



PUBLIC ART POLICY

Effective Date: October 22, 2018

Purpose

Moorhead's public art policy facilitates the development of public art throughout the City by establishing process and criteria by which future public art may be implemented and realized.

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I. CHAPTER I – PUBLIC ART

A. Why Arts and Culture

Arts and Culture are documented as contributing to community vitality and revitalization. There is value to integrating creativity when building a distinct local character and story, a distinct pride of place. (Source: Moorhead 2018 Arts and Culture Framework Plan)

- Essential to community vitality
- Catalyst for growth
- Cultural inclusion
- Draw skilled workers
- Civic engagement

B. Definitions

1. Public Place

Public place is a publicly accessible landscape, structure, and infrastructure owned or under the jurisdiction of the City of Moorhead. Public places include, but are not limited to public parks, plazas, streets and boulevards (right-of-way), bridges, stairways, buildings and water features.

Art within public places contributes to a unique identity of a location and can stimulate discussion and imagination. Responses to public art and the accompanying change to public spaces can range from positive to negative, making community engagement integral to the public art process.

2. Artists and Creatives

ARTIST is an individual who creates original work of art and is recognized by professional peers and critics as a professional practitioner of the visual, craft, literary, musical, conceptual or performing arts, as judged by the quality of that practitioner's body of work and experience. This recognition is demonstrated in the artist resume through credentials such as professional training, an exhibition record, past public art commissions, published work, previous performances, reviews and recommendations.

CREATIVE is a creative individual, craftsperson or artisan who, although may not be professionally trained or have a judged body of work, creates original and imaginative artistic works.

3. Public Art

Public art includes a variety of accessible, original cultural experiences and/or physical works of art located within a public place that enriches the City by contributing to its uniqueness and providing meaning. It may include performances, installations, events and other temporary works, or permanent visual art, ornamentation and details on infrastructure and structures. Public art should consider the site, its context and audience. Public art may possess functional as well as aesthetic qualities; it may be integrated into the site or a discrete work.

Permanent/Long-term Public Art - Follows this Public Art Policy procedures

Temporary/Short-term Public Art – Follows the Special Event Policy procedures

C. Vision and Goals

Moorhead's City Council approved the Moorhead Art and Culture Framework Plan in 2018 following a yearlong community engagement planning process that developed vision and goals for art and culture in Moorhead. The following Vision and Goals are excerpts from the [2018 Moorhead Arts and Culture Framework Plan](#).

It is the intent of the City of Moorhead to honor the creative integrity of an artists'/creatives' unique public art by supporting and celebrating public art while affording the artist and the City opportunities to promote and share the public art with the community in partnership. Efforts will be made to acknowledge both the artists creative work as well as the City's role as owner of the public space in which it is displayed in attempts to honor the Visual Artist Rights Act, Copyright Act, property rights and intellectual property laws.

We Envision Moorhead Becoming...

- a city in which citizens find pride of place;
- a city rich with businesses that celebrate arts and cultures,
- a city that builds community cohesion
- a city respected as a great place to learn
- a city known for embracing and celebrating its diversity,
- a city celebrating its natural environment.

The role of arts and culture is to create well-being and prosperity for Moorhead. The Arts and Culture Framework Plan is a tool to foster community involvement and implementation in the spirit of innovation and creativity in the following areas:

- Placemaking – Create places where people want to gather
- Working Together – Build and support public and private capacity and collaboration to grow the creative sector
- Story and Identity – Brand and market Moorhead’s unique artistic, cultural and creative attributes
- Implementation – Coordinate and champion people, processes and practices to propel the Framework Plan forward

D. Applicability

1. Public Art

This public art policy applies to public art intended for installation in a public place for an extended period of time and which may become part of the City of Moorhead’s public art collection. The following process, review, criteria and implementation plans outline the conditions for public art located in a public place owned or under the jurisdiction of the City of Moorhead. This process is guided by the City of Moorhead – Planning Office located on 4th Floor of City Hall at 500 Center Avenue.

2. Performing and Temporary Public Art

Performing and temporary public art on display in a public places must attain a Special Event Permit from the City Clerk’s Office located on 3rd Floor of City Hall at 500 Center Avenue.

[Moorhead’s Special Event Application, Process and Policy.](#)

3. Banners on Streetlights

Banners proposed for temporary display on streetlight poles must attain a Streetlight Banner Permit from the City of Moorhead - Planning Office located on 4th Floor of City Hall at 500 Center Avenue.

[Moorhead’s Streetlight Banner Policy which includes Application, Process and Policy.](#)

II. CHAPTER II – PROCESS

A. Review Process

1. Applicant completes and compiles public art Proposal form and attachments and submits it to the Planning Office on 4th Floor of city hall at 500 Center Avenue or emails it to art@cityofmoorhead.com.
2. Review and recommendations from Art(ist) Review Team (A.R.T.) based upon basic criteria:
 - a) Is the Proposal consistent with existing City goals, visions and plans, including the Moorhead Arts and Culture Framework Plan?
 - b) Does the Proposal have the potential to meet the criteria outlined in Section 3 of this policy?
3. If Proposal is provided a 'Do Pass' message; Applicant may submit the public art Application to the Art & Culture Commission staff liaison for community input and Art and Culture Commission review.
4. If applicable, other Board and Commission review Application (i.e. Park Advisory Board consideration for public art proposed to be located in parks.)
5. Hear community input at Art and Culture Commission public meeting
6. Evaluate Proposal compatibility with community goals and arts & cultural priorities
7. Provide recommendations to Council
8. Consideration at City Council and Final Decision

B. Review Teams

1. *Art(ist) Review Team – A.R.T.*

The Art(ist) Review Team is a seven member group of technical staff and Art and Culture Commission members including:

- 1) Art and Culture Commission member, as designated
- 2) Art and Culture Commission member, as designated
- 3) Art and Culture Commission Mayor/Council Representative
- 4) Art and Culture Commission staff liaison
- 5) City Planner, or designee
- 6) Parks and Recreation Director, or designee
- 7) Public Works Director, or designee

A.R.T. may, at their discretion, invite expert(s) in the field/subject matter of proposed public art, if requested.

2. *Art and Culture Commission*

The purpose of the Moorhead Art and Culture Commission is to advise the Mayor and City Council on the development of arts and culture activities, projects, organizations and facilities within the City of Moorhead.

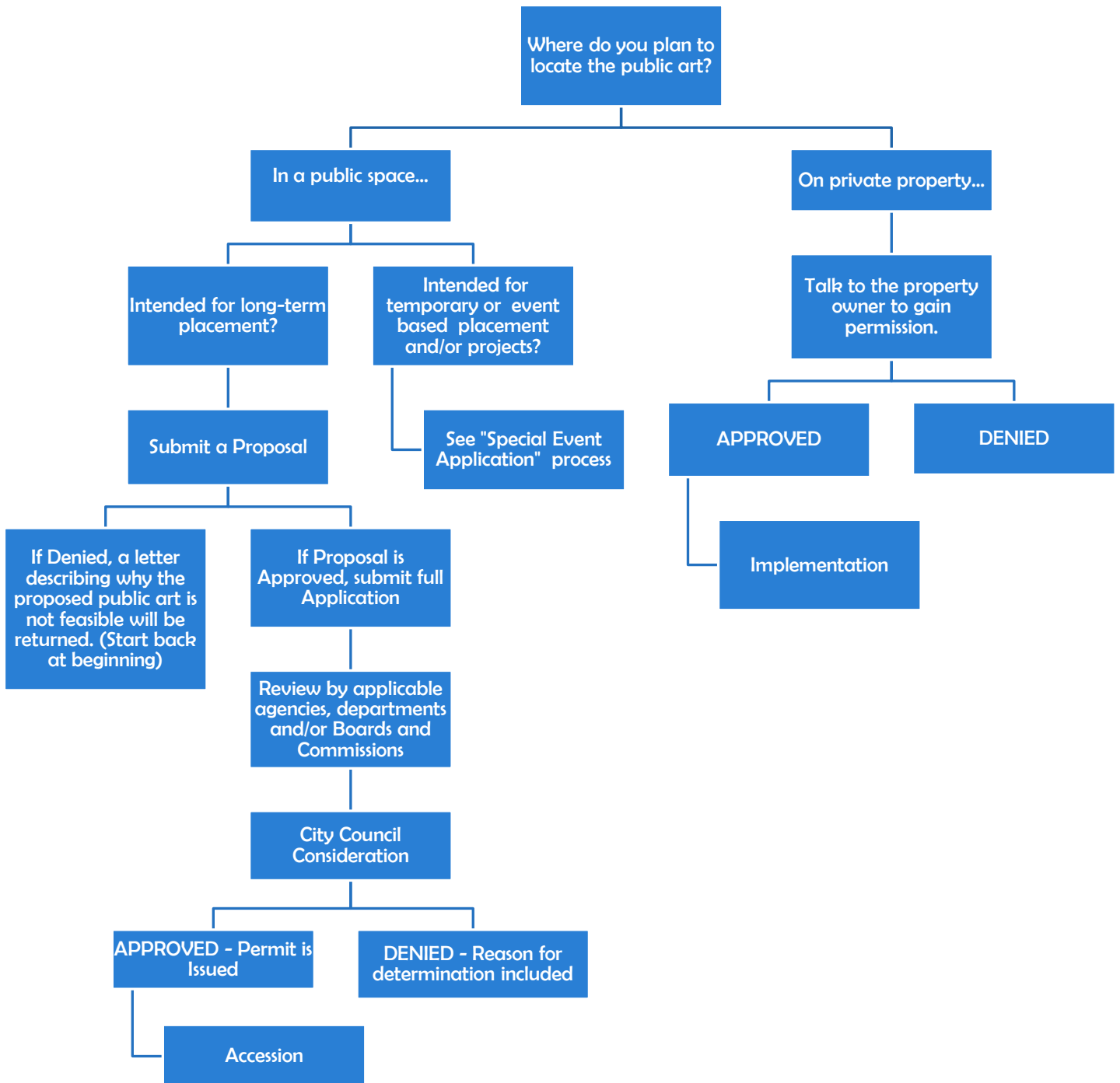
3. *Other Boards and Commissions, as applicable*

If a public art proposal may impact facets of the community governed by other established Boards and Commissions, the proposal may be introduced and reviewed by that group for recommendation to Council.

4. *City Council*

The City Council approves placement of public art and periodically reviews Public Art Policy.

C. Proposal Review Flow Chart



D. Public Art Proposal – Step 1**APPLICANT INFORMATION***

(If the proposal includes a team or novice, please include information describing a connection to a professional artist and/or mentor.)

Name	
Address	
Email	
Phone	
Education	
Experience	
Expertise	
Other Comments	

*A resume, CV (curriculum vitae) and/or portfolio may be submitted in lieu of the applicant information.

DESCRIPTION

Title	
Artistic Inspiration	
Proposed/Preferred Project Location	
Size	
Media	
Artistic Techniques	
Timeline/Process	
Community Engagement Strategy	
Intended Impact & Goals	
Other Comments	

FUNDING

Sources and Status	
Other Comments	

REPRESENTATION

Please include a sketch/model/mock-up/representation of the proposed public art.

Other attachments, as necessary.

Upon submission of the public art proposal, Applicant agrees that the proposed public art may receive editing suggestions. By submitting a proposal and signing/typing this form, Applicant agrees:

- Applicant is the sole author/designer of the art proposal that is submitted for consideration and that the contents of the proposed public art are original and do not infringe upon any copyright or any intellectual rights of others, and that Applicant has the unencumbered right to make this submission.
- If approved for accession, Applicant grants the City of Moorhead the right to perpetually use the public art, including, but not limited to: reproduction, posting, displaying, creation of derivative art, or documenting the public art in any media or in any form, now known or later invented, without limitation for promotional, documentary, celebratory or any other commercial or noncommercial purposes. Applicant hereby waives any and all rights to royalty, fee or other compensation by reason of such use. Applicant will retain copyright of the public art.
- The City of Moorhead will not be responsible or be held liable for any injury or damage to me or any person or property resulting from or occurring during or in any manner arising out of the use and installation of the public art.

I have read and agree with all of the terms and conditions of the contest and hereby absolve the City of Moorhead or its representatives from any claim or loss, either past, present or future, in association with this public art proposal.

I attest this proposal is true and accurate. Signature: _____

E. Public Art Application – Step 2

1. DESCRIPTION – Describe the proposed public art and artist/creative, including but not limited to:
 - a. Title
 - b. Artistic Inspiration
 - c. Proposed/Preferred location
 - d. Size
 - e. Media
 - f. Artistic Methods
 - g. Timeline for Placement
 - h. Applicant (Team, if applicable)
 - i. Address
 - j. Contact Information (i.e. phone and email)
 - k. Education
 - l. Experience
 - m. Expertise (references, optional)

2. AESTHETIC, QUALITY AND ARTISTIC MERIT
 - a. Outline artist(s) accomplishments including experience with the proposed medium and expertise working with public art.
 - b. Describe the artistic merit including choice of media/materiality as it relates to site conditions.
 - c. Explain the relevance to the City of Moorhead, its values, culture and people, and how it contributes to the fabric of the City.
 - d. Elaborate how the proposed public art will become an integral component of the overall site.

3. PLACEMENT/SITING
 - a. Explain the relationship of the proposed public art to the proposed site and how it is appropriately scaled for the site.
 - b. Describe how the proposed public art will help to anchor and activate the site and enhance the surrounding area.
 - c. Elaborate on how the public will access the site including parking or universal design elements that provide access to all.
 - d. Explain any site/utility requirements necessary for implementation of the proposed public art including any possible road/access modifications or closures.

4. FABRICATION, DURABILITY AND INSTALLATION
 - a. Explain the media/materiality as it relates to durability and longevity of the proposed public art including placement/anchoring to the site including foundation and fasteners.
 - b. Outline the projected costs including labor, materials, site preparations, etc.
 - c. Explain the proposed installation process including any possible obstacles that could impact the proposed timeline.

5. CULTURAL/HISTORICAL RELEVANCE AND PLAN COMPATIBILITY
 - a. Elaborate on compatibility to the culture and history of its location, city and community.
 - b. Describe how the proposed public art is consistent and complementary with existing plans, as applicable for the City of Moorhead. These plans are available upon request and include, but are not limited to:

<ul style="list-style-type: none"> ○ Arts and Culture Framework Plan ○ Parks Plan ○ Downtown Plan ○ Comprehensive Plan 	<ul style="list-style-type: none"> ○ Neighborhood Plan ○ River Corridor Plan
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6. FINANCING PLAN
 - a. Describe the funding plan.

Private funding source(s): _____

Total: _____ Status: _____% applied for; _____% pending; _____% secured

Grant funding source(s): _____

Total: _____ Status: _____% applied for; _____% pending; _____% secured

In-kind support: Vendor: _____ Description: _____
 - b. Describe any proposed contributions (i.e. in-kind/etc.) requested from the City of Moorhead?

7. LIABILITY & SAFETY

- a. Describe if aspects of the proposed public art and/or installation creates a potential safety hazard and how the artist proposes to mitigate any potential issues. (Will fencing or other types of security measures be required permanently or during installation?)
- b. Are there any permits required? Please describe process and status of permits. Explain any conflicts with City Code requirements including but not limited to building and zoning codes?
- c. Minimum Liability Insurance requirements may be required by the City of Moorhead for public art placement.

8. MAINTENANCE REQUIREMENTS

- a. Develop a comprehensive maintenance manual that describes existing or projected maintenance for the public art. Include the party responsible for the maintenance of the proposed public art and its location. Estimate range of anticipated maintenance costs and duration of accession (i.e. 5 yr. /10 yr. /25 yr.).

If approved, public art without full funding will receive a letter of support which can be used as a letter of support to attain grant and private funding.

Any significant changes in project scope may require re-evaluation by A.R.T., Art and Culture Commission and/or Council or reapplication.

The City retains the right to remove or relocate public art in its sole discretion as the interest of the public welfare, health and safety may require. If public art is damaged, defaced, altered or destroyed by human acts or by acts of nature, the City retains the right to remove, restore, repair or replace the public art at any time in keeping with the artist's original design intent, without consulting the artist or his or her heirs or assigns. The City will make reasonable efforts to contact the artist, or if unavailable, another design professional, to advise or assist in any restoration work. The City retains the right to relocate or remove public art for any reason, at the sole discretion of the City. Reasons for removing public art may include, but not be limited to: hazards to public health, safety or welfare; unsightly or deteriorated conditions; or the need to access, repair and maintain public facilities.

I attest this application is true and accurate.

Signature: _____

F. Community Input

There are numerous opportunities for public input where discussions may include location, safety, maintenance and community involvement strategies. Artists are encouraged to begin a dialog with the neighborhood surrounding the proposed public art prior to the Application submittal.

Public Meeting: The Art and Culture Commission will advertise and hold at least one public meeting for the purpose of gathering community feedback on a proposed accession, inviting the neighborhood surrounding the proposed site with a mailing and newspaper notice guided by existing public hearing notice procedures. The artist is encouraged to attend and provide additional comment.

III. CHAPTER III – REVIEW

A. Review

Applications will be evaluated for alignment with the following stated criteria. The A.R.T. may evaluate proposed public art based on all criteria equally, or may weigh the criteria in response to a specific project type or concept.

B. Criteria Descriptions

1. *Artist Expertise and Fabrication Experience/Process*

Evaluate credentials of the artist/creative and the fabrication and/or proposed process for implementation. The following descriptions provide guidance for proposal review consideration, and are only provided as example or for framework:

- Expertise and experience as noted in credentials
- Excellence in innovation while applying best practices
- Fabrication to create public art with established processes and methods
- Consideration for realistic timeline and construction schedule for deliverables and completion
- Application of new and/or unique platforms for artist opportunities
- Artist values and inspired interest
- Resources and project schedule
- Copyright and ownership of project
- Quality control of production checkpoints
- Is the design technically feasible and of the highest quality

2. *Community Plans Compatibility*

Compare compatibility between proposed public art and established City of Moorhead community plans for neighborhoods/ areas, land use, arts and culture, parks & recreation, and comprehensive plans to address community vision and goals for the city. The following descriptions provide guidance for proposal review consideration, and are only provided as example or for framework:

- Community plans develop vision and goals for the city that incorporates activities that are valued by the citizens and demonstrates a willingness on the part of the city to see culture as a vital part of urban life
- Refers to civic priorities
- Place the opportunity within the context of other artworks in the area/and or an existing plan

3. *Community Identity & Aesthetic*

Consider Moorhead's unique artistic, cultural and creative attributes that collectively form its community identity and aesthetic as it relates to the proposed public art. The following descriptions provide guidance for proposal review consideration, and are only provided as example or for framework:

- Relevance of the proposed public art to the site and City, its values, culture and people, with the intent to enrich and provide varying diversity in artistic expression
- Enhances our relationship to the spaces we share
- Develops the special identity and character of neighborhoods including social, historical and physical conditions
- Appropriateness of the scale of the proposed public art, placed in a site where it will enhance its surroundings or at least not detract from it
- May offer engaging alternatives for the commemoration of individuals, groups or events
- Results in landmark focal points and destination places
- Instigates creative planning and design objectives when developing public spaces

4. Financing

Examine budgetary considerations including maintenance, installation, transportation, and purchase prices of the piece must be considered. The following descriptions provide guidance for proposal review consideration, and are only provided as example or for framework:

- Cost schedule and contingencies (total budget including insurance, if applicable, and maintenance expenses)
- Stimulates the public and private economy through job creation for arts-related professionals, engineers, architects, landscape architects, fabricators, construction workers, equipment operators and laborers
- Documents financial commitments and project partners/financers

5. Safety & Sustainability

Review design and fabrication should not create any hazard or safety issues in relation to placement and access to the general public. The proposed public art shall also be sustainable and include a conservation and maintenance plan that recommends a routine maintenance program/ schedule to ensure the proposed public art will remain in good condition for many years to come. The following descriptions provide guidance for proposal review consideration, and are only provided as example or for framework:

- Suitability for display, including consideration of maintenance and conservation requirements
- Attracts visitors to the city for lifetime of the display providing relevance for interaction
- Unique and meaningful to the site
- Maintenance and conservation including maintenance manual
- Safety issues addressed, vandalism address promptly and civic pride maintained

6. Community Involvement & Sensitivity

Consider if the proposed public art will provide the community a pride of place. Placement should include community involvement and sensitivity to the people and community it represents. The following descriptions provide guidance for proposal review consideration, and are only provided as example or for framework:

- Encourages engagement with the community
- Ensures support for proposed public art by articulating the context, priorities and local interests of a place
- Tells the story of people, places and events
- Highlights and plays on social, political, or historical themes
- Proposed public art is unique, desirable, and relevant
- Communication and promotion strategy developed to celebrate the public art, source of inspiration and understanding of public art
- Education opportunities – social media/presentations/workshops/public forums/mentorships

7. Project Excellence and Quality of Proposal

Considers if proposed public art exemplifies excellence and provides relevance to residents, business, students, visitors and the City of Moorhead, MN.

C. Criteria Review

Application Information		Criteria						
	Description & Notes	EXCELLENCE	IDENTITY	COMMUNITY	VALUE	RESOURCES	WEIGHTING	TOTAL
ARTIST EXPERTISE & FABRICATION EXPERIENCE/PROCESS								
COMMUNITY PLANS COMPATIBILITY								
COMMUNITY IDENTITY & AESTHETIC								
FINANCING								
SAFETY & SUSTAINABILITY								
COMMUNITY INVOLVEMENT & CULTURAL SENSITIVITY								
PROJECT EXCELLENCE & QUALITY OF PROPOSAL								
		Total						

DISCLAIMER: Proposed public art will reflect favorably upon the City of Moorhead. Public art that contains any type of content related to alcoholic beverages; tobacco products; hygiene or health products of a very personal nature; political, religious, moral, or social issues; sexual products/services; direct or overt messages critical of Moorhead; and anything otherwise inappropriate in a public place will not be allowed. The City of Moorhead may, at its sole discretion, refuse to allow consideration, placement or installation of art that it deems to be inappropriate considering the purpose and intent.

IV. CHAPTER IV – ACCESSION

A. Accession Process

Accession is to accept public art into the municipal art collection. The Art and Culture Commission may develop an Arts and Culture Strategy with the intent to outline future, prospective City-led projects that include specific information including:

- Strategies
- Tactics
- Approximate Implementation Timeframes
- Project leads
- Partners
- Funding possibilities

City-initiated public art will support and attain goals established within plans, including the Arts and Cultural Framework Plan and other relevant community plans.

B. Methods for Implementation

In the event the City Council would authorize a potential project, the City may utilize varying selection methods and/or combinations to select artist or artist teams for eligible public art projects including, but not limited to:

1. *Competition/Open Invitational/Open Entry*

Open to all qualified artists without restriction; some competitions may also be open to other design professionals. The commission is advertised and project guidelines are published. All professional artists may participate, with possible limitations based upon geographical or other eligibility criteria. Upon review of materials, a single artist may be selected, or a limited number of finalists may be asked to prepare a specific site proposal and/or attend an interview with the selection panel.

2. *RFP & RFQ*

Request for Proposals will require the artist to submit their qualifications and an initial proposal for a specific project.

Request for Qualifications will require the artist to submit only their qualifications to be considered by the selection panel. A detailed proposal may be developed at a later phase within the selection process, either prior to or after the final artist(s) has been selected.

3. *Limited Invitational/Focused Invitational*

A selected group of artists may be invited to enter a competition or be pre-selected as candidates for a particular project or site. Artists are considered for a commission by invitation only. Names of artists to be invited to apply are generated by Commission staff, members of the selection panel and the respective boards. Of those considered, a finalist may be asked to submit a proposal in the form of a drawing or model and/or attend an interview with the selection panel. This method is generally used when a certain type of public art or certain qualifications and experience are required (for example, sculpture competitions, site-specific public art, public art installation requiring design team expertise, etc.).

4. *Direct Selection, Direct Purchase or Direct Commission*

A specific artist or public art is selected outright for a direct commission or purchase.

V. CHAPTER V – DEACCESSION

A. Deaccession Process

The Moorhead Art and Culture Commission will consider requests to evaluate the deaccession, or official removal of public art from a public place and/or municipal art collection.

Public Meeting: If a request for deaccession is received and concerns are validated, the Art and Culture Commission will advertise and hold at least one public meeting for the purpose of gathering community feedback on a proposed deaccession process. The artist (if possible) shall be contacted and invited to provide comment. Neighborhood mailing and newspaper notice procedures will be followed.

B. Review Criteria

The project will be reviewed with the established review criteria, outlined in Section 3.

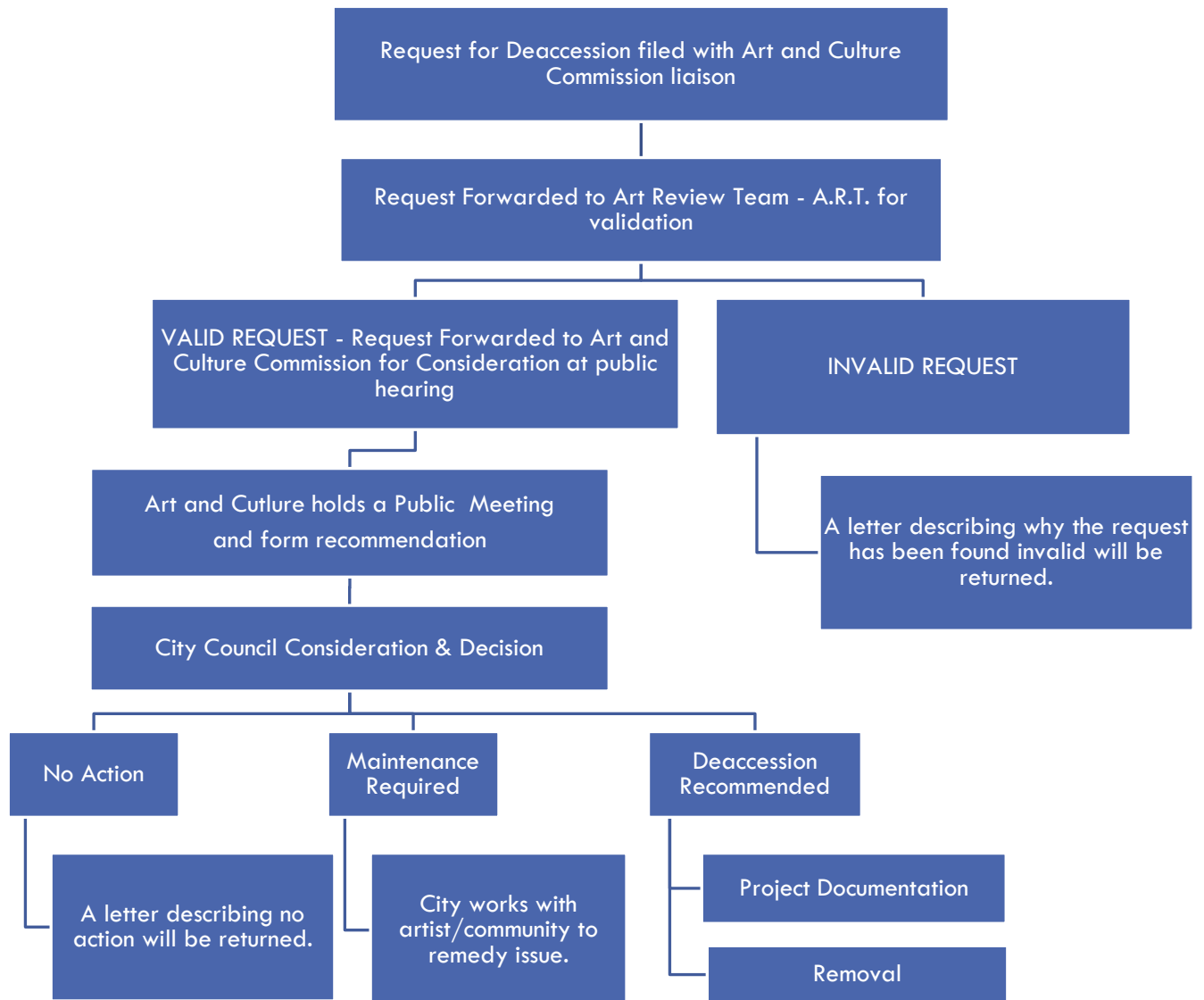
Recommendation: The Art and Culture Commission will form a recommendation to the City Council for final decision that may include dismissing the request and/or modifying, moving, selling, donating, disposing, or storing public art.

NOTE: The City retains the right to relocate or remove public art from public display for any reason, at the sole discretion of the City. Reasons for removing the public art from public display may include, but not be limited to: hazards to public health, safety or welfare; unsightly or deteriorated conditions of the public art; or the need to access, repair and maintain public facilities.

Compliance with Applicable Policies and Regulations

Deaccession and removal of public art shall be done in a manner that complies with all other applicable city, state and federal procedures, policies, and regulations. For example, deaccession and removal actions must comply with applicable procedures and laws relating to the disposition of city property and with laws protecting artists' rights.

C. Deaccession Review Flow Chart



VI. CHAPTER VI – MAINTENANCE

A. Inventory

Public Art in the Municipal Art Collection may require a wide range of care. An Arts and Cultural Map will provide a centralized collections database to inventory, photograph, document, and track all public art including information including the title, artist and date of acceptance and installation.

B. Maintenance

When accepted, public art proposals should include a maintenance manual, which outlines any treatment and maintenance related to the public art, including frequency and type of maintenance to be performed. The maintenance manual will also ensure the integrity of the public art and propose funding and maintenance for the lifespan of the public art. The City and/or artist/creative may make agreements for maintenance of the public art.

VII. CHAPTER VII – FUNDING

The Moorhead Art and Culture Commission is not supported by any City of Moorhead funding mechanism. Any and all potential future projects must secure funding from an outside funding source including a variety of supportive art funds and grants.

A. Moorhead Community Fund

Arts and Culture - The Moorhead Community Fund (pass-through) and Moorhead Community Endowed Fund are administered by the FM Area Foundation to support community arts and cultural projects.

B. Grants

1. Lake Region Arts Council – LRAC <https://lrac4.org/grants/grants/>

Lake Region Arts Council (LRAC) offers a variety of grants for organizations and individuals located within its nine county region. Local governments are eligible for Project Grants and Legacy Local Government Grants.

2. Minnesota State Arts Board – MNSAB <http://www.arts.state.mn.us/grants/organizations.htm>

The Minnesota State Arts Board offers a variety of grant opportunities for artistic application in communities. Some specific grants include:

- Arts Access
- Arts Learning
- Arts Tour Minnesota
- Community Arts Education Support
- Cultural Community Partnership
- Folk and Traditional Arts
- Minnesota Festival Support
- Operating Support
- Partners in Arts Participation

3. National Endowment for the Arts – NEA <https://www.arts.gov/grants>

The National Endowment for the Arts is an independent federal agency that funds, promotes, and strengthens the creative capacity of our communities by providing all Americans with diverse opportunities for arts participation.

- Art Works
- Challenge America
- Our Town
- Research: Art Works

4. FM Area Foundation – Arts, Creativity and Culture

<https://areafoundation.org/nonprofits/grant-round-details/arts-culture-creativity/>

Programs and projects focused on arts, culture and creativity may seek funding from the FM Area Foundation through grant opportunities.

5. The Arts Partnership

<http://theartspartnership.net/artist-resources-grants/>

The Arts Partnership provides capacity-building opportunities to both area organizations and individual artists.