



City of Ketchum

KETCHUM ARTS COMMISSION MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

Reasons for Recommendation:

Policy Analysis and Background (non-consent items only):

Purpose for discussion

1. Review the percent for art ordinance (12.40, attached to this report) to better understand when it applies and how it can be used.
2. Answer the commission's questions regarding percent for art use that were posed during the September 2024 Arts Commission meeting.

Ordinance summary

Five percent of costs for the city's eligible capital improvement projects up to \$1,000,000 will go towards funding art in public places. The amount contributed for projects over \$1,000,000 will be determined by the City Council.

- Eligible projects are those paid for entirely or in part from the city's General Fund for construction, renovation, remodel, or acquisition of public:
 - parks;
 - buildings;
 - structures;
 - streets or roadways; or
 - parking facilities.
- All art obtained will be owned and maintained by the city and is currently overseen by the Parks and Recreation Director.
- All displayed works should be in public places and accessible to the public
- Artists/artwork for the program will be chosen through a public selection process
- Selected art shall comply with the city's master plans (i.e., Comprehensive Plan, Downtown Master Plan, etc.)
- Other art activities that can be funded through the program (with City Council approval):

- public art awareness (i.e., walking tours, media platforms/campaigns/materials, or lectures); and
- artwork maintenance.
- The Arts Commission and the Parks and Recreation Director are responsible for the program’s art selection and maintenance.
- The Arts Commission is responsible for annual reports to the City Council on art installations, inventory, and condition.
- Funds are stored in an account under the Parks and Recreation Department

Answers to questions and clarification

- Can money from a public project generating funds from percent from art be used in a different location from the project?
 - Yes
- Can money from a public project generating funds from percent from art be pooled and carried over year-over-year to use on one big project?
 - Yes
- What account will this be tracked in?
 - In Ordinance 1084 states it should be in the Parks and Recreation fund. The city is determining if this should change.
- The current ordinance states that the Arts Commission and our Parks and Recreation Director are responsible for art inventory and upkeep and that a subaccount should be established for upkeep of art installed from the program.
 - City administration proposes that all art inventory and upkeep be overseen by the Arts Commission and managed by the Community Engagement Manager (Daniel Hansen)
 - City administration also proposes that the Community Engagement Department work with the finance department to establish funds for maintenance and repairs
- Did the Sun Valley Road project generate percent for art funds? Were they used?
 - An answer will be provided during the October 24 meeting

Sustainability Impact:

None OR state impact here: None

Financial Impact:

None OR Adequate funds exist in account:

Attachments:

- | |
|---|
| 1. Chapter 12.40 from Ketchum City Code: Percent for Public Art |
| 2. |
| 3. |

CHAPTER 12.40 PERCENT FOR PUBLIC ART

12.40.010 Purpose.

It is the purpose of this chapter and the policy of the City through the dedication of five percent of the actual cost of all eligible capital improvement projects, as defined herein, for the funding of art in public places in the City in order to beautify public areas, to enhance the quality of life for Ketchum citizens, to attract tourism and to enhance community interest in municipal facilities, thereby expanding the City's economic base.

(Ord. 1115, 2014)

12.40.020 Percent for art program established.

There is hereby established a percent for art program, which shall be administered as set forth in this chapter.

(Ord. 1084, 2011)

12.40.030 Eligible capital improvement projects.

- A. Eligible capital improvement projects shall include, for the purposes of this chapter, every capital municipal construction or improvement project or portion thereof, paid for wholly or in part by the City of Ketchum general fund including, but not limited to, construction, renovation or remodel of any public park, public building or structure, street or road, or public parking facility developed by the City or developed privately and leased back to the City.
- B. All completed artworks commissioned or purchased through the percent for art program will be owned, insured and maintained by the City.
- C. Nothing contained herein shall preclude funding or the acquisition or commission of other public art for municipal property through other sources or mechanisms including contributions, matching monies, donations, or grants.

(Ord. 1115, 2014)

12.40.040 General requirements for art.

- A. Works of art may be an integral part of a structure, attached to a structure or detached from a structure within or outside of it.
- B. All works of public art shall be located in a public place with public visibility and impact, and shall comply with all standards and guidelines for art in public places as set forth by the City of Ketchum Arts Commission and approved by the City Council and Mayor.
- C. A professional artist, or artists, shall be selected through a public selection process to consult, conceptualize, and/or design and fabricate an art component for the identified capital project.
- D. Activities that support public awareness and understanding of the City of Ketchum's art in public places program such as walking tours, printed materials, lectures and website development and maintenance may

be funded from the public art fund as recommended and approved by the Ketchum Arts Commission, City Council and Mayor.

- E. Money from the public art fund may not be spent for:
1. Art objects of standard design or mass production, such as playground structures.
 2. Directional or other functional elements, such as supergraphics, signs, color coding, maps, etc., except where an artist is commissioned by the City.

(Ord. 1084, 2011)

12.40.050 Administrative responsibilities.

- A. The City shall empower its parks and recreation director or designee, in cooperation with the Ketchum Arts Commission, to be responsible for the selection of artists, project management and maintenance of public art in the City commissioned through the percent for art program. The parks and recreation director shall make recommendations for and shall advise other City departments regarding the maintenance, repair or other conservation of public art.
- B. An annual report shall be prepared by the Ketchum Arts Commission and submitted to the City Council regarding the commission's activities in the furtherance of the objectives of this chapter, including the existing condition of all works of art in the percent for art program and completed and ongoing maintenance.
- C. Selected public art shall be consistent with the City's Comprehensive Plan, Downtown Master Plan, zoning and subdivision ordinances, and land uses contemplated therein.

(Ord. 1084, 2011)

12.40.060 Source of funds.

- A. A public art fund within the parks and recreation fund shall be established into which funds authorized and collected pursuant to this chapter shall be deposited. A separate subaccount shall be established for the maintenance and conservation of commissioned public art works.
- B. From each qualifying and funded capital improvement project, that does not exceed \$1,000,000.00, the City shall place in the public art account an amount equal to five percent of such capital improvement project's actual costs to the City regardless of whether or not such capital improvement project is completed. For projects that exceed \$1,000,000.00, the amount to be placed in the public art account shall be determined by the City Council. The City will review the prior year's budget, as set forth in the prior year's completed audit, to determine the amount of money spent on capital improvements and will budget that amount into the public art fund.
- C. In computing the amount to place in the public art fund, the projected actual costs to the City shall include all amounts paid by the City to third parties in connection with the projects, including, but not limited to, amounts paid on contracts relating to the project and consultant fees incurred in connection with the project.

(Ord. 1084, 2011; Ord. 1115, 2014)