

**METROPOLITAN EXPOSITION-RECREATION COMMISSION**

**RESOLUTION NO. 117**

Adopting the "Metropolitan Exposition-Recreation Commission (MERC) Policy for Donations of Artwork to MERC-operated Facilities" and establishing provision for MERC to enter into contractual agreements with the Metropolitan Arts Commission for the purpose of acquisition and siting of donations of artwork for MERC facilities.

The Metropolitan Exposition-Recreation Commission finds:

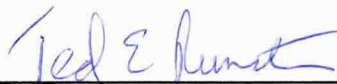
1. That the MERC recognizes the significant contribution of public art to the image and spirit of the Metropolitan region.
2. That the MERC desires to enhance and perpetuate this image and spirit by accepting or commissioning works of art for display at the facilities operated by MERC.
3. That the MERC recognizes the expertise of the Metropolitan Arts Commission in the solicitation, selection, siting and acquisition of artwork.
4. That the Metropolitan Arts Commission in conjunction with the MERC is willing to acquire donated works of art for placement or display at MERC facilities.
5. That the MERC is prepared to enter into agreements with the Metropolitan Arts Commission for acquisition of artwork.

**BE IT THEREFORE RESOLVED:**

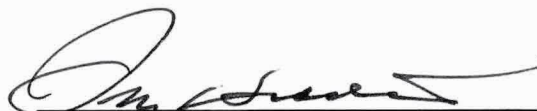
1. The Metropolitan Exposition-Recreation Commission adopts the "Metropolitan Exposition-Recreation Commission (MERC) Policy for Donations of Artwork to MERC-operated Facilities" for the purpose of acquiring artwork and enhancing the image and spirit of the area.

2. That the MERC as it may determine, will authorize the establishing of contracts with the Metropolitan Arts Commission for the purpose of acquisition and siting of donations artwork for MERC facilities, for which services the MERC will remunerate the Arts Commission in such amounts to be mutually determined.

Passed by the Commission March 12, 1991

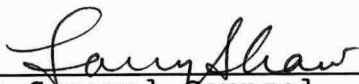


Chairman



Secretary-Treasurer

APPROVED AS TO FORM:



Metro General Counsel

# Metropolitan Exposition-Recreation Commission

PO Box 2746, Portland, OR 97208 • 503/731-7800 • 777 NE Martin Luther King Jr. Blvd.

(Revised)  
March 12, 1991

TO: Metropolitan Exposition-Recreation Commission  
FROM: Lee Fehrenkamp   
SUBJECT: Donations of Artwork

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The Metropolitan Exposition-Recreation Commission presently does not have a policy or procedure for the solicitation, review, acceptance and placement of artwork in the facilities the Commission manages.

The accompanying Policy and Procedure provides through the Metropolitan Arts Commission and the Public Art Advisory Committee a vehicle for the MERC to accept and place donated artwork in its facilities.

If approved by MERC, MERC and the Metropolitan Arts Commission will become party to a contract that will provide for specific guidelines for the acquisition of the artwork by the Arts Commission on behalf of MERC, for which services the MERC will remunerate the Arts Commission in such amounts to be mutually determined.

## Recommendation

Staff recommends that the Commission adopt the "Metropolitan Exposition-Recreation Commission (MERC) Policy for Donations of Artwork to MERC-operated Facilities" and authorize the General Manager to enter into a contract with the Metropolitan Arts Commission for the purpose of acquisition and siting of donations of artwork for MERC facilities.

March 12, 1991

**METROPOLITAN EXPOSITION-RECREATION COMMISSION  
POLICY STATEMENT**

**POLICY TITLE: Metropolitan Exposition-Recreation Commission  
(MERC) Policy for Donations of Artwork to MERC-  
operated Facilities**

**PURPOSE** To establish a procedural relationship between the Metropolitan Exposition-Recreation Commission and the Metropolitan Arts Commission for provision of and acceptance by the MERC, public art of the highest quality, appropriate to both location and use, at the facilities of the MERC.

**POLICY** The Metropolitan Exposition-Recreation Commission recognizes that through a century of generous giving, the citizens of the Metropolitan area have made the region more intimate and beautiful with works of public art. Beginning in 1888 with the Skidmore fountain, individuals, businesses, public and private groups have supported the creation of sculptures, fountains, murals and other forms of public art. Citizens of the Metro region have learned that public art contributes significantly to the image and the spirit of the entire region.

In consideration of this recognition, and recognizing the expertise of the Metropolitan Arts Commission in the realm of public art, the Metropolitan Exposition-Recreation Commission(MERC) authorizes establishment of a procedural relationship with the Metropolitan Arts Commission for purpose of recommendation, acceptance and placement of Existing and Commissioned works of art for display at MERC facilities, as may be determined appropriate by the MERC.

For purposes of acquisition and siting of donations of artwork, the Metropolitan Exposition-Recreation Commission hereby adopts procedures for the solicitation, review and final acceptance of completed works of art through the Public Art Advisory Committee\* and the Metropolitan Arts Commission.

## Definitions

Types of donations to be accepted will be as follows:

1. Existing Works of Art:

Portable - Works of a scale appropriate for rotation through public spaces under the management of or associated with the MERC. The placement of portable works may not be stipulated as a condition of the gift.

Non-Portable - Works of a larger scale that would be inappropriate for the portable collection and would require a semi-permanent site.

2. Commissioned Works of Art:

Works of art which are specifically commissioned gifts to MERC operated facilities and which usually require a specific site.

## Procedures

### Review Criteria:

**Artistic Excellence** - Accepted works of art shall be of exceptional quality and enduring value as judged by the Public Art Advisory Committee and MAC.

**Appropriateness to site** - Relationship of the artwork and the site shall be considered in respect to the social, cultural, historical and physical context of the site, both existing or planned and shall be functionally and aesthetically approved by the MERC prior to initiation of the review and acceptance processes.

**Selection Process** - Sponsors of commissioned works should work with an art consultant and/or an art advisory committee in the selection of an artist or artists and artwork. The art consultant and advisory committees can give expert assistance on selection procedures, technical and budgetary concerns and on the uses, appropriateness, quality and variety of art options. (See SELECTION OF AN ARTIST.)

**Maintenance Provisions** - Maintenance concerns should be a primary consideration, with adequate provisions made for the continued future maintenance of the artwork as may be required. Sponsor of the project will provide MAC with detailed maintenance instructions for the work(s) of art. MERC will approve maintenance criteria as it may affect MERC operations.

**Adherence to Existing Master Plans** - All works of art should adhere to MERC master plans, rules and regulations applicable to the receipt of gifts of art and memorials.

**Review Process:**

**Existing Works of Art:**

**Portable**

1. **Initial Contact with the Metropolitan Arts Commission**  
Sponsor should send photographs of work(s) of art to MAC with written materials including name of artist, medium, site, date of execution and estimated value of work of art and biography or resume of the artist.
2. **Review by Public Art Advisory Committee**  
Public Art Advisory will review the photographs and will ask to see the actual work of art if it wishes to consider further the gift. If the work of art is considered for display at any MERC facility, the PAAC will advise the MAC of its intent. The MAC will then notify MERC of the intended donation and assess the feasibility and applicability of the donation. If the PAAC recommends acceptance of the work of art, it will also make a recommendation as to the provisions for future maintenance needed for its acceptance.
3. **Installation readiness**  
In order to receive final acceptance from MAC, works of art should be professionally appraised and ready for installation. This means that two-dimensional works must be archivally framed and three-dimensional works must have a pedestal or appropriate hanging apparatus.
4. **Review by Metropolitan Arts Commission**  
The Metropolitan Arts Commission will review the recommendation of the Public Art Advisory Committee and upon approval of MERC, will vote to accept or deny the proposed donation and its maintenance provision. Metropolitan Arts Commission approval will not be final until any provisions for future maintenance have been satisfied and approved by MERC.
5. **Acceptance by MERC**  
The Metropolitan Exposition-Recreation Commission will accept the donated artwork in accordance with the provisions of the agreement with the MAC.

**Non-portable**

1. **Initial contact with the Metropolitan Arts Commission**  
Sponsor should send photographs of work(s) of art to MAC with written materials including name of artist, medium, size, date of execution and estimated value of the work of art and a biography or resume of the artist.
  - a. If the sponsor has identified a specific site for the placement of the work(s) that it wishes to have considered, information about the site and the work of art in relation to the site should also be included in these materials.

2. **Review by Public Art Advisory Committee**  
Public Art Advisory will review the photographs and will ask to see the actual work of art if it wishes to consider further the gift. If the PAAC recommends to accept the work of art it will also review any suggested site(s). If no site has been suggested then the PAAC will recommend a process for site selection. In the event that a MERC site is considered, PAAC will notify the MAC of the proposed location and MAC will consult with MERC as to the appropriateness of the proposal.
3. **Provisions for installation and future maintenance**  
PAAC will recommend provisions for the cost of the installation and future maintenance needed for the acceptance of the work. The sponsor will provide MAC with detailed maintenance instruction for the work of art.
4. **Review by Metropolitan Arts Commission**  
The Metropolitan Arts Commission will review the recommendation of the Public Art Advisory Committee and with the approval of MERC, will vote to accept or deny the proposed donation and its maintenance provision. Metropolitan Arts Commission approval will not be final until any provisions for installation and future maintenance have been satisfied.
5. **Acceptance by MERC**  
MERC will accept the donated artwork in accordance with the provisions of the Agreement with the MAC.

## **REVIEW PROCESS**

### **Commissioned Works of Art**

1. **Initial contact with the Metropolitan Arts Commission**  
The Public Art Program Manager or Assistant will meet with sponsor to advise on how to select and work with an artist and how to select an art consultant and/or an art advisory committee. The art consultant and advisory committees can give expert assistance on selection procedures, technical and budgetary concerns and on the uses, appropriateness, quality and variety of art options. A list of working art consultants is available from MAC. It has been our experience that sponsors who come to the MAC early in their process and who work with the PAAC to keep them advised of the developments have had a greater rate of acceptance than those who have not.

**NOTE:** It is preferable for commissioned works to go through a two-phase process, first "in concept" and second when the design has been selected. Sponsors of gifts are encouraged not to select specific designs prior to the approval "in concept" of the proposal and site. If the proposed site is under the jurisdiction of MERC, then MERC will be contacted at this preliminary point and the project must simultaneously go through any review process set forth by MERC or the City of Portland as may be applicable.

2. **Review "in concept" by the Public Art Advisory Committee**  
Sponsor should submit a written proposal to MAC which includes such information as the process for selection of an artist(s) and of a site, medium, time frame and budget. The PAAC will review the proposal and will make a recommendation to sponsor on changes to the proposal if necessary. PAAC will subsequently make a recommendation to MAC for acceptance or denial and will begin to outline provisions for the future maintenance of the work of art.
3. **Review "in concept" by the Metropolitan Arts Commission**  
The Metropolitan Arts Commission will review the recommendation of the PAAC and with approval of MERC, will accept or deny the donation "in concept".
4. **Review of design by Public Art Advisory Committee**  
When a site, artist(s) and a specific design have been chosen, a model and/or scale representation of the design must be presented to PAAC for review. The PAAC will review the design and will make a recommendation for the approval or denial of the work of art. If PAAC recommends approval of the work of art, the final recommendation for provisions of future maintenance will be included.
5. **Review of design by Metropolitan Arts Commission**  
The Metropolitan Arts Commission will review the recommendation of PAAC and approve or deny the design of the work of art and the provisions for future maintenance.  
**NOTE:** If in the development and execution of the project, the concept or aesthetic of the work is substantially changed, the concept and design should be re-approved before the work will be considered for final acceptance.
6. **Review and final acceptance of completed work of art by Public Art Advisory Committee and Metropolitan Arts Commission**  
Both PAAC and MAC will review the completed work of art in consultation with MERC, and approve or deny its acceptance, and forward its decision to MERC. Final approval will not be granted prior to the receipt of any required maintenance provisions.
7. **Acceptance by MERC**  
MERC will accept the completed work of art in accordance with the applicable provisions of this procedure.



## Requests for Commissioning a Work of Art

Requests for commissioning a work of art should go through the process outlined above and must include provisions for the administration of the commission as well as the future maintenance of the work of art as determined by PAAC and MAC.

### SELECTION OF ARTIST(S)

An artist is considered to be a practitioner in the visual arts, generally recognized by critics and peers as a professional of serious intent and recognized ability who produces works of art.

Any of the following methods of selecting an artist(s) are possible, although they are not exclusive.

#### 1. Open competition

A request for proposal is widely distributed inviting artists to submit resumes, slides and a short proposal. When the selection is narrowed to a few finalists, it is desirable to commission the artists to produce models or working drawings which specifically address suggested materials, construction of the artwork and placement at the site. A final decision is made after review of the models and drawings.

#### 2. Invitation

One or more artists are invited to submit slides and/or proposals. If finalists are chosen, it is desirable to commission them to produce models or working drawings which specifically address suggested material, construction of the artwork and placement at the site.

#### 3. Direct purchase

A completed work of art is selected for a specific site.

The sponsor should enter into a written contract with the final selected artist(s). The Metropolitan Arts Commission can provide assistance in drafting of a contract.

**\*Public Art Advisory Committee-** The committee appointed by MAC to recommend policies for selection, purchase, placement and maintenance of works of art acquired through the Public Art Program. They also make recommendations on the types of art appropriate to a project as well as selection committee members. Evaluation of the artwork acquired by MAC and recommendations as to the use of the Public Art Trust Fund are also done by this committee. The committee consists of two MAC Commissioners, the MAC designee on the Design Review Commission, and four to six artists/arts professionals.

# Metropolitan Exposition-Recreation Commission

P.O. Box 2746 • Portland, Oregon 97208 • 503/731-7800 • Fax #731-7870 • 777 NE Martin Luther King Jr. Blvd.

December 2, 1991

DEC 04 1991

The Honorable William McCoy  
State Senator  
2205 N. Lombard  
Portland, Oregon 97217

Dear Senator McCoy:

An article appeared in the Skanner recently regarding the Martin Luther King Jr. Statue being proposed for a location outside the Oregon Convention Center. Some time has passed since I last heard anything about this project and I am pleased the idea is still alive.

I would like to share some information with you relative to art projects and our facilities just in case this information had not reached you before now.

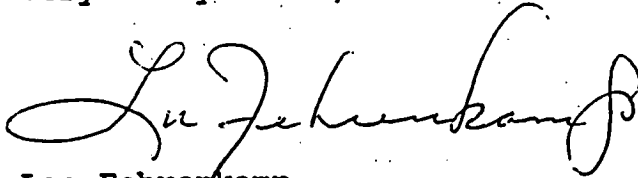
In March 1991, the METRO Exposition-Recreation Commission formally adopted a policy for donations of Artwork to Commission operated facilities. This policy establishes a procedural relationship with the Metropolitan Arts Commission for purpose of recommendation, acceptance and placement of existing and commissioned works of Art for display at MERC facilities.

I have enclosed a copy of the MERC Policy for your information. The procedures embodied in the policy cover a wide range of things including review criteria, review process for existing works of art, review process for commissioned works of art and process for selection of artists.

When the Commission adopted this policy it demonstrated its willingness to acquire donated works of art and clearly recognized the expertise of the Metropolitan Arts Commission through its Public Art Advisory Committee, for fair and professional judgment in selection, acquisition and placement of high quality artwork for MERC facilities.

Please contact me at your convenience, so we can discuss the Martin Luther King Jr. Art project and your interest in implementing the process covered in the METRO E-R Commission Policy for donations of works of art.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Lee Fehrenkamp". The signature is written in dark ink and is positioned above the typed name.

Lee Fehrenkamp  
General Manager

cc: MERC  
Bill Bulick - MAC  
Eloise McMurray - MAC  
Jeff Blosser