

**NOTICE OF MEETING  
REGULAR MEETING AGENDA**

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
- 3. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA**
- 4. RECONSIDERATION**
- 5. APPROVAL OF THE MINUTES** *(Minutes are approved during Regular Meetings only)*
- 6. VISITORS**
- 7. STAFF & COUNCIL/COMMITTEE REPORTS/ AND BOROUGH REPORTS**
- 8. PUBLIC HEARING**
- 9. PENDING BUSINESS**
- 10. NEW BUSINESS**
  - A. Election of Chair and Vice Chair **Page 3**
  - B. Requirements of the 1% for the Arts Program, Review and Discussion **Page 5**
    1. Public Arts Committee Administrative Guidelines excerpt 1% for the Arts Program
    2. State of Alaska Statute 35.27.010 Art Works in Public Buildings and Facilities
    3. Homer City Code, Chapter 18.07 Funds for Works of Art in Public Places
    4. Ordinance 02-25(A), Requiring Funding for Works of Art in projects for Construction, Remodeling and Renovation of Certain Public Facilities.
  - C. Guidelines and Forms for Evaluating the Proposals **Page 23**
    1. Request for Proposals Incorporating Art into The New Harbormaster Office
    2. Proposal Evaluation Form
    3. Combined Evaluations Form for the Selection Committee
  - C. Request for Executive Session pursuant to as §44.62.310(c)(2&3), subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and matters, which by law, municipal charter, or ordinances are required to be confidential. (Review and Evaluation of Submitted Proposals) **Page 37**
- 11. INFORMATIONAL MATERIAL**
- 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 BOARD**
- 17. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, JUNE 26, 2014** at 1:00 P.M. in the Council Chambers at City Hall located at 491 E. Pioneer Avenue, Homer, Alaska.





## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Clerk

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## Memorandum

TO: ART SELECTION COMMITTEE  
FROM: RENEE KRAUSE, CMC, DEPUTY CITY CLERK I  
DATE: JUNE 9, 2014  
RE: ELECTION OF A CHAIR AND VICE CHAIR

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The first order of business is to nominate a chair and vice chair for the Committee. This will assist in conducting the meeting even if there are only one or two meetings. For general purposes, Michele Miller will be Acting Chair and will open the floor for nominations of Chair.

When there are no further nominations the Acting Chair closes the nominations and inquires if the Committee would prefer to vote for Chair by a show of hands, roll call vote or secret ballot. In a secret ballot the names of the nominee selected for chair can be written on the paper provided at the start of the meeting; the Clerk will then collect the votes, tallying and reading into the record the number of votes for each nominee. If there is more than one or two persons nominated for one position the vote can be conducted in this manner. Typically it is by roll call vote. If only one person is nominated and that person agrees to be Chair then there is no need for a vote.

Once the apparent Chair has been announced the Acting Chair turns the meeting over to the Elected Chair.

The Chair will then open the floor for nominations for Vice Chair. This is conducted in the same manner. The Vice Chair will preside over a meeting if the Chair is unavailable attend a scheduled meeting.

### Recommendation

Acting Chair - Open floor for nominations for Chair. Close nominations. Vote or Announce name for the record. Turn meeting over to Chair.

Chair - Open floor for nominations for Vice Chair. Close nominations. Vote or Announce name of Vice Chair for the record.





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## Memorandum

TO: ART SELECTION COMMITTEE  
FROM: RENEE KRAUSE, CMC, DEPUTY CITY CLERK I  
DATE: JUNE 9, 2014  
RE: 1% for Art Program Review and Discussion

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The following pages have been included for review and dissemination so that all members of the Committee are aware of the requirements of the program. This program was instituted at the federal level and the individual states then followed suit which trickled down to municipalities.

Most municipalities in the U.S. have adopted a policy to incorporate public art in buildings or conveyances used primarily by and for the public. The documents are all in a similar format and context.

Please review the enclosed documents and request the committee discuss any portion that you may require better clarification.

Recommendation

No Action Required. Informational In Nature.



E. Permanent records or minutes shall be kept of the proceedings of the regular monthly meetings. The minutes will record the vote of each member upon every question. Every decision shall be filed in the office of the City Clerk and shall be public record open to inspection.

F. The Public Arts Committee shall submit a report to City Council as required to update progress on current projects.

G. Agendas are to follow the format as described in the City of Homer City Council Operating Manual. (Reso. 10-80, 2011.)

PUBLIC ARTS COMMITTEE  
ADDRESS  
CITY, STATE

DATE  
DAY AND TIME  
LOCATION

MEETING NOTICE  
LIST TYPE OF MEETING - REGULAR WORKSESSION OR SPECIAL

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

**1% for the Arts Program**

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

## Definitions

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

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

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

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

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

The Public Arts Committee shall be responsible for the following:

- A. Determine the dollars allocated for art within the budget of each eligible project;
- B. Name a Selection Committee for each project;
- C. Develop and monitor policies related to the selection and installation processes;
- D. Develop plans that insure the preservation of the art collection;

## **Procedures for the 1% for the Arts Program**

### **Eligible Projects**

1. Upon approval of the City budget, the City Manager will provide a copy of the capital improvement budget to the PAC, notating all projects he/she believes to be included in Ordinance 02-25(A).
2. Eligible projects include remodeling, renovation, new construction to municipal buildings or facilities when the cost of the project exceeds \$250,000.
3. Staff will update the Public Arts Committee at least quarterly regarding any new capital improvement projects City Council has approved and will indicate whether the City Manager believes the 1% for Art Program is applicable.

### **Project Budget**

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



2. Project cost is defined as the cost of the original contract awarded, excluding land acquisition, site investigation, environmental cleanup or remediation. Subsequent change orders and amendments to the contract do not increase or decrease the amount of funding available for artwork.

3. The art budget will include all costs associated with design, construction, installation, and acquisition of works of art.

### Jury

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

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

- a. One member from PAC,
- b. One Artist,
- c. One member from the architectural/design team,
- d. One member from the user department,
- e. Director of building in question or his/her designated representative.

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

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

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

5. Responsibilities of a Jury.

- a. Jury members will suggest the most suitable locations for artwork within the building or on the site, often in discussion with the architect or chief designer. It is also appropriate to allow artists to submit proposals for locations not identified by the jury.
- b. The jury will organize interaction between the design team and artists to ensure that artists are sufficiently briefed about the project opportunities and restrictions. The goal is to generate top quality, responsive proposals.
- c. Carefully review each eligible submission. This will frequently be a multi-step process, with time between meetings for personal reflection.
- d. If necessary, a specific member of the jury or the staff liaison may be directed to discuss modifications to a specific proposal with the artist. All such discussions shall be confidential, and members must exercise care so a specific artist does not construe such discussion as acceptance of work.
- e. Prepare list of Recommend Artwork for the named project and a short list of runners-up, if possible. (Occasionally 1<sup>st</sup> choice work will not be available and this process may preclude the need to reconvene the jury.)
- f. Jury Chairman will present the list of Recommend Artwork to the City Council for final approval. Presentation may include a brief summary of the selection process, including number of submittals, names of the selection committee members and other information that encourages final acceptance by City Council members.
- g. Staff will notify all selected artists of their award and thank all participants.
- h. All participants, including jury members and all artists who submitted proposals will be offered a formal opportunity to comment on the process. PAC will receive these comments.

NOTE: The entire selection process must be handled confidentially. No decisions are final until approved by City Council and final contracts are negotiated with the artists. (Reso. 10-80, 2011.)

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

1. Requests for Proposals
  - a. PAC, with the assistance of staff, will prepare an RFP for each eligible project. (See sample in Exhibit A)
  - b. Staff will circulate the RFP, as required by City code. In addition, PAC will develop a registration system for anyone who wants specific notification of announced RFP opportunities.
  - c. Packets of additional information that describes the project will be available in City Hall and/or online. It will include the brochure, "Special Considerations for Art in Public Places" (See Exhibit B)
2. Establishing Selection Criterion
  - a. PAC will provide each member of the jury with a complete RFP, including the "Special Considerations" brochure. Members will be asked to remember these considerations in their art selections.
  - b. PAC will provide the jury with an *Evaluation Checklist* (see Exhibit C).
  - c. PAC may specify that certain projects will show a preference for art by local or Alaskan artists.
3. Legal Considerations. The Public Arts Committee is a liaison between artists and the City, the principals in this program. These guidelines will clarify the understanding between them:
  - a. Ownership of the Art: All art purchased under the 1% for Art Ordinance will be owned by the City of Homer.
  - b. Artist's Rights: Public artwork and art concepts will not be altered, modified, removed or moved from a site which is integral to the concept for the work without prior notice to the artist. If the City's best and reasonable efforts to contact the artist have failed, the City may proceed without such notice.
  - c. Artist's Promise to the City of Homer:  
The art is unique and original and does not infringe upon any copyright.  
Neither the art nor a duplicate has been accepted for sale elsewhere.  
The art is free and clear of any liens.  
The fabricated and installed art will be free of defects in material and craftsmanship.  
Maintenance requirements have been accurately described;
4. Contract with an Artist: The City of Homer will enter into a contract with each artist whose work is selected for inclusion in a City project. It will address description of the project, payment schedule, payment of special engineering or installation costs, due date. (See sample in Exhibit D). (Reso. 10-80, 2011.)

### **Accession Policy**

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

#### **Definition**

Accession is to accept artwork in to the Municipal Art Collection

#### **Policy**

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

Chapter 35.27. ART WORKS IN PUBLIC BUILDINGS AND FACILITIES

Sec. 35.27.010. Purpose.

The state recognizes its responsibility to foster culture and the arts and the necessity for the viable development of its artists and craftsmen. The legislature declares it to be a state policy that a portion of appropriations for capital expenditures be set aside for the acquisition of works of art to be used for state buildings and other public facilities.

Sec. 35.27.020. Art requirements for public buildings and facilities.

(a) A building or facility constructed after June 30, 1975, or remodeled or renovated after June 30, 1975, shall include works of art, including but not limited to sculptures, paintings, murals or objects relating to Native art.

(b) The department, before preparing plans and specifications for buildings and facilities, shall consult with the Alaska State Council on the Arts regarding the desirability of inclusion of works of art.

(c) At least one percent or, in the case of a rural school facility, at least one-half of one percent of the construction cost of a building or facility approved for construction by the legislature after September 1, 1977, will be reserved for the following purposes: the design, construction, mounting and administration of works of art in a school, office building, court building, vessel of the marine highway system, or other building or facility which is subject to substantial public use.

(d) A building or facility with an estimated construction cost of less than \$250,000 is exempt from the requirements of this chapter unless inclusion of works of art in the design and construction of the building or facility is specifically authorized by the department.

(e) The artist who executes these works of art shall be selected by the architect for the department with the approval of the department, after consultation with the Alaska State Council on the Arts and the principal user of the public buildings or facilities.

(f) The artist who executes these works of art in the public schools shall be selected by the superintendent of a school district in which a public school is to be built with the approval of the school board. Should the department find in the best interest of the state that the selection of the artist who executes these works of art by the superintendent may result in a cost overrun to the state or delay of construction, the department shall make the selection of the artist in consultation with the superintendent.

(g) The architect, superintendent, department, and the Alaska State Council on the Arts shall encourage the use of state cultural resources in these art works and the selection of Alaska resident artists for the commission of these art works.

Sec. 35.27.030. Definitions.

In this chapter,

(1) "building" or "facility" means a permanent improvement constructed by the department;  
the term

(A) includes, but is not limited to,

(i) schools, office buildings, and court buildings;

(ii) other buildings which the commissioner determines are designed for substantial public use;

(iii) boats and vessels of the marine highway system;

(iv) transportation facilities which accommodate traveling passengers;

(B) excludes other transportation facilities;

(2) "commissioner" means the commissioner of transportation and public facilities;

(3) "construction cost" is that cost expended for the actual construction of the facility, exclusive of the costs of land acquisition, site investigation, design services, administrative costs, equipment purchases, and any other costs not specifically incurred within the construction contract or contracts awarded for the construction of the facility.

FUNDS FOR WORKS OF ART IN PUBLIC PLACES

Sections

- 18.07.010 Purpose.
- 18.07.020 Definitions.
- 18.07.030 Art funding requirements for public buildings and facilities.
- 18.07.040 Implementation.
- 18.07.050 Selection.
- 18.07.070 Exemptions.
- 18.07.080 Miscellaneous provisions.
- 18.07.090 Public Art Fund.
- 18.07.100 Ownership and management of works of Public Art.

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

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

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

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

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

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

18.07.030 Art funding requirements for public buildings and facilities. a. Plans and specifications for the original construction, remodeling or renovation of municipal buildings and facilities resulting in proposed capital expenditures exceeding the sum of \$250, 000 shall contain and provide for the inclusion of works of art of a value of one percent of the total cost of the

construction, remodeling or renovation project. All appropriations for capital improvements falling within the provisions of this chapter shall be deemed to include funding to implement the requirements of this section.

b. If there is a change in the total cost of the project resulting from a change order or amendment to the project budget after the time of the award of the contract, the amount of funding for the artwork will not be changed.

c. Expenditure of sums required to be allocated to works of art under subsection 18.07.030 (A) shall be limited to all costs associated with design, construction, acquisition and royalties for the works of art, excluding all contract administration and project administration costs.

d. Municipal funding of art projects for capital expenditures will be capped at \$70,000.00 (seventy thousand dollars). Art projects for capital expenditures exceeding \$7,000,000.00 (seven million dollars) will not be greater than \$70,000.00 (seventy thousand dollars) unless funding beyond \$70,000.00 (seventy thousand dollars) is from private contributions.

e. Private funding contributions for art projects in public buildings is encouraged and this funding is not considered part of the one percent. (Ord. 02-25(A), 2002.)

18.07.040 Implementation. a. During the preliminary design review of any project for construction, remodeling or renovation covered by this chapter any contractor, department or instrumentality of the municipality charged with the design preparation of this project shall consult with the Public Arts Committee regarding the implementation of section 18.07.030(A).

b. The Public Arts Committee may adopt, and from time to time amend 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.

c. The requirements of section 18.07.030(A) shall not be waived except as provided for in section 18.07.070. (Ord. 10-55(A) §2, 2011; Ord. 02-25(A), 2002.)

18.07.050 Selection. a. Where 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 consisting of the architect or project designer, a representative of the user department, a representative of the Public Arts Committee and such additional persons that the Public Arts Committee may designate, subject to Council approval.

b. Where works of art are to be commissioned or acquired, but not 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 a representative of the user department, one or more members of the Public Arts Committee and such additional persons that the Public Arts Committee may designate, subject to Council approval. (Ord. 10-55(A) §3, 2011; Ord. 02-25(A), 2002.)

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 the Public Arts Committee or City Manager that the inclusion of works of art in the construction, remodeling or renovation as required by this chapter would not provide any aesthetic benefit to the community or to the principal users of the building or facility.(Ord. 10-55(a) §5, 2011; Ord. 02-25(A), 2002.)

18.07.080 Miscellaneous provisions. a. Sums allocated for the acquisition of works of art under the provisions of this chapter shall be deemed to be part of the construction costs of the project.

b. Where federal or state grant funds are to be used to match municipal funds for a construction, remodeling, or renovation project covered by this chapter, the grant application shall, where applicable and where permitted by the granting authority, be made for the total cost of such project, including portions to fund works of art under this chapter. Unless prohibited by the terms of such grants, any money received may be used to implement the requirements of this chapter. (Ord. 02-25(A), 2002.)

18.07.090 Public art fund. a. A public art fund is established as a separate, interest bearing account in the city general fund to receive money for the public art program from the following sources:

1. Funds for public art fees received from private development.
2. Funds donated to the city for public art.
3. Other funds appropriated by the council for public art.

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

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

d. The public art fund is administered by the city with the advice of the public arts committee.

e. The public arts committee annually shall prepare a plan for expenditures from the public art fund for approval by the city council. (Ord.09-51(A) §1, 2009)

18.07.100 Ownership and management of works of public art. a. Ownership of all works of art acquired by or on behalf the city shall be vested in the city.

b. The city shall place or construct public art at locations that are open to the public and where the public art shall be visible to the general public during, at a minimum, normal business hours.

c. The removal from display by the city of public art owned by the city shall follow established guidelines for de-accessioning and shall be subject to review and recommendation by the public arts committee with final approval by the Council. (Ord. 09-51(A) §2, 2009.)





CITY OF HOMER  
HOMER, ALASKA

Yourkowski

ORDINANCE 02-25(A)

AN ORDINANCE OF THE CITY OF HOMER AMENDING THE HOMER CITY CODE TO ADD CHAPTER 18.07 REQUIRING FUNDING FOR WORKS OF ART IN PROJECTS FOR CONSTRUCTION, REMODELING AND RENOVATION OF CERTAIN PUBLIC FACILITIES.

WHEREAS, Homer is considered by many to be a haven for the arts yet we see very little public art as we walk and drive around town; and

WHEREAS, Public art would add to the beauty of Homer thereby adding to our quality of life and the visitor's experience; and

WHEREAS, The city wishes to maximize artistic input into architectural decisions in a cost effective manner, thereby creating unique and aesthetic public facilities for the enjoyment of all.

NOW, THEREFORE, THE CITY OF HOMER HEREBY ORDAINS:

Section 1. A new chapter 18.07 entitled Funds for Works of Art in Public Places is hereby added to the Homer City Code to read as follows:

Sections:

18.07.010 Purpose

18.07.020 Definitions

18.07.030 Art Funding Requirements for Public Buildings and Facilities

18.07.040 Implementation

18.07.050 Selection

18.07.060 Program Administration; Public Arts Committee

18.07.070 Exemptions

18.07.080 Miscellaneous Provisions

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18.07.010 Purpose. The State has recognized through the enactment of AS 35.27.010, and the City of Homer hereby recognizes by the enactment of this chapter, the responsibility of government to foster the development of culture and the arts through the purchase or commissioning of works of art for municipal buildings and facilities. It is therefore declared to

be municipal policy that a portion of appropriations for capital expenditures for municipal buildings and facilities be devoted to the acquisition of works of art to be permanently placed or incorporated in such buildings or facilities.

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

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

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3. Graphic arts: printmaking and drawing.
4. Mosaics.
5. Photography.
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7. Calligraphy.
8. Mixed media: any combination of forms or media, including collage.

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

"Total cost of construction, remodeling or renovation" means the total allotted funding for the subject project at the time of award of contract, exclusive of the costs of land acquisition, site investigation, and environmental clean up or remediation.

18.07.030 Art funding requirements for public buildings and facilities.

A. Plans and specifications for the original construction, remodeling or renovation of municipal buildings and facilities resulting in proposed capital expenditures exceeding the sum of \$50,000.00 \$250,000.00 shall contain and provide for the inclusion of works of art of a value of one percent of the total cost of the construction, remodeling or renovation project. All appropriations for capital improvements falling within the provisions of this chapter shall be deemed to include funding to implement the requirements of this section.

B. If there is a change in the total cost of the project resulting from a change order or amendment to the project budget after the time of the award of the contract, the amount of funding for the artwork will not be changed.

C. Expenditure of sums required to be allocated to works of art under subsection 18.07.030 (A) shall be limited to all costs associated with design, construction, acquisition and

royalties for the works of art, excluding all contract administration and project administration costs.

D. Municipal funding of art projects for capital expenditures will be capped at \$70,000.00 (seventy thousand dollars). Art projects for capital expenditures exceeding \$7,000,000.00 (seven million dollars) will not be greater than \$70,000.00 (seventy thousand dollars) unless funding beyond \$70,000.00 (seventy thousand dollars) is from private contributions.

E. Private funding contributions for art projects in public buildings is encouraged and this funding is not considered part of the one percent.

18.07.040 Implementation.

A. During the preliminary design review of any project for construction, remodeling or renovation covered by this chapter any contractor, department or instrumentality of the municipality charged with the design preparation of this project shall consult with the Public Arts Committee regarding the implementation of section 18.07.030(A).

B. The Public Arts Committee 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. After the receipt and consideration of such recommendations, the City Manager will adopt administrative regulations, which will become effective upon City Council approval.

C. The requirements of section 18.07.030(A) shall not be waived except as provided for in section 18.07.070.

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 chosen or approved 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 to the Council for approval.

18.07.060 Program Administration; Public Arts Committee.

A. The City Manager shall administer this chapter.

B. The City Council shall appoint a Public Arts Committee consisting of seven members. Prior to making appointments, the City Council may solicit nominations from the Pratt Museum, community arts groups, and the public. Appointments will be for two year terms. Members serve at the pleasure of the City Council.

18.07.070 Exemptions. If it is found by the Public Arts Committee or City Manager that the inclusion of works of art in 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.

18.07.080 Miscellaneous provisions.

A. Sums allocated for the acquisition of works of art under the provisions of this chapter shall be deemed to be part of the construction costs of the project.

B. Where federal or state grant funds are to be used to match municipal funds for a construction, remodeling, or renovation project covered by this chapter, the grant application shall, where applicable and where permitted by the granting authority, be made for the total cost of such project, including portions to fund works of art under this chapter. Unless prohibited by the terms of such grants, any money received may be used to implement the requirements of this chapter.

**Section 2.** This chapter applies to all projects for the construction, remodeling or renovation of municipal buildings and facilities for which the contract for design is awarded after adoption/enactment of this Ordinance.

**Section 3.** This ordinance is of a permanent and general character. Section 1 of this ordinance shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 12th day of August, 2002.

CITY OF HOMER

ATTEST:

\_\_\_\_\_  
JACK CUSHING, MAYOR

\_\_\_\_\_  
MARY L. CALHOUN, CMC, CITY CLERK

Page Five  
Ordinance 02-25(A)  
City of Homer

AYES: -6-  
NOES: -0-  
ABSTAIN: -0-  
ABSENT: -0-

First Reading: 05/28/02

Public Hearing: 06/10/02 and 7/09/02, Second reading was postponed on 06/10/02 to 07/09/02 with an additional public hearing also on 07/09/02.

Second Reading: 08/12/02, Second Reading was tabled on 07/09/02 and taken from the table on 08/12/02.)

Effective Date: 08/13/02 (Mayor Cushing had called for a Legal Opinion regarding a question of Conflict of Interest raised by a member of the public. He did not sign the Ordinance until 09/03/02.)

Reviewed and approved as to form:

\_\_\_\_\_  
Ronald Wm. Drathman, City Manager

\_\_\_\_\_  
Gordon J Tans, City Attorney

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

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

Fiscal Note: NA





## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum

TO: ART SELECTION COMMITTEE  
FROM: RENEE KRAUSE, CMC, DEPUTY CITY CLERK I  
DATE: JUNE 9, 2014  
RE: GUIDELINES AND FORMS FOR REVIEWING SUBMITTED PROPOSALS

---

The following documents are the advertised Request for Proposal and the actual proposal documents.

I have included the form that is used to score proposals received. An electronic version was also submitted to the email address on file.

Please use a numerical system for your scoring following the Evaluation Scale located at the top of the form. You can base your score from 0-20 points for each item listed. If the item does not apply please mark it NA.

Please note the proposal(s) selected will be based on the funding available for the project and the consensus of the committee.

Please remember that all information and discussion is confidential until awarded by City Council.

Recommendation

No Action Required. Informational In Nature.





**Request for Proposals  
Incorporation of Art into the New Harbormaster Office Complex  
On the Homer Spit, City of Homer, Alaska**

Proposals to provide art or to incorporate art into the new Harbormaster Office will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska, until **4:30 P.M., Thursday, June 12, 2014.**

The time of receipt will be determined by the City Clerk's time stamp. Proposals received after the time fixed for the receipt of the bids shall not be considered. All firms submitting proposals must be listed on the "Plan Holder's List" maintained by the City Clerk. All bidders must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List and to be considered responsive. Plan holder registration forms, and Plans and Specifications are available on line at <http://www.cityofhomer-ak.gov/rfps>. Respondents not on the plan holder's list shall be deemed unresponsive and shall not be considered. The City shall not accept faxed proposals. A pre-proposal meeting will be held on **Thursday, May 22, 2014 at 2:00 p.m. at City Hall Conference Room Upstairs** to review building plans, answer any questions, and visit the building site if necessary.

For proposal specifications and evaluation criteria please visit the city website <http://www.cityofhomer-ak.gov/rfps> or contact:

City Clerk's Office  
Renee Krause, CMC, Deputy City Clerk  
491 E. Pioneer Avenue  
Homer, Alaska 99603  
907-235-8121 ext 2224

Please direct all questions regarding this project to:

**Dan Nelsen, Project Manager**  
**3575 Heath Street**  
**Homer, Alaska 99603**  
**907-235-3170 ext 3240**

The intent of this proposal effort is to provide an opportunity for artists and other interested persons to present ideas on how and what art can be incorporated into the building (interior and exterior), and the surrounding site. The proposals will be evaluated by the Art Selection Committee established for the project utilizing the City's 1% for Art Funding designated for this project. All ideas and concepts will be considered. Expect that more than one art piece or idea could be funded with the available dollars. The City of Homer reserves the right to accept or reject any or all proposals, to waive irregularities or informalities in the proposals, and to award the contract to the respondent that best meets the selection criteria based on the recommendations of the review committee.

**CITY OF HOMER**

  
Walt Wrede, City Manager

**Advertisement:**

Homer News  
Homer Tribune  
Alaska State Council on the Arts  
Clarion  
Anchorage Daily News

Fiscal Note: 415-0935-5227



**Request for Proposals  
Incorporation of Art into the New Harbormaster Office Complex  
On the Homer Spit, City of Homer, Alaska**

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**CITY OF HOMER**

\_\_\_\_\_  
Walt Wrede, City Manager

Advertisement:

Homer News  
Homer Tribune  
Alaska State Council on the Arts  
Clarion  
Anchorage Daily News

Fiscal Note: 415-0935-5227

**REQUEST FOR PROPOSAL**  
**By the City of Homer, Alaska**

**INCORPORATING ART INTO THE NEW HARBORMASTER OFFICE**  
**COMPLEX ON THE HOMER SPIT**

The City of Homer, Alaska is requesting proposals from artists and other interested parties to provide art, artist services or ideas for incorporating art into the new Harbormaster's Office Complex on the Homer Spit. Proposals will be received at the City Clerk's Office, City Hall until **4:30 p.m., Thursday, June 12, 2014.** Proposals received after this date and time will not be accepted. The City reserves the right to accept or reject any or all proposals, to waive irregularities or informalities in the proposals and to enter into an agreement with the respondent(s) that best meet the selection criteria as determined by the Art Selection Committee.

The following subjects are discussed in this Request for Proposal (RFP) to assist you in preparing your proposal.

- I. Introduction
- II. Scope of Services
- III. General Requirements
- IV. Proposal Format and Content
- V. Evaluation Criteria and Selection Process

I. **INTRODUCTION**

**THE CHALLENGE:** The City is currently in the process of building a new **4775** square foot addition that will house **the Administration offices, Conference Rooms, and the Public Areas along with storage and garage facilities.** There will be meeting and conference rooms along with restroom facilities that can be accessed independently from the general offices of City personnel; there will be new waiting area. The City has made incorporation of art in municipal buildings a priority and has dedicated **\$19,500.00** for the incorporation of art into this project.

**OPPORTUNITY:** To create a public building that will serve the essential functions of City of Homer Port & Harbor Services. The City of Homer already demonstrates their appreciation of the arts, which has become a distinguishing characteristic of this community, by displaying a host of various works of art in a multitude of mediums.

**ANTICIPATED PROJECT DATES:** The following dates represent the project timeframe and are subject to change based on the overall project completion date, selected location or additional factors that are or may be unknown at this time.

Advertisement Dates:

Week of **May 1, 2014**

Week of **May 8, 2014**

**May 11, 2014** (Clarion or Anchorage papers)

Deadline for Submittal of Proposals:

**June 12, 2014**

Proposals Submitted to Selection Committee:

**June 13, 2014**

Proposals Reviews and Comments Returned to Staff:

**June 18, 2014 (or sooner)**

Selection Committee Meeting for Review and Selection:

**June 19, 2014 @ 1:00 p.m.**

**June 26, 2014 @ 1:00 p.m.**

Finalists Interviews if Required:

**Week of July 11, 2014**

Recommendation to City Council:

**No Later than July 15, 2014**

Award by Council:

**July 21, 2014 or August 11, 2014**

Project Installation and Building Open House:

**By May 15, 2015**

II. **SCOPE OF SERVICES**

The Selection Committee will consider, but is not limited to, one or more of the following sites for placement of works of art. Artists are encouraged to submit one or more concept or proposals for the project.

Building Exterior Areas:

Entryways

Exterior Walls

Central Green Space located in front of building

**(See attached Site Plan showing the potential art placement areas described above)**

Building Interior Areas:

Entryways

Public Reception and Waiting Area

Conference Rooms

**(See attached Floor Plan showing the potential art placement areas described above and front and back exterior building elevations)**

The amount of the commission will be up to **\$19,500.00** in one or more individual awards which must cover all costs of design, engineering (if needed), fabrication, installation, special lighting and an identifying plaque. State laws related to public construction, including insurance, bonding and payment of prevailing wages rates may apply.

### **III. GENERAL REQUIREMENTS**

The following information is presented as a guideline for the preparation of the proposals:

a. To achieve a uniform review process and obtain the maximum degree of comparability it is required that the proposals be organized in the manner specified below. Proposals that do not address the items listed in this section may be considered incomplete and may be deemed non-responsive by the Art Selection Committee.

b. Interested firms/artists shall submit seven 8 ½” x 11” original, completed proposals in an envelope marked as follows:

HARBORMASTER OFFICE COMPLEX ART  
REQUEST FOR PROPOSALS  
HOMER, ALASKA

c. The proposals shall be addressed to:  
City Clerk’s Office, Renee Krause, City of Homer 491 E. Pioneer Avenue, Homer, Alaska 99603.

Proposals shall be received at the office of the City Clerk until **4:30 p.m., Thursday, June 12, 2014** Proposals received after this date or time will not be accepted.

d. Direct questions regarding this proposal to Renee Krause, CMC, Deputy City Clerk, City Clerk’s Office, City of Homer, 907-235-8121, ext.2224 or [rkrause@ci.homer.ak.us](mailto:rkrause@ci.homer.ak.us)

e. Direct questions regarding the building or site to Dan Nelsen, Project Manager, Public Works Department, City of Homer, 907-235-3170, ext 3240 or [dnelsen@ci.homer.ak.us](mailto:dnelsen@ci.homer.ak.us)

#### **IV. PROPOSAL FORMAT AND CONTENT**

1. Letter of Transmittal (2 Pages Maximum) – The transmittal letter shall identify the project or idea for which the proposal has been prepared; briefly state your understanding of the services to be provided; make a positive commitment to provide the services specified; and give the name, title, address and phone number of the contact person(s) proposing to provide art or artistic involvement.

2. Proposal Narrative (6 pages maximum) – The proposal narrative shall provide the following information:

A. If you have existing art that you are proposing to be incorporated into the project – At a minimum, you should address the following:

- Photos of the art work, brief description of the dimensions, colors, approximate budget and the location for the installation of the piece.
- A current resume of the artist
- A minimum of three photos of other works completed by the artist
- A self-addressed stamped envelope for the return of these documents if required.

B. If you are an artist proposing to provide new art for the project – at a minimum you should address the following:

- A brief description of the proposed art work or thumbnail sketch (copy, collage, handwritten notes are all acceptable) describing the location, dimensions, materials, colors and approximate budget.
- A current resume of the artist
- A minimum of three photos or slides of other works completed by the artist
- A self-addressed stamped envelope should be provided for return of above materials if needed.

C. If you have an idea for incorporating art into the project – at a minimum you should address the following:

- A brief description of the proposed artwork or thumbnail sketch (copy, collage, handwritten notes are all acceptable) describing the location, dimensions, materials, colors and approximate budget.
- A self-address stamped envelope should be provided if return if the materials if needed.

The thumbnail sketches should be designed to encourage more ideas and concepts without consuming a lot of the proposers time. Color is preferred but not required.

No submissions in binders or notebooks please.

## V. EVALUATION CRITERIA AND SELECTION PROCESS

### A. EVALUATION:

Submitted proposals will be reviewed by the Art Selection Committee established for this project. The Art Selection Committee will be able to pick up copies of the proposals received and the Scoring Sheets no later than **Friday, June 13, 2014** for their review and scoring. All comments and scoring sheets are to be returned to staff no later than the following **Wednesday, June 18, 2014, at 12:00 p.m.** Meetings are tentatively scheduled for **June** for a target date of Council award no later than **Monday, July 21, 2014.**

The Art Selection Committee will make their recommendations to the City Council for approval. The City of Homer reserves the right to reject any and all proposals submitted and shall not be liable for any costs incurred by any proposer in response to the request for proposal.

The proposals will be reviewed using any or all of the following, but is not limited to the following:

1. Proposal Requirements - All requirements outlined in the Request for Proposal have been followed and/or are included in the proposal package.
2. Any other information required by the request for proposals document.
3. Concept of the Proposal
4. Proposer interest or willingness in collaboration or working within a team approach.
5. Proposers experience or interest in working in the public realm or outside a studio setting.
6. Ability of the Proposer to meet time deadlines and schedules.
7. Quality of previous work of the proposer.
8. Is the proposed artwork designed and constructed by persons experienced in the production of such artwork and recognized by critics and peers as one who produces works of art.
9. Does the proposed work of art aesthetically enhance the public space or built environment to which it relates or otherwise interacts with its surrounding environment?
10. Does the proposed work of art add to the local identity and profile in the context of the City of Homer?
11. Is it specifically designed for its site (location) and is commensurate in scale with its surroundings?
12. Is a suitable addition to the public space proposed?
13. Is it durable (where applicable) and reasonable to maintain in terms of time and expense?
14. Does the artwork need lighting or other additional fixtures? Have they been included in the proposal?
15. Is it a permanent fixed asset to the property or can it be relocated to another facility or location if required in the future?
16. Is the proposed art suitable by way of form and quality, for public viewing and accessibility taking into consideration the possibility of an unsecured public space?
17. Does the proposed art require regular maintenance in order for it to last?
18. Does the proposed art fall within the applicable zoning codes as outlined in the Homer City Code?
19. Is the proposed artwork susceptible to vandalism?
20. Is the proposed artwork free of unsafe conditions or factors?



21. Does the proposed contribute to a sense of civic pride?
22. Does the proposed involve the local community? Such as addresses, but is not limited to, aspects of the city's history and/or culture?
23. Is the proposed work of art recognizing the overall broad intent and objectives of the City of Homer Public Art Policy?

**B. SELECTION:**

The proposals chosen will be based on the overall top choices of the Art Selection Committee after scoring. If there is no apparent first, second and/or third choices the top proposers will be invited to attend a presentation/interview.

Depending on the cost of the proposed art work submitted all top proposers may be selected for recommendation to City Council by the Arts Selection Committee for installation.

A Finalist Evaluation will be conducted wherein the top proposers will be invited to make an presentation interview which may include questions on some or all of the following:

- Artistic excellence – review of sample of the proposed work of art or previous works presented by the Finalists
- Ability to relate the proposed artwork to the site
- Experience with projects in similar scope and/or type
- Knowledge of fabrication and installation of media proposed
- Ability to be detail oriented – efficient understanding or schedules and budgets
- Flexibility/Open to ideas
- The proposed budget is realistic for the proposed work of art
- Presentation of the proposed concept/artwork

And may also contain some or all of the questions/topics outlined in the evaluation process.

Staff will contact the Finalists and schedule appointments no later than 10 working days after the Art Selection Committee makes their choices.

Once the Arts Selection Committee has determined the final choice(s) for recommendation the proposer(s) will be notified by the City Clerk's Office.

All information regarding the award of the project is to be confidential until awarded by City Council. The name(s) will not be available until the Thursday prior to the Council Meeting when the recommendation will be approved.



# Proposal Evaluation Form 1% for the Arts Harbormaster's Building Project

Criteria for the Selection of Artwork

Name of Reviewer: \_\_\_\_\_

Date Review Submitted: \_\_\_\_\_

Evaluation Scale	Point Value
None. Not addressed or response of no value	20
Fair. Limited applicability	20
Good. Somme applicability	20
Very Good. Substantial Applicability	20
Excellent. Total applicability	20

**PLEASE REVIEW THE SUBMITTED PROPOSALS AND EVALUATE THEM USING THE FOLLOWING GUIDELINES AND THE APPLICABLE GRADE EVALUATIONS. THE CLERK WILL CONVERT THE LETTER EVALUATIONS INTO POINTS**

Criteria for the Evaluation of Submitted Proposals may include, but will not be limited to:					
---	--	--	--	--	--

Was the required Number of Copies Submitted?	yes	yes	yes	yes	yes
Was the Proposal received on the day and time as specified?	yes	yes	yes	yes	yes
Was a Letter of Transmittal Included?	yes	No	No	yes	No
Did the Proposal contain a Narrative with a maximum limit of 6 pages	Yes	Yes	Yes	Yes	Yes

Concept of the Proposal					
Proposer interest or willingness in collaboration or working within a team approach.					
Proposers experience or interest in working in the public realm?					
Ability of the Proposer to meet time deadlines and schedules					
Quality of previous work of the proposer.					
Is designed and constructed by persons experienced in the production of such artwork and recognized by critics and by his or her peers as one who produces works of art.					
Aesthetically enhances the public space or built environment to which it relates or otherwise interacts with its surrounding environment					
Adds to the local identity and profile in the context of the City of Homer					
Is specifically designed for its site and is commensurate in scale with its surroundings?					
Is a suitable addition to the public space proposed					
Is durable (where applicable) and reasonable to maintain in terms of time and expense?					
Does the artwork need lighting? Or other additional fixtures? Have they been included in the proposal?					
Is a permanent fixed asset to the property					
Is the proposed art suitable by way of form and quality for public viewing and accessibility taking into consideration the possibility of an unsecured public space.					
Does the proposed art require regular maintenance in order for it to last adding to an additional long term cost to the overall city budget?					
Does the proposed art fall with the applicable Chapter of the Homer City Code					
Is the proposed artwork susceptible to vandalism?					
Is free of unsafe conditions or factors.					

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Criteria for the Selection of Artwork

Name of Reviewer: \_\_\_\_\_

Date Review Submitted: \_\_\_\_\_

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**PLEASE REVIEW THE SUBMITTED PROPOSALS AND EVALUATE THEM USING THE FOLLOWING GUIDELINES AND THE APPLICABLE GRADE EVALUATIONS. THE CLERK WILL CONVERT THE LETTER EVALUATIONS INTO POINTS**

Criteria for the Evaluation of Submitted Proposals may include, but will not be limited to:					
Contributes to a sense of civic pride					
Involves the local community					
Addresses, but is not limited to, aspects of the city's history and/or culture					
Recognizes the broad intent and objectives of the City of Homer Public Art Policy					
<b>TOTAL OVERALL POINT ACCRUED</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum

TO: ART SELECTION COMMITTEE

FROM: RENEE KRAUSE, CMC, DEPUTY CITY CLERK I

DATE: JUNE 9, 2014

RE: REQUEST FOR EXECUTIVE SESSION PURSUANT TO AS §44.62.310(C)(2&3), SUBJECTS THAT TEND TO PREJUDICE THE REPUTATION AND CHARACTER OF ANY PERSON, PROVIDED THE PERSON MAY REQUEST A PUBLIC DISCUSSION AND MATTERS, WHICH BY LAW, MUNICIPAL CHARTER, OR ORDINANCES ARE REQUIRED TO BE CONFIDENTIAL. (REVIEW AND EVALUATION OF SUBMITTED PROPOSALS)

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Pursuant to the City of Homer Procurement Policy and Procedures Manual and City of Homer Code Title 3.16 Procurements Section 3.16.110 Competitive Sealed Proposals – Negotiated Procurement, Paragraph D. Proposals, tabulations and evaluations thereof shall be open to public inspection only after the contract award.

### Recommendation

MAKE A MOTION TO ADJOURN TO EXECUTIVE SESSION FOR REVIEW AND EVALUATION OF SUBMITTED PROPOSALS.

The Chair is required to request a motion, second if one is not forthcoming, once the motion has been made and voted on in the affirmative, the Clerk will request all public to leave the room and close the doors (if anyone present).

