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<sup>1</sup> Motion was not voted on, therefore will return on the floor at the January 24, 2011 meeting. Postponement date of Resolution 10-80 was amended at the Regular Meeting of December 13, 2010.

Motion carried.

- B. **Resolution 10-81(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. Not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-123 from Public Arts Committee as backup.

Motion on the floor from October 11<sup>th</sup>: LEWIS/ROBERTS - MOTION FOR THE ADOPTION OF RESOLUTION 10-81(A) BY READING OF TITLE ONLY.

WYTHE/ROBERTS – MOVED TO POSTPONE TO FOLLOW RESOLUTION 10-80.

Councilmember Wythe asked if we can eliminate Resolution 10-81(A) if we approve 10-80 since 10-81(A) is redundant.

Angie Newby stated the PAC is limited by what they can do in Special Meetings. She will ask the committee if they would prefer to change the meeting time back to 11:00 a.m. The middle of the day is tough for members to meet.

Mayor Hornaday reminded Mrs. Newby meetings after 5:00 p.m. require Clerk's overtime and the City cannot afford it.

Councilmember Wythe referenced Line 116 (pg. 57) in the Administrative Guidelines that set the meeting times at 5:00 p.m.

VOTE: (postponement) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

#### **COMMENTS OF THE CITY ATTORNEY**

City Attorney Klinkner had no comment.

#### **COMMENTS OF THE CITY CLERK**

City Clerk Johnson had no comment.

#### **COMMENTS OF THE CITY MANAGER**

City Manager Wrede had no comment.

**COMMENTS OF THE MAYOR**

Mayor Hornaday had no comment.

**COMMENTS OF THE CITY COUNCIL**

Councilmembers Hogan, Howard, Lewis, Roberts, Wythe, and Zak had no comments.

**ADJOURNMENT**

There being no further business to come before the Council, Mayor Hornaday adjourned the meeting at 4:44 p.m. The next Regular Meeting is scheduled for Monday, January 10, 2011 at 6:00 p.m. The next Committee of the Whole is scheduled for Monday, January 10, 2011 at 5:00 p.m. Special Meetings are scheduled for Tuesday, January 4, 2011 at 5:30 p.m. and Monday, January 10, 2011 at 4:00 p.m. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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JO JOHNSON, CMC, CITY CLERK

Approved: \_\_\_\_\_

Councilmember Hogan asked if the reconsideration was filed timely. City Clerk Johnson stated it was filed within the 48-hour requirement.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. **Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-122 and 10-130 from Public Arts Committee as backup.  
Memorandum 10-148 from City Attorney as backup.

C. **Resolution 10-81(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. Not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-123 from Public Arts Committee as backup.

WYTHE/ZAK - MOVED FOR RECONSIDERATION OF RESOLUTIONS 10-80 & 10-81(A)

Reconsideration is requested to postpone to January 24, 2010.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

A. Homer City Council unapproved Regular Meeting minutes of November 22, 2010. City Clerk. Recommend adoption.

B. **Memorandum 10-146**, from Deputy City Clerk, Re: Liquor License Renewal for Beluga Lake Lodge and Best Western Bidarka Inn.

C. **Memorandum 10-147**, from Mayor, Re: Appointment of Caroline Venuti to the Transportation Advisory Committee.



VOTE: YES. HOGAN, LEWIS, WYTHE, ZAK, HOWARD

VOTE: NO. ROBERTS

Motion carried.

## NEW BUSINESS

- A. **(Reconsidered) Resolution 10-80**, A Resolution of the City Council of Homer, Alaska, Adopting the Amended Public Arts Committee Administrative Guidelines to Incorporate Amendments to Composition, 1% for the Arts Program, Preservation, Promotion and Awareness, and De-Accessioning Sections; and to Add Sections Declaration of Purpose, Meetings, Organization and Procedures, Accession and Gift Policies, and Procedures to Propose a Donation. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-122 and 10-130 from Public Arts Committee as backup.

Memorandum 10-148 from City Attorney as backup.

WYTHE/ZAK - MOVED FOR THE ADOPTION OF RESOLUTION 10-80.

WYTHE/ZAK - MOVED TO POSTPONE RESOLUTION 10-80 TO THE JANUARY 24<sup>TH</sup> MEETING.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. **(Reconsidered) Resolution 10-81(A)**, A Resolution of the City Council of Homer, Alaska, Amending the Homer Public Arts Committee Administrative Guidelines to Establish the Second Thursday at 5:00 p.m. Not to Exceed Ninety Minutes as the Regular Quarterly Meeting Day, Time, and Length. City Clerk/Public Arts Committee. (Postponed from October 25, 2010.)

Memorandum 10-123 from Public Arts Committee as backup.

WYTHE/LEWIS – MOVED TO ADOPT RESOLUTION 10-81(A).

WYTHE/ZAK – MOVED TO POSTPONE RESOLUTION 10-81(A) TO THE JANUARY 24<sup>TH</sup> MEETING.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.



**MEMORANDUM 10-148**

**TO: MAYOR AND CITY COUNCIL MEMBERS  
CITY OF HOMER**

**FROM: THOMAS F. KLINKNER**

**RE: PUBLIC ARTS COMMITTEE ADMINISTRATIVE GUIDELINES**

**FILE NO.: 506,742.100**

**DATE: DECEMBER 3, 2010**

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Based on our discussion of this topic at the November 22, 2010 Council meeting, I have done the following. First, I have drafted the attached ordinance that provides for the creation, composition and duties of the Public Arts Committee in a form similar to that used for other City boards and commissions. Parts of this ordinance, particularly those regarding the Committee's duties, require input from the Council. Second, I have prepared the attached revision of the Committee's proposed administrative guidelines, principally (i) to eliminate duplication of material in the proposed ordinance and (ii) to modify provisions that purport to impose legal obligations on the City. Explanations of both the ordinance and the revisions to the Committee's administrative guidelines follow.

1. The Draft Ordinance. The draft ordinance consists of two parts. Section 1 adopts a new HCC Chapter 1.70 regarding the Public Arts Committee. This chapter follows the pattern used for other City boards and commissions in HCC Chapters 1.72 through 1.79. Sections 2 through 5 amend sections of HCC Chapter 18.07 regarding works of art in public places. Topics that the draft ordinance addresses are discussed below. Citations to the Committee's administrative guidelines refer to line numbers in the last draft of administrative guidelines prepared by the Committee, which is dated November 18, 2010.

A. Committee Composition. Proposed HCC 1.70.010(a) provides that the Committee shall consist of seven members, as currently provided in HCC 18.07.060. As required by AS 29.20.320, it provides that Committee members are appointed by the Mayor and confirmed by the Council. It also authorizes the Mayor to solicit nominations to the Committee, as HCC 18.07.060 presently authorizes the Council to do. I also have added the qualifications for Committee members that the Committee proposed in its administrative guidelines at lines 40-47. Proposed HCC 1.70.010(b) adds the provision that the Committee proposed in its administrative guidelines at lines 48-49 that up to two Committee

members may reside outside the City. ***What qualifications are required of Committee members, and whether non-City residents may serve on the Committee, are matters of policy for the Council to determine.***

B. Terms and Vacancies. Proposed HCC 1.70.020(a) provides the same terms for Committee members as HCC 18.07.060. Proposed HCC 1.70.020(b) provides for the filling of vacancies on the Committee in the same manner as HCC 18.07.060. Proposed HCC 1.70.020(c) provides for the Committee to declare a vacancy for the same unexcused absences from meetings as the Committee proposed in its administrative guidelines at lines 59-61.

C. Proceedings of Committee. Proposed HCC 1.70.030(a) authorizes the Committee to adopt regulations governing its proceedings, subject to Council approval. Proposed HCC 1.70.030(b) provides for officers of the Committee as the Committee proposed in its administrative guidelines at lines 102-113.

D. Powers and Duties. Proposed HCC 1.70.040 adopts a list of powers and duties for the Committee that is considerably abbreviated from the list the Committee proposed in its administrative guidelines at lines 21-33, 66-100 and 145-148. However, the powers and duties in proposed HCC 1.70.040 extend beyond the present functions of the Committee under HCC Chapter 18.07, which are limited to works of art in City buildings and facilities and the administration of the public art fund. ***What powers and duties should be assigned to the Committee is a matter of policy for the Council to determine.***

E. Adoption of Regulations. Section 2 of the ordinance would amend HCC 18.07.040(b) to clarify the procedure for the Committee to adopt regulations, and make it similar to the procedure by which the Council approves other administrative matters.

F. Selection of Works of Art. Section 3 of the ordinance would amend HCC 18.07.050 to clarify the manner in which a jury is designated to select works of art for acquisition by the City.

G. Repeal of HCC 18.07.060. Proposed HCC Chapter 1.70 would address the matters that presently are addressed in HCC 18.07.060, making the latter code section redundant. Therefore, the ordinance would repeal HCC 18.07.060.

H. Exemptions of Projects. The ordinance would amend HCC 18.07.070 to clarify the standards and procedure for exempting a City construction project from the requirement to include works of art.

2. Revisions to the Administrative Guidelines. I began the attached revision of the administrative guidelines by adopting all of the changes to the last draft of administrative guidelines prepared by the Committee, which is dated November 18,

2010. I then proposed deleting and adding material, both within the Committee's proposed revisions, and in the present administrative guidelines. An explanation of my revisions follows. Citations to line numbers refer the line numbers in the attached revision of the administrative guidelines.

A. Purpose, Composition, Terms and Responsibilities, Officers (lines 20-112; 146-148). Following the pattern established for other City Boards and Commissions, these matters should be addressed in the City Code. The draft ordinance would enact HCC Chapter 1.70 to do this. Proposed HCC Chapter 1.70 adopts the substance of the revised administrative guidelines regarding the Committee's composition, terms and officers. However, as noted above, HCC 1.70.040 adopts a list of powers and duties for the Committee that is considerably abbreviated from the list the Committee proposed in the administrative guidelines but that extends beyond the present functions of the Committee under HCC Chapter 18.07, which are limited to works of art in City buildings and facilities and the administration of the public art fund.

B. Selection of Works of Art (lines 246-286). The selection of works of art for acquisition by the City is governed by HCC 18.07.050, which provides:

18.07.050 Selection. a. Where the construction, creation or commissioning of works of art are to be incorporated in the building or facility or its grounds, such works of art shall be selected and recommended to the Council for approval by a jury of at least three members consisting of the architect or project designer, a representative of the user department, a representative of the Public Arts Committee and any other persons as may be designated by regulation and recommended to the Council for approval.

b. Where there will be an acquisition of existing works of art or the commissioning of works of art which will not be incorporated into the project design, selection shall be made or approved by a jury of at least three members consisting of a representative of the user department, one or more representatives of the Public Arts Committee and other persons as may be designated by regulation and recommended by the Council for approval.

The proposed ordinance revises the wording of HCC 18.07.050, but does not change its substance. Under HCC 18.07.050, a jury is selected by the Committee, subject to Council approval, to recommend the selection of works of art for acquisition. The acquisition of a selected work of art is subject to Council approval.

I made the following changes to the provisions regarding selection of works of art in the revised guidelines. First, I changed the revised guidelines to clarify that, as HCC 18.07.050 provides, the Committee's selection of a jury is subject to Council approval. Second, I substituted the term "jury" used in HCC

18.07.050 for the term "selection committee" used in the revised guidelines. This substitution clarifies the connection between HCC 18.07.050 and the revised guidelines. Finally, I adjusted the description of one member of a jury to conform to HCC 18.07.050.

C. Requests for Proposals (lines 302-305). For the reasons discussed above, I substituted the term "jury" for the term "selection committee."

D. Legal Issues. Several provisions of the revised guidelines appeared to impose legal obligations on the City. Such obligations should be imposed only by Council action—either by adoption of a budget to fund performance of the obligations or by approval of a contract with an artist, the terms of which include such obligations. I deleted or modified the following provisions for these reasons:

- Reservation to an artist of the right to approve changes to City-owned art (lines 311-314; 517-519). Any such reservation should be imposed only by a Council-approved contract with the artist.
- Reservation to an artist of the copyright to City-owned art (lines 317-318; 352-354; 361-362). Any such reservation should be imposed only by a Council-approved contract with the artist.
- Supervision of the installation of a work of art (lines 319-320). In many cases, it may benefit the City to hire an artist to supervise the installation of the artist's work. However, the City, which commissioned the work of art, should determine when to do so.
- References to applicable laws (lines 361-362; 441; 450; 517; 543-544). Nothing in the administrative guidelines indicates whether their author determined that such laws exist. If they do, they should be cited with specificity. A general obligation to comply with applicable law simply states one's existing responsibility to obey the law, and does not inform the reader regarding what obligations apply in a specific situation.
- Maintenance of works of art (lines 315-316; 417). The Council determines the level of maintenance that the City will provide through its adoption of the annual budget for the City.
- Donor restrictions (386-387). The Council should retain the authority to determine whether to accept donations subject to restrictions imposed by the donor.
- Establishment of public art fund (lines 556-557). HCC 18.07.090 establishes this fund, so there is no need for the Committee to do so.

3. Conclusion. In conclusion, I recommend that the Council (i) adopt the proposed ordinance with any changes regarding the composition and powers of the Committee that the Council desires; and (ii) adopt the Committee's revised administrative guidelines with the modifications discussed above.

TFK/CMM

cc: Walt Wrede  
Jo Johnson



Homer Public Arts Committee Administrative Guidelines  
12/03/10 TFK Revisions to PAC Draft of 11/18/10

HOMER PUBLIC ARTS COMMITTEE  
ADMINISTRATIVE GUIDELINES  
(Revised \_\_\_\_\_, 201\_)

The Public Arts Committee, hereafter referred to as PAC, was created in 2002 to administer Ordinance 02-25 (A) of the Homer City Code. Frequently called the "1% for Art Program", the ordinance wishes to foster culture and the arts in our community through the purchase and commissioning of works of art for municipal buildings and facilities. This manual guides the Committee in execution of its responsibilities.

Public Arts Committee - Declaration of Purpose

It is hereby declared as a matter of public policy that support for artists and arts organizations, development and stewardship of public art, cultural tourism, arts education and cultural development are public necessities and essential for the continuing growth and development of Homer's citizens, economy, and quality of life. The primary duty of the Public Arts Committee is to identify and actively encourage the development and sustainability of arts in the City by serving as the City's primary resource in matters of art, culture, public art and cultural tourism.

~~The Purpose of the Public Arts Committee is to:~~

- ~~A. Promote the arts as vital tools in building Homer's community and economy for the benefit of all its citizens.~~
- ~~B. Promote and support a diversity of arts and cultural opportunities for our citizens to experience.~~
- ~~C. Act as a catalyst to bring government, arts and culture, and private sectors together for public benefit.~~
- ~~D. Create a unique identity and sense of place through development and stewardship of public art.~~
- ~~E. Encourage artistic excellence and expand exposure to a wide variety of art forms.~~
- ~~F. Foster the development of the local arts community, encouraging an environment for the success of working individual artists.~~
- ~~G. Encourage programs for cultural exchange and development.~~

~~Composition of the Public Arts Committee~~

~~All members of the Public Arts Committee shall have a demonstrated interest and familiarity with arts and culture, either through professional practice or volunteer work. The Committee will be composed of seven members, appointed by the Mayor. Each will serve a two year term.~~

~~The Public Arts Committee shall be composed of members who represent the following:~~

- ~~A. A working professional artist.~~
- ~~B. A person working in the public education community.~~
- ~~C. A City Council member.~~
- ~~D. A person who has had experience or training related to the arts, such as art history or employment in fields such as architecture, education, curation, conservation, performing arts, visual arts or related field.~~
- ~~E. A person representing the public at large.~~
- ~~F. Up to two members may be residents from outside the city limits. Preference shall be given to city resident applicants.~~

**Homer Public Arts Committee Administrative Guidelines  
12/03/10 TFK Revisions to PAC Draft of 11/18/10**

49 ~~Terms of Committeemembers~~

- 50  
51 ~~A. Terms of the Public Arts Committee members shall be two (2) years.~~  
52 ~~B. Terms shall expire on April 28 of the designated year.~~  
53 ~~C. Each member shall serve until his or her successor has been appointed by City Council.~~  
54 ~~D. In the event that a position is vacated before the expiration of the term, except temporary~~  
55 ~~vacancies as hereinafter provided, the position shall be filled by the City Council for the remainder of the~~  
56 ~~unexpired term.~~  
57 ~~E. The appointment of any member of the Public Arts Committee who has been absent three or~~  
58 ~~more consecutive meetings, whether regular or special, without notice shall automatically be~~  
59 ~~terminated. The Staff or Clerk shall notify the member who is terminated and report to City Council that~~  
60 ~~a vacancy exists and submit notice as required that there is a vacancy.~~  
61 ~~F. Public Arts Committee members serve in an advisory manner to City Council.~~  
62 ~~G. Public Arts Committee members shall serve without compensation.~~

63

64 ~~Powers and Duties of the Public Arts Committee~~

65

66 ~~The Public Arts Committee is specifically responsible to:~~

67

- 68 ~~A. Act in an advisory capacity to the City Council in all matters pertaining to the arts and culture of~~  
69 ~~the City;~~  
70 ~~B. Recommend to the City Council the adoption of such ordinances, rules, and regulations as it may~~  
71 ~~deem necessary for the administration and preservation of fine arts, performing arts and aesthetic~~  
72 ~~aspects of the community;~~  
73 ~~C. Work cooperatively with city boards, commissions and committees, city departments, and~~  
74 ~~private and public organizations in creating and promoting art and cultural programs and activities~~  
75 ~~within the city;~~  
76 ~~D. By establishing policies, act as a catalyst bringing government, the arts and culture, and public~~  
77 ~~sectors together for the benefit of all residents;~~  
78 ~~E. Establish policies that encourage, conduct, sponsor or co-sponsor public programs to further the~~  
79 ~~development and public awareness of and interest in the arts;~~  
80 ~~F. Encourage the use of professional practices in working with artists;~~  
81 ~~G. Serve as the City's ambassadors to artists, arts organizations and the general public;~~  
82 ~~H. Communicate to the public about the City's arts program and policies;~~  
83 ~~I. Review and make recommendations upon all works of art to be acquired by the City, either by~~  
84 ~~purchase, gift or otherwise pursuant to the City's Accession and Gift Policies.~~  
85 ~~J. Review and make recommendations with reference to any existing work of art in the Municipal~~  
86 ~~Art Collection in connection with the relocation or alteration thereof, pursuant to the City's~~  
87 ~~Deaccessioning policy;~~  
88 ~~K. Review and make recommendations upon all works of art to be removed from the Municipal Art~~  
89 ~~Collection, pursuant to the Deaccessioning policy;~~  
90 ~~L. Promulgate policies and procedures for the development and implementation of public art in~~  
91 ~~the city;~~  
92 ~~M. Prioritize public art projects in a way that identifies and defines the public art projects and~~  
93 ~~programs to be developed from the 1 percent for art monies;~~  
94 ~~N. Provide stewardship to the Municipal Art Collection by reviewing the condition of the artwork~~  
95 ~~every two years and making recommendations for its care, maintenance, or improvement, including~~  
96 ~~routine maintenance, conservations, and emergency maintenance when required;~~

Homer Public Arts Committee Administrative Guidelines  
12/03/10 TFK Revisions to PAC Draft of 11/18/10

- 97 ~~O. Record and maintain all data related to accessed works in the Municipal Art Collection;~~  
98 ~~P. Review and make recommendations for visual artwork and artistic elements be considered for~~  
99 ~~placement on City of Homer property and upon request for placement on city rights-of-way;~~

100  
101 ~~Officers and Committee~~

- 102  
103 ~~A. The Public Arts Committee shall have one Chair and one Vice Chair with terms of one year,~~  
104 ~~electd by a simple majority of the committee;~~  
105 ~~B. The Chair and Vice Chair shall be elected during the meeting held in May of each year;~~  
106 ~~C. No member may serve more than two consecutive terms as Chair or Vice Chair;~~  
107 ~~D. The Chair shall preside over all meetings of the Public Arts Committee. In the event that the~~  
108 ~~Chair is or will be absent the Vice Chair will fulfill the duties of the Chair;~~  
109 ~~E. If for any reason the Chair relinquishes his or her authority before the expiration of their term of~~  
110 ~~office, the Vice Chair will assume the role of Chair. Elections will be held to select a new Vice Chair at the~~  
111 ~~next regular meeting.~~  
112 ~~F. The Chair shall work with Staff or the Clerk in preparing the agenda for the meeting;~~

113  
114 Meetings of the Public Arts Committee

- 115  
116 A. The Public Arts Committee shall meet quarterly on the second Thursday of February, May,  
117 August and November at 5:00 p.m. The meeting shall not exceed ninety (90) minutes in length. A  
118 worksession will be held ~~monthly~~ on the second Thursday of February, May, August and November at  
119 4:00 p.m. ~~and~~ prior to each regular meeting.  
120 B. Special meetings may be called by the Chair, Vice Chair or members of the committee as  
121 required to carry out business in a timely manner.  
122 C. Scheduling of special meetings or worksession require a two week notice for proper  
123 advertisement by the City Clerk's office as required by law.  
124 D. A quorum is required for a meeting to be conducted and any action taken by the committee  
125 members during that meeting.  
126 E. Worksessions do not require the presence of a quorum. No action can be taken at a worksession  
127 it is primarily for discussion purposes only.  
128 F. All meetings will be held in the Cowles Council Chambers or alternative location as designated.  
129 G. All meetings are to be recorded in acceptable audio format according to established rules.

130  
131 Organization and Procedures

- 132  
133 The following by-laws and administrative guidelines shall govern the procedures and operations of the  
134 Public Arts Committee;  
135 A. To abide by the current edition of Robert's Rules of Order insofar as this treatise is consistent  
136 with these by-laws, the Homer City Code, Alaska State law or Borough Code;  
137 B. Four members shall constitute a quorum;  
138 C. A majority vote of the quorum is required to pass any motion.  
139 D. Requests for items to be placed on the agenda must be submitted no later than 5:00 p.m. on  
140 Wednesday the week prior to the scheduled meeting or worksession;  
141 E. Permanent records or minutes shall be kept of the proceedings of the regular monthly meetings.  
142 The minutes will record the vote of each member upon every question. Every decision shall be filed in  
143 the office of the City Clerk and shall be public record open to inspection.

**Homer Public Arts Committee Administrative Guidelines**  
**12/03/10 TFK Revisions to PAC Draft of 11/18/10**

- 144 F. The Public Arts Committee shall submit a report to City Council as required to update progress  
145 on current projects.  
146 ~~G. Perform other duties as required by the City Manager and or City Council;~~  
147 ~~H. Oversee the 1% for Art Program~~  
148 ~~I. The Public Arts Committee administrative guidelines are to be reviewed periodically and~~  
149 ~~updated as required.~~  
150 Gj. Agendas are to follow the format as described in the City of Homer City Council Operating  
151 Manual.

152		
153	PUBLIC ARTS COMMITTEE	DATE
154	ADDRESS	DAY AND TIME
155	CITY, STATE	LOCATION

MEETING NOTICE

LIST TYPE OF MEETING - REGULAR WORKSESSION OR SPECIAL

- 156
- 157
- 158
- 159
- 160 1. CALL TO ORDER
  - 161 2. APPROVAL OF THE AGENDA
  - 162 3. PUBLIC COMMENT REGARDING ITEMS ON THE AGENDA (3 Minute Time Limit)
  - 163 4. RECONSIDERATION
  - 164 5. APPROVAL OF MINUTES
    - 165 A. Meeting Minutes
  - 166 6. VISITORS
  - 167 7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS
  - 168 8. PUBLIC HEARING (3 minute time limit)
  - 169 9. PENDING BUSINESS
  - 170 10. NEW BUSINESS
  - 171 11. INFORMATIONAL MATERIALS
  - 172 12. COMMENTS OF THE AUDIENCE
  - 173 13. COMMENTS OF THE CITY STAFF
  - 174 14. COMMENTS OF THE CHAIR
  - 175 15. COMMENTS OF THE COMMITTEE
  - 176 16. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR [DATE] at [TIME] in the Homer  
177 City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.
- 178 Hk. A member of the Public Arts Committee will be designated each worksession to take notes and  
179 submit a draft synopsis to Staff for inclusion in the packet to track the progress by the committee on  
180 projects and work product.

181

182 1% for the Arts Program

183

184 The State has recognized through the enactment of AS 35.27.010, and the City of Homer hereby  
185 recognizes by the enactment of this chapter, the responsibility of government to foster the  
186 development of culture and the arts through the purchase or commissioning of works of art for  
187 municipal buildings and facilities. It is therefore declared to be municipal policy that a portion of  
188 appropriations for capital expenditures for municipal buildings and facilities be devoted to the  
189 acquisition of works of art to be permanently placed or incorporated in such buildings or facilities. (Ord.  
190 02-25(A), 2002.)

191

**Homer Public Arts Committee Administrative Guidelines**  
**12/03/10 TFK Revisions to PAC Draft of 11/18/10**

192 **Definitions**

193 The following words, terms and phrases, when used, shall have the meaning ascribed to them in this  
194 section, except where the context clearly indicates a different meaning:

195 "Art" and "work of art" mean all forms of original creations of visual art, including but not limited to the  
196 following:

- 197 1. Sculptures: in the round, bas relief, high relief, mobile, fountain, kinetic or electronic, in any material  
198 or combination of materials.
- 199 2. Painting: all media, including portable and permanently affixed works, such as murals.
- 200 3. Graphic arts: printmaking and drawing.
- 201 4. Mosaics.
- 202 5. Photography.
- 203 6. Crafts: in clay, fiber and textiles, wood, metal, plastics and other materials.
- 204 7. Calligraphy.
- 205 8. Mixed media: any combination of forms or media, including collage

206  
207 "Construction, remodeling or renovation of municipal buildings and facilities" means any capital  
208 improvement projects paid for wholly or in part by the municipality to build, rebuild or improve any  
209 decorative or commemorative structure, park or parking facility or any building.

210  
211 "Total cost of construction, remodeling or renovation" means the total allotted funding for the subject  
212 project at the time of award of contract, exclusive of the costs of land acquisition, site investigation, and  
213 environmental clean up or remediation. (Ord. 02-25(A), 2002.)

- 214  
215 The Public Arts Committee shall be responsible for the following:
- 216 A. Determine the dollars allocated for art within the budget of each eligible project;
  - 217 B. Name a Selection Committee for each project;
  - 218 C. Develop and monitor policies related to the selection and installation processes;
  - 219 D. Develop plans that insure the preservation of the art collection;

220  
221 **Procedures for the 1% for the Arts Program**

222  
223 **Eligible Projects**

224  
225 1. Upon approval of the City budget, the City Manager will provide a copy of the capital  
226 improvement budget to the PAC, notating all projects he/she believes to be included in Ordinance 02-  
227 25(A).

228 2. Eligible projects include remodeling, renovation, new construction to municipal buildings or  
229 facilities when the cost of the project exceeds \$250,000.

230 3. Staff will update the Public Arts Committee at least quarterly regarding any new capital  
231 improvement projects City Council has approved and will indicate whether the City Manager believes  
232 the 1% for Art Program is applicable.

233  
234 **Project Budget**

235  
236 1. 1% of the project cost will be allocated for the purchase of art, with a minimum project value of  
237 \$250,000 and a maximum of \$7,000,000. Therefore, the minimum budget is \$2,500 and the maximum is  
238 \$70,000. The budget may be increased by the addition of private funds or donations from non-city  
239 public funds.

**Homer Public Arts Committee Administrative Guidelines**  
**12/03/10 TFK Revisions to PAC Draft of 11/18/10**

- 240 2. Project cost is defined as the cost of the original contract awarded, excluding land acquisition,  
241 site investigation, environmental cleanup or remediation. Subsequent change orders and amendments  
242 to the contract do not increase or decrease the amount of funding available for artwork.
- 243 3. The art budget will include all costs associated with design, construction, installation, and  
244 acquisition of works of art.

245

246 **Jury Selection Committees**

247

248 1. The Public Arts Committee will **submit to the Council for its approval members of form**-a new  
249 **Jury Selection Committee** for each eligible project. Appointments will be made as early as possible in the  
250 construction process to encourage integration of art into the architecture of the building and design of  
251 the outdoor spaces.

252 2. A **Jury Selection Committee** will be composed of at least five (5) members, including

253 a. One member from PAC,

254 b. One Artist

255 c. One member from the architectural/design team,

256 d. One member from ~~the a-user~~ **department group**

257 e. Director of building in question or his/her designated representative.

258 The scope of the project may require the appointment of additional members.

259 3. The City staff liaison to the Public Arts Committee will also assist the **Jury Selection Committee**.  
260 This will facilitate clear communication and cooperation between the two committees.

261 4. Diversity. The Public Arts Committee will specifically include members of the community who  
262 share a commitment to the goals of this Ordinance yet represent the diverse citizenry in our community.

263 5. Responsibilities of a **Jury Selection Committee**

264 a. **Jury Selection Committee** members will suggest the most suitable locations for artwork  
265 within the building or on the site, often in discussion with the architect or chief designer. It is also  
266 appropriate to allow artists to submit proposals for locations not identified by the **jury committee**.

267 b. **The jury Selection Committee** will organize interaction between the design team and artists  
268 to ensure that artists are sufficiently briefed about the project opportunities and restrictions. The goal is  
269 to generate top quality, responsive proposals.

270 c. Carefully review each eligible submission. This will frequently be a multi-step process, with  
271 time between meetings for personal reflection.

272 d. If necessary, a specific member of the **jury Selection Committee** or the staff liaison may be  
273 directed to discuss modifications to a specific proposal with the artist. All such discussions shall be  
274 confidential, and members must exercise care so a specific artist does not construe such discussion as  
275 acceptance of work.

276 e. Prepare list of Recommend Artwork for the named project and a short list of runners-up, if  
277 possible. (Occasionally 1<sup>st</sup> choice work will not be available and this process may preclude the need to  
278 reconvene the **jury Committee**.)

279 f. **Jury Committee**-Chairman will present the list of Recommend Artwork to the City Council  
280 for final approval. Presentation may include a brief summary of the selection process, including number  
281 of submittals, names of the selection committee members and other information that encourages  
282 final acceptance by City Council members.

283 g. Staff will notify all selected artists of their award and thank all participants.

284 h. All participants, including **jury Selection Committee** members and all artists who  
285 submitted proposals will be offered a formal opportunity to comment on the process. PAC will receive  
286 these comments.

287

Homer Public Arts Committee Administrative Guidelines  
12/03/10 TFK Revisions to PAC Draft of 11/18/10

288 NOTE: The entire selection process must be handled confidentially. No decisions are final until  
289 approved by City Council and final contracts are negotiated with the artists.

290

291 **Additional Oversight by Public Arts Committee under the 1% program**

292

293 1. Requests for Proposals

294 a. PAC, with the assistance of staff, will prepare an RFP for each eligible project. (See sample  
295 in Exhibit A)

296 b. Staff will circulate the RFP, as required by City code. In addition, PAC will develop a  
297 registration system for anyone who wants specific notification of announced RFP opportunities.

298 c. Packets of additional information that describes the project will be available in City Hall  
299 and/or online. It will include the brochure, "Special Considerations for Art in Public Places" (See  
300 Exhibit B)

301 2. Establishing Selection Criterion

302 a. PAC will provide each member of the jury Selection committee with a complete RFP, including  
303 the "Special Considerations" brochure. Members will be asked to remember these  
304 considerations in their art selections.

305 b. PAC will provide the jury Selection Committees with an *Evaluation Checklist* (see Exhibit C).

306 c. PAC may specify that certain projects will show a preference for art by local or Alaskan artists.

307 3. Legal Considerations. The Public Arts Committee is a liaison between artists and the City, the  
308 principals in this program. These guidelines will clarify the understanding between them:

309 a. Ownership of the Art: All art purchased under the 1% for Art Ordinance will be owned by the  
310 City of Homer.

311 b. Artist's Rights: Public artwork and art concepts will not be altered, modified, removed or  
312 moved from a site which is integral to the concept for the work without prior notice to the  
313 ~~artist's written permission~~. If the City's best and reasonable efforts to contact the artist have  
314 failed, the City may proceed without such notice with plans for repair and relocation.

315 ~~Maintenance of public artworks shall be the responsibility of the City and the City commits to~~  
316 ~~keep them in a well-maintained state.~~

317 ~~Copyright of public artworks and art concepts belong to the artist, but the City is granted the~~  
318 ~~right to make two-dimensional reproductions for noncommercial purposes.~~

319 ~~For the purposes of quality and design control, the artist shall have the right to supervise~~  
320 ~~installation of the work, when done by third parties.~~

321 c. Artist's Promise to the City of Homer:

322 The art is unique and original and does not infringe upon any copyright.

323 Neither the art nor a duplicate has been accepted for sale elsewhere.

324 The art is free and clear of any liens.

325 The fabricated and installed art will be free of defects in material and craftsmanship.

326 Maintenance requirements have been accurately described;

327 4. Contract with an Artist: The City of Homer will enter into a contract with each artist whose work  
328 is selected for inclusion in a City project. It will address description of the project, payment schedule,  
329 payment of special engineering or installation costs, due date. (See sample in Exhibit D).

330

331 Accession Policy

332

333 To establish an orderly and consistent process for reviewing artwork for acceptance into the Municipal  
334 Art Collection ensuring that the collection is comprised of artwork of the highest quality.

335

**Homer Public Arts Committee Administrative Guidelines**  
**12/03/10 TFK Revisions to PAC Draft of 11/18/10**

336 Definition

337 Accession is to accept artwork in to the Municipal Art Collection

338

339 Policy

340 1. Accession procedures insure that the interests of all concerned parties are represented  
341 including the Public Arts Committee, the Public, the Artist, the Arts Community and the City of Homer.

342 2. Artwork shall be distinctive artistic merit and aesthetic quality and will enhance the diversity of  
343 the Municipal Art Collection.

344 3. Artwork shall be appropriate in and for its site, scale, material, form, and content for both its  
345 immediate and general social and physical environment.

346 4. Artwork shall be reasonably durable against theft, vandalism, weather, and excessive  
347 maintenance costs.

348 5. Accession implies the responsibility to preserve, protect, and display the artwork for public  
349 benefit.

350 6. Accession implies a work's permanency within the Municipal Art Collection, providing that the  
351 work retains its physical integrity, identity and authenticity.

352 7. Artwork will be acquired without restrictions as to its future use and disposition except ~~with~~  
353 ~~respect to copyrights and certain clearly defined residual rights contained~~ **as provided** in contracts with  
354 artists.

355 8. Artwork will be accessioned into the City of Homer's Municipal Art Collection only upon  
356 completion of all facets of the Commissioning or purchasing contract and final approval of City Council.

357 9. Each accessioned work into the Municipal Art Collection will be documented to the fullest  
358 extent possible, including artist's last known address and when available photograph.

359 10. The artist's signed contract or release transferring title for the artwork and clearly defining the  
360 rights and responsibilities of all parties will accompany every accessioned work and shall be in the  
361 documented records of the work. ~~The artist's copyrights will be maintained in accordance with~~  
362 ~~established Federal, State, Borough Law and Homer City Code.~~

363 11. In the case of interagency or interlocal agreements a copy of the agreement and signatures of all  
364 parties will be kept in the office of the City Clerk.

365 12. Accession results from projects and purchases generated as part of the Municipal Art program  
366 except in case of donations which will be reviewed in accordance with the City of Homer Public Arts  
367 Committee policy on gifts and if accepted will be accessed pursuant to this accession policy.

368

369 Gift Policy

370

371 Purpose

372 To identify a procedure and criteria for the Public Arts Committee to review proposed gifts of artwork.

373

374 Definition

375 Gifts are personal or real property that is donated or bequeathed with or without restrictions to the City  
376 of Homer for actual artwork, property for placement or funds for the acquisition of artwork.

377

378 Policy

379 1. The Public Arts Committee will review all proposed gifts as defined above and will evaluate the  
380 suitability of proposed gifts and make recommendations to the Homer City Council in accordance with  
381 Homer City Code which allows acceptance of donations.

382 2. Each Proposed gift will be reviewed for the following:

383 a. Aesthetic Quality – the proposed gift has significant aesthetic merit.

Homer Public Arts Committee Administrative Guidelines  
12/03/10 TFK Revisions to PAC Draft of 11/18/10

- 384 b. Appropriateness of Chosen Site or Location – scale of artwork is appropriate for the site  
385 including relationship between the artwork and the site and obstacles of the site.
- 386 c. Restrictions from the Donor – any restrictions must be clearly identified and may be a factor  
387 in determining whether to accept a gift if accepted expectations must be met by the City.
- 388 d. Originality of Artwork – artworks must be one of a kind or part of an original series  
389 reproductions of originals are not considered eligible for acceptance.
- 390 e. Relationship to the Collection as a Whole – the Public Arts Committee is committed to  
391 creating a diverse collection of art. The proposed gift must be compatible with the Municipal Art  
392 Collection without being over represented.
- 393 f. Technical Feasibility – the realistic ability for the proposed project to be built and installed as  
394 proposed in the selected location.
- 395 g. Technical Specifications – the Public Arts Committee must review the actual work if available  
396 or a scale drawing and or model consisting of site plans and elevations describing the following:
- 397 1. Surrounding site conditions if applicable  
398 2. Dimensions  
399 3. Materials and finishes  
400 4. Colors  
401 5. Electrical, Plumbing, or other utility requirements  
402 6. Construction and installation method  
403 7. Additional support material such as text verbally describing the artwork and specifications,  
404 models, or presentation drawings by a licensed engineer may be required.
- 405 h. Budget – cost to manage the project, prepare the site, deliver and or install the work, funds  
406 for signage/recognition, and any other cost should be disclosed by the donor in a budget. The Public  
407 Arts Committee will determine if the costs are accurate and realistic and that the donor has clearly  
408 delineated responsibility for all costs associated with the project.
- 409 i. Timeline – expected timeline for donation or installation should be proposed by the donor.  
410 The Public Arts Committee will determine if the timeline is realistic.
- 411 j. Durability – expected lifetime and staying power of the material used to create the artwork  
412 especially if set in the out of doors or in a non-archival exhibition setting and exposed to the elements.
- 413 k. Warranty – the donor agrees to be responsible for a warranty period of one (1) year from the  
414 date of final installation of the artwork to insure the integrity of the material, fabrication and installation  
415 when installed in or on a city owned facility or property.
- 416 l. Vandalism and Safety – the artwork will not be prone to vandalism or pose a safety hazard.  
417 ~~Precautions against vandalism will be taken as much as feasibly possible.~~
- 418 m. Maintenance and Preservation – donor’s agreement to provide a technical and maintenance  
419 record including a plan for routine care with estimated costs. The donor must indicate if there are any  
420 unusual or ongoing costs to maintain artwork.
- 421 3. Donors proposing gifts will be informed of the importance of the above criteria in the Public Arts  
422 Committee consideration.
- 423 4. The Public Arts Committee will have final authority through the City Manager to review and  
424 recommend to Homer City Council to accept or reject the donated artwork.
- 425 5. All gifts that are recommended for acceptance will only be accessed into the Municipal Art  
426 Collection pursuant to the Accession Policy.
- 427
- 428 Procedure to Propose a Donation of Artwork to the City of Homer
- 429
- 430 The Public Arts Committee is charged with the responsibility of evaluating the suitability of a proposed  
431 artwork and making recommendation to the City Council as to whether or not to accept it as a gift. If

**Homer Public Arts Committee Administrative Guidelines**  
**12/03/10 TFK Revisions to PAC Draft of 11/18/10**

432 accepted, the donated work becomes the responsibility of the City of Homer, which will inventory,  
433 insure, maintain and repair it as required by Homer City Code and Alaska State Law.

434

435 Definition

436 Gifts are personal or real property that is donated, devised or bequeathed with or without restrictions  
437 to the City of Homer. Gifts can be actual artwork, property for placement of artwork or funds for the  
438 acquisition of artwork.

439

440 Gift Policy is the policy that identifies the procedure and criteria for reviewing proposed gifts of artwork  
441 to the City of Homer ~~and outlined in Homer City Code XXXXX.~~

442

443 Accession Policy is the policy that defines an orderly and consistent process for reviewing artwork for  
444 acceptance into the Municipal Art Collection insuring that the collection is comprised of artwork of the  
445 highest quality.

446

447 Process

448 The Public Arts Committee will review all proposed gifts according to the Gift Policy. They will evaluate  
449 the suitability of the proposed gifts and make recommendations to the Homer City Council through the  
450 City Manager ~~in accordance with applicable Homer City Code and Alaska State Law.~~

451

452 In order to provide the Public Arts Committee with the information necessary to evaluate the proposed  
453 artwork in accordance with the Gift Policy and Accession Policy the potential donor or donor's  
454 representative must complete the Gift Proposal Application and submit to the City of Homer, City Clerk's  
455 Office.

456

457 Presentation to the Public Arts Committee

458

459 If applicable the donor will be scheduled to present his or her proposal to the Public Arts Committee at  
460 the next regular meeting. The donor is expected to present the actual artwork or model or scale  
461 drawings of the proposed piece. If it is not possible depending on the artwork a photograph may be  
462 accepted upon approval of a majority vote of the Public Arts Committee.

463

464 The Public Arts Committee will review the proposal consider the presentation and make a  
465 recommendation at the meeting. If the proposal materials do not give the Public Arts Committee  
466 enough information to make an educated recommendation they may request to postpone  
467 recommendation until further information is provided by the donor.

468

469 PRESERVATION OF THE MUNICIPAL ART COLLECTION

470

471 1. Registry

472

473 The City's art collection will be catalogued and a registry maintained. Each entry will include

- 474 a. name and contact information for the artist  
475 b. title of the work, date created, dimensions  
476 c. photographs of the work  
477 d. the artist's cleaning and maintenance recommendation;  
478 e. an artist's statement regarding the work, if possible.

Homer Public Arts Committee Administrative Guidelines  
12/03/10 TFK Revisions to PAC Draft of 11/18/10

- 479 f. An identification number \_\_\_\_\_ (year installed), \_\_\_\_\_ consecutive number (for example:  
480 2006-#21). This number will also be affixed to the piece of art or to its label.  
481 g. Exact location of the artwork.  
482 h. Techniques and materials used in creating the artwork.

483  
484 The registry will be bound and stored in the library and City Clerk's Office. The City will also provide an  
485 official label for each piece of art that will be consistent in style and material.  
486

487 Color Photo of artwork

488 Artist Name(s)

489 Title of Artwork

490 Year Completed/Date

491 Medium Used

492 Size/Dimensions

493 Location

494 Physical Description of the piece.

495 Short Summary about the Artist

496 Summary Comment on the artwork.

497

498 Inspection and Maintenance of Artwork

499

500 All building and grounds supervisors will be instructed to inform the Public Art Staff or the Clerk if  
501 vandalism is observed or the artwork requires maintenance.

502 All cleaning and maintenance will follow the instructions provided by the artist.

503 If the artwork requires extensive repairs, the City will make a good-faith effort to obtain advice from  
504 the artist. If no information is forthcoming, the City may proceed with its best practice.

505

506 De-Accessioning Purchased and Donated Items

507

508 The City has the responsibility for conserving the collection, and because the disposal of artworks may  
509 have serious implications for the artists, removing the items from the collection should be a deliberate  
510 and seldom-used procedure. It is the policy of the City not to dispose of works simply because they are  
511 not currently in fashion and not to dispose of works whose worth might not yet be recognized.

512

513 Purchased or donated items which have been accepted into the Municipal Art Collection will be de-  
514 accessioned only at the direction of the City Council, which shall consider the recommendations and  
515 comments of the Public Arts Committee; Staff and any public comment received.

516

517 The City will comply with all applicable laws pertaining to de-accessioning of art items including  
518 ~~contacting the donor and artist (if known)~~. If documents provide for de-accessioning, such documents  
519 will determine the method and manner of the de-accessioning.

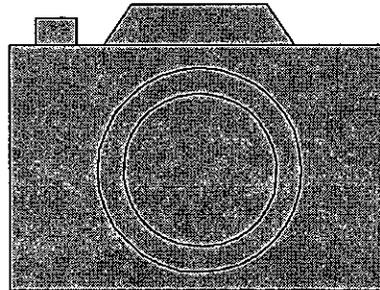
520

521 Examples of situations where de-accessioning would be considered include:

522

523 a. The item(s) has deteriorated beyond a reasonable means of conservation or in deteriorating,  
524 has lost its usefulness.

525 b. The authenticity, attribution, or genuineness of the item(s) is determined to be false or  
526 fraudulent.



**Homer Public Arts Committee Administrative Guidelines**  
**12/03/10 TFK Revisions to PAC Draft of 11/18/10**

- 527 c. The item(s) is redundant or is a duplicate that has no value as part of a series.  
528 d. The item(s) is located in an area where jurisdiction will be transferred to another entity or is  
529 made inaccessible to the public.

530  
531 The Public Arts Committee may recommend any of the following courses of action as a result of a  
532 deaccessioning review. The Committee shall not be limited to these courses of action and may suggest  
533 new methods as may be demanded by a particular set of circumstances:

- 534 a. Relocate the work of art. This course of action shall be given highest priority.  
535 b. Remove the work from display and maintain in a safe storage.  
536 c. Yearly City Surplus Sale  
537 d. Private sale  
538 e. Exchange for another work by the artist  
539 f. Gifting the piece to a non-profit organization  
540 g. Recycling

541  
542 Destruction of the item(s) may be considered where the physical condition of the work is severely  
543 deteriorated or will be irreparably damaged by the de-accessioning process. ~~In each case, the applicable~~  
544 ~~laws will be followed before an item(s) is de-accessioned.~~

545  
546 In appropriate instances, appraisals of the item(s) to be de-accessioned will be sought from outside  
547 sources.

548  
549 Encouraging Additional Public and Private Art in Public Spaces, and Promoting Public Awareness and  
550 Appreciation for the Municipal Art Collection

551  
552 Ordinance 02-25(A) encourages the addition of private money into the public art program. Any art  
553 purchased with such funds will be owned 100% by the City of Homer and the City will have responsibility  
554 for selection, installation, maintenance and repairs.

555  
556 ~~The Public Arts Committee may establish a Public Art Fund to provide a convenient method to accept~~  
557 ~~donations.~~

558  
559 The Public Arts Committee will be a resource for business owners who wish to include art in their  
560 business location.

561  
562 The Public Arts Committee will endeavor to obtain buy-in from affected city departments and a wide  
563 variety of governmental and non-governmental organization, as required, to ensure the successful  
564 implementation of the public art policy.

565  
566 The committee will work to establish partnerships with private funders to help the art policy proponents  
567 work with and advise patrons who are funding public-art projects privately. This will help guarantee that  
568 these projects meet a set of agreed-upon requirements and fulfill the goals and vision set forth in this  
569 policy.

570  
571 The Public Arts Committee will identify alliance opportunities with institutions, organizations, and the  
572 public. Partner with them to publicize and discuss how public art can help further the mission of their  
573 specific organization.

574

**Homer Public Arts Committee Administrative Guidelines**  
**12/03/10 TFK Revisions to PAC Draft of 11/18/10**

575 Raise support among the press to help the fundraising efforts to educate and inform the public about  
576 the many different types of public art, and the wealth and ability of the local arts community.

577

578 Keep the information flowing about the progress of any public art initiatives started.

579

580 Public Arts Committee, with the assistance of users, will plan an installation ceremony upon completion  
581 of each project. Costs for this event will be from the annual PAC budget or underwritten by donors.

582

583 Public Arts Committee will plan events and promotional tools that invite residents and visitors to enjoy  
584 the City of Homer art collection. These might include walking tour maps, guest lectures, on-line  
585 catalogue, etc.

586

587 Funding for the Municipal Art Collection

588

589 A public art fund is established in accordance with Homer City Code ~~Chapter~~ 18.07.090, Public Art  
590 Fund, as a separate, interest bearing account in the city general fund to receive money for the public art  
591 program from the following sources:

592

593 1. Funds for public art fees received from private development.

594 2. Funds donated to the city for public art.

595 3. Other funds appropriated by the council for public art.

596

597 Money in the public art fund shall be used solely to pay the costs of selecting, commissioning, acquiring,  
598 installing, maintaining, public education regarding, administrating, removing and insuring the works of  
599 public art, and any other expense related thereto.

600

601 Interest earned on money in the public art fund shall be deposited in the public art fund.

602

603 The public art fund is administered by the city with the advice of the Public Arts Committee.

604

605 The Public Arts Committee annually shall prepare a plan for expenditures from the public art fund for  
606 approval by the city council.

607 (Ord.09-51(A) §1, 2009)

608

609 Encourage the addition of private money into the public art program. Any art purchased with such  
610 funds will be owned 100% by the City of Homer and the City will have responsibility for selection,  
611 installation, maintenance and repairs.

612 (Ord. 02-25(A) 2002)

613



CITY OF HOMER  
HOMER, ALASKA  
City Manager  
ORDINANCE 10-55

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ADOPTING HOMER CITY CODE CHAPTER 1.70, PUBLIC ARTS COMMITTEE; AMENDING HOMER CITY CODE 18.07.040, IMPLEMENTATION; AMENDING HOMER CITY CODE 18.07.050 SELECTION; REPEALING HOMER CITY CODE 18.07.060, PROGRAM ADMINISTRATION; PUBLIC ARTS COMMITTEE; AND AMENDING HOMER CITY CODE 18.07.070, EXEMPTIONS; REGARDING THE APPOINTMENT, COMPOSITION AND FUNCTIONS OF THE PUBLIC ARTS COMMITTEE.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 1.70, Public Arts Committee, is adopted to read as follows:

Chapter 1.70 Public Arts Committee

Sections:

- 1.70.010 Created; Membership.
- 1.70.020 Terms of members; Vacancies.
- 1.70.030 Proceedings of Committee.
- 1.70.040 Duties and responsibilities of Committee.

1.70.010 Created; Membership. a. There shall be a City of Homer Public Arts Committee, hereinafter referred to as the Committee. The Committee shall consist of seven members, who shall be appointed by the Mayor subject to confirmation by the City Council. Prior to making appointments, the Mayor may solicit nominations from the Pratt Museum, community arts groups, and the public. The Committee membership shall include the following:

1. A working professional artist.
  2. A person working in the public education community.
  3. A City Council member.
  4. A person with experience or training related to the arts, such as art history, or employment in fields such as architecture, education, curation, conservation, performing arts or visual arts.
  5. A person representing the public at large.
- b. Up to two Committee members may reside outside the city limits; provided that preference shall be given to city resident applicants.

- 1.70.020 Terms of members; Vacancies. a. Members of the Committee are appointed for two-year terms, with three terms and four terms commencing in alternate years.
- b. A vacancy on the Committee is filled for the unexpired term by appointment by the Mayor subject to confirmation by the City Council.
- c. The Committee may declare a vacancy in the office of a Committee member with three or more unexcused absences from successive regular and special meetings of the Committee.

1.70.030 Proceedings of Committee. a. The Committee may adopt, and from time to time amend, regulations governing its proceedings, which shall be effective upon approval by City Council resolution.

b. The Committee annually shall elect a chair and vice chair from its membership. The chair shall preside at meetings of the Committee. In the absence of the chair, the vice chair shall perform the duties of the chair.

1.70.040 Powers and duties. The Committee shall have the following powers and duties:

a. Advise the City Council, and City boards, commissions and departments regarding the support of the arts.

b. Establish, subject to approval by City Council resolution, policies and procedures regarding the acquisition, maintenance and disposition of works of art by the City.

c. Perform the functions related to the funding of works of art in public places that are prescribed in HCC Chapter 18.07.

d. Advise the City in its administration of the public arts fund established by HCC 18.07.090.

e. Further the development and public awareness of the arts in the City.

Section 2. Subsection (b) of Homer City Code 18.07.040, Implementation, is amended to read as follows:

b. The Public Arts Committee may adopt, and from time to time amend shall develop and recommend to the administration and the Homer City Council administrative regulations setting forth the manner in which the requirements of this chapter shall be carried out, which shall be effective upon approval by City Council resolution. After the receipt and consideration of such recommendations, the City Manager will adopt administrative regulations, which will become effective upon City Council approval.

Section 3. Homer City Code 18.07.050 Selection, is amended to read as follows:

18.07.050 Selection. a. Where the construction, creation or commissioning of works of art are to be incorporated in the construction, remodeling or renovation of a city building or facility or its grounds, such works of art shall be selected and recommended to the Council for approval by a jury of at least three members consisting of the architect or project designer, a representative of the user department, a representative of the Public Arts Committee and such additional any other persons that the Public Arts Committee may designate, subject as may be designated by regulation and recommended to the Council for approval.

b. Where there will be an acquisition of existing works of art are to be commissioned or acquired, but or the commissioning of works of art which will not be incorporated in the construction, remodeling or renovation of a city building or facility or its grounds, such works of art shall be selected and recommended to the Council for approval into the project design, selection shall be made or approved by a jury of at least three members consisting of a representative of the user department, one or more members representatives of the Public Arts Committee and such additional other persons that the Public Arts Committee may designate, subject to as may be designated by regulation and recommended by the Council for approval.

Section 4. Homer City Code 18.07.060, Program Administration; Public Arts Committee, is repealed.

Section 5. Homer City Code 18.07.070, Exemptions, is amended to read as follows:

18.07.070 Exemptions. The City Council may waive the requirements of this chapter in whole or in part as to the construction, remodeling or renovation of a city the building or facility upon a finding by If it is found by the Public Arts Committee or City Manager that the inclusion of works of art in the construction, remodeling or renovation any specific project, as required by this chapter, would not provide any aesthetic benefit to the community or to the principal users of the building or facility., the Committee or City Manager may recommend to the City Council that there be granted a waiver from the requirements of this chapter in whole or in part. The Council shall make the final determination in any disputes arising from the administration of this section.

Section 6. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

CITY OF HOMER

\_\_\_\_\_  
JAMES C. HORNADAY, MAYOR

ATTEST:

\_\_\_\_\_  
JO JOHNSON, CMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

\_\_\_\_\_  
Walt E. Wrede, City Manager Thomas F. Klinkner, City Attorney

Date: \_\_\_\_\_ Date: \_\_\_\_\_



Renee Krause

---

**From:** Angie Newby <angienewby@alaska.com>  
**Sent:** Wednesday, December 15, 2010 3:54 PM  
**To:** Renee Krause  
**Subject:** RE: Council Meeting results

I begged to have them ok the meeting time change but they all felt the resolutions were tied to the new Ordinance. Also I could tell the Council prefers to limit staff overtime and schedule meetings during the day. I did speak with Jo after the meeting and she said that we could go ahead and just have a special meeting in January as scheduled. Notice is the primary issue. I think that's the time to see if anyone is up to midday meetings or if 5 works and we have to stick with that.

*Angie Newby, CCIM, CRS*

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1529 Ocean Dr  
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Sell - (907)299-1514  
[angienewby@alaska.com](mailto:angienewby@alaska.com)  
<http://www.homerrealestate.com>

---

**From:** Renee Krause [mailto:RKrause@ci.homer.ak.us]  
**Sent:** Wednesday, December 15, 2010 10:13 AM  
**To:** Angie Newby  
**Subject:** Council Meeting results

Okay, so I gathered from the action agenda that approval of the guidelines has been postponed to the January 24<sup>th</sup> meeting. This also means that until they approve the change in meeting time the PAC regular meeting time will be at 11:00 a.m.

So right there is a problem for most everyone on the committee. Michele indicated that she would have to resign if the time was not changed. Also, I know that Marianne and Trina have indicated that a worksession prior to the meeting time was creating a hardship too. So what are you proposing to do? Meet only at 11:00 a.m. until the time change has been approved? You can always have a special meeting at 5:00 p.m. but this may be frowned upon too. Let me know what's up as I believe we have a meeting scheduled January 13<sup>th</sup> 5:00 p.m.

Jo indicated you will be sending me an email of the results of the special meeting. I can always listen to it since I am really curious too.

Renee Krause, CMC  
Deputy City Clerk I  
City of Homer  
491 E. Pioneer Avenue  
Homer, Alaska 99603  
Ph. 907-235-8121 ext. 2224  
Fax. 907- 235-3143  
[rkrause@ci.homer.ak.us](mailto:rkrause@ci.homer.ak.us)



Renee Krause

---

**From:** Angie Newby <angienewby@alaska.com>  
**Sent:** Tuesday, December 14, 2010 10:24 AM  
**To:** Jo Johnson; Walt Wrede; Department Clerk  
**Cc:** Renee Krause  
**Subject:** PAC and Special meeting

I just want to say again how much I appreciate all the time, expense and effort that has gone in to the review of the Public Art Committee. Our committee members are very pleased to know that the administration and majority of the City Council support our efforts to showcase this incredibly artistic community, leading to the expansion of economic opportunity, all through the appreciation and promotion of Public Art in Homer.

PS We promise NOT to do too many more updates for a few years!!!

*Angie Newby*, CCIM, CRS

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Sell - (907)299-1514  
[angienewby@alaska.com](mailto:angienewby@alaska.com)  
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Renee Krause

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**From:** Angie Newby <angienewby@alaska.com>  
**Sent:** Monday, December 06, 2010 2:36 PM  
**To:** Renee Krause  
**Cc:** Anne Marie Holen  
**Subject:** FW: Scenic Byway grants

Renee would you please email this on to the other PAC members so they can be thinking about this. Anne Marie is a MASTER at grants and she is willing to give some input.

Looks like the Interpretive Information and Marketing Program areas would work and really we are talking about a redo of the interpretive signage now in our discussions...This may be actually doable!!!

*Angie Newby*, CCIM, CRS

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**From:** Anne Marie Holen [mailto:AMHolen@ci.homer.ak.us]  
**Sent:** Thursday, December 02, 2010 3:59 PM  
**To:** angienewby@alaska.com  
**Subject:** Scenic Byway grants

Hi Angie,

I was able to sign in to the "America's Byways Communities" website as a member and go to the grant information page. There are eight categories of eligible projects:

1. State and Tribal Programs
2. Corridor Management Plan
3. Safety Improvements
4. Byway Facilities
5. Access to Recreation
6. Resource Protection
7. Interpretive Information
8. Marketing Program

We already have a state program and a corridor management plan for the Sterling Highway, so those first two are out. Of the remaining categories, maybe Interpretive Information or Marketing Program would be the best fit??

I am looking at the actual Corridor Management Plan now. (Do you want a copy?) Among the goals listed for the South Sterling Byway are "Obtain funding for an interpretive plan" and "Byway wildflower project." Unfortunately, there is no specific language about public art! However, if the public art took the form of interpretive displays, that would work. Certainly there is room for creativity in designing such installations. Let me know your thoughts.

Here is all the text from the Interpretive Information section of the Grant Information document online:

## **Interpretive Information**

Development and provision of tourist information to the public, including interpretive information about a scenic byway, 23 U.S.C. 162(c)(7).

### **Principles**

1. National Scenic Byways Program funds may be used for the development and implementation of an interpretive plan, including tourist or interpretive information directly related to the byway and the intrinsic qualities that support the byway's designation.
2. National Scenic Byways Program funds may be used to develop and provide information on
  - the State's or Indian tribe's total network of byways,
  - a specific byway's intrinsic qualities, and
  - related byway amenities.
3. Products (including printed items or other media) produced with National Scenic Byways Program funds may be offered for sale under certain circumstances. See the Other Considerations section labeled "Income Earned Under the National Scenic Byways Program" for additional information on the circumstances when sale income can be generated.
4. Private property purchased or used for a byways funded project must be acquired consistent with the requirements of Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Federal rules for the Uniform Act are reprinted annually in the Code of Federal Regulations, Title 29, Part 24. For additional information, see <http://www.fhwa.dot.gov/realestate/realprop/index.html>. Applicants should contact the FHWA division office byway contact or the State byways coordinator; see <http://www.bywaysonline.org/contacts/states.html>.
5. The proposed amount of byway funds should be proportionate to the proposed interpretive project's benefits to byway travelers. FHWA expects an applicant advancing a project benefiting the general public to propose a larger share of non-byways funds.

### **Practices**

1. An interpretive plan is a document identifying the intrinsic qualities that form the byway's story; strategies for informing byway travelers about the significance of the intrinsic qualities; and initiatives planned, underway or in place along the byway for providing tourist and interpretive information.
2. Tourist and interpretive information includes, but is not limited to, signs, brochures, pamphlets, maps, video tapes, audio tapes, CD's, podcasts, a byway website, interpretive exhibits and kiosks. It includes coordination of volunteers for living history demonstrations, docents or step-on guide programs, and training for individuals to inform the byway traveler of the significance of the byway's intrinsic qualities that form the byway's story.
3. The information should reflect the entire byway and inform the traveler of the significance of the intrinsic qualities that form the byway's story.
4. Interpretive information or products may include information on commercial establishments to the extent such establishments are directly related to the byway or its intrinsic qualities as identified in conjunction with the byway's designation or the corridor management plan.
5. Sponsors or advertising may be included in information developed or printed with byway funds; however any revenue derived directly or indirectly from such sponsorships or advertising must be used for activities eligible under the National Scenic Byways Program, 23 U.S.C. 162(c), [http://www.bywaysonline.org/program/us\\_code.html](http://www.bywaysonline.org/program/us_code.html).
6. Byway funds may be used for the initial printing of up to a one year supply of printed materials and other media, intended for free distribution, but not for additional reprints.
7. Byway funds may be used to revise and update interpretive information (e.g. byway's themes and stories) to aid the byway travelers' interpretive understanding. Applicants are encouraged to highlight how the current request will build upon activities already funded or underway.
8. Eligible expenses associated with the distribution of promotional materials and media packets are limited to shipping costs for mass mailings. Costs associated with the fulfillment of individual information requests are not eligible for NSBP funding.
9. All completed products should acknowledge the funding sources used to accomplish the work. See <http://www.bywaysonline.org/logo> and click on the America's Byways Graphic Standards Manual for attribution guidelines; and, where appropriate, the use of the America's Byways® logo.
10. A website must provide a link to the National Scenic Byways Program website for travelers <http://www.byways.org> or the National Scenic Byways Program Community Website <http://www.bywaysonline.org>, as appropriate. Websites developed using Federal funding should meet accessibility requirements under Section 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794 (d). See <http://www.access-board.gov/508.htm>.
11. When considering how best to organize an eligible project proposal in the Interpretive Information category, FHWA expects the applicant to consider and respond to the following questions:
  - What would be accomplished with this proposed project? Will specific projects and priorities be identified in the development of the Interpretive Plan? If an Interpretive Plan is already in place, how does this project specifically relate to the activities and priorities identified in the Plan?

- What are the byway's intrinsic qualities that support the byway's designation and that would be interpreted as part of this proposed interpretive project? How would information be developed and provided through this proposed interpretive project to inform byway travelers about the significance of the byway's story and intrinsic qualities?
- Are directional signs currently along the byway? Would directional signs be placed along the byway as part of this proposed interpretive project? Who will pay for the signs? Will the road management authority agree to the location(s) for directional signing?
- Is directional information available to byway travelers in byway maps, publications, exhibits or other mediums? Would directional information be developed and provided as part of this proposed interpretive project?
- Who is currently developing or providing interpretive information along the byway? From the byway traveler's perspective, are the byway stories coordinated? How would the interpretive information help create a continuous experience for the visitor with minimum intrusions or gaps? How would the information be developed and provided through this proposed interpretive project to help achieve these objectives?
- What related projects have been completed or are planned or underway along the byway? How would the information be developed and provided under this proposed interpretive project to complement these other efforts?
- Is the proposed amount of byway funds proportionate to the proposed project's benefits to byway travelers? To what extent would the interpretive information emphasize the overall byway or the immediate surrounding area, forest, or park? How would the interpretive information be integrated or coordinated with the byway stories or experience?
- Does the corridor management plan include this project, and how does it compare to other priority projects along the byway?
- Why did byway leaders make this project a high priority and who participated in setting the byway's project priorities?
- Are agreements in place to sustain the information that would be developed and provided under this proposed interpretive project? For example, who will pay for reprints of publications, or who will pay to maintain interpretive exhibits or directional signs?

### **Complete Applications Include**

Below are some tips to the applicant when preparing a complete application for a project in the Interpretive Information category.

- **INTERPRETIVE INFORMATION:** Reviewers can determine eligibility only when the application demonstrates there is a clear relationship between the proposed project and the byway traveler experience. Respond to the questions posed in item eleven of the Practices section (above) – in the Narrative Section of the [bywaysonline.org](http://bywaysonline.org) application.
- **MAPS:** Provide a map that locates the individual byway within the State or on Indian lands including the beginning and end points of the byway. If signs, exhibits or kiosks would be developed or installed as part

of this proposed interpretive project, then a map should also identify the single location or multiple locations of these signs or structures. A map should also identify the relationship of these signs or structures and similar existing or planned signs or structures along the byway. (If possible, please include the addresses/intersections and GPS coordinates for the beginning and end points of the byway and proposed installations such that the sites can be located using basic mapping software).

- **PLANS AND OTHER SUPPORTING DOCUMENTS:** If signs, exhibits or kiosks would be developed or installed as part of this proposed interpretive project, provide available plans showing the proposed work. Depending on the stage of project design, plans ranging from general concept plans to construction plans that show what is being proposed will be satisfactory. Include concepts for kiosk structures, sign panel placement schemes, mockups of brochures or other available information that helps reviewers understand the scope of the proposed interpretive project. Use the Attachments Section of the [bywaysonline.org](http://bywaysonline.org) application to include any documents.

Anne Marie Holen  
907-435-3101



# Public Arts Committee Strategic Plan for 2010

## Mission Statement:

The Public Arts Committee exists to identify and actively encourage the development and sustainability of arts in the city.

## Implementation of Mission Statement

- To be actively involved in the arts community, encourage public art, and advocate for Homer as an arts community.
- Work to include art in public and private spaces within the City of Homer.
- Work to further develop the look and feel of an arts community.
- Utilize the arts as an economic development tool.
- Advocate and partner with the Chamber of Commerce, Local Businesses, Private Clubs, State Agencies and others through beautification, signage, etc.
- Advocate for projects that involve public and private partnerships.
- Keep current on what is happening in the City by attendance and membership to other city related functions and meetings.
- Make regular quarterly reports to Council to increase visibility and communication.
- To work with city staff and the city manager to increase awareness within all departments to include public art when planning all city upgrades, renovations and new projects.

## Goals and Objectives for 2010:

- Educate the Council and public about the mission and projects of public arts.
- Encourage membership to include a council member.
- Understand the budget process and timelines.
- Coordinate with Parks Maintenance Personnel to modify landscaping at the mural wall on Pioneer Ave.
- Coordinate with Public Works Personnel to remove damaged Poopdeck trail sign and surplus it.
- Create an annual calendar, to help the Committee keep up with the wheels of city government, including items such as when to make annual budget requests.
- Create listing of what the Committee would like to be aware of - such as budget meetings, worksessions, CIP recommendations, Projects.
- Submit compiled emails and information collected from 2009 & 2010 Street Faire event for staff to implement bulk email notifications.
- Have the 2011 Strategic Plan in place by the end of November of current year.
- Participate in Street Faire
- Work towards creating a comprehensive Policy and Procedures Manual and forms to be used to control and document inventory of public art
- Change meeting time and day to the second Thursday worksession at 4:00 p.m. and meetings at 5:00 p.m.
- Increasing and establishing a budget line item within the administration budget
- Have budget request ready to submit to the City Manager by September 30<sup>th</sup>.
- Promote art in signage.

### **Outreach**

- Advocate for public art by writing and publishing a point of view piece in the newspaper once a year. Work with media sources to have public art articles in the newspaper.
- Continue to advertise in the Homer News visitor map.
- Include information about public art on the Public Arts Committee page of the city website. (The Committee will make recommendations to staff on page content)
- Investigate bulk email or social networking.
- Have an informational booth at local events where large crowds gather.

### **Opportunities**

- Grants
- "Gateways to Homer" signage – Baycrest, Homer Airport, Ferry/End of the Road,
- Partner with Chamber of Commerce on neighborhood economic zones

### **Committee Responsibilities**

- Have a work list and stick to it.
- Hold regular monthly work sessions, and quarterly meetings within the time allotted.
- Hold special meetings when needed.
- Include other community members by inviting them to work sessions
- Have good follow through.
- Come to meetings prepared: read the packet ahead of time, make motions as needed

#### Committee Members:

- ❖ Advocate art to other organizations, bring awareness and encourage art
- ❖ Tell staff when you will miss a meeting.
- ❖ Solicit and invite prospective new members to attend a meeting.

#### Chair:

- ❖ Work in concert with staff on the agenda.
- ❖ Delegate assignments to committee members.
- ❖ Conduct efficient, productive meetings within established time.

Renee Krause

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**From:** Renee Krause  
**Sent:** Monday, January 03, 2011 9:31 AM  
**To:** Gaye Wolfe; Marianne Aplin; Michele Miller; trinabf@acsalaska.net  
**Subject:** FW: poetry trail

See link below – this will be on the agenda for discussion.

Also this link was forwarded by Carol Harding also.  
[http://www.morsefineart.com/expeditions/lewis\\_and\\_clark\\_Art%20Expeditions.htm](http://www.morsefineart.com/expeditions/lewis_and_clark_Art%20Expeditions.htm)

Renee Krause, CMC  
Deputy City Clerk I

---

**From:** Angie Newby [mailto:angienewby@alaska.com]  
**Sent:** Sunday, January 02, 2011 5:33 PM  
**To:** Renee Krause  
**Cc:** 'Carol Harding'  
**Subject:** FW: poetry trail

I think this would be a great idea to discuss with PAC and would be good to forward on to Parks and Rec Chair as well.

*Angie Newby*, CCIM, CRS

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**From:** Carol Harding [mailto:cgharding@hotmail.com]  
**Sent:** Sunday, January 02, 2011 1:21 PM  
**To:** Rika Mouw; Angie Newby; Sandy Gillespie; Gail Edgerly; Marie McCarty  
**Subject:** poetry trail

All:

Here is an interesting arts project that features William Stafford poems along the Oregon Trail. Seems like a wonderful idea for our trails and/or parks in Homer. We are an "arts" town after all, but there is little physical evidence of that. It might be something to consider down the line, as new community projects emerge (green spaces on the spit?), to plan to incorporate art as part of the project right up front.

<http://www.poets.org/viewmedia.php/prmMID/5765>

Carol



## Poetry Landmark: The California Gulch Trail in La Grande, OR

by

The California Gulch Trail in Oregon's Wallowa-Whitman National Forest is a two-mile long interpretive trail that recreates the Pacific Northwest logging community of the 1800s. The light hike encounters Oregon Trail ruts, wagons, quotes from the original logging community, and poems that put the magnificent historic landscape into words.

Former La Grande Park Ranger Deb Barrett conceived the idea to include poems along the trail as a way to describe its true essence. She explained, "It is such a gorgeous trail, there are so many different settings, open meadows, big sky, drops into the deep woods...You feel small among the big trees."

Barrett read through hundreds of poems, searching for ones that reflected the unique beauty of the trail's scenery. In the end, she chose eleven spots and eleven corresponding poems. The selection includes poems by Robert Frost, Arthur Guiterman, William Stafford, Juan Ramon Jimenez, William Butler Yeats, Jane Kenyon, and Carl Sandburg.

At the head of the trail, hikers are provided free booklets with the poems and are encouraged to stop at the corresponding spots, each marked with wooden posts and benches, to read the poem and look out across the landscape. The poems combined with the surroundings enrich each other, offering new interpretations and deeper understandings of both.

At one spot, where hikers emerge into a clearing with an sprawling horizon, "Sky," by Oregon's former poet laureate William Stafford, was chosen. In another location, where the trail forks, the poem is "The Road Not Taken" by Frost, which famously begins:

"Two roads diverged in a yellow wood,  
And sorry I could not travel both  
And be one traveler, long I stood  
And looked down one as far as I could"

The California Gulch Trail is open seasonally, during the spring and summer months. For more information, visit the Wallowa-Whitman National Forest website.

Photo courtesy of La Grande Ranger District

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**Step 3) Succeed!** Do it! Reap the rewards and benefits of your Art Expedition and have fun on a unique creative experience.

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- **Learn** the value and the importance of diversity as the group meets new challenges and communicates new ideas.
- **Experience** personal growth and group discoveries which are celebrated elements of the expedition.
- **Produce** tangible artwork that visually communicates your Art Expeditions adventure.
- **Have Fun!**



Art Expeditions get "The NOD!"  
click to read more.

**Step 1) Explore...** Contact an Art Expeditions representative to see what trips are planned or to discuss your groups trip or seminar.

**Step 2) Create...** Work with Art Expeditions to build and schedule a fun, unique, customized and rewarding experience for you and your group. It might be a group travel trip; a pre-departure seminar to learn a new skill-set for travel or embark on a prescheduled trip with Art Expeditions.

**Step 3) Succeed!** Do it! Go on your Art Expeditions adventure and become an explorer! Reap the rewards and benefits while having fun on a unique creative experience.

### E-MAIL US

*Art Expeditions' programs are Patent Pending.*

### Planned EXPEDITIONS

For group and organization trips please contact us

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- Focused experiential learning
- Increased personal growth
- Strengthened value of diversity

- New ways to think and explore

Step 1) **Explore...** Contact an Art Expeditions representative to see what programs, trips and events are planned or being developed. Discuss your interest and involvement nationally or in your community.

Step 2) **Create...** Work with Art Expeditions to attend, build or schedule a fun, unique and rewarding experience for you and your group. Become a partner to bring the experience to your community.

Step 3) **Succeed!** Do it! Engage in the experience and reap the rewards and benefits of your Lewis and Clark Art Expedition. Have fun on a unique creative experience and learn to "explore outside the box".



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Stuart Morse.

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**An American Adventure that re-explored the Lewis and Clark route across what was the new Louisiana Purchase Territory now defined by ten states.**

**Artist/Explorer Stuart Morse and family are in their sixth year of this project that included three years of re-exploring and documenting the entire route. They are now sharing their discoveries through many programs described below. All around the flagship of the project, The Lewis and Clark Commemorative Paintings. These ten monumental paintings capture the unique landscapes and environments along the route as it is today, 200 years after Lewis and Clarks historic journey. They are a celebration of the American Landscape.**

**The Bureau of Land Management, United States Department of the Interior wrote:**

*Due to the Stuart H. Morse Lewis and Clark commemorative landscape paintings monumental size and vibrant, diverse color they have the ability to capture the imagination and sense of exploration and adventure possible in the United States now and in the past. Other art work of this type, quality and magnitude has not been found.*

**Stuart Morse, artist/explorer wrote:**

*"I hope that everyone will learn from this Bicentennial and be inspired to embrace the explorer spirit and make their own discoveries in the environments in which we live and travel."*

**Office of the Governor, State of Missouri**

**First Lady Lori Hauser Holden wrote:**

*I am excited for you and the communities in Missouri where Art Expeditions will travel. What a great way for families to spend time, learn more about Lewis & Clark in Missouri and take part in this great art experience. I look forward to participating myself."*

*Thank you for providing this educational art experience not only to Missourians, but the millions of people who will be celebrating the Lewis & Clark bicentennial!"*

**Field Notes from the Trail!**

(Click to see images taken from each state on the route from Missouri to Washington.)



Artist/Explorer Stuart Morse atop their special vehicle along the Missouri River, 2001.

<p><b><u>Artwork</u></b></p>	<p><b><u>The Lewis and Clark Commemorative Paintings:</u></b>  <i>Originals and Prints. For exhibit in communities and for purchase.</i>                  See program #2 (below) for information on hosting traveling exhibit.</p>
<p><b><u>Programs</u></b></p> <p><i>Grant sources for Arts Programs tied to Lewis and Clark.</i></p> <p><b><u>Missouri</u></b>  <b><u>Missouri Arts Council</u></b>  <u>Grant Application</u></p> <p><b><u>Other States</u></b>                  *Check with your state arts agency for grant opportunities for Lewis and Clark programs through art.</p>	<ol style="list-style-type: none"> <li>1. <b><u>"Celebrate America" The Lewis and Clark Community Youth Mural Project</u></b>                      A special program for communities and events to celebrate their resources and history all tied to the Lewis and Clark Bicentennial. for children ages 5 and up create a mural for that community. To be built for all states to use.                      **Download PDF of program for America by clicking below!  <u>"Celebrate America" Mural Project</u>                      Other states to follow!</li> <li>2. <b><u>"Discover America" The Lewis and Clark Commemorative Paintings Exhibition Program</u></b>                      A traveling, community exhibition program featuring framed limited edition prints of contemporary paintings by artist Stuart Morse.                      **Download PDF of program for all states by clicking below!  <u>"Discover America" Print Exhibition Program</u></li> <li>3. <b><u>"Discover America": Artist Lecture Series</u></b>                      A guest lecture series, by artist Stuart H. Morse, describing the journey to explore and capture a vast landscape 200 years after Lewis and Clark.                      **Download PDF of program for all states by clicking below!  <u>"Discover America": Artist Lecture Series</u></li> <li>4. <b><u>Explore-it "The Art of Discovery"</u></b>                      Lewis and Clark Art Expeditions program with photography and sketching.  <u>(learn more).</u>                      **Download PDF of program for all states by</li> </ol>

clicking below!  
Explore-it "The Art of Discovery"

For information on scheduled events in 2003 along the Lewis and Clark Trail,  
e-mail Art Expeditions at [artexpeditions@morsefineart.com](mailto:artexpeditions@morsefineart.com)  
or call us at (636) 458-0886.

Stuart Morse.  
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Revised: March 29, 2007.





