

MINUTES

Government & Public Sector Lawyers Section

Thursday, March 6, 2025 • Noon MST • ISB Law Center, 525 West Jefferson, Boise

I. Call to Order, Introductions

Texie Montoya called the meeting to order at 12:00 p.m. MST.

II. Introductions

Introductions of the meeting participants were skipped.

III. Minutes of December 5, 2024 and February 6, 2025 meetings

Logan Wies-Hurzeler made a motion to approve both the December 5, 2024 and February 6, 2025 minutes. Seconded by David Wynkoop. Motion passed unanimously.

IV. Announcements

Field Herrington stated that the Idaho Municipal Attorneys (IMA) annual conference is in June in Boise. Field requested to add the annual joint social between this Section and the IMA to the next agenda.

V. Financial Update

As of December 2024, the Section had \$40,580 in non-CLE revenue, \$33,404 in non-CLE expenses, \$8,105 in CLE revenue, and \$3,794 in CLE expenses. Our total Net Income was \$11,486. For reference, in 2023, we had a net loss of \$5,997 and in 2022, we had a net loss of \$2,828. A large part of our non-CLE revenue and expenses comes from a grant that we accept on behalf of ACE, which we then pay out back to ACE.

For 2025, we are working on the budget, which will hopefully be presented to you for your review at the April meeting. We are projecting \$41,500 in non-CLE revenue, \$40,150 in non-CLE expenses, \$8,175 in CLE revenue, and \$4,500 in CLE expenses. Our total projected Net Income is \$5,025.

VI. Attorney for Civic Education (ACE) update

Texie Montoya gave an ACE update. Texie is on the board of ACE. ACE is a group of people that raise money for high school civic programs throughout the state. Idaho Mock Trial is coming up and you can volunteer to help with that.

VIII. CLE

Christine Evangelides Dodd, Deputy City Attorney, Boise City Attorneys Office

Title: *The Life of an Artwork Commissions: From Concept to Deaccessioning*

Summary of Presentation:

- Ensure that public entities have a public purpose and are utilizing the public when spending tax dollars on community art.
- Be aware of national and religious symbols in artwork (i.e. American flag) and how that interplays with first amendment protections.
- Copyright law and fair use doctrine: Cities may not have the authority to use artworks in other ways such as with promotion materials, on reports, etc.
- Warranties: The use of subcontractors for fabrication and installation of artwork may affect warranties on materials. Try to extend warranties from the artist and request an inventory of high failure parts so that you have replacements on hand.
- Safety Concerns: temporary artworks can produce intentional and unintentional destabilizing changes (things will deteriorate, change in weather, be affected by public interaction, etc.). Even permanent artwork in public spaces may be vandalized or age/transform over time and must be regularly checked and maintained.
- Protection: Art insurance, anticipating breaking, document concerns, ongoing responsibility for possible hazardous conditions with public interaction, implement physical barriers (roping off exhibits), security, etc.
- Planning: ongoing maintenance, funding, decommissioning older pieces (have deaccessioning clause in all contracts), space for storage of artwork, art loans, temporary over permanent artwork, management of artwork.
- Costs: purchase, installation, maintenance, damages, deaccessioning
- Public Perception- stature of pieces with the public may affect how/if you can deaccession.
- Reallocating Funds- funds from deaccessioning an artwork may be legally limited as to what they can be used for.

IX. Adjourn

Meeting adjourned at approximately 1:00 p.m. MST.