

POLICY FOR PUBLIC ART ON TULARE COUNTY PROPERTY

5/7/2019

I. PURPOSE

The purpose of this policy is to encourage the integration of community inspired art into public spaces in order to improve the appearance of and create beautiful, inviting environments within County buildings and around County property.

II. LOCATIONS FOR ART

The following "County Locations" may be used for temporary or permanent art displays.

- A. Public Indoor Locations
 - 1. Inside County-owned building common areas, such as lobbies, hallways, conference rooms, clinics, etc.
- B. Public Outdoor Locations
 - 2. Within County Parks
 - 3. Outside of County-owned buildings, on County-owned property

III. TYPES OF ART

The following types of art may be displayed in County Locations:

- A. Paintings, prints, drawings, photographs, collages, murals
- B. Stained glass, mosaics, fiber and textiles
- C. Sculptures of clay, wood, metal, glass, stone, plastic and other materials

IV. ART SELECTION CRITERIA

Art that meets the following criteria may be displayed in County Locations:

- A. The art must have aesthetic merit and improve the aesthetics of a location. The term "aesthetic" means pleasing in appearance to the average person.
- B. The artist must be local. The term "local" means from Tulare County or an adjacent County.
- C. The art must be original, and replicas of another artist's work will not be accepted.
- D. The art must be compatible in scale, material, and form to the intended site and County Location. Consideration shall be given to the architectural, historical, geographical, social, and cultural context of the intended site and County Location.
- E. Preference will be given to art that represents elements or honors the history of the Tulare County community.
- F. The art must not endorse or disfavor any race, religion, gender, sexual orientation, and/or political affiliation. The purpose of this policy is not to create a forum for public political debate, but to encourage the community's appreciation of art in a forum that may be viewed by all community members. Accordingly, art must not imply that the County is sponsoring and/or endorsing any commercial establishment or business, although the County may allow art to be sold to the general public and allow the display of information to facilitate a sale of such artwork. Furthermore, art may be rejected that associates the County with a position other than neutrality on matters of political controversy.
- G. The art must not be obscene. "Obscene" art means a work of art, taken as a whole that to the average person, applying contemporary community standards, appeals to the prurient interest, that, taken as a whole, depicts or describes sexual conduct in a patently offensive way, and that, taken as a whole, lacks serious literary, artistic, political, or scientific value.
- H. The art must not be controversial, offensive, intimidating, incite tension and/or encourage violence.
- I. The art must not endanger public safety and must comply with building codes and accessibility requirements.

V. THE PROCESS FOR SOLICITATION AND SELECTION OF ART

A. Art for Temporary Display

1. **Solicitation:** County intends to contract with the Arts Organization to solicit art for temporary display in County Locations. Arts Organization is defined as the Official Arts Council of Tulare County at the time of solicitation and selection of art, or if there is no Official Arts Council of Tulare County at the time some other community organization for the advancement of the arts. Specific agreement terms will be negotiated based on the location and type of art solicited for a given project. The Arts Organization will conduct a request for proposals from local artists in accordance with the terms of the project, and contract directly with artist.
2. **Selection:** The Arts Organization will select art pieces to present to the County's Art Selection Committee in accordance with the Art Selection Criteria listed above. The Art Selection Committee will then decide which pieces comply with this Public Art Policy and would like to display in County Locations. The Art Selection Committee will consist of a maximum of two sitting Board of Supervisors, General Services Agency (GSA) Assistant Director, participating department staff, and any interested department heads on a rotating basis. The Art Selection Committee will meet bi-annually, as necessary. If there is no art for selection in a given time frame, the Committee will not meet.
3. **Ownership:** The County will not own the temporarily displayed art. The Arts Organization will be permitted to place sales tags on temporarily displayed art. The tag will include the price of the art piece and contact information for the Arts Organization. The County will not be involved in the sale of art on behalf of the Arts Organization. If the Arts Organization sells a piece of art temporarily displayed in a County Space prior to the conclusion of the predefined term, the art will remain on display until the conclusion of the term.

B. Art for Permanent Display

1. **Solicitation:** In the event that the County desires a permanent art display, the County intends to enter into a separate agreement with the Arts Organization to solicit proposals for a specific piece of art according to Art Selection Criteria defined by the County. Specific agreement terms will be negotiated based on the location and type of art solicited for a given project. The Arts Organization will conduct a request for proposals and provide the County the top three qualifying proposals. Once the County selects the winning proposal, the Arts Organization will contract directly with the artist.
2. **Selection:** The Art Selection Committee will review the top three qualifying proposals provided by the Arts Organization and select the winning proposal to recommend to the Board for installed on County property. The two unsuccessful proposals will be placed in a public art pool for future project consideration. The Art Selection Committee will consist of a maximum of two sitting Board of Supervisors, GSA Assistant Director, participating department staff, and any interested department heads on a rotating basis. The Art Selection Committee will meet, as necessary.
3. **Ownership:** The County will obtain ownership of the permanently displayed art through its agreement with the Arts Organization, which includes some or all intellectual property rights.
4. **Agreement between Arts Organization and County.** Specific terms to be negotiated per project type. The Arts Organization will contract directly with artists for projects.