

City of Prescott

Civic Enhancement Committee



June 19, 2025 | 3:30 PM
201 N. Montezuma Street
Council Chambers, 1st Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Civic Enhancement Committee** at their meeting to be held **June 19, 2025**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION & ACTION ITEMS**
 - A. Approval of the March 20, 2025 and May 29, 2025 Civic Enhancement Committee Meeting Minutes.
Recommended Action: MOVE to approve the meeting minutes as presented
 - B. Discussion & Possible Action Regarding a Proposed Peace Pole Donation from Robert Shegog.
Recommended Action: 1) MOVE to forward a recommendation to Council to accept or deny the proposed sculpture donation and suggested location
4. **UPDATES**
 - A. Staff Announcements
5. **ADJOURNMENT**

Upon a public majority vote of a quorum of the Board, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));

- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 6/11/25 at 1:30 p.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Sarah M. Siep

Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: June 19 Civic Enhancement Committee
DATE: June 19, 2025
DEPT: City Clerk
ITEM #: 3.A
SUBJECT: Approval of the March 20, 2025 and May 29, 2025 Civic Enhancement Committee Meeting Minutes.

ITEM SUMMARY

This item is for the approval of the March 20, 2025 and May 29, 2025 Civic Enhancement Committee Meeting Minutes. Staff recommends approval of minutes as presented.

BACKGROUND

None.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve the meeting minutes as presented

ATTACHMENTS

1. March 20, 2025 CEC Minutes
2. May 29, 2025 CEC Minutes

City of Prescott
Civic Enhancement Committee



March 20, 2025 | 3:30 PM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chair Wiens called the meeting to order at 3:30 p.m.

2. ROLL CALL

Susan Wiens, Chair
Christopher Briggs, Member
Timothy Holt, Member (Excused)
Linda Nichols, Member
George Snyder, Member

3. DISCUSSION & ACTION ITEMS

- A. Approval of the December 19, 2024 Civic Enhancement Committee Meeting Minutes.

MEMBER BRIGGS MOVED TO APPROVE THE MEETING MINUTES AS PRESENTED, SECONDED BY MEMBER NICHOLS: PASSED (4-0)

- B. Discussion & Possible Action Regarding a Proposed Sculpture Donation from Arliss Newcomb.

Senior City Clerk Specialist Marikay Whisenand introduced the item up for consideration of recommendation, a request from sculptor Arliss Newcomb to donate two large sculptures to the city for display at the Prescott Public Library. One sculpture, titled "Proud Bloom", features a four-foot-tall base carved from travertine, with a steel stem and leaves, and an 18-inch flower crafted from Italian marble. The other, titled "Abundance", stands three feet tall and is carved from Indiana limestone, with beans made from Persian travertine and a serpentine base. She explained that the Committee is tasked with deciding whether to recommend the City Council accept or not accept the donation and placement of these sculptures, in accordance with the City's Art Donation Policy.

Ms. Newcomb noted that the area of interest for the sculpture at the library is near the bookstore, inside the building. She clarified that the donation being requested is just for the one sculpture, titled "Proud Bloom," which has an approximate value of \$4,000.

Member Nichols asked about the weight of the item.

Ms. Newcomb responded that it weighed approximately two hundred pounds.

Deputy City Attorney Matt Podracky, asked about the other sculpture, "Abundance," requesting clarification on the plans for it, since it is no longer part of today's request.

Ms. Newcomb responded that it would likely be donated to a local hospital.

Library Director Melissa Orr commented that while the library is a strong supporter of the arts, with over 150 pieces displayed both inside and outside the facility, there is currently no suitable space to accommodate artwork of this size. She explained that, based on community feedback, the library's focus is currently on expanding spaces to better serve patrons requesting study rooms and to provide additional programming spaces for all ages. She also noted that ongoing maintenance and repair costs for other displayed items are a contributing factor in this decision. Ms. Orr commented that the library would like to decline the donation at this time. She explained that the library would prefer to evaluate the existing pieces in their collection before considering new donations, and then revisit opportunities with future artists.

Member Briggs asked if there was an evaluation plan in place and whether any additional art donation pieces were currently in storage.

Ms. Orr responded that a formal evaluation plan is not yet in place, as additional information is needed on some of the pieces. She also clarified that there are no items currently being stored, and that the art collection is a bit eclectic, as the prior process was to accept all donations offered. For future donations, creating a better process would be beneficial.

Ms. Newcomb asked about where to donate the item, if the library is not an option, and what the next steps were.

Mr. Podracky referred to the Art Donation Policy and explained that a 60-day public comment period could be initiated regarding the proposed donation within one week of today's Committee recommendation. Any public comments received during this period would be collected and compiled, along with the recommendation regarding acceptance or non-acceptance of the artwork, with presentation to City Council to follow. He concluded by quoting, *"...following review and examination of the artwork and donation proposal, the Civic Enhancement Committee shall make a recommendation to the City Council regarding acceptance or non-acceptance of the artwork, placement and cost of the artwork, and responsible party for any ongoing maintenance costs to be considered at the next available Voting Meeting following a 60-day public comment period."*

Member Nichols asked Ms. Newcomb if she was open to considering another location for the donation, specifically referencing galleries inside performing arts centers.

Ms. Newcomb responded that she hadn't considered other locations, as she had hoped for the library.

Member Briggs suggested checking with area colleges as potential locations for the donation, noting that the location doesn't necessarily need to be limited to city property.

Recreation Services Administrative Supervisor Michelle Stacy-Schroeder, suggested that the airport could be another potential location for the donation.

Member Nichols recommended obtaining an approval letter from the airport if that location is considered.

Chair Wiens requested a legal opinion on the action to be taken.

Mr. Podracky advised that the artist could either withdraw their request or allow the Committee to proceed with recommending acceptance or non-acceptance of the donation.

Ms. Newcomb commented that she was officially withdrawing the request.

Mr. Podracky advised her that she could bring the request forward again at a later time.

Applicant withdrew donation request. No formal action was taken.

4. UPDATES

A. Presentation & Update from Director Joe Baynes Regarding the Recreation Services Department.

Ms. Stacy-Schroeder provided an update on behalf of Recreation Services Director, Joe Baynes.

- The Bean Peaks Trails Phase Two has been completed, totaling six miles of trails.
- Three miles of trails in the Granite Park area have recently been completed.
- The Department is gearing up for spring sports, with staff particularly busy as late winter and early spring are the busiest times of the year.
- The Special Event season has been the busiest in recent years, with six new events scheduled for March and April. The largest event is the Whiskey Off Road, set for the end of April.

- Since January, staff have been working with an AmeriCorps group of eight members, which has been a huge asset to the city. The group has been working alongside trail specialists, lake specialists, and Environmental Program Manager, Matt Killeen, as well as assisting with the Outdoor Education Program.

Member Nichols asked if Ms. Stacy-Schroeder was involved with the Rodeo Parade.

Ms. Stacy-Schroeder explained the Special Event process, detailing her role in working with event promoters, addressing health and public safety concerns, and handling street closures. She also mentioned having monthly meetings with staff from multiple departments.

Additionally, it was noted that the annual Veterans Day Parade is a city event.

This item was for discussion only. No formal action was taken.

5. ADJOURNMENT

There being no further business to discuss, Chair Wiens adjourned the meeting at 4:00 p.m.

SUSAN WIENS, Chair

ATTEST:

Staff Liaison

City of Prescott

Civic Enhancement Committee



May 29, 2025 | 3:00 PM
201 N. Montezuma Street
Council Chambers, 1st Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chair Wiens called the meeting to order at 3:00 pm.

2. ROLL CALL

Susan Wiens, Chair
Christopher Briggs, Member
Timothy Holt, Member (Excused)
Linda Nichols, Member
George Snyder, Member (Excused)

3. PRESENTATIONS

- A. Presentation & Discussion Regarding an Update and Overview of Financials for the Acker Trust Grant Program.

Senior Accountant Julie Vincent provided a presentation regarding the financial statement of the Acker Trust Fund detailing the revenues, expenditures, and assets. She stated that fifteen thousand was the anticipated budget for the upcoming fiscal year.

Member Nichols asked for clarification on the actuals and the anticipated budget.

Ms. Vincent stated that the Committee would be able to recommend up to fifteen thousand in grant funding this year and that the yearly interest varies.

Councilman Moore asked for information on the capital assets in the fund.

Ms. Vincent responded that the fund had several parcels of land.

Chair Wiens inquired about the cash account and interest earned.

Ms. Vincent explained how the cash account interest was distributed.

The Committee discussed the total amount they could award and the possibility of using the principal.

Councilman Moore warned against using the principal as it may reduce future award amounts.

Member Nichols mentioned that the principal had been used in the past for some

one-time projects.

B. GRANT APPLICANT PRESENTATIONS

AZ Philharmonic Inc
One Stage Family Theatre
Prescott Western Heritage Foundation Inc
Yavapai Youth Choir

AZ Philharmonic - Abby Coffee presented and provided a handout to the Committee members and gave a presentation on the organization, collaborative projects, the youth serviced by the programs, and future goals.

Member Nichols asked about the amount of financial help provided by Prescott Unified School District.

Ms. Coffee reported that the school district offered in-kind services totaling three thousand dollars.

Member Briggs asked about contact hours with students and about how partial funding would affect the program.

Ms. Coffee reported that the students attended ten classes at approximately 45 minutes and that they would continue to seek other donations and funding.

Member Nichols asked if the program would continue with only partial funding to which Ms. Coffee said they would hope for a similar experience even with partial funding.

One Stage Family Theatre - Alexes Niekamp gave a presentation on the non-profit community theatre, the different jobs that the youth are involved in with the production which includes acting, set design and construction, and that the funding would be used for scholarships for the youth to participate.

Member Briggs asked about the musical aspect of the program and partial funding to which Ms. Niekamp replied that they sing and dance in the many musical shows put on by the group and partial funding would be happily accepted.

Member Nichols inquired about the audience, the venue, and the ticket sales.

Ms. Niekamp discussed performing at the Elks Theatre and the need to sell tickets to pay for various fees.

Prescott Western Heritage Foundation - Brenda Cusick gave a presentation on the Western Heritage Foundation and the quarterly program provided for the youth, and briefly discussed funding from Embry-Riddle for a new program.

Member Nichols asked about continuing the program and where the students

come from.

Ms. Cusick stated that the music portion was added last year after the grant award and that the students came from schools, charter schools, and home school groups.

Member Briggs asked if partial funding would affect the program to which Ms. Cusick said she was not sure if the program would continue without the full funding amount.

There were no representatives from Yavapai Youth Choir.

4. DISCUSSION & ACTION ITEMS

- A. Approval of the March 20, 2025 Civic Enhancement Committee Meeting Minutes.

MOTION BY MEMBER NICHOLS TO APPROVE THE MEETING MINUTES AS PRESENTED; SECONDED BY MEMBER BRIGGS. (PASSED 3-0)

- B. Consideration of Recommendation(s) for Awards of Acker Trust Grant Program Funds.

The Committee briefly discussed the process for evaluating the applicants, with Member Nichols recalling that in the past, an Executive Session was used to go over the applications.

Alane Moore Senior Assistant City Attorney stated that the open meetings laws required that the deliberations be done in open session and the applicants could be present.

Member Briggs described his criteria regarding music and youth focused programs for awarding the grant.

The Committee agreed that not funding applicants who did not appear at the meeting was appropriate and briefly discussed the remaining applicants' merits for the potential award of a grant.

The Committee continued to discuss the amounts for the three remaining applicants and Member Briggs and Chair Wiens noted that partial funding would not work for some of the applicants.

MOTION BY MEMBER BRIGGS TO AWARD AZ PHILHARMONIC \$9,831.00 AND ONE STAGE FAMILY \$5,000.00 IN GRANT FUNDING; SECONDED BY CHAIR WIENS. (PASSED 2-1) MEMBER NICHOLS DISSENTING

MOTION BY CHAIR WIENS TO NOT FUND PRESCOTT WESTERN HERITAGE FOUNDATION INC AND YAVAPAI YOUTH CHOIR; SECONDED BY MEMBER BRIGGS. (PASSED 3-0)

5. ADJOURNMENT

There being no further business to discuss, Chair Wiens adjourned the meeting at 4:17 p.m.

SUSAN WIENS, Chair

ATTEST:

JOHN TRESIDDER, Senior City Clerk Specialist



TO: MAYOR AND CITY COUNCIL
AGENDA: June 19 Civic Enhancement Committee
DATE: June 19, 2025
DEPT: City Clerk
ITEM #: 3.B
SUBJECT: Discussion & Possible Action Regarding a Proposed Peace Pole Donation from Robert Shegog.

ITEM SUMMARY

This item is for Committee consideration of recommendation to approve or deny acceptance of a peace pole art donation from Robert Shegog.

BACKGROUND

In accordance with the City's Art Donation Policy (Policy) the City Clerk's Office has received a request from sculptor Robert Shegog to accept a donation of a peace pole to the city to be placed at the Prescott Public Library.

The proposed donation consists of one peace pole.

Before the Committee is to determine whether to recommend the Council accept or reject the donation and placement. This consideration must be made in accordance with the Policy.

Feedback from the Library:

The library would consider the possibility of acceptance based on the material of the pole and location of placement. Statement from Library Director Melissa Orr:

First, I want to express our appreciation for the intent behind the donation. The Peace Pole is a thoughtful symbol that promotes a message of harmony, and we recognize the generosity behind the offer. However, after review, we would like to decline your offer for the following reasons:

The only feasible location for placing the Peace Pole would be in our courtyard. This is the most secure option to protect it from vandalism, but unfortunately, it's also a space with very limited visibility to the public. As a result, its intended impact would be significantly reduced.

While the Peace Pole carries a positive message, it is not considered a piece of art in the traditional sense, as it conveys a specific message. As a public library, we make every effort to remain neutral, especially in matters that could be interpreted as political or ideological. Even messages that may seem universally positive can be viewed through different lenses by members of our community. It's also important to remember that the library is a city entity, and anything we display on our grounds can be perceived as representing not only the library, but the city itself.

It's also important to note that all of our existing outdoor artworks are in need of repair that is currently estimated to be over \$60,000, and we simply do not have the funding or resources at this time to properly maintain additional installations.

At the last CEC meeting, we made the same recommendation to decline a large piece of indoor art at that time. The library is in the early stages of developing a policy for accepting artwork. At present, our collection includes over 130 pieces, many of which are eclectic and do not reflect a consistent curatorial vision. We want to ensure that moving forward, we have clear and fair criteria for accepting new pieces so that any additions align with our mission and capacity.

Thank you for thinking of the library in such a generous and thoughtful way.

FINANCIAL IMPACT

Mr. Shegog has requested assistance from the city for the installation of the pole. Financial impact is unknown at this time.

RECOMMENDED ACTION

1) MOVE to forward a recommendation to Council to accept or deny the proposed sculpture donation and suggested location

ATTACHMENTS

1. 2024 City of Prescott Art Donation Policy & Guidelines
2. Donation Request_Shegog Redacted

Art Donation Policy

This policy is intended to govern the process for acceptance of works of art by the Civic Enhancement Committee for recommendation to the City Council for inclusion in the city's public art collection. This policy outlines the process for reviewing and evaluating works of art under consideration to determine the suitability of artwork, appropriate locations for possible installation and evaluating future maintenance and safety requirements. These guidelines are intended to ensure that public art accepted by the city (i) is of the highest quality, (ii) enhances the aesthetic character of the community's public spaces, (iii) advances the public understanding of art, (iv) meets with the overall feel and themes of the city, and (iv) does not place an undue burden on the city for the artwork's maintenance, security or public safety.

A. General Standards

Public art is defined as the work of a visual artist located in a publicly accessible space. Public art includes, but is not limited to: paintings, murals, statues, stained glass, fiber art, relief or other sculpture, fountains, arches and other structures intended for ornament or commemoration, carvings, frescoes, mosaics, mobiles, photographs, drawings, collages, prints, landscape art, and crafts both decorative and utilitarian. Public art may be temporary or permanent in nature.

Regardless of the method of acquisition, certain fundamental criteria will be universally applied to any work of art under consideration including the following points:

- Artistic Merit
- Physical condition of the artwork
- History and provenance of the artwork as it relates to the city of Prescott
- Compatibility with the city's existing public art
- Availability of an appropriate location for siting on city property
- Requirements for installation, storage and maintenance
- Liability considerations and issues of public safety
- Final determinations related to acceptance of public art will be at the sole discretion of the City Council by a majority vote of its members

Acceptable forms of art ("Acceptable Art") shall include the following:

- All forms of limited edition or one-of-a-kind original creations of visual art created by an artist
- Project features and enhancements which are unique and produced by a professional artist such as benches and fountains
- Murals or mosaics covering walls
- Professional artist sculptures which can be freestanding, wall-supported or suspended and made of durable materials suitable to the site and the climate
- Other suitable artworks as presented in a catalogue and previously approved by the Civic Enhancement Committee

The following non-exclusive list describes those items not considered Acceptable Art (“Not Acceptable Art”)

- Business logos or art that incorporates a logo for the primary purpose of advertising a business
- Directional elements such as supergraphics, signage or color coding except where these elements are integral parts of the original works of art
- Mass-produced art objects, such as fountains, statuary objects or playground equipment
- Reproduction by mechanical or other means of original works of art
- Art exhibitions and educational activities
- Security and publicity concerning works of art
- Standard landscape or hardscape elements that would normally be associated with another improvement project

B. Accepting Gifts, Bequests and Loans of Artwork

This process begins with the Civic Enhancement Committee and is finalized by the City Council. Upon receipt of an offer, the Civic Enhancement Committee will provide the prospective donor with a copy of this Policy.

Eligible offers of artworks from artists, owners, businesses, organizations, individuals or other entities shall be submitted by the donor to the Civic Enhancement Committee for processing. Eligible offers shall include the following:

- A letter of intention stating that the donor wishes to donate, loan and/or bequest art to the city. The donor may suggest locations for the artwork’s placement on city property
- A written description of the artwork, including a definition (ie painting, sculpture, fabric, hanging, etc); the date medium was created; the name of the artist who

created the artwork; the artwork's dimensions, physical condition and any relevant background information about the artwork and the artist

- The name, address and phone number of the donor
- Visual documentation of the artwork (ie color photographs or videotapes) and shall include electronic copies
- Donor may be asked to provide additional documentation to verify originality and legal title of the work

Once all items have been received for processing, the Civic Enhancement Committee will review the offer at their next available quarterly meeting, and notify the donor in writing of the date and time of such meeting. The donor will have an opportunity to make a brief informational presentation to the Committee.

Following review and examination of the artwork and donation proposal, the Civic Enhancement Committee shall make a recommendation to the City Council regarding acceptance or non-acceptance of the artwork, placement and cost of the artwork, and responsible party for any ongoing maintenance costs to be considered at the next available Voting Meeting following a 60-day public comment period.

The City Clerk's Office will open the 60-day public comment period regarding the proposed donation within one week of the Civic Enhancement Committee recommendation; collect any received public comments and compile along with the recommendation regarding acceptance or non-acceptance of the artwork (including placement and maintenance requirements), a draft Art Donation Agreement and any other supplemental materials to be presented to the City Council.

The City Council will consider the Civic Enhancement Committee recommendations at a regular Voting Meeting and shall accept or decline acceptance of the artwork for the city. After the Council's determination, the City Clerk's Office will notify the donor.

Prospective donors should understand that artwork will not be accepted by the city with attached conditions or restrictions. Neither the Civic Enhancement Committee nor the city is obligated to accept bequeathed items that, in its opinion, would be an inappropriate fit for the city's public art collection. No object will be accepted for the city's art collection if ownership is in question. Art objects will be accessioned only when they have been collected, exported and imported in full compliance with the laws and regulations of the country or countries of origin, and with the laws and regulations of the city, Yavapai County, State of Arizona and the United States. Under no circumstances will individuals of the Civic Enhancement Committee or city personnel give appraisals of art objects.

C. Site Selection Requirements

Determination of Site Locations. When evaluating potential art sites it should be asked whether art at a particular location has the ability to: (i) reveal a unique or special quality about Prescott, (ii) enhance the daily routine of the commuter, pedestrian, worker or resident, (iii) contribute to awareness of Prescott's history and cultural identity, (iv) add aesthetic quality and interest to Prescott's infrastructure, (v) serve as a landmark or place-maker, (vi) engage the public in an entertaining, educational, or contemplative way, or (vii) make a statement about the identity, character or values of a particular area or community within Prescott.

Site location for the placement of donated works is also an involved process. All necessary parties including the Civic Enhancement Committee, city departments and staff will work to identify priority sites within the city limits that will be appropriate for the proposed donation. The location must be compatible with the piece to be donated. If no feasible site is identified for the proposed donation, the donation will not be accepted.

Stakeholder Review. Following recommendations being made by the Civic Enhancement Committee, the City Clerk's Office will open a 60-day public comment period during which citizens will be able to submit comments on the artwork and location recommended via the city website. These comments will be presented to the City Council will all appropriate documents and recommendations at the Voting Meeting during which they consider the donation of the artwork.

Interference with Other Facilities. The artwork must not interfere with other uses or with utility lines. Art pieces and related locations may be rejected because the artwork interferes with above or underground wiring or pipes, building maintenance or window washing activities, regular use or programming of a facility or with the normal flow of pedestrian traffic. For example, locations may be rejected because of interference with existing or future planned park uses.

ADA Compliance. The location of the artwork must conform to the American's with Disabilities Act including any applicable provisions relating to visual access and physical access to the installed artwork.

Site Maps. Site maps for the suggested location of the artwork will be required. In all cases, the final site for the artwork must be approved by the City Council and must meet required standards, and, if the artwork is to be located within a city facility the appropriate parties must also agree to placement. Any relocation of artwork must be approved by the City Council at the expense of the donor. Site approval must take place

concurrent with acceptance of the artwork donation; if a site cannot be identified the donation will not be accepted.

Relocation of Artwork. The initial placement of artwork is not necessarily permanent. If, in the future, a more appropriate location becomes apparent the Civic Enhancement Committee will review the possibility and present a recommendation to the City Council. Relocation of artwork is subject to approval of the City Council.

Engineering Requirements. If it is determined by the city that a particular installation of donated artwork requires the services of a licensed contractor, or professional engineering the donor will be required to cover all costs associated with installation.

D. Installation Costs

Installation costs shall be covered by the donor, unless otherwise agreed upon by the City Council and donor as part of the Art Donation Agreement.

E. Responsibility After Installation

Artwork located on city-owned property shall be dedicated to the city and the city shall be responsible for the costs of all future maintenance costs.

F. De-accession

Any proposal to remove or relocate artwork, art spaces or art concepts should be reviewed according to this Policy, except that, in cases of urgent need for de-accession, proposals may be submitted without following the formal process but meeting the following criteria:

- Extreme controversy
- Irreparable vandalism
- Artist request
- Irreparable damage from other causes

When all steps for de-accession recommendations have been taken, the recommendation shall be considered for approval by the Council. De-accession shall be implemented by the City Manager or his/her designee based on the following considerations:

- The site of the artwork has become inappropriate because it is no longer accessible to the public, the physical setting has changed or the site is to be destroyed
- Artwork has received adverse public reaction

- De-accession has been requested by agency displaying the artwork
- Artwork is discovered to be fraudulent or not authentic
- Artwork possesses faults of design or workmanship, and repair or remedy is unfeasible or impractical
- Artwork causes excessive or unreasonable maintenance or repair
- Artwork is damaged irreparably, or to the extent that repair is unreasonable or impracticable
- Written request from the artist has been received
- Security for the artwork cannot be reasonably guaranteed, and the work cannot be reasonably moved to a safer location

De-accession Recommendation Procedures:

- Review artist contract and other relevant agreements
- Obtain legal opinion from City Attorney
- Review written correspondence, media coverage and other evidence of public debate
- Investigate that no restrictions apply prior to de-accession
- Investigate if clear title exists to artwork prior to de-accession

De-accession Recommendation Checklist:

- Notification of donor
- Reasons for suggested de-accession, and acquisition method and cost
- Informed estimate of the current value of the work
- Hold a Committee meeting for input
- Recommend specific measures and timeframe for relocation or removal
- Review options for possible relocation
- Suggested and alternative courses of action
- Sale – proceed with sale of de-accessioned artwork according to the ARS Statute on disposal of public property, seek bona fide appraisal, advertise sale and seek competitive bids
- Alternatives – dispose through surplus property procedures, remove artwork from display and store it, if above is not feasible and all other de-accession steps have been taken, artwork will be destroyed

G. Artists' Rights

The artist retains all rights under 17 USC 106A (commonly referred to as the “Visual Artists Rights Act”) and all other copyrights to the artwork under 17 USC 101, et seq.

(commonly referred to as the “Copyright Act of 1976”) with the following exceptions: 1) ownership, 2) possession and 3) those rights limited by this policy.

The city shall have no liability for copyright infringement claims by third parties against the artist or donor. The city will not be responsible for prosecution of copyright infringement claims by any artists, individuals or entities. The city will not assume any liability for copyright infringement claims. The city will not defend or indemnify any artist, individual(s), or entity(ies) claiming a copyright interest in the public art, including but not limited to the donating artist.

Dear Civic Enhancement Committee / Sarah Slep

I received the Lovejoy Social Justice award for 2025. The award included \$500 to be used for social justice. I would like to donate a Peace Pole to be placed on the grounds of the public library. The poles on line cost about \$150-225, APS would need to be notified labor and materials would come from the funds. Thank you for your consideration.

Robert Shegog


Prescott Az 86301

PS I just learned the poles at Prescott High and Bradshaw the prep work was done by the maintenance department. If I could get help from the city maintenance dept. that would be appreciated









