



# Public Art Policy

## The City of Mobile, Alabama

Prepared by  
Project for Public Spaces, Inc.  
153 Waverly Place, 4th Floor  
New York, New York 10014  
(212) 620-5660, [www.pps.org](http://www.pps.org)

Prepared for  
Mobile Tricentennial Committee, Inc.  
The City of Mobile, AL

Fall 2002

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Cover photo: 'Portal' by Casey Downing

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# Executive Summary

## 1. INTRODUCTION

### A. Vision for Public Art in Mobile

In seeking to re-assert itself as an arts and cultural center, the City of Mobile has commissioned the development of a public art policy that outlines a process, criteria, and intent for systematically acquiring and introducing public art throughout the City of Mobile, its public spaces, and its neighborhoods. By adding to and rounding out the City's complement of cultural resources and continuing the process of activating and rejuvenating public spaces throughout the City, public art can:

- Positively impact the use and vitality of public spaces throughout the City by helping to make them more comfortable and inviting to users;
- Act as an economic, social, and community revitalization tool that also gives communities and neighborhoods a sense of identity; and
- Act as an attraction and a draw (a neighborhood landmark and place-maker) that amuses, entertains, captures the imagination and surprises and encourages people to visit and experience the downtown and the City's neighborhoods.

To achieve this vision for public art for its city, Main Street Mobile assembled a Public Art Policy Committee and hired Project for Public Spaces, Inc. (PPS) to work with them and with the Tricentennial Committee to devise a strategy for public art that focuses initially upon improving specific public spaces identified both in the Green Space Master Plan and the Downtown Public Space Plan. It involves developing partnerships with municipal agencies, non-profit organizations and the development community. It also will enable and encourage the City to collect, commission, and place public art throughout the city and provide an orderly, but not overly bureaucratic means of addressing some immediate issues, such as evaluating gifts of public art and working with private developers to incorporate public art into projects currently under design and/or construction. A longer-term goal is to promote the idea and value of public art to the citizens of Mobile.

### INTENT OF A PUBLIC ART POLICY FOR THE CITY OF MOBILE

The overall intent of this Public Art Policy is to lay out a series of processes and procedures for commissioning public art in Mobile, building upon the strengths of existing artworks and entities involved with public art, that will enable the City to fulfill its goals as regards public art.

Reaching consensus as to the intent of the public art policy, and agreeing to carry out the goals set forth therein is vital to the successful implementation of the policy over time. That is to say that the goals to be achieved by a public art policy, and the vision for how they are to be achieved, must be

embraced by the implementing organization and public art planning advocates and advisors, as well as by participants chosen for artist selection panels: all must undertake the process in the spirit in which it was designed, not with their own agendas in mind. Just as the criteria developed for the many selection procedures that guide the commissioning of artists, needs to be adhered to, so too the intent behind the policy. For example, if a public art policy recommends, based upon the desire on the part of the public in general to engage and include local artists and to site projects in neighborhoods, but the public art organization charged with implementing the policy and commissioning art, or its advisory or governing board has a different agenda (e.g., creating a world class collection of public art for the city by primarily commissioning works by internationally or nationally renowned artists) then either the policy has to be rewritten (if in fact, there is significant impetus to do so), the advisory body dismissed and replaced with those who agree fundamentally with the direction of the policy, and/or a new executive director hired to run the public art organization. *The policy must support the City's public art goals, and the goals must be achievable through the policy.*

It is also the intent of this policy is to demonstrate how public art can help the City of Mobile achieve the goals and strategies laid out in the February 2000 report to the Mobile Arts Council by Wolf, Keens & Company, which include:

- Provide more opportunities for children to experience arts and culture both inside and outside of school;
- Establish stronger connections between cultural organizations and the public schools, and other partners as well;
- Use arts and cultural resources to strengthen positive experiences among people of various racial, religious, ethnic, age, and economic backgrounds;
- Develop mechanisms for expanding culturally diverse programming in Mobile's neighborhoods and downtown; and
- Increase the public's awareness of arts and culture and establish more effective ties between this sector and economic development and tourism interests.



Alice in Wonderland by Jose de Creeft, Central Park, New York.

## B. Qualities of Successful Public Art Policies

From our research and discussions with public art program managers from around the nation we have found that there is no direct correlation between the particular type or types of policies in place and the "excellence" of the art achieved by a public art policy! Cities that are known for their art (e.g. Portland, Seattle, New York) generally have similar policies to cities with less auspicious public art track records. Some cities that have no percent for art ordinance have commissioned a good deal of art whereas other cities with 25-year-old ordinances on the books have produced very little! No specific policies guarantee success; similarly, which precise policies lead to the creation of successful public art projects also cannot be determined.

However good public art programs tend to have certain characteristics in common. They meet the goals that were set out, fulfill a larger vision, empower their communities, help to create good public places, introduce a diverse body of public artwork that is appropriate to its setting and is embraced by its public. In addition, our research showed that there are a few key elements, which the more successful programs possess -- elements that have evolved out of a decade or more of nurturing and educating, promoting and partnering between local organizations and the City.

**Visionary leadership** that not only gets the art policy (and ordinance) adopted, but also communicates to the public and private sectors the important role public art has to play in the life of a city. The vision of this leadership must be passed along - administration to administration, generation to generation, until public art becomes engrained in the way projects are done. Visionary leaders are strong advocates and supporters for public art who make sure that the public art group is "at the table" when funding and project decisions are made.

**Broad and diverse funding sources** that will withstand the vagaries of city budgets, financial markets, and real estate values. The more diverse a program's funding sources, the more stable it will be. The more city agencies that develop public art programs (transit agencies, school construction authorities, parks departments) the more diverse the funding sources and opportunities for art will be. This always includes adequate set asides for maintenance and conservation of commissioned artworks.

**Active and engaged communities** that understand the benefits of public art to themselves and their community, and see it as a reflection of themselves, a tool for empowerment, and an educational and vocational resource to their children. The policy recommends ways to increase community awareness, involvement and ownership of public art projects.

**Strong public/private partnerships** that support and promote public art playing a role in every aspect of the life of a city, and provide a wide range of opportunities and locations for art and artists and the funding needed to realize these opportunities.

**Ongoing initiatives aimed at enhancing a city's public spaces and infrastructure where artists can play a role.** Improvement projects, whether big or small, plazas or buildings, waterfronts or parks, in neighborhoods or downtowns.

**The Public Art Policy supports the goals and vision for the public art program, and the goals of the program are achievable through the public art policy,** as mentioned above.

**Flexible guidelines** to allow for innovation in terms of siting, partnering, funding, and involvement of communities, while creating a streamlined approval process by the city council and mayor (if required), and to be easily adapted for use by hospitals, the University, and private businesses.

## **WHAT ARE THE KEY DIFFERENCES BETWEEN PUBLIC ART POLICIES?**

Nearly every major city in the nation has a public art policy, as do a number of counties (Kings County, WA; Fulton County, GA), states (Massachusetts, California), and even the U.S. Government, which enacted a one percent for art law regarding construction of new federal buildings. These policies differ in two major ways: first, by the funding source and second, by the organization that administers the program.

## **FUNDING SOURCES**

Percent for art is the primary funding source for the implementation of most policies. Percent for art mandates that a percentage (usually .5 to 2) of the total construction budget of a municipal capital improvement project (CIP) is set aside for the commissioning of public art, usually sited on or inside the facility being built. Percent for art policies are appropriate for a city when there is a lot of annual capital construction planned or underway; where city agencies are willing to participate in the program and comply with the percent for art set aside; and where a public art organization exists that can easily obtain information about upcoming CIP projects on an annual basis. While most cities with percent for art ordinances mandate the set aside, some, like Houston, leave the amount of the percentage for art up to the city agency or developer funding the project.



Chicago Flying Pigs installation.

The alternative model is where there is no percent for art ordinance in place, but rather, public art projects are funded by the public and private sector on a voluntary basis. This is a model that has been used successfully in San Diego by the Commission

for Arts and Culture. Given the current situation in Mobile, where the Mayor has voiced support for percent for art, but buy-in from the many city agency partners has not yet been secured; where there is over \$240 million in privately funded development taking place but few city-funded projects are underway; and there is at least a perceived if not real city budget crunch, implementing a percent for art ordinance as a funding mechanism for public art is not advisable at this time.

## PROGRAM ADMINISTRATION

While most public art programs are administered by city agencies, located within a bureau of cultural affairs, community development, or planning, there are a handful of public art programs which operate as private, 501(c)(3) non-profit agencies who contract with cities to run the public art program for them, whether percent funded or not. The benefit of the non-profit model is that, because they are not a city agency, these organizations can more easily accept private funds and donations from private sources for public art. Where little capital construction is planned or underway, as in Mobile at this time, private funding and funding by developers is a realistic option, there is a desire to spread public art projects around the city, not just in the downtown or tied to public buildings and sites, and private non profit agencies already exist who could run the City's public art program, this approach would appear to be the most advantageous at this time. The added benefit is that a private agency can operate the public art program independently, fairly free from city politics and onerous regulations and policies.

## C. Benefits of a Public Art Policy

### WHY DO CITIES DEVELOP PUBLIC ART POLICIES?

Cities adopt public art policies for a variety of reasons including introducing people to art and culture, improving the city's public spaces and to encourage higher quality development. For example, the authors of the Tampa percent for art policy cite the desire on the part of the city to expand public experience and exposure to culture while enhancing the appearance of public facilities and improving the city environment for its citizens. Another intent behind Tampa's recent percent for art policy is to "enhance [the city's] aesthetic environment, to encourage private developers/owners of commercial properties to commission a piece of art

for each new development....or, in lieu thereof, to donate monies to the city for public art." Atlanta's public art master plan sought to: streamline and expand the current program to reach a broader audience, broaden the definition, types, and locations for public art, increase community awareness, involvement and ownership of public art projects, develop processes for site, artist, gift, and art selection that reflect community demographics, values, and identity, and foster cooperation and coordination among public art interests City-wide. Their new gift review policy helped the City wade through the many offers of permanent public art received from all over the world at the time of the Olympics, and to select only those pieces that were in keeping with the public art vision for the city.

Some cities adopt more than one public art policy in order to introduce public art into the broadest possible range of projects so as to impact and benefit the largest population by enhancing many different types of civic building projects. New York City has a percent for art program for all municipal capital improvement projects, as does the City's Department of Education's School Construction Authority (Public Art for Public Schools), the Metropolitan Transit Administration (subway and train stations, and bus terminals), and the Parks Departments in the Boroughs of Manhattan and Queens. The NYC Department of Sanitation has an artist-in-residence program, and the Departments of Environmental Protection and Public Works contract with the Public Art Fund, a private non-profit group, to develop public art projects for and around their facilities, which the agencies fund themselves. As a result, public art can be found on dozens of train platforms and stations, on street corners in midtown and in residential neighborhoods, in parks, in schoolyards, around waste treatment facilities and new municipal facilities in all five Boroughs of the City. Each program is managed and funded independently, with the Mayors Commission on Fine Arts having final approval of all public art projects sited on city-owned land.

## **BENEFITS TO THE CITY OF MOBILE OF ADOPTING A PUBLIC ART POLICY ARE AS FOLLOWS:**

**A public art policy is needed to guide and nurture a city's public art program** so that it is able to effectively fulfill its mission. For Mobile, that includes contributing to the creation of "places" throughout the City and imbuing the City's public spaces with a "sense of place." The following benefits, which emerged from research of other cities public art programs and policies, as well as on-site study, public meetings and forums, and discussions with the Stakeholders' Committee in Mobile, comprise the mission of the art policy, which should be accepted and agreed upon by all who will be charged with managing, directing, and funding the implementation of this public art policy. The criteria and intent of public art for the City was generated by the review and analysis of the issues and opportunities for public art in Mobile as expressed by the specific participants in PPS-facilitated public forums, Place Game workshops, and interviews.

**Legitimize the idea of public art as a desirable and positive civic feature.** Having an ordained and approved public art policy can provide a shield against pressures, political or otherwise, to undertake a certain project at a certain time, regardless of whether or not the financial or human resources are forthcoming; to accept a gift of art without ensuring adequate funds to ensure its maintenance; to commit a site for a future art project when there may be other higher or better uses for that site; or to fundamentally alter the direction of or eliminate altogether, the public art program and public art initiatives.

**Guide the direction of the public art program for years to come, and provide a means to communicate this vision** to the Mayor, City Council, developers, city departments, communities, and artists while demonstrating how public art projects can enhance plans and projects underway

**Increase the amount of public art.** While public artworks do exist in Mobile, the city cannot yet boast a "public arts tradition," per se. The Mobile Museum of Art, Arts Patrons League, and groups of individuals have worked to commission artworks for the airport, to commemorate historic figures, to incorporate artworks into a new hospital campus and the Cooper Riverside and Municipal Park, and several works of functional works (bicycle racks) that are located in the downtown. The planned construction of a new federal courthouse also will incorporate a major (or several smaller) work of public art, to be commissioned by the GSA's Art in Architecture program, with opportunities for consultation by selected members of the community. *It is important to develop a framework to guide and coordinate all of these various public art efforts and to ensure that each of them meets the overall goals and mission of the public art program.*

**Clarify the process for commissioning public art to benefactors, local government, developers, and artists.** When there is no systematic public art process to be followed, people create their own processes on an informal, as needed, or ad hoc basis which, therefore, may lack consistency in application, cause duplication of efforts, send mixed signals to artists and the public alike, and cause conflict or controversy. While processes can and should be flexible to a certain extent, it first is important to establish consistent guidelines and parameters for undertaking a public art project and to professionalize and institutionalize the process for selection and siting of art as much as possible.

**Create new initiatives and opportunities for increasing the variety of and locations for public art in a city,** including integrating art in the parks and downtown public spaces as part of the Tricentennial Celebration, exploring the feasibility of renovating vacant buildings for artist housing and live/work projects in the downtown, incorporating art into new public and private commercial office developments under construction, and to identify works of public art that will both create and sustain a sense of place for Mobile.

**Establish a broad base of public support for public art and a structure for community involvement** to empower the public in the public art process and obtain "buy in" from many sectors of the community, and to guarantee a broad base of support for public art in Mobile. This includes systematic outreach to neighborhood and civic associations to suggest ideas for art projects, target which types of art are desirable to and will be accepted by a community and then work to expand this list; assist with artist selection as members of selection panels; partner with artists in the art-making process; and provide valuable input and insight as to both the issues that are of concern to them, and their vision for themselves and their community. This information often proves invaluable to an artist in shaping the vision for an art project and in ensuring ongoing community support for and stewardship of the finished piece.

## **D. Why a Public Art Policy is Timely for Mobile**

It is appropriate for the City of Mobile to adopt a public art policy at this time because of both practical issues but also because the city is at a turning point.

On a practical level, the city needs to be proactive in handling current art related opportunities and issues, including evaluating proposed gifts of public art to the City, developing methods for oversight and quality control of public art being commissioned by private entities around the city, and poising itself to take full advantage of the flurry of development occurring in the downtown to secure places for public art.

On another level, there also is a need to ensure that the public art commissioned for the City has a strong positive impact on the public spaces in the city and to seize the opportunity to shape the improvement and evolution of the City's downtown public spaces, parks, waterfront, and neighborhoods. There are many reasons that now is the time for Mobile to adopt a public art policy:

- A public art tradition is just beginning to take hold;
- Opportunities for tying public art to the economic, social, and physical revitalization of downtown are being explored;
- Dedicated sources of public funding (percent for art) have not yet been secured; yet there exist potential benefactors (public and private) who could, if educated, support public art;
- Public art has and is being commissioned, albeit on an ad hoc, privately supported, or informal basis, and even without the existence of an established public art organization;

- Some early public art commissions have met with success, others with controversy;
- A search is in progress for those visionary leaders who will help guarantee the incorporation of public art into the life of the city in a meaningful and permanent way; and
- A broad base of support for public art is beginning to coalesce which can be further developed.

If Mobile's public art program succeeds in achieving these goals, it is possible that one day the city will be as well known for its public art as it is for Mardi Gras!

### Eleven Principles for Transforming Public Spaces Into Great Community Places

- I. The community is the expert.
- II. Create a place, not a design.
- III. Look for partners.
- IV. You can see a lot by observing.
- V. Have a vision.
- VI. Start with the petunias: experiment.
- VII. Triangulate.
- VIII. They always say "it can't be done."
- IX. Form supports function.
- X. Money is not the issue.
- XI. You are never finished.

## E. Policy Approach

This policy will reflect and expand upon the following eleven principals, developed by Project for Public Spaces, Inc., which are key elements to creating place and revitalizing communities.

Effective public spaces are extremely difficult to create, because their complexity is rarely understood. As William (Holly) Whyte said, "It's hard to design a space that will not attract people. What is remarkable is how often this has been accomplished." PPS has identified 11 key elements in transforming public spaces into vibrant community places, whether they're parks, plazas, public squares, streets, sidewalks or the myriad other outdoor and indoor spaces that have public uses in common. These elements, which have been adapted to the public art policy planning process are:

### I. The Community Is The Expert.

The important starting point in developing a concept for any public space is to identify the talents and assets within the community. In any community there are people who can provide an historical perspective, valuable insights into how the area functions, and an understanding of the critical issues and what is meaningful to people. Tapping this information at the beginning of the process will help to create a sense of community ownership in the project that can be of great benefit to both the project sponsor and the community.

Obtaining public input at several points in the public art planning and commissioning process is vital: First, before the artist is selected and

the request for proposal drafted, convene a workshop or a survey or exercise (like the Place Game) to get the public input that will help to shape the RFP and develop the parameters and goals for the public art project from the outset. Second, after the artist is selected, the artist can convene a workshop to obtain additional public input of special importance to them as they begin to conceptualize the artwork. Third, before the piece is built - perhaps when the maquette has been approved by the commissioning agency, the artist takes it before the public for additional input and a sign-off. The policy implications are that these kinds of meetings and public forums need to be included in the project budget and scope of services, and adequate time needs to be set aside in the project schedule for these workshops, particularly in the RFP and project development phases (the first and second workshops).

## **II. Create a Place, Not a Design.**

If your goal is to create a place (which we think it should be), a design will not be enough. To make an under-performing space into a vital "place," physical elements must be introduced that would make people welcome and comfortable, such as seating and new landscaping, and also through "management" changes in the pedestrian circulation pattern and by developing more effective relationships between the surrounding retail and the activities going on in the public spaces. The goal is to create a place that has both a strong sense of community and a comfortable image, as well as a setting and activities and uses that collectively add up to something more than the sum of its often simple parts. This is easy to say, but difficult to accomplish.

The goal also is to create a place for public art and to create a place with public art. It is not about the art object, but about the experience of the place and how the artwork contributes to that layering of experiences. Consider how the uses and activities and physical elements that make successful places enjoyable can be incorporated into the design guidelines for the artwork or the preparation and ongoing management of the site.

## **III. Look for Partners**

Partners are critical to the future success and image of a public space improvement project. Whether you want partners at the beginning to plan for the project or you want to brainstorm and develop scenarios with a dozen partners who might participate in the future, they are invaluable in providing support and getting a project off the ground. They can be local institutions, museums, schools and others.

Look for buy-in from many sectors, and from unlikely people. Broaden out the definition of Stakeholders or Public as much as possible. When artworks are created in an art world vacuum, without a lot of buy-in, they have much less impact than when they are created in a real-world context with public and private sector partners. It's up to the public art program,

however, to nurture these partnerships and shape them so that they fit each partner agency and support the work of that agency. And that is done by understanding the goals of the institutions that are stewards of the city's infrastructure and the built environment and by demonstrating that the arts are engaged, not isolated, not an add on but a value added. Partners can, not only help to fund projects, but they can provide venues for public art as well.

Policy Implications: funding and time is required to undertake the background enabling work regarding meeting with property owners adjacent to a site, municipal authorities with jurisdiction over a site, and other probable partners to be included in the project.

#### **IV. You Can See a Lot Just By Observing**

We can all learn a great deal from others' successes and failures. By looking at how people are using (or not using) public spaces and finding out what they like and don't like about them, it is possible to assess what makes them work or not work. Through these observations, it will be clear what kinds of activities are missing and what might be incorporated. And when the spaces are built, continuing to observe them will show how to evolve and manage them over time.

The artist and the public art program administrator(s) must understand how a potential public art site functions currently, who it serves, what the problems are etc. so that the artist and artwork can seek to address these issues or take them into account when producing the artwork. The policy implications are that funding and time to conduct the site analysis work must be included in the project budget and the timeline for the project.

#### **V. Have a Vision**

The vision needs to come out of each individual community. However, essential to a vision for any public space is an idea of what kinds of activities might be happening in the space, a view that the space should be comfortable and have a good image, and that it should be an important place where people want to be. It should instill a sense of pride in the people who live and work in the surrounding area.

The vision is not limited to the artist's vision, but includes the public/community's vision for how they want the place to function, what they want to express about themselves through this place and the artwork sited there. It is arguably the artist's job to help the community articulate their vision for a place, and/or to meld their vision and the community's vision together.

Policy implications: The visioning should take place as part of the initial public input gathering at the start of the commissioning process. If the visioning takes place early on, the results can be incorporated into the call to artists or Request for Proposals.

## VI. Start with the Petunias:

### Experiment...Experiment...Experiment

The complexity of public spaces is such that you cannot expect to do everything right initially. The best spaces experiment with short-term improvements that can be tested and refined over many years! Elements such as seating, outdoor cafes, public art, striping of crosswalks and pedestrian havens, community gardens and murals are examples of short-term improvements.



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The contribution that temporary art makes to any public art program is invaluable. Temporary art, because it changes regularly, becomes an activator of public space. It also provides opportunities for emerging artists or those who have little experience in creating work for installation in the public realm to learn the process and techniques for so doing. And temporary public art can be more explicitly controversial or political because it is understood that it will only be in place for a prescribed period of time.

Policy implications: Provisions made and funding set aside for installation and exhibition of temporary art works as part of any percent for art/public art program. Often, choosing a permanent place for temporary public art makes changing of installations easier, because footings, lighting, etc. can be provided in one location and used over and over again, rather than preparing many sites for temporary artworks around the city.

## VII. Triangulate

"Triangulation is the process by which some external stimulus provides a linkage between people and prompts strangers to talk to other strangers as if they knew each other" (Holly Whyte). In a public space, the choice and arrangement of different elements in relation to each other can put the triangulation process in motion (or not). For example, if a bench, a wastebasket and a telephone are placed with no connection to each other, each may receive a very limited use, but when they are arranged together along with other amenities such as a coffee cart, they will naturally bring people together (or triangulate!). On a broader level, if a children's reading room in a new library is located so that it is next to a children's playground in a park and a food kiosk is added, more activity will occur than if these facilities were located separately.

The principal of Triangulation impacts site selection criteria and encourages the creation of settings for public art. The goal of triangulation is the multi-layering of experiences involved when one comes into contact with a work of public art. When a work of public art is conceived of in terms of how to triangulate it with other uses or destinations, or how to bring other positive site characteristics to bear upon a work of art, that's when you begin really to create a sense of place using public art.

### **VIII. They Always Say "It Can't Be Done."**

One of Yogi Berra's great sayings is "If they say it can't be done, it doesn't always work out that way." Creating good public spaces is inevitably about encountering obstacles, because no one in either the public or private sectors has the job or responsibility to "create places." For example, professionals such as traffic engineers, transit operators, urban planners and architects all have narrow definitions of their job - facilitating traffic or making trains run on time or creating long term schemes for building cities or designing buildings. Their job, evident in most cities, is not to create "places." Starting with small-scale community-nurturing improvements can demonstrate the importance of "places" and help to overcome obstacles.

The challenge no longer is creating a good argument for public art; the challenge now is creating good public art and getting the funding for such activities as the background and on site research, workshops, programming, etc. in order to have a long lasting and positive impact.

### **IX. Form Supports Function**

The input from the community and potential partners, the understanding of how other spaces function, the experimentation, and overcoming the obstacles and naysayers provides the concept for the space. Although design is important, these other elements tell you what "form" you need to realize the vision for the space.

Public art should support the healthy functioning of the public space in which it is located. Serra's Tilted Arc destroyed the fairly successful function of a plaza. There are many examples of where a pretty public place was turned into a "public art place," and made unusable by the public, because benches were removed, the vendors eliminated etc. for reasons of safety and cleanliness and to protect the art from the public.

### **X. Money is not the issue**

This statement can apply in a number of ways. For example, once you've put in the basic infrastructure of the public spaces, the elements that are added that will make it work (e.g., vendors, cafes, flowers and seating) will not be expensive. In addition, if the community and other partners are involved in programming and other activities, this can also reduce costs.

More important is that by following these steps, people will have so much enthusiasm for the project that the cost is viewed much more broadly and consequently as not significant when compared with the benefits.

Your partners also will help to get funding to bring in those extra things that will make a work of art really contribute to its site.

### **XI. You Are Never Finished**

By nature good public spaces that respond to the needs, the opinions and the ongoing changes of the community require attention. Amenities wear out, needs change and other things happen in an urban environment. Being open to the need for change and having the management flexibility to enact that change is what builds great public spaces and great cities and towns.

Ongoing management and maintenance of the site as well as the artwork is required. Conservation, programming, experimenting, activation, placemaking and community building through public art are ongoing processes that should be supported by public art master plans and policies.

# Action Plan

## A. Introduction

With a well-thought out action plan or implementation strategy to guide it, we believe that a public art policy can become an effective tool in using public art to "turn around" any city's public spaces. This Action Plan is intended to outline the steps that we feel are needed to launch the public art policy, which includes implementing some of the recommendations that grew out of the public art planning process with the Public Art Policy Committee. The Action Plan also reinforces the idea that the Public Art Policy is meant to be an inclusive approach to generating public art, to demonstrate what can be accomplished and what is possible, rather than, like many policies, dictating what is not allowed. The Introduction provides background on the steps taken to develop the public art policy and this action plan, outlines a list of objectives that early public art actions should strive to achieve, gives an overview of next steps to be taken in order to initiate a full fledged public art initiative for the city, and outlines strategies for getting buy-in to the policy, building public support for public art, and developing public relations and educational campaigns.

The Opportunities section the Action Plan focuses on specific short-term actions that can be taken to kick off the public art policy, including outlining immediate opportunities for public art projects throughout the city, locations and themes for art, and potential art project partners.

### How a Public Art Policy Differs From an Action Plan

This action plan is intended to guide the implementation of the public art policy, and presents a series of immediate action steps to be undertaken to get the policy approved, adopted, implemented, and to begin the process of commissioning public art projects. Who will be charged with carrying out this action plan still needs to be determined. However, when that group or groups are identified and assembled, it is anticipated that this action plan will be there to guide their first steps.



Place Performance Evaluation Workshop. Mobile, AL.

To date, PPS completed the following research and data collection as part of its work to create a Public Art Policy for the City of Mobile.

1. **Focus Groups** with a wide range of stakeholders to identify issues of concern and opportunities for public art (see attached list of participants in focus groups).
2. **Public Space Evaluation Game** with downtown stakeholders, public art policy committee members, and key neighborhood residents to get their ideas for improvements to public spaces that would include public art.
3. **Interviews with the following:**
  - **Members of the Public Art Policy Committee.** To obtain additional, focused input from members of the Art Policy Committee, PPS created and disseminated a questionnaire to committee members, who were then interviewed. Their responses were compiled and have been integrated into these policy recommendations. PPS met with the Committee again in May to review preliminary findings from the research and focus groups, and to discuss the overall mission and intent of the public art policy (see attached list of Committee members).
  - **Public art administrators from cities around the nation** who are involved with successful, well established public art programs, both percent for art and non percent for art (e.g. Portland, Chicago, Atlanta, St. Louis, San Diego, Tampa, Seattle, New York) to determine what types of policies are in place and what role the policy played during the history of their program (notes from interviews are integrated into the Policy and Process Chapter and included as Case Studies).
  - **Program directors of public art programs** that represent a variety of organizational structures, particularly those set up as non profit organizations that carry out the public art commissioning duties for the city and other public and private agencies.
4. **Research into the following:**
  - **Different types of policies** used in situations similar to those facing Mobile to see what has worked and what has not.
  - **Innovative public art programs** and initiatives from around the nation.
  - **Roles played by public art advisory committees** in other cities.



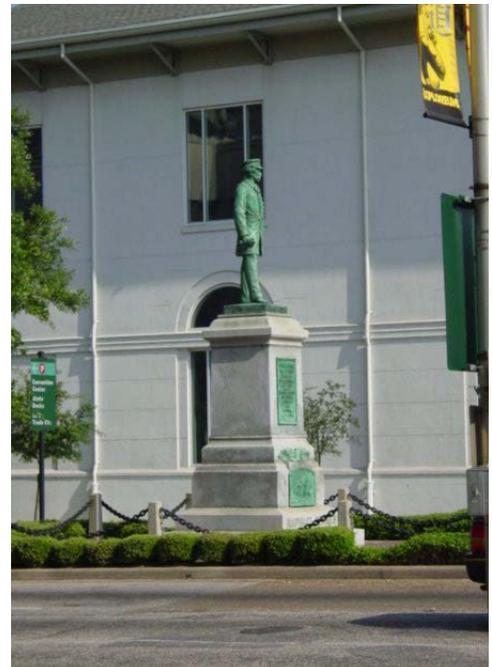
"Justice," Diana K. Moore. Martin Luther King, Jr. Federal Courthouse  
Newark, New Jersey

- Documented economic benefits of the arts and public art to cities around the nation.
- Public art programs and initiatives taking place in other cities that may be appropriate for Mobile and that can help address the issues that surfaced during the public forums, such as: funding mechanisms for public art programs, campaign strategies for public art programs, commissioning temporary artworks, creating artists housing downtown, and integrating art into and along waterfronts.

5. **Identification of Local Assets.** We identified as many different types of artists currently living and working in Mobile as possible, along with institutions that are training artists who might be eligible for commissions in the future.
6. **Photographic identification** of existing public art in Mobile.
7. **Identification of opportunities** to include public art in new projects (e.g. GSA, RSA, GM&O, Parks, waterfront developments, etc.). What types of art, processes to be use, how a policy could be effective, etc.
8. **Review of relevant reports** and cultural plans developed for the City.

## Background

Mobile can boast a nearly 300 year-old cultural legacy, with traditions that span three centuries, notably the Mardi Gras celebration which is nearly as old as the city itself. Other traditions have more recently begun to be established: the City has established a Ballet, Symphony, a number of theatrical companies and theaters, including the Center for the Living Arts and the Saenger, among others. The Mobile Museum of Art is undergoing expansion and art galleries continue to open in the downtown.



A number of public artworks have been commissioned and sited around the city, in Cooper Riverside Park, in the City's public squares, at the airport, and along downtown sidewalks (e.g. the Bicycle Rack project) as well as in Municipal Park and at the Women's and Children's Hospital.

However, there is reason to be cautious in moving forward. About thirty years ago, the City of Mobile was engaged in a public art process that is generally considered to have led to an unsatisfactory result. The National Endowment for the Arts used a process to commission a work by Alan Shields that resulted in a long-term negative effect upon the arts community. The process had little or no input from the local arts community, the result was not what most people wanted and many people in the arts community continue to feel that they were not given adequate control over or say in the planning process for the artwork. This has created a somewhat negative climate for public art that lingers today. The piece itself remains locked away in storage, as its reinstallation, art advocates fear, would simply re-ignite the firestorm that ensued after its execution.

## **B. Objectives to be Achieved by Early Public Art Projects**

Participants in PPS's public art policy planning process outlined the following three general objectives for public art in Mobile to aspire to, with the idea that these also could be used to evaluate existing and proposed public art works and guide the roll out of this Action Plan.

### **1. Reflect The Unique Character Of Mobile**

Public art in Mobile should reflect the themes of the history of the City, look to the past and to moving Mobile into the future while reflecting the City's values. People felt that the historic flavor would help to "market the city" to tourists, new residents, and visitors. Possible themes for public artworks that were suggested were: Water; Mobile as a Garden City; Mardi Gras; Containerized cargo; Hank Aaron; Satchel Page.

Participants in the planning process identified the following additional qualities as important objectives for public art to achieve. It should:

- Reflect the City overall as well as the character and vision of the communities in which it is located
- Be produced in cooperation with the community for which it is intended
- Be used as a tool for economic revitalization



Bienville Square.

- Link parts of the city back together; and
- Be used as a way of increasing pride in Mobile and presenting the accomplishments of the city.

## 2. Anchor, Activate, And Revitalize The City's Public Spaces

Works of public art should be located so as to create and enhance a sense of identity for each neighborhood, and sited so it is a catalyst for activation and revitalization of public spaces throughout the city. Art is needed in and near residential areas to pull people in to town and should be placed where people are going already to help get them exposed to and educated about public art.

In addition, public art should be tied financially and programmatically to the enhancement of key downtown public spaces. In fact, a percentage of funds raised to improve these public squares and parks could be earmarked for a work of public art, and/or artist-designed functional and decorative features. Public art in the City's public spaces should:

- Include temporary as well as permanent works of art
- Be sited in publicly accessible residential, commercial, municipal and recreational sites throughout the City's neighborhoods
- Enhance places visually.

## 3. Act As A Catalyst For Social Interaction And Education

Participants thought that public art should be appealing to younger people, children, and people of all ages and that traditional subject matter and art forms should be balanced with abstract. Large pieces, small ones, interactive artworks, paintings (two dimensional works) and temporary artworks should be considered and commissioned. Artists could be both international and local. We recommend that Mobile starts commissioning art



Conti Street pocket park.

that is less challenging in terms of subject and aesthetics at first, such as functional art and art that reflects historic themes. As the public becomes used to and comfortable with artworks such as these, then more "challenging" works can be commissioned. In determining what kind of artwork is appropriate for a client or site, identify who the audience is and whom the work is trying to reach. For example, is it the art critics, a community, a sophisticated art supporting public?

More specifically, in acting as a catalyst, public art should:

- Provoke meaningful interaction between strangers
- Promote discussion about public art
- Bring people downtown everyday/as a destination
- Provide attractions for kids and young people and families
- Highlight and demonstrate support for local and regional artists of diverse backgrounds, values, and identity.

## C. Next Steps

In any city that is grappling with the idea of how to implement a public art policy, there are several issues that need to be discussed at the outset. In Mobile, during the course of undertaking the research, conducting interviews, and facilitating discussions with representatives from the city of Mobile, the particular issues that this city faces were clarified. In order for the public art program to move forward, to respond to the needs and challenges of today's Mobile, and to achieve the goals stated in the public art policy, the following actions need to be taken.

### 1. Formalize An Entity To Move The Public Art Policy Forward.

The Public Art Policy Committee, which has been working with PPS on the development of this policy, needs either to evolve into or assist in the creation of a group that can ensure that the public art policy is not only adopted by the City, but implemented, and an executive paid staff position created. At that point, the Committee would undertake a much broader and further reaching range of tasks. As a first step, this committee should be polled as to their interest in and willingness to continue to serve on this Committee. The many roles and duties that need to be carried out by this new group are described in the Policy and Process Chapter. It is, therefore, recommended that current Public Art Policy Committee members, based upon their interest, expertise in, and willingness to take on these roles and duties, form the core group of a new Public Art Advisory Committee (PAAC). Additional members for this

new Public Art Advisory Committee could be culled from a variety of sources, including the Main Street Mobile Board of Directors. (A more complete list of potential PAAC members is provided under Potential Public Art Policy Partners in Section C: Structuring the Organization of the Policy and Process Chapter). In order to begin to establish a formal relationship between the City, the public art policy, and public art staff, the Mayor could be invited to appoint all or some members of the PAAC.

It may be necessary to identify a "Champion," or strong, vocal supporter to talk up the policy, help gain entrée to developers and others who could be tapped to commission a work of public art, help with fundraising activities and talk to the press, City, and private sector groups and developers about the public art policy and the role that public art can play in revitalizing the City of Mobile

At least one public art program staff person should be hired to undertake the start up work described in this section, work with the PAAC to shepherd the policy through the approval process, etc.. The PAAC could be charged with hiring staff. At the time of this writing Mobile Arts Council has expressed interest in managing the public art program and (when funds for this purpose are raised) hiring a director to run the public art program. This may also be funded or managed in cooperation with Main Street Mobile.

## 2. Get the Policy Adopted

This new Public Art Advisory Committee, or an interim "Renaissance Committee would shepherd the public art policy through all the approval and implementation phases. They should first approve and vote to adopt this public art policy. Once that has been accomplished, this committee should begin to present it to key civic leaders and city officials for review and revisions as needed. This could include developing marketing materials, such as a PowerPoint presentation which PAAC/Renaissance Committee staff would show to key stakeholder groups and individuals. Letters of support from key individuals - such as members of City Council, particularly the Arts and Culture Committee, the MHDC, Mobile Arts Council, etc. - should be sought. In addition, getting one public art project underway initially, such as art on fences surrounding Conti Street parking lots (see description of "In Our Own Backyard" project) would go a long way towards demonstrating what can be accomplished through the public art policy. Once the policy has been vetted and support for its implementation generated (see step 4 below), this new committee should submit it to City Council for approval and adoption.

### **3. Undertake Projects to Demonstrate Early Successes**

Once this new Public Art Advisory Committee has been formed, or even before that happens, if the current Public Art Policy Committee is amenable, it should outreach to the entities responsible for the many new projects that are being planned in downtown Mobile to insure that the idea of the public art plan is included in the planning for these projects. These projects include:

- GSA Art in Architecture (AiA) program, to influence the process of how artists are nominated, selected, located, and most importantly, work with GSA to shape the parameters for the AiA project, the RFP, set the goals for the art project.
- Developers of the RSA Building, Mobile Register, Mobile Landing project, and the GM&O Terminal should all be made aware of the process for commissioning public art outlined in this policy. Brainstorm ideas for types of artworks that would boost the community value of their projects and enhance the public spaces for clients, visitors, employees, and downtown residents alike. For example, for the \$130 million RSA Tower, pieces could be placed in the lobby and around the exterior public spaces of the building. The \$90 million GSA Federal Courthouse has its own 1% for art budget; the Federal government-rehabilitated the GM&O train station as a multi-modal transportation and retail center and there may be opportunities for incorporating artworks into the facility itself. Other art related opportunities for these facilities are described below.

It is recommended that these opportunities are seized upon at once so that public art projects commissioned according to this policy can begin to generate community awareness and a broad base of support for the art policy and for public artworks. These public art projects also can serve as a marketing tool for the public art program.

### **4. Build a Constituency and Partners for Public Art through a Public Relations Campaign**

According to members of the Public Art Policy Committee, Mobile lacks a defined and broad-based constituency for public art. The new Public Art Advisory Committee should become the driving force behind the launch of a systematic, lasting and growing public relations campaign on a scale similar to what is being provided for the Tricentennial, that should include all media, the educational system at all levels, and take the form of community neighborhood art projects. This city-wide campaign of promoting and marketing of the public art

policy would help gain both political and financial support for the art policy and for public art and would help to develop a community-wide commitment and support for the arts, particularly the visual arts, and to raise the cultural importance of public art so that it becomes part of the culture of the planning process.

There are several ways that this can be undertaken:

- Obtain buy-in from **many levels of city government** and a wide variety of governmental and non-governmental organizations to ensure the successful implementation of the public art policy.
- Establish **partnerships with private funders** to help the Art Policy proponents and administrators work with and advise patrons who are funding public art projects privately to guarantee that these art projects meet a set of agreed upon requirements and will help to fulfill the goals and vision set forth in this policy.
- **Identify bonding opportunities** with many institutions, organizations, government, and the public. Partner with them to get the word out and to discuss how public art can help further the mission of these organizations.
- Raise **support among the press** to help the fundraising efforts that will be required to launch the public art policy. Local newspapers could serve an educational function for the campaign by featuring articles geared towards educating and informing the public about the many different types of public art and art media that exist, successful art projects in other parts of the region, and the wealth and ability of Mobile's own arts community.
- Involve the **Mobile Historic Development Commission**. Although a city department (started as a non profit), the MHDC has an independent board that represents a broad range of community members-in the arts and in the government, including Historic Districts, Board of Realtors, Mayor, City Council etc. Outreaching through their board to their many constituents is recommended.
- Involve **local artists and gallery owners** who already have expressed an interest in being involved, and in communicating art events to the public.
- **Develop a public art slide registry of artists** (whether local, regional, or national) qualified to undertake public art commissions. Outreach to the artist community to solicit names of artists and materials. The slide registry will prove early on to be a

## Case Studies: Public Art Campaigns in Other Cities

New Orleans' Public Art Program illustrates development through the actions of a visionary Mayor. A brief history follows:

- 1970 Mayor Moon Landrieu appointed a cultural resources committee.
- 1975 this group was incorporated under the name Arts Council of Greater New Orleans, and designated as the official arts agency for the City of New Orleans. Early programs were an annual downtown arts festival, and Brown Bag Concerts.
- 1978 Mayor Ernest Morial reinforced the commitment to the arts espoused in his campaign. He appointed a Task Force on Arts Policy comprised of 36 citizens to recommend policies to guide the role of City Government in support and promotion of the arts.
- 1979 On the basis of recommendations made by the Task force a Office of Arts and Cultural Affairs and Committee for Arts and Cultural Development were established.
- 1981 Arts Council of Greater New Orleans and Mayor's Committee on Arts and Cultural development merged to form the Arts Council of New Orleans.

In Seattle, a certain event rallied public support for art. The Seattle Arts Commission (SAC) was founded in 1970 by Mayor Wes Uhlman, as a result of a city wide, citizen led campaign to save historic Pike Place Market and Pioneer Square from an urban renewal project. Following this success a Allied Arts an advocacy group instrumental in the above mentioned campaign, gathered together the SAC and The Artist's Group to discuss the beginning of a percent for art program. The resulting legislation was championed by a visionary mayor and city council and supported by this powerful alliance of artists, business leaders, lawyers and legislators. It was passed in May 1973. From start to finish the ordinance was implemented in 12 months.

The passage of the percent for art ordinance took place at a difficult time in Seattle's history. In an era known as the "Boeing Bust," Seattle was burdened with a 17.5 percent unemployment rate and a dwindling economy. Despite these problems, and in keeping with the activist social outlook of the 1960s, the ordinance focuses upon the social benefits of art.

Conferred with cabinet-level status and as a separate city department in 1976, the Seattle Arts Commission administers the public arts program. Today the Seattle Arts Commission has funding categories to support everything from individual artists to arts education.

In Phoenix, Austin, and Dallas Public Art programs evolved through the impetus of Citizen's Advisory Committee or Task Force appointed by the mayor. This committee decided upon the preliminary recommendations for the Arts Commission- staffed by the city. By looking at other successful models, Seattle, and Philadelphia these cities drafted their Public Art plans and began their Percent for Art programs.



Broadway Windows, 10th Street and Broadway, New York. A permanent space dedicated to the exhibition of temporary artworks in a vacant storefront along Broadway.

handy tool for pairing artists with projects (particularly private sector projects which may be fast-tracked). The one provided as an Appendix to this policy is only meant as a start, and was developed from sources available on the Internet to demonstrate the array of the City's diverse local talent.

- **Work with the Tricentennial.** The public art campaign should be launched as part of and in cooperation with Tricentennial events and efforts is possible.
- **Keep the information flowing** about the progress of public art initiatives started through this action plan. This can be accomplished in many different ways ranging from showcasing artworks-in-progress to recruiting the local media, etc. The more chances that people have to know what is going on, the more chances they have to be involved, and to greet the incoming artwork with enthusiasm.

The following art related activities also could help build support for the visual and public arts and reinforce the positive role it can play in revitalizing the city:

- An artist market (crafts and fine artwork, ceramics)
- Tour of existing public artworks in the city's collection
- Temporary art exhibits, openings, installations, and happenings inside vacant buildings to increase the sense of security in the downtown
- Rotating art in the lobby of the Saenger Theater.

## 5. Institute a Program of Public Education Activities Around Public Art

PPS workshop participants and Public Art Policy Committee members alike pointed to the need to educate the public and potential clients alike, about public art generally, and about its role in downtown and community revitalization efforts, in order to garner support for the art policy and artworks themselves.

- **Contact community planners and neighborhood groups** to inform them of the City's Public Art Policy, and the Public Art Idea Bank (see the Project Identification Section of the Policy and Process Chapter). In addition, neighborhood groups currently interested in public art for their communities should be encouraged to educate Public Art Program Staff and PAAC regarding the opportunities and benefits

with regard to community-based public art that exist in their communities.

- **Hold a series of facilitated meetings**, like those conducted previously by PPS, to provide a forum for the sharing and expressing of beliefs and for discussions about the role of public art in the city. These forums could include students, from K-12 as well as adults, government officials as well as private developers, and could also be used to increase public awareness of and support for public art in the City.
- **Encourage the Business Community to commission art privately for display in public spaces.** They need to be encouraged to support the arts and to understand the nature of the public context and what constitutes good public art. They should be updated about new public art developments and solicited to contribute to the Public Art Trust Fund.
- **Involve youth** in the arts as a way of investing in the future of the arts in Mobile. Therefore, it is important to introduce or re-introduce arts education into the school curriculums. The University and College Art Departments could help with arts education at the primary and secondary school levels.



Artist Greg Lefevre and these at risk youth designed and cast bronze 28 inch manhole covers for a revitalized Cedar Square park in the Roxbury section of Boston.

Informing the public about an artist and a proposed work also is as critical to the success and public acceptance of a work of art as are the processes used to select the artist and the site. Film screenings, lectures, exhibitions, panels and visits by commissioned artists are but a few of the educational programs that have proved successful in exciting the public and in garnering on-going interest and support for a project during the long design and implementation process. It is recommended in the public art policy that 5% of each public art project budget be earmarked for education, training and community outreach, to encourage the public to understand, support, contribute to, and participate in the public art process.

- **Organize public community forums** in neighborhoods during and after a plan has been developed. We recommend therefore that workshops be planned for downtown Mobile and Mobile's neighborhoods (in schools, churches, etc.) in each Council District, which would be sponsored by each City Council person. The success of these art projects will hopefully reflect well on the City Council, and encourage them to support the City's public art policy and public art efforts.

- **Seek promotion and positive coverage** through ongoing dialogue with and press releases to the Mobile art press.

As important is educating the arts community and potential participants in the art commissioning process about public art, as well as their roles and responsibilities.

- **An annual orientation workshop should be given**, by the Public Art Program Staff, to Selection Committee members selected for projects in accordance with the Annual Public Art Plan. Such a workshop would include information about the public art policy, an overview of public art possibilities and a slide presentation of the City's current public art collection, a list of upcoming projects, sample Requests For Proposals, artist selection procedures, and provide them with an opportunity to meet members of the PAAC and Public Art Program Staff, Commissioning City Agencies, etc.
- **Train art administrators, artists, and other design professionals** to participate on art selection and gift review panels.
- **Conceptualize a training program for emerging artists** to enable them to develop the expertise required to work in the public realm. Professional development seminars and artist training workshops that would help to prepare the next generation of Mobile's public artists could be sponsored by the Public Art Program Staff and funded out of education monies. Seminars could focus on project budgeting and cost control; how to read blueprints, architectural drawings and understand structural engineering; and staging mock juries and panels. In addition, the Public Art Program Staff could partner with other service providers, such as the Volunteer Lawyers for the Arts who could run a seminar about artists and contracting issues. This would also serve to create support networks among artists in the community who could then begin to help each other.

These kinds of initiatives serve to demonstrate that art has meaning and relevance to the life of a city and the people who live there and that artists play an important role, and can, through partnerships and real collaboration, become a vital community-building resource.

## 6. Identify and Generate Sources of Funding

No sources of funding for a city-wide public art program have yet been identified. Furthermore, no publicly funded capital construction projects are currently underway, which would provide a source of public art funding in the case where a "percent for art" ordinance

## Ideas for Specific Public Workshops

As part of the implementation phase of the Public Art Policy, the Public Art Policy Committee, and/or Main Street Mobile and the Mobile Arts Council could sponsor these community participation/public art education activities.

1. One day "Imagine Art Here" charrette in downtown public spaces to identify types of and locations for public art (Bienville Square, Cathedral Square, Spanish Plaza, the waterfront, GM&O) that could be implemented on a temporary basis - murals, window displays and exhibits, craft fairs, children's art classes - and remain up for a period of time through the Tricentennial.

This charrette would serve to highlight the new public art policy and provide an opportunity for a funder to step forward and commit support to the public art program.

2. An artist facilitated, community-centered public artmaking workshop that would include a Tricentennial-focused public art effort, parallel to the charrette proposed for the downtown. This workshop will make possible the creation of an implementable art project(s) that the community can take pride in, point to as a specific outcome of the public art policy itself, and that represents a community contribution to the Tricentennial celebration. Light pole banners have been suggested as the art project to be undertaken. In order to highlight and take advantage of local resources and local talent, Mobile-based textile artists could be invited to facilitate the workshop, and to fabricate the banners with the community. Through this project, kids will start to learn about art and to see the beauty and value of it and see it as a tool for their own empowerment and self identification; the citizens of Mobile will see the banners and equate that with art, and then may be inclined to support the passage of a percent for ordinance at a later date.

were in place. The City itself is not currently in a position to accept such a financial undertaking, and has not supported spending public funding on the arts in the past. At the same time, a number of the City's cultural institutions are actively soliciting funds from among the City's arts patrons and benefactors to complete their own expansion and renovation projects currently underway, while nearly all (about \$27 million) of the community's annual philanthropic giving continues to go towards supporting the non-profit societies that create the floats for and produce the annual Mardi Gras festival and parades.

Tying the public art policy to a percent-for-art requirement for all new capital construction may be a viable step in the future, but at this point, the many millions of dollars of new construction going on in the City is being funded by entities other than the City (private developers, the federal government, etc.). It is not clear whether the private developers will want to commission public art works into their buildings at this late date, when all plans seem to be nearing finalization and there is neither a requirement nor a process for doing so. The waterfront area is a potential site for public art while the project is under construction. While the plans may be too far along to allow for the easy incorporation of permanent artworks, temporary pieces may be a possibility.

A number of potential sources of funding for the public art policy were suggested by participants in the public forums facilitated by PPS in Mobile, which should be explored by the new PAAC (Public Art Advisory Committee):

- Tie funding of public art to a possible (foundation) **endowment for the care and management of downtown parks and public spaces.** The endowment could pay for art selection, commissioning and maintenance.

- **Tax Mardi Gras to fund some public art projects.** For example, dedicate the Motel/Hotel tax to public art, perhaps just during Mardi Gras. Identify other ways to tap into a percent of money going to Mardi Gras. Perhaps with works of art commissioned by Mystic Societies for their floats. 1% of the money each society receives to build their floats goes to create a permanent work of art, that is part of their float, and then gets left behind in one of the downtown public spaces. Mardi Gras also could fund art projects that would occur before and after the festival: mural projects, chalk painting festivals, uplighting of buildings, art along the Boulevard (Water Street), in parks, etc.
- **Tap the \$1.5 million set aside for Mardi Gras Park** for a public art project.
- Explore using **state tax credits for historic renovation** as a possible funding source.
- **City Council members** could fund public art projects in communities within their districts.
- Use the **public art policy as a marketing tool** to funders.
- Have a **501 (c) (3) administer the public art program**, so that donated monies could be used tax free and would represent taxable deductions for the donors.
- **Explore in the immediate term, a cooperative partnership between the Mobile Arts Council and the City, where the City provides initial funding for the Council to begin implementing the policy.**

## 7. Evaluate and Document Existing Public Artworks in the City's Collection

An early recommendation of this Action Plan is that when feasible, Public Art Program Staff should undertake an evaluation of existing public art projects around Mobile, in cooperation with interested members of the community, local artists, stakeholders, and PAAC members to see how effectively Mobile's public artworks create place, and to identify short and longer term improvements to existing public art places. Public Art Program Staff could make use of PPS's Place Evaluation Game, which is described in Appendix G.

The following are PPS's evaluations of two existing public art places.

## WOMEN'S AND CHILDREN'S HOSPITAL

The park adjacent to the Women's and Children's Hospital, in which whimsical bronze figurative sculptures designed by Jo Hess depict children romping in a park setting, is currently underused. There are a number of reasons for this, including the fact that benches are not located in the shade, and focal points, destinations or nodes along the paths, which could tie in with the artworks, are lacking. As a result, the sculptures feel scattered about. In addition, the animal fountain, which is the focal point for the park and a delightful highlight, has no seating around it. It is located far from the hospital building yet is the most likely to be the main draw.



Bronze sculptures by Jo Hess

Recommendations:

- **Introduce light-weight moveable chairs** so that park visitors could have more flexible seating choices, move chairs under the shade if desired, and arrange seating so as to facilitate conversations among a group.
- **Create stories about each of the figures in the park**, fictional or based on historical figures, to give younger visitors a reason to seek out each one and to learn about/engage with them.
- **Program special events in the park** to give non-hospital visitors a reason to go there on a regular basis.
- **The hospital's cafeteria or food concessionaire could sell food and soft drinks** in the park after the cafeteria closes in the afternoon to park visitors desiring a refreshment.





Locomotive installed in Municipal Park

## MUNICIPAL PARK

Municipal Park, due to its size, scale, and diversity of areas, is uniquely suited to the siting of a series of truly monumental works of art, a la the Storm King Art Center in New York. As it is, the Locomotive is the only piece that is scaled correctly for its setting and is located in an ideal spot - at a key park entrance.

However, improvements could be made to Municipal Park related to the siting of the existing artworks, and also to the park layout, so that users encounter the art as they engage in the larger park setting. In this park, there is also a need for destinations and places around which the works of public art can be centered.

Recommendations:

- **Relocate pathways to lead one to the art.** The art is encountered from the road, and one must get out of the car or walk across the grass to reach it. Furthermore, there are no pedestrian links or connections between all of the artworks sited in the park, which would give people an opportunity to go on a self-guided tour of the artworks.
- **Relocate and add benches around the sculpture.** Those benches that do exist are in poor repair, so if one were to walk to a piece, there would not be any of the amenities present that would make it a comfortable place for people to stop.
- **The sculpture garden could become a destination in itself.** This can be achieved by ensuring that the sculpture garden and the expanded museum are connected to one another in a variety of ways (programmatically, through signage, by paths, entrances, etc.).
- **Create additional places for art in the park.** Many more aspects of the park, the islands and the ponds, for example, could be tapped and considered as potential sites for artworks.

In the new master plan for the sculpture garden and walk, it is anticipated that some of these issues may have been considered and addressed.

## D. Opportunities for Public Art

Mobile's rich and varied history was cited repeatedly by workshop participants and interviewees as being essential to an understanding and appreciation of the City today. They felt that there were many opportunities for public art projects that celebrated historical events, locales, and individuals, which could be sited in the City's existing and proposed parklands, private developments, and neighborhoods. In addition, it is recommended that the City follow the example of Chicago with their "Cows on Parade," Omaha's "Jane Doe," and Cincinnati's "Pigs" and curate a temporary city-wide exhibition of an animal or object with special importance to the City. A proposed exhibition by the Smithsonian's Save Outdoor Sculpture (SOS!) may provide an additional opportunity for a public art related event (proposed for Spring 2003).

The following is a list of potential locations where public art projects could be sited in the near term:

### Downtown Public Spaces

If one looks at the entire city of Mobile, the northern part of the city can be characterized as its center for technology and finance; to the west lies the entertainment center and casinos; the east has the beaches and recreational destinations, which leaves downtown Mobile as the city's center for art and culture. As such, and in order to generate and turn public attention towards the visual arts, the arts should be tied - functionally, programmatically, and in terms of design -- to highly visible downtown public spaces, which should be selected early on as locations for public art, both permanent and temporary. In this way, it will be demonstrated that public art is part of a larger downtown enhancement initiative.

- The downtown central squares under study by PPS's Public Spaces Planning Team are logical locations for public art projects, as well as operating as an organizing principle or framework for placement of public art throughout the downtown (i.e. around and across from the Squares, leading up to the Squares, connecting one square to another). Works of fine art, as well as fine art craft,



Cathedral Square could become a venue for art exhibits, fairs, and classes, as well as a venue for permanent or semi-permanent public art installations.



I Madonnari festival, Santa Barbara, CA. This annual street chalk festival raises money for local non-profits and draws thousands of people over a three day period.

decorative, and functional art elements could be incorporated into these parks as they undergo the improvements outlined in the Public Spaces Plan. Specifically, Cooper Riverside Park, Ryan Park, Bienville Square, Cathedral Square, Spanish Plaza, Cottage Hill parks, Mardi Gras Park; and the Tennis Center and Japanese Gardens in Municipal Park should be targeted initially

- A Statue of Iberville could be sited in one of these squares
  - Artists can design trashcans and recycling bins created in collaboration with Keep Mobile Beautiful
  - Work with Government Street Preservation Committee to enhance spaces along Government Street, with artworks and landscaping, to make them more people friendly
- Public artists and performing arts could be commissioned to collaborate on projects that would activate public spaces. For example, visual artists can collaborate with performance artists, sculptures can be set to music, etc.
  - Key Gateway areas, including in the grassy median along Water Street and at the end of the freeway ramp, in the center of the intersection of Water and Government (perhaps as part of a roundabout or traffic circle), the MLK Gateway at the Mobilgas site and green space at the intersection of Broad and MLK Avenue, and at the three triangles north of downtown, are all prime locations for both permanent and temporary works of art, combined with landscaping and traffic calming improvements
  - Curb extensions could become places for art
  - Artists can design seating for public spaces throughout the downtown
  - Purple Martin Houses designed by artists and residents and placed around the city
  - Temporary public art works commissioned as part of, or leading up to, Mardi Gras.



Works of permanent or temporary works of art would be appropriate for key gateway intersections around downtown Mobile.

## The Waterfront

Mobile's usable, accessible waterfront soon will stretch from the renovated, reopened GM&O terminal past the Convention Center, Cooper Riverside Park to the Mobile Landing/Alabama State Docks expansion and the planned Maritime Center. While public statuary and architectural design elements already are, or will be incorporated into the GM&O terminal and Cooper Riverside park, tremendous opportunity exists for incorporating permanent and more importantly, temporary artworks into these waterfront sites, before the development and recreational projects are completed. Temporary public art would help to draw people to the waterfront, encourage them to become familiar with the waterfront and downtown area, and provide points of interest and a destination once they reach the river, even though these new public facilities may not yet be open. Other opportunities for art include:

- Along a proposed downtown promenade, which would be a continuation of development and construction along the river, and would extend the public domain north and south of the Convention Center
- Accessible, interactive artworks installed along Water Street and into Cooper Riverside Park
- Redevelopment of the historic Garrows Bend/Monroe Park would provide an opportunity for the State Docks and City of Mobile to partner regarding developing new land uses to benefit the citizens of Mobile
- Brookley Cove Amphitheater offers recreational opportunities to enhance an industrial park, particularly in the sheltered cover south of the Arlington Pier, which creates a natural crescent setting that would be ideal for an outdoor amphitheater or performance space overlooking the bay



Audrey Hemingway's flags create a quasi yellow brick road that leads visitors around downtown Ithaca, NY.



Dan George's reflective aluminum art was installed along 1/10 mile of Adirondack Highway in 1988, in cooperation with the New York State Department of Transportation



This public art project, developed and managed by artist Ursula Ruedenberg, became a catalyst for a neighborhood to reclaim a park for all users, displacing undesirable uses in the process, and making it safe, attractive, and worth caring about.

- Children's Marina area, which provides a protected beach and recreational area for family activities
- Mobile Municipal Pier and Marina, a recreational destination along the bay
- At Meager State Park: The National Park Service's planned \$4 to \$10 million Gateway to the Delta
- The Mobile Landing/Alabama State Docks expansion provides many specific opportunities for public art projects:
  - Playgrounds with public art
  - A fountain next to the Water
  - Etched concrete inside and out and onto promenade of Mobile Landing
  - Mural along the waterfront along the blank wall
  - Sponsor a kids mural design competition along the 1320 ft of waterfront wall. This would help to build a sense of ownership of the waterfront and draw families to the park. An artist could supervise and oversee the design and completion of the mural
  - An ongoing series of "Art in the Park" events.

## Public and Private Sector Collaborations

Several major projects are or soon will be underway in downtown Mobile. These include the RSA Tower, the new Federal Courthouse, the new offices of the Mobile Register, the soon-to-be restored GM&O Terminal development and transit facility, and the Mobile Landing, Alabama Docks Expansion. While no ordinance or provision exists currently to mandate incorporation of public art into these privately-owned facilities, the RSA incorporated art into its buildings in other cities, and could prove to be an early benefactor of Mobile's public art program. The new Federal Courthouse will have a public art component, as mandated by GSA's Art in Architecture program; opportunities for Mobile's public art community to become involved in selecting artists, artworks, and sites for the art at the Courthouse are likely, and should be pursued.

On the non-development side, opportunities for public art could be nurtured as part of the ongoing, existing programs of a number of active Mobile organizations, including Revive

Mobile, Rebloom Mobile, Keep Mobile Beautiful, the Government Street Preservation Committee, Mobile Art Museum, and the Green Space plan. Partner with these organizations to involve artists in:

- Designing gardens and plantings
- Creating destinations in green spaces, along paths and at nodes, anchoring spaces for rest, recreation, play, and gathering
- Artist housing research and feasibility study currently underway, including the possibility of using eminent domain to acquire long vacant buildings for rehabilitation as artist housing, and provision of inexpensive flexible live/work space downtown for artists
- Tax exemptions on personal income tax for artists living and working downtown in rehabilitated buildings and/or a grant program to assist artists in purchasing such properties
- Tax exemptions for property owners who convert buildings into artist live/work space
- Art exhibits in vacant storefronts throughout the downtown, particularly around Bienville Square and along Dauphin Street, to improve their image overall
- Encourage the Mobile Art Museum to loan out works of public art for temporary placement throughout the downtown
- Relocating the Alan Shields piece (old NEA commission that used to be at the civic center) to a new location or incorporate it into the new GSA federal courthouse or Social Security projects
- Exhibitions in the atrium of County building, which already hosts exhibits, and is the largest public space in the City.



Donna Dennis's fence project for PS123 in New York City marries maritime images with function.



Fences are prime locations for artwork in downtown Mobile. The French Senate sponsored this popular photographic exhibition of the world's natural wonders and human settlements, which was installed along the fence surrounding the Luxembourg Gardens.





Mayor Dinkins mural. Courtney Callendar Park, Harlem, New York.  
© 1991 Ursula Ruedenberg

## Neighborhoods

The City of Mobile embraces many diverse communities and neighborhoods, which spread continuously outward from the city, almost to the airport. Identifying locations for art in these neighborhoods, community leaders to spearhead an art project or initiative, and possibilities for involving

local citizens in using public art to beautify, lay claim to, and celebrate their neighborhoods and communities represents an exciting planning framework for public art in Mobile.

- Art could be incorporated as part of the greenscape connection planned to lead from downtown to west trail and along Three Mile Creek
- Along the Crepe Myrtle Trail bike and pedestrian path, with trees, benches, amenities, signage and a fitness training course
- Artist Housing and art in vacant sites and parks: along MLK Avenue, and in Orange Grove, Owens and Fisher neighborhoods
- Artists and communities could submit a plan for a mural to a sponsor or a group of funders could select a mural from a pool of applications
- Use art to improve the many surface parking lots found throughout downtown and the city as a whole, with an "artists fencing" project, working with schools or neighborhoods to decorate them and then plan community events to be staged on the lots themselves.

A number of locations within the MLK Community that have been targeted by the community for enhancement, may be appropriate locations for community-based public art projects. These include:

- Bishop State Community College
- Booker T. Theater
- Lincoln Theater
- Gateway parks around the neighborhood, including the proposed Three Mile Creek Gateway Park
- Orange Grove Central Green
- MLK Cultural Center
- Throughout the neighborhood along streets and in vacant lots to enhance their image in the community

## E. Potential Public Art Project Partners

The following agencies and organizations could be approached regarding their interest in commissioning works of public art. Suggested art projects that may be relevant to each agency are included. They also could be solicited to fund any of the projects described in the section above, as appropriate.

- City Council representatives: promote the idea of their sponsoring community consensus building artmaking workshops in each of their districts (light pole banners for the Tricentennial), temporary installation of artworks in downtown public spaces, murals, etc. as part of the roll out of the public art policy
- Transit agencies: Temporary artworks around bus stops, on shelters, in pavement, on buses; install rotating, temporary art on the jitneys
- General Services Administration Art in Architecture Program: Public Art lectures and educational programs for the community by artists as part of the commissioning process for the Courthouse; exhibit of AiA commissioned artists work at a local gallery or the Mobile Art Museum
- State Department of Transportation: Artwork under highway underpasses, along highway exits (e.g., Phoenix, AZ), as part of sound barrier walls (at key Water Street gateways)
- Criminal Justice System: Exterior of correctional facilities; art in public spaces for use by visitors and staff



The artwork at the Wellston stop of the St. Louis MetroLink trains was created by an artist/community collaboration that tied the new rail system into this low income community.



Seyed Alevi's "Inform(n)ation" enlivens the wall of a Los Angeles highway underpass. The Government Street underpass could be an appropriate site for a similar type of treatment.

- Alabama Power Company: Up lighting of historic buildings; light projection projects on buildings such as the Scottish Rites Temple, and on the light board planned for the wall next to Mardi Gras park
- Housing Board: Public art projects for Section 8 Housing created in collaboration with residents
- Department of School Construction/Education: Public art incorporated into new school buildings, playgrounds, and cafeterias under construction (percent for art), New York, NY
- Department of Sanitation: New York's department funds an artist in residence (Mierle Laderman Ukeles)
- Mobile County Master Gardeners to create artist-designed landscapes and gardens
- Mobile Botanical Gardens as potential sites for temporary works of art
- City of Mobile Parks and Recreation Department as a potential first public art host agency for many projects listed in this Action Plan
- Historic District Association to identify opportunities for artist-design interpretive works (plaques, markers, tours, interpretations, etc.)
- Mobile Register to publicize and write about public art projects and initiatives
- Mobile Art Museum as a resource, potential exhibition venue, public art project partner, and producer of public art.

## E. Conclusion

While the Public Art Advisory Committee should begin discussions with potential public art project partners about commissioning works of public art, initiate the public relations campaign and educational and training programs, identify sources of funding, and get the policy approved, in order to implement the majority of public art projects described in this Action Plan, a public art organization with at least one full time staff member will be required. It is recommended that this new public art organization operate initially as a program area of the Mobile Arts Council, or as a program area of Main Street Mobile, with headquarters located within either or both of these organizations. Determining how best to

carry out this recommendation should be amongst the primary tasks attended to by the Public Art Advisory Committee. The proposed duties and responsibilities of the public art program staff are described in detail in Section A: Structuring the Organization of the Policy and Process Chapter of the Public Art Policy. The importance of identifying a Champion and Voice for public art for the city, however, cannot be stressed highly enough. Without a force behind it, the public art policy and the initiatives described herein may be adopted but never implemented, and left to sit on the shelf next to other worthy, unrealized plans.

## Public Arts Policy Committee

1. Murray Cape - Springdale Travel
2. Anne Crutcher - MHDC
3. Casey Downing - Sculptor
4. Vivian Figures - Senator
5. Julie Friedman
6. Robin Harvey - Mobile Arts Council
7. Louis Herman - Calliope Art Gallery
8. Connie Hudson - City Council District 6
9. Sam Jones - Commissioner District 1
10. G. B. Kahn
11. Edward Ladd - Thames, Batre, Mattei, Beville & Ison, Inc
12. Chris Lee - City of Mobile
13. David McCann - City of Mobile
14. Meg McGovern - Alabama Power Company
15. Geri Moulton - Oakleigh Interiors
16. Philippe Oszuscik - University of South Alabama
17. Dan Otto - Parks Department
18. Herbert Pair - Victorian Teal Art Gallery
19. Carlos Parkman - Director, Center for the Living Arts
20. Elizabeth Sanders (Chairman) - Main Street Mobile
21. Joe Schenk - Director, Mobile Museum of Art
22. Thomas Sullivan - City Council District 2

## Focus Group Participants

Wednesday, January 9, 3:00 PM - Focus Group - Downtown Residents

Irvin Grodsky - LoDa

Wendell Quimby - LoDa

Jaime Betbeze - DeTonti Square

David Lay - DeTonti Square  
 Kris Scales - Church Street East  
 Bill Christian - Church Street East  
 Bert Lyles - Ryan Park  
 Cris Cole - Ryan Park  
 David McMurphy - Ryan Park

Thursday, January 10, 8:00 AM - Focus Group - General Audience  
 Lt. Kay Taylor - Police Department & Resident  
 Bill Metzger - Traffic Engineering  
 Fred Brown - Traffic Engineering  
 Dan Otto - Parks Department  
 John Sims - Public Buildings Department  
 Dan Williams - Homeless Coalition  
 Chris Boone - Urban Development Department - Land Use  
 Devereaux Bemis - Director - Historic Development  
 Laura Clarke - Director - Urban Development

Thursday, January 10, 9:30 AM - Focus Group - General Audience  
 Bill Finch - Environment Editor, Mobile Register  
 Palmer Hamilton - Lawyer  
 Peter Darr - Shopkeeper  
 Tony Moore - Restaurateur  
 Bestor Ward - Real Estate Developer  
 Wanda Cochran - Assistant City Attorney  
 Sandi Forbus - Director - Mobile United  
 Deborah DeGuire - Shopkeeper

Thursday, January 10, 10:00 AM - Focus Group - Art/Art Museum  
 Sandra Smith - President, Art Patrons League  
 Dr. Robert Bantens - Chairman Collections Committee, Mobile Museum of Art Board  
 James Kennedy - Collections Committee  
 Lolita Kennedy - Mobile Art Association  
 Alan Butt - President, Watercolor & Graphics Art Society  
 Joe Schenk - Director, Mobile Museum of Art  
 Carlos Parkman - Director, Center for the Living Arts

Thursday, January 10, 12:00 Noon - Focus Group - Arts Council Board  
 Stephen Savage - Arts Council - Chairman  
 Mary Mullins - Arts Council

Jeff Newman - Arts Council  
Ann Delchamps - Arts Council  
Brigette Kemnade - Arts Council  
Michael Pierce - MLK Redevelopment Corporation  
Ron Barrett - Mobile Ballet Board of Directors  
Mike Marshall - Mobile Register Editor

Thursday, January 10, 2:00 PM - Focus Group - Mayor  
Mayor Michael C. Dow  
Al Stokes - Chief of Staff  
Chris Lee - Director - Administrative Services  
Bobby Bostwick - Director - Civic & Cultural Development  
John Bell - Director - Public Services

Thursday, January 10, 4:00 PM - Focus Group - Waterfront Interests  
Steve Walker - Director - Historic & Downtown Development  
Dan Dealy - Thompson Engineering  
E. B. Peebles - Maritime Center of the Gulf of Mexico  
David Cooper - Cooper/T. Smith  
Mike Lee - Page & Jones  
Larry Sims - Lawyer

Friday, January 11, 8:00 AM - Focus Group - General Interests  
Mannie Pair - Artist  
Liz Duthie - Rebloom Mobile  
Meg McGovern - Alabama Power  
Vic McSwain - Director - Transportation  
Terry Plauche - Landscape Architect  
Paula Allen - Regions Bank/Main Street Board  
Douglas Kearley - Architect/ARB  
Shayla Jones - Urban Development - Long Range Planning

Friday, January 11, 10:00 AM - Focus Group - General  
Casey Downing - Sculptor  
Nancy Milford - Environmental Engineer  
Billy Pappas - Fire Department  
Mead Miller - Restaurateur/Main Street Board  
Bill DeMouy - Real Estate/Asset Management  
Bob Williams - Metro Transit  
Hayley Maulsby - Tavern Owner/Main Street Board  
Vic McSwain - Director - Transportation

# Policy and Process

This chapter presents the elements of the actual public art policy, and describes each of these components in detail, including recommended strategies for Mobile to follow. The chapter is structured around addressing the following questions about each of components described herein:

- Why do public art policies have these components?
- Why are they important?
- What do each of these components help to achieve?

Where available, case study information from other cities also is provided.

## A. Components of a Public Art Policy

The components described below can be found in most U.S. public art policies because they have proved, over time, to be effective in responding to the needs, addressing the issues, and solving the problems encountered consistently by public art program administrators over the past 25 years. These components represent a body of shared knowledge -- a set of "best practices" -- crafted by the public art administration field, as well as a set of tools and procedures that have come to be commonly regarded as standard operating procedures for the public art field. And for all of these efforts, they still sometimes fail to stand up to city politics or to weather client whims, budget cuts, and bad press.

No two public art programs are exactly alike because no two public art "environments" are alike. There are many factors that reach beyond the scope and purview of a public art policy that will shape how a particular program functions. The components and recommendations described herein are meant to offer guidance to Mobile's fledgling public art program, to help them avoid common pitfalls and omissions, and ultimately to shape a public art collection for the City that not only achieves its vision and goals for public art, but helps Mobile to reach its potential as a city of destinations, public spaces, arts and culture.



Casey Downing's latest addition to the Mobile Waterfront is a hit with kids, even though it is unclear whether touching and climbing is allowed.

## B. Public Art: A Definition

Before we proceed with a discussion of the elements that are important to include in a public art policy, it is important to define, for the purposes of this policy, what is meant by "public art."

Public art differs from other kinds of art produced by artists for display in a public place - such as a gallery, museum, building lobby or as part of a collection - and from the kinds of art collected by individuals, in three primary ways: The first is the very public process by which public art is commissioned, which is described in detail below, in which clear roles for the public/community to play in selecting the artist, the site, and the artwork are defined. Second is the usually public source of the funding drawn upon to commission a work of public art; in the case of percent-for-art ordinances, this is always the case. Because public art is often publicly funded, it has many audiences to please, not just that of the artist and the selection committee. In addition there is a degree of accountability assumed about the artwork that artists do not encounter as much when creating work for private use or display. In simple terms, the public expects to "get what it pays for." Third is the longevity usually associated with a work of public art. Whereas a work of studio art or in a museum collection may be sold or removed at a predetermined time, a work of public art, if it is to be sold or removed, is protected by the Visual Artists Rights Act and must go through an official process (see Deaccession Section below). It also must be designed to rigorous standards (see Maintenance and Conservation Section) as it is often expected to last many years (between 20 to 50, if not more) in an outdoor, fairly unprotected environment.

For the purposes of this Public Art Policy, the term "public art" is meant to refer to the following kinds of artworks and media:

- Sculpture: in the round, bas relief, kinetic works (mobiles), electronic works, light works; figurative, abstract, statuary; formed from any material that provides the type of durability required for the project;
- Mosaics including engravings, carvings, frescoes;
- Fountains or water elements;
- Fine Art Crafts: clay, fiber (tapestries), textiles, wood, metal, plastics, stained glass;



Scott Burton was commissioned by Paine Webber in the early 1980's to create this permanent seating along a street in mid-town Manhattan. This work was one of the first to challenge traditional notions of public art, because the artwork created is actually a successfully functioning public space comprised of artist-designed amenities.

- Mixed media: video and computer generated works, collage, photography;
- Installations;
- Earthworks and environmental artworks;
- Decorative, ornamental or functional elements designed by an artist;
- Murals, drawings, and paintings; and
- Monuments

Generally speaking, a work of art cannot be considered as "public art" if it is not one of a kind or an original, in the case of a work of fine art (sculpture or painting) or it is reproduced in editions of over 200 in the case of fine art prints and photographs. In general, reproductions, unlimited editions/mass productions, decorative, ornamental and functional elements of architecture, directional elements such as super graphics, signage and color coding, and landscape usually are NOT considered artworks unless done by an artist.

## C. Structuring the Organization

**Why does a public art program need an organizational structure and what kind of structure works best?**

A key first step in crafting a public art program is developing an organization to staff, fund, manage, and oversee the commissioning of public art.

Like any public building or construction project, where multiple players (architects, engineers, client agencies, the public), budgets, and deadlines are involved, commissioning a public art project is a complex process that should be carefully and consistently managed by at least one person if not more (two or three), depending upon the project load. Like any multi-phased project, where activities occur simultaneously, and follow different, and sometimes overlapping timeframes, continuous management with continuity in terms of communication and points of contact is vital.

The role of the public art program administrator and staff is to ensure quality, community inclusiveness and reflection/respect of community values. They also often are charged with ultimately curating a collection of work for a city, introducing and training new artists for the field, providing technical assistance to new artists and client agencies to ensure a good working relationship, as well as meeting deadlines, keeping to scopes and staying within budgets.

Establishing a public art entity as a separate 501(c)(3) non-profit corporation is appropriate for Mobile at this point in time, due to the following circumstances, some of which may eventually change:

- Little municipal construction is occurring now, yet much private development is underway. As a non-profit organization, the new public art entity could seek funds from a variety of private (individuals, foundations, corporations) as well as public sector sources. Were municipal funding of capital improvement projects to increase, the non-profit would still be in a position to manage public art programs, with or without a percent-for-art-based funding structure and would be hired by city agencies to manage the public art process for them.
- A public art program functioning as a stand alone non-profit will be able to streamline the commission process for artworks, as there is no complex municipal bureaucracy to work through. Private funders may be more likely, therefore, to fund public art if they can do so quickly and efficiently.
- Main Street Mobile and the Mobile Arts Council, two organizations which may take on or could share responsibility for implementing the public art policy are already set up as 501 (c)(3) non-profits which means that a) a new organization may not have to be set up in order to get the public art program off the ground and b) a new city agency does not have to be created; both factors will save time and expense up front. In addition, both were originally city agencies and now function effectively as independent entities with ties to the city. This further demonstrates that not only is this a structure that works well already, but is a type of relationship with which the city has experience.

## **Creating a 501(c)(3) non profit**

Creating or using an existing non-profit agency to administer the public art policy is highly recommended for Mobile for a number of reasons.

First, at this point in time, percent-for-art is not indicated. This is due to the following facts: there are few municipally-funded comprehensive improvement projects (CIP) planned and not enough planned on an annual basis to guarantee a stream of public art projects and funding needed to keep a public art program afloat. Second, Mobile's city agencies may not be familiar with percent-for-art ordinances or with commissioning public art projects, nor have most been involved with the development of this public art policy. In addition, the public art program staff and advisory committee have not yet fully launched the public art

campaign required to generate support for a public art program for the city. Therefore, mandating a percent for public art may be premature and meet with resistance. Third, there is a desire to spread public art out around the city. However, unless a decision is made to do otherwise, most percent-for-art ordinances do not allow artworks to be located off of CIP building site, nor are city agencies willing to pay for art that doesn't directly benefit their employees and clients or for artworks that are not sited in or around the new facility being constructed.

Fourth is the fact that the City of Mobile already contracts with non-profit quasi-governmental agencies, such as the MHDC, the Mobile Arts Council, and Main Street Mobile and seems to be comfortable working in this manner. Fifth, private funding seems at this time to be a more likely funding source than city funds, except that the City should guarantee an annual allocation to the non-profit to cover staff and operating expenses. It would make sense to utilize one of these existing organizations to launch the public art policy, which could be done more quickly than starting up a separate organization or establishing a separate city agency.

## OTHER CASE EXAMPLES

- "It is important to have an organization with non-profit status connected to the Art in Public Places program," explains Linda Bloom, program administrator of the Sacramento, CA Art in Public Places Program. "because it allows some of the donated money to be used tax free."



Elyn Zimmerman's water sculpture and landscaped seating area offers San Francisco commuter, shoppers, visitors, and workers a shady place to have lunch or to meet friends emerging from the BART subway station. The work encourages positive public gathering and attracts other uses, like food vendors, street entertainers, which are in turn supported by the people congregating there.

- The Arts Council of New Orleans and Fine Arts Commission of San Diego are private, non-profit agencies that contract with their cities to run their public art/percent-for-art programs.

- In 1995, Portland's Metropolitan Arts Commission left the City bureaucracy and became the Regional Arts and Culture Council, a non-profit regional arts agency. They contract with the City of Portland to provide the same services they provided previously, including administering the percent-for-art program. In addition, they are free to contract with the Airport Authority, Tri-Met, the regional transit agency, and other cities within the region to undertake public art programs and cultural activities.

- Since its formation in 1977, the Cultural Arts Council of Houston has been a private non-profit (never a city agency) which contracts with the city and is overseen by a Board of Directors. They report to the Mayor and Council every two years when their contract is up for renewal. This is a granting institution that funds artists and organizations. Volunteer percent-for-art projects are selected on a case-by-case basis. They appoint a Public Art Director who contracts with a variety of agencies and the Cultural Affairs Council administers the public art programs.
- Boston's Urban Arts group, a 23 year old private non profit arts agency, contracts with the City of Boston to design and implement existing public art and percent-for-art programs, including selection processes and artist's contracts, perform education and outreach, and collaborate with communities to design and develop public art policies. They are funded annually by the Boston Arts Commission.

## Staffing

Mobile's new public art program needs permanent staffing, both full and part-time, to ensure continuity of all management, programming, fundraising, and administrative duties and to give the organization a public presence and identity, and consistent contact personnel.

### **PUBLIC ART PROGRAM STAFF**

Using 20% of the public art funds raised or set aside for each public art commission, the public art program staff would handle the following duties:

One full-time staff person (Executive Director) is needed to:

- Act as a community outreach and public education program manager
- Organize community meetings with and outreach to neighborhood groups
- Undertake training and educational programs for artists and communities
- Notify artists of upcoming public art projects
- Write and disseminate requests for proposals and calls for artists
- Assist in developing the Annual Public Art Plan (see Project Identification section below)
- Assist in grant and proposal writing to obtain additional program funding
- Work with developers to identify potential art projects and guide them through the artist selection process.

One full-time and one part-time staff person (Project Managers) are needed to:

- Coordinate the management and implementation of public art projects on a day-to-day basis

- Act as liaisons between the artists, community, project architect, engineers, construction manager and general contractor
- Convene Selection Committees for each project
- Develop artist contracts
- Schedule site and artist studio visits
- Plan and organize receptions and dedications
- Assist in developing the annual public art plan
- Assist in grant and proposal writing to obtain additional program funding.

One part-time staff person is needed to:

- Organize and maintain a slide registry of eligible public artists locally, regionally, nationally, and internationally
- Organize and maintain the Public Art Idea Bank (described elsewhere in this chapter)
- Conduct evaluations and documentation of completed public art projects
- Survey artworks preferably once a year (with the National Endowments SOS! program), identifying those that require special maintenance, restoration and conservation and arrange for consultation with a qualified conservator/restorationist to perform the work

One part-time staff person is needed to:

- Act as a liaison to other city agencies, the county, and state arts programs
- Track eligible public art monies and projects and ensure that the monies are deposited in the public art program staff's public arts account.

One full-time person will be needed to:

- Manage the public art program staff's community-based, rotating and temporary public art programs, when these programs are fully operational.

## **PUBLIC ART INTERAGENCY TASK FORCE**

A task force could be created in order to assist the public art program staff and Public Art Advisory Committee (see next section) to develop the Annual Public Art Plan and assist in the identification of sources for public arts funds. Representatives from the following city departments that could be included are: Economic Development, Finance, Real Estate, Law, Parks and Recreation, Planning, Public Works, Construction Management, Aviation, the Mayor's Office, City Manager, City Historian, Transit Agency, Transportation, and representatives from other agencies that are knowledgeable about upcoming capital construction projects.

## **MOBILE CITY COUNCIL**

The City Council should review and approve the Public Art Public art policy and make recommendations for its adoption and implementation. In addition, it could, on an annual basis, review and approve the entire Annual Public Art Plan, or just those projects funded with City/public monies or to be sited on public land. It is also anticipated that individual City Council members will support public art by participating on the Selection Committee for public art projects in their districts, as well as helping to promote public art to the citizens of Mobile in general.

## **PARTNERSHIPS**

When a public art program is conceived of as separate and apart from other city-wide programs or community-based initiatives, it is much harder to gain support for the program or to have it retain its validity and relevance over time. Even when a percent-for-art ordinance is in effect, that one percent allocation is often the first to be spent by an architect on fancy finishes unless there is someone safeguarding the allocation and, unless someone feels the allocation is worth safeguarding, the money will disappear.

When establishing partnerships is a program goal articulated early on by a public art policy, it shapes everything and opens infinite possibilities for new and diverse funding sources, opportunities for community input, art project scoping, siting, and stewardship.

Promoting public art as yet another tool for addressing a wide range of issues facing a city, a neighborhood, a community, a sector (retail), however, is one way to find partners who will help gain support for and to legitimize a public art program.

## **Case Study**

When Memphis was kicking off their fledgling public art initiative, the City articulated the expectation that public art would help address several burning issues, including: poverty, racial inequality, crime, improving the urban and natural environments and bringing the people of the city together. The public art initiatives recommended by PPS to Memphis's UrbanArts group included a series of long and short term projects, to be funded privately and by the City, that would dovetail with and support the programs and solutions being developed by those city agencies responsible for achieving these larger, long term goals. The process of viewing public art and the arts not only as components of city life, but as key resources offering potential solutions to a wide range of problems has begun - and is being met with great and growing support.

**POTENTIAL PUBLIC ART POLICY PARTNERS\***

- Public Art Policy Committee
- Mobile Tricentennial, Inc.

**Municipal Agencies:**

- Parks and Recreation
- City Historian/State Historic Preservation Officer
- Office of Economic Development
- Cultural Affairs Committee of the City Council
- Public Works
- Transportation
- Transit Agency
- Planning
- City Manager and Deputy

**Elected Officials:**

- State Representatives (Senators, Assembly Members)
- Representatives of US Senators/Congressmen
- Mayor's Office

**Artists/Arts Groups:**

- Mobile Arts Council
- Mobile Art Museum
- Artists from the Public Art Policy Committee
- Artists on the Board of Main Street Mobile
- Representatives of Arts Organizations
- Representatives of Museums and Galleries
- Artists who've received public commissions
- Arts Council (city, county, state)
- Art Schools/Colleges/University

**Neighborhood Groups/Community Boards:**

- Merchant Associations
- Property Owners
- Civic Associations
- Business Improvement Districts
- Main Street Mobile
- Church/Religious-based community groups
- YWCA/YMCA



Georgia Gerber's bronze seals grace the Portland, Oregon Banfield Light Rail right of way and attract children as well as transit riders.

**Civic Institutions:**

- Libraries
- Schools
- Hospitals

\* (For a list of specific public art projects in which these partners can be involved, see the Action Plan.)

## **D. Public Art Advisory Committee (PAAC)**

### **Why have a Public Art Advisory Committee? What is its role?**

Public Art Advisory Committees are typically formed to recommend and advise the Arts Commission/Council on public art policies, procedures and general issues and to provide guidance to and oversight of the public art program staff. The members can be appointed by the Mayor or City Council, and often serve limited or staggered terms (two to five years). Work is completed on a voluntary basis however, on occasion Committee expenses are covered by sponsoring organization's administrative costs. Public Art Advisory Committees generally are comprised of:

- Members of City Council, the arts commission, members of design review boards;
- Artists and allied design professionals: urban planners, landscape architects, art historians, or Museum curators or Museum representatives;
- Active, professional artists; and
- Citizens with experience and/or interest in the visual arts and fields of public art, arts education, community development.

Ex-officio members can include private developers or property owners, as well as representatives of city agencies and departments.

### **Responsibilities of the Public Art Advisory Committee (PAAC)**

As the key advisor to the public art program, Public Art Advisory Committees and staff generally carry out the following responsibilities:

#### **POLICY DUTIES**

- Review and approve the public art policy before it is sent to City Council

- Discuss and help establish additional public art policies and procedures (as needed)
- Develop annual strategies (the Annual Public Art Plan) for the selection, placement, implementation and maintenance of works of art commissioned, purchased, and otherwise acquired by the City. Review the Annual Public Art Plan to assure that the goals of public art are being met
- Establish initiatives.

### PROJECT SELECTION AND REVIEW DUTIES

- Consult with the department responsible for a particular construction project or other site to be included in the annual public art plan
- Allocate funds and authorize purchase of artworks
- Review public art proposals and proposed gifts of public art at the discretion of the City, public art program staff, etc.
- Advise public art program staff on Stakeholders and Selection Committee members for specific public art projects
- Assist with identifying locations and sites for public art
- Participate in the artist selection process by reviewing short lists of artist finalists and their proposals
- Approve of proposed artworks for commission
- Assist in identifying opportunities for community-based art projects
- Review designs of artwork sited on city property
- Review artworks donated to the city
- Review fabrication and installation of public artworks
- Oversee maintenance and conservation of public art work
- Oversee deaccessioning of public artwork
- Advise and assist private property owners and others upon the selection and installation of art works
- Conduct annual assessment to develop an inventory of public spaces for potential use.

### OUTREACH

- Assist in outreach and education to the community regarding public art and promote art in public places
- Assist in outreach to arts community and in developing new ways of identifying and reaching artists
- Assist in raising private and foundation support for community based public art projects
- Help establish communication between different groups undertaking public art projects

- Keep City Council apprised of and brief them regarding upcoming or recently completed public art projects. Make recommendations to governing body (arts commission, city council, etc.). Report to the City Council, Arts Commission or other supervisory body on the progress of Public Art Program
- Encourage public art partnerships with other public agencies
- Acts as liaison with private developers to encourage or facilitate private contributions, and private art installations

### **SUPPORT STAFF FOR THE PAAC**

Usually one to three full or combination of full and part-time staff people, depending upon the size of the public art program itself assist the PAAC in carrying out its duties. The public art program staff is responsible for most of the actual legwork of the Committee. They also prepare and administer contracts, create the inventory of the sites, coordinate selection procedures, collaborate with other city departments and the artists, review the material and present reports for the committee/commission. One thing that the staff doesn't have time to do is fundraise, although most mentioned that they would like to; this should perhaps be a function of the Mobile PAAC instead.

### **Mobile's Public Art Advisory Committee**

A group of individuals has coalesced around the creation of this public art policy. As the policy unfolds, however, more specific roles, tasks, duties and responsibilities for each of these committee members will be identified. We recommend that, as a first step in this process, the existing Public Art Policy Committee evolve into a public art advisory committee for the Public Art Program and take the lead in getting people to buy-in to the public art policy. They should start by adopting the statement of intent and mission for the public art policy presented herein. The Committee's immediate efforts also should be strongly but not exclusively geared towards raising funds to implement the policy and develop the public art organization. Foundations, corporations, and private developers with projects under or nearing construction, should be contacted by the Public Art Policy Committee.

Additional steps to be taken by this Committee in the immediate term include:

- Generate widespread interest in and build an audience - among all the citizens of Mobile, students, the City Government, Municipal Agencies, the press, the philanthropic and cultural communities - for public art (contemporary and traditional) and for having it placed in public spaces throughout the City

- Continue to interface both with the public as well as with Main Street Mobile and Project for Public Spaces on this policy as it is revised, finalized, and adopted
- Raise funds to commission works of art in the near term
- Obtain a level of commitment from the City/County to participate in the funding and maintaining of works of public art
- Determine in what capacity it will serve in the near term as well as in the long term; that is in an advisory capacity, in an approval capacity (which would include review of artist submissions and approval of public art proposals); or both, and how it can best address some immediate challenges and opportunities.

As representatives of the community-at-large, the PAAC could act as the link between the art project and the public. The Public Art Advisory Committee could also serve as a "think tank" for the City's Public Art Program by evaluating past projects, articulating and promoting the general philosophy and mission for the program, and implementing the policies to guide the program. For instance, the Committee may express a preference for design-team collaborations, or the desire to include artists working in non-traditional forms. Such public discussions and guidance could assist public art program staff in not only shaping the program, but

## CASE EXAMPLES

### San Antonio, TX

San Antonio's design review process is undertaken by the Historic Design Review Board, an amalgamation of the Fine Arts Commission and the Historic Review Board. The Public Arts Committee, a sub committee of this board consists of four members of the Historic Design Review Board and three members at large and works as an advisory body. The committee is responsible for design recommendations, and reviews all of the public art projects.

### San Diego, CA

Through the activities of the Public Art Committee, Community Advisory Panels and Selection Committees, the San Diego Public Art Policy maximizes community involvement and support. In addition to the typical advisory functions of the PAC, the committee is also involved with the establishment of a collections management system, the development of a series of public art tours, and programming of special lectures and workshops. The committee is comprised of 15 members: Citizens and community members, artists and allied professional appointed by the commission.

### Seattle, WA

The Public Art Program Committee is a standing committee of the Arts Commission. It acts in an advisory role, to approve and make recommendations on the work completed by the Arts Commission staff. The committee meets monthly and oversees development of Municipal Arts Plan with monthly reports provided by Commission staff.

### Portland, OR

Portland's PAAC meets once a month to develop policies and goals for maintenance of commissioned works of art.

also in providing a philosophy that comes from a body of appointed citizens rather than from the City or Arts Council itself.

The Mobile Historic Development Commission (MHDC) could serve in a public art project review capacity as well, as an adjunct to or umbrella group to the Public Art Advisory Committee. A representative of the Saenger Theater, the Mobile Arts Council, and members of the Main Street Mobile Board with connections to the arts could be added to the PAAC, and be charged with review of this public art policy.

Members of the PAAC committee also should include representatives from Community or Civic organizations in each neighborhood, arts professionals, artists, business leaders, and community activists. Members could be appointed by the Mayor with input from the public art program staff.

## E. Project Identification

Why do an annual art plan to identify potential public art projects?

### Annual Public Art Plan

Developing an annual public art plan provides the public art staff with an opportunity to find, during the annual capital project planning and budgeting process, what CIPs are planned by each city agency for the upcoming year, and either assign a percent fee to it or to select, in collaboration with city agencies, potential art projects to pursue. In some cities (Portland) staff from each city agency presents all CIPs to public art program staff. In other cities, public art staff meet with each city agency individually to identify projects (usually when a percent-for-art ordinance is in place).

In having the scope of the projects described, public art staff can identify earmarked project monies that could be used for the creation of an art project. For example, if a CIP has a landscape budget, or monies are to be set aside to be spent on paving, tree grates, lighting, etc., public art staff can suggest that artists be hired or commissioned to design these elements.

Once public art program staff know what CIPs are planned for the coming year, and have identified top priority projects to pursue, if no percent funds have or can be earmarked (in the absence of an ordinance) staff can begin to raise funds privately if need be to pursue a commission. In addition, public art staff can develop an annual solicitation (RFQ and RFP) for proposals from artists, receive proposals for a year's worth of projects at once, determine which projects may require selection panels during the coming year, and begin to assemble selection committees for each project.

Preparing an annual plan, or laying out all potential public art projects at once, allows them to be evaluated in terms of potential positive impact, opportunity, geographic or departmental distribution and administrative capacity. After this is accomplished, public art program staff can determine the best role for the artist in each project, identifying projects where the artist should partner with the community to do the piece, or when it makes sense for the artist to be on the design team for the building/project. At the same time, this allows the public art program to strike a balance and to decide which type of art project is appropriate where and when: in which projects is it appropriate for the artwork to be more challenging and where the art needs to be wholeheartedly embraced and more easily accepted.

To generate a source of funding for public art projects for the City, an annual public art plan is a vital tool, and should be used by the Public Art Program to:

- Identify public and privately funded developments, projects, and initiatives where both the PAAC and public art program staff agree a public art component is both appropriate and desirable
- Identify a broad range of goals for each project and who the target audiences will be
- Identify which projects will be targeted towards state, regional, national and international artists (rather than local artists) and why. Reasons could include a desire to include and outside perspective, to promote or engage in cross-cultural exchange, or to provide training or apprenticeship opportunities between emerging artists and those of national renown
- Develop selection process options for each project (invitation, open competition, limited competition, etc.)
- Develop a list of possible selection panel members for each project, or assign known and approved panelists to specific projects
- Develop or consider the appropriate design process for each project (i.e., artist-architect collaboration, community collaboration) to guide selection procedures for both the project design team and the artist
- Recommend general siting and placement of artworks (i.e. on- or off-site) for the project
- Adopt model contracts and procedures to expedite review by relevant city departments (purchasing and real estate, law, finance, etc.)
- Establish special maintenance and conservation efforts for the art and to understand the extent of the commissioning institutions resources to carry this out

The Annual Public Art Plan could be reviewed and approved by City Council, or City Council could approve only those projects receiving public funding or to be located on public land. Once the Plan receives City Council approval, subsequent review and approval of specific public art projects by City Council will be expedited.

## Public Art Idea Bank

A Public Art Idea Bank is a method for collecting ideas from citizens regarding locations for art, artists, and art projects while promoting the idea of people contributing ideas to improve the public realm. A Public Art Idea Bank would provide an opportunity for all Mobilians to share ideas for public art projects with public art program staff. The Idea Bank could become a source of information and repository of artist concepts for people wanting to commission public art projects, as well as provide a list of desirable sites for public art city-wide. People would be encouraged to "make deposits" of ideas, sites, or concepts for public art projects in locations throughout the City. With whatever discretionary or non-earmarked funds that may be available, monies remaining from commissions, or in response to expressions of interest by funders, community-generated ideas public art projects could be realized.

## E Funding Sources for Percent-for-Art and Non Percent-for-Art Programs

Why pass a percent-for-art ordinance, what does it help you to do?

Passing percent-for-art legislation encumbers a percentage (usually .5 to 2.) of CIP (publicly funded capital improvement projects) per year for the commissioning of public artworks, usually sited in, on, or adjacent to, the building or project to be constructed. Percent-for-art ordinances guarantee a funding stream for public art projects regardless of what happens to city budgets or arts funding. The policy also guarantees that public art projects will be planned each year, as long as CIPs are underway and municipal construction continues.



The Phoenix, AZ arts commission funded "Wall Cycle," a series of whimsical tea-inspired elements that punctuate a new bicycle path, to help mitigate the effect of the new Squaw Creek Parkway on the surrounding neighborhoods.

An ordinance can provide a mechanism for obtaining funds from a broad range of city agencies and departments, and legal recourse (if funding for percent projects becomes a legally binding requirement) to obtain funds for public art from non-compliant city agencies. Percent-for-art ordinances also provide an opportunity to work with and introduce public art to many city agencies, in many different types of projects and in many locations city-wide. Some percent-for-art ordinances (Atlanta) allow for the siting of art in adjacent or nearby communities to offset the negative impacts of a project or as a way of achieving the placement of public art in more diverse areas of a city.

When no percent-for-art ordinance is in place, and capital improvement projects cannot be counted upon to provide funding for public art projects, sources of funding for public art projects must be found elsewhere. Even when a percent-for-art ordinance is in place, however, additional funds for art projects may be required: Despite 2% for art public funding, "money is always a problem," says Linda Bloom, Sacramento, California's public art program's administrator. As a result, she has started looking for private partnerships to help secure more money for public art. Currently, the Sacramento Art in Public Places program is looking to use private money for artwork on the city's light rail system.

## Voluntary Participation

In the absence of a percent-for-art ordinance, per se, but with a desire, on the part of the public and private sectors, to incorporate public art into the fabric of the City, the San Diego Commission for Arts and Culture adopted a policy to encourage the involvement of artists in capital improvement projects (CIP), even though a level of involvement or financial commitment is not stipulated. The San Diego Commission for Arts and Culture, which manages the City's public art program, feels a voluntary project-by-project measure to be more effective than a

## CASE STUDIES

Several well-known, successful, non-percent-for-art funded programs include those in the following cities:

### Houston, TX

The Cultural Arts Council of Houston also receives a percentage on the hotel/motel tax for art. In addition they have contracts with a variety of city agencies as well as with Harris County.

### New Orleans, LA

The Arts Council of New Orleans funds public art projects through a joint partnership between public/private sectors in order to create more stable funding basis. City of New Orleans, Local and State governmental Agencies, and other non-profit arts organizations are funding sources for the public art program.

### Phoenix, AZ

Phoenix's public art program is funded through the City's general purpose funds, public art funds, state lottery revenue, and regional and federal grants.

### San Antonio, TX

The San Antonio, TX Design Enhancement Program (DEP) is operated through the City's Public Works Department's City Architects' Office. The DEP program is maintained by art allowances and budgets that are identified and developed by each project design team.

### San Diego, CA

The public art program in San Diego is a department of the San Diego Commission for Arts and Culture. Administrative costs are covered by a portion of the city's Transient Occupancy or Hotel/Motel Room Tax, which helps to fund the operating and personnel expenses of nearly 90 arts and cultural organizations.

percent-for-art mandate. To make this arrangement successful, the Commission for Arts and Culture takes part in the design review panel for all CIP projects and meets annually with directors of all City departments to identify CIP projects where an art component is desirable and may be appropriate. If the City department agrees, then the RFP for the architect and design team includes an art component, and the architect is expected to work with an artist that they themselves hire; alternatively, the architect can identify a place for art within the project or purchase a work of art. The Commission for Arts and Culture runs the artist selection as required by the project, including developing lists of potential artists.

We recommend that Mobile follow this approach initially and then, based upon an evaluation of the success of this "voluntary" or "project-by-project" approach, decide whether to continue in this manner or to adopt a percent-for-art requirement.

## Soliciting Participation by Developers

Even though there is no percent-for-art ordinance currently in place in Mobile, nor are there a significant number of city-funded CIP projects underway - both of which would guarantee a certain number of public art projects per year -- it may still be possible to get funding from capital projects for public art, by working with the private sector.

In cities around the country, private developers are realizing that commissioning works of art for their projects benefits more than their bottom line: improved employee and tenant working environments, the creation of a unique look or landmark feature for the project, and the demonstration of a larger civic commitment are among the benefits to be reaped by the development community for their investment in public art, which often translates as higher rents and a more desirable office location. For city agencies, expenditures on public art projects can help highlight and publicize agency initiatives, missions and objectives; communicate important information or instructions to the public (public service messages such as the importance of recycling are natural subjects for public art works); contribute to the acceptance of a plant or facility by a community in which they are to be sited; and improve the public's recognition of the important work or service provided by that agency or city department.

Currently, there is nearly \$400 million in public and private investment occurring in the City of Mobile. These private projects include the \$165 million RSA Tower, for which pieces could be placed in the lobby and around the exterior public spaces of the building; the newly constructed \$75 million Mobile Register Building, and the \$1.2 Larkin Music Center. Public sector funded projects include the \$90 million GSA Federal Courthouse, which has its own 1/% for art budget, a new \$9 million Social Security building, the \$16 million Federal

government rehabilitation of the GM&O train station as a multi-modal transportation and retail center and the Mobile Landing/Alabama State Docks expansion and waterfront park project, with a total budget of \$40 million.

Therefore, we recommend that the public art program staff and the PAAC (or Public Art Policy Committee) solicit private developers regarding introducing works of public art into their projects as quickly as possible as many of these projects are already nearing completion.

There are a number of ways of encouraging the development community in funding public art projects. First, is to include art in the incentive package given to developers. For example, developers are often requested or required by cities to provide parking, a certain number or amount of coverage by street trees, curbs and sidewalks, etc. Public Art could be added to this list, or developers given the opportunity to include public art in a project as a way of meeting the requirement for providing these kinds of on-site amenities. Fees paid by developers, or requirements that developers provide more affordable housing or a park as part of a project also could be set aside to fund works of public art. In Portland, OR, public art is acceptable as an alternative to meeting the city's requirements for ground floor windows (no blank walls at street level).

Second, in instances where a Nexus or Environmental Impact Study has been ordered to determine the potential negative impacts of a project, a percentage of the fees paid by a developer as part of this mitigation could be set aside for a public art project, where the art would be considered a mitigation tool.

Third, are the "plaza bonuses" or floor area ratio bonuses given to developers whereby a building can be built at a higher floor area ratio if a certain amount of ground floor is set aside as public space, or, we suggest, for public art. In Portland, OR, development projects where one percent of total construction costs are committed to public art receive a floor area ratio bonus of 1:1. All or at least 25% of these funds are deposited in the Public Art Trust Fund for use on projects in other sites around the city.

The City of Tampa, FL encourages "any private developer/owner who applies to the city for building permits to construct or reconstruct a commercial or municipal structure to commit one percent of construction costs up to...\$200,000 to the provision of fine art in conjunction with such commercial structure" or to elect instead to donate to the city an amount equivalent to the one percent. In addition, every building or construction permit pulled for the construction or reconstruction of a commercial or municipal structure is reported to the public art committee.

No matter how the developers are encouraged to fund art, they are responsible for maintaining and conserving works once they have been commissioned. Developers need their own advisors or consultants and/or a public art review panel should be convened on private projects to ensure quality and that the artwork(s) commissioned complies with the overall goals of the public art policy and public art vision of the City.

## Other Sources of Funding for Public Art

Funding for public art in other cities has been raised from:

- TIF (Tax increment financing) of vacant buildings for use by artists housing and studios (Memphis)
- Grants from National Endowment for the Arts and other foundations
- Community members who raise money for public art projects in their neighborhoods
- In Austin, TX, small funds were raised to improve a building façade and then the artist and community raised money to complete a mural on the rest of the building
- CDBG funds
- Foundation grants
- Parking meter revenues
- Hotel/Motel tax (Transient Occupancy Tax)
- Sales tax revenue
- Proceeds from the sale of City land
- Funds pooled with the County
- City budget line item

According to projects already in existence in Mobile, among the largest financial contributors are: the State of Alabama, the City of Mobile, the University of South Alabama, the National Endowment for the Humanities, the Alabama Historical Commission, the National Science Foundation, Courtaulds Fiber, Inc., E.I. DuPont de Nemours, Alabama Power Foundation, the Mitchell Foundation, and the Bedsole Foundation. Members of the arts community, Heron Chandler Foundation, Fine Arts Council, and the Arts Advisory Board for Fine Arts Museum might also be helpful.

## Public Art Trust Fund/Bank Account

A Public Art Trust Fund should be set up as a discreet fund of the Public Art Program. Public art program staff would deposit all funds earmarked for public art projects, whether from public or private sources, as well as funds donated or bequeathed to the city for works of art, into this Fund. Each project could be assigned to a separate account within the trust,



Nikki St. Phalle and Ives Tinguely's fountain at the Pompidou Center in Paris creates a place because it acts in combination with key elements that attract people to public space: touchable water, seating, outdoor cafes, vending, and a convenient location.

or at least a specific project number used for tracking payments and disbursements. Additional funds can be deposited into the Public Art Trust Fund for a project's contingency or for use on other types of public art projects (See Public Art Idea Bank below) or for public art projects in locations throughout the city. The Public Art Program would contract with artists and pay them from this Public Art Trust Fund, which would follow standard accounting procedures and practices.

## G. Artist Selection Procedures

### Why do you need artist selection procedures?

Artist selection procedures are necessary in order to achieve the following:

- To ensure that the right artist is commissioned for each project - that they have the experience, vision, and ability to carry it out and are the right match for the client or client agency, the public, and the site
- To ensure that the same artists are not selected over and over, which avoids accusations of favoritism and assures equal opportunity
- To ensure diversity of styles in terms of art, craft and decoration - whatever is appropriate for a project - so that not all the art in the city looks the same
- To provide a structured way to dialogue about art, the vision for the project, to get public input, to ensure complementarity with the building or project under construction
- To allow diverse artistic voices to be heard - local, regional, national, international etc. and
- To create clearly defined processes for carrying out public art projects that can be consistently applied. These processes should, however, allow for different methods for procuring public art to enable the City and project Selection Committee to commission and encourage the range of public artwork desired.

Before deciding upon a process for selecting artists, there are a few key points that need to be considered:

- The best, or most well-known artists do not answer open calls
- The best artists do not always do their best work in your community
- The best artists need a professional staff to work with, and seamless selection and commissioning processes
- The best artists do not feel compelled to be the ones to educate the community about art or convince them about the worthiness of a given project. The artist is only concerned about convincing the public and the selection committee that they are best qualified to execute a work and about how their design meets the criteria that have been established in the request for proposals (RFP).

## Organizing a Selection Committee

The first step to selecting an artist for a project is for the public art program staff to assemble a selection committee panel to review artist proposals. A group of Stakeholders that reflects the relevant impacted parties or project partners should be identified to jury each project and to serve on the Selection Committee. Public art program staff should solicit input from the Public Art Advisory Committee in creating a Selection Committee.

The Selection Committee will help conceive the art project (themes, locations, approach, etc.) as well as direct the artist selection process, review design stage proposals, gifts of art, etc. Generally, the Selection Committee also will determine the number of artists to be commissioned for a particular site, and the spaces it feels are appropriate for artwork. In some instances, the Selection Committee may recommend that the artist, architect and engineers work as a team to create a project where the art is integrated into the overall design of the facility. The Selection Committee should represent a broad-based group that includes art professionals, such as art critics, art historians and working visual artists, as well as the project architect, a representative from the city agency in charge of the project, neighborhood groups, the public art program staff, and the City Council person from that district. Additional representatives could be selected on a project-by-project basis, such as a selected group of employees, visitors, users of the facility and members of the adjacent residential and business communities. A representative from the Mayor's office also should be included.

According to Tad Savinar, a widely known Portland, OR based artist, the selection committee is where "the rubber meets the road," and "where 75% of all public art projects can take a turn for the worst. Once a panel makes a wrong choice, there is no turning back." He concludes by saying, "your panel can be your Achilles heel." Selection Committee members are given the significant responsibility of making good decisions for the future of the city and commissioning works that will enhance it's cultural collection for generations to come: encourage them to use that power and to use it wisely, and make certain that they understand

the vision and intent of the public art program, the goals of the policy and objectives to be achieved by each art project they help to commission.

Each Selection Committee should include between three and seven members, depending upon the size and complexity of the project. Achieving cultural, racial, and gender diversity among panelists is often a criteria used by public art programs in assembling selection committees, which should include:

- One working visual artist
- One experienced public art artist who will be able to translate concepts to other panel members and do so in a credible fashion
- Public art program staff
- The designing architect, or the project architect (in a non-voting capacity; see below)
- Representatives of the Neighborhood. These individuals should have a certain amount of political clout or ability to reach the ear of the Mayor or developer, etc. if need be
- Representatives of the client agency, building tenant or employee group. These latter two groups comprise the Stakeholders per se
- Local government officials (as appropriate).

Working in historic neighborhoods or at sites that are controversial, the public art program staff might also consider including historians (both academic and amateur) or sociologists to the selection committee to provide expert opinions.

Most Selection Committees are composed of voting and non-voting members. In New York City, while the project architect is invited to suggest artists to be considered for a project, and often introduces a project to a community, they are usually involved as a non-voting member of the artist selection panel. This is due to the belief that the project architect already has and will have a great deal of control over a project and say in decision-making, and that the artist selection process provides opportunities for others to have a voice in the decision-making process. In addition, there is the possibility that a voting architect may vote against an artist ultimately chosen by the Selection Committee, which could prove to be detrimental to the successful realization of an art project. Furthermore, while representatives from the community-at-large or government (from the offices of elected officials) are valuable in terms of providing contextual information to guide the decision-making process, they may not need to vote.

In addition to conceptualizing the project and making decisions as to the number of artists for the project, the type of art project to be commissioned (i.e. community-based, temporary), recommending artists to be considered for the commission, and refining the parame-

ters of the artist's contribution to the project, they also can offer input in the drafting of the RFP. For these reasons, the Stakeholders and other Selection Committee members should be identified at the earliest possible time in order to allow for maximum involvement and input. In some cities (Tampa, FL), the public art program staff conceptualizes the project and suggests participants for the Selection Committee and the PAAC approves (or disapproves) of its recommendation.

The public art program staff may wish to have the Public Art Advisory Committee annually identify those arts professionals to be included as voting members of Selection Committees on upcoming public art projects and may opt to maintain a list of qualified panelists with their resumes. In selecting arts professionals, the Committee should be aware of the person's knowledge of local, regional, and national artists, their ability to assess the design and problem-solving abilities of an artist, experience with public art, and knowledge of the City or a particular community within the City. From time to time, public art program staff may choose to include arts professionals with a national perspective on a Selection Committee. A member of the PAAC could sit on each selection committee.

## Options for Identifying Artists for Selection

There are a number of approaches the Selection Committee can adopt for identifying artists, depending on the specific situation including project timing, budget, role of the artist in project design, etc. Any eligible artist should be considered for a public art commission. An eligible artist is defined as one who is:

- A practitioner of the visual arts and
- Generally recognized by critics and peers as a professional of serious intent and recognized ability who produces works of art.

Those artists who are ineligible include:

- Undergraduate students under instruction
- City employees
- Artists who are currently under contract with the Public art program or
- Artists who have received a commission within a period of time as determined by the public art program staff (See Contracts section).

Graduate students are eligible for public art commissions but must produce at least one letter from their instructors confirming their eligibility as defined above.

## SELECTING ARTISTS FROM AN ARTIST SLIDE REGISTRY

Developing a slide registry to be used to identify potential, eligible, artists is an important first step for public art program staff. A well maintained artist slide registry reduces the need to hold open calls or open competitions for every project. The registry could be one where artists have to be voted or juried in, so that it would represent a group of pre-qualified artists from which the Committee could select, or it could simply begin with names of artists who have completed large outdoor and/or site-specific artworks in the City and around the region. While such a registry can require significant resources, especially in personnel time, its benefits can far exceed the costs.

While the artist slide registry could be open to all artists without restriction, public art program staff, with input from the PAAC, should jury public artists into the public art part of the registry. All artists should be required to complete a registration application/data base form, which would sort registrants by discipline, zip code and any other characteristic deemed relevant. At a minimum, artists should be required to submit a set number of slides of professional quality, a resume, and any other pertinent high quality presentation materials such as printed materials and exhibition reviews. Candidates for the public art registry should be asked to include previous public art proposals or other documented evidence of having worked with communities on a public art project.

The information submitted should include but not be limited to:

- Artist's name, address (home and studio), city, state, zip, phone(s), fax
- Nationality, city of birth, ethnic origin
- Primary gallery or representing agent (name, address, zip, phone, fax)
- Media/materials
- Subject matter
- Style
- Price range of artworks
- Size range of artworks
- Date of last commission in Mobile, if any
- Preference for working with communities
- Preference for working on design teams.

It is important that the artists keep their files up to date, and this is the artist's responsibility. Public art program staff, however, should ask artists annually, through mailed notices or public service announcements in local papers and the art press, to submit updated slides of new artworks to the registry. One part-time staff person will be needed to maintain the artist's registry. If, due to staffing exigencies, it becomes necessary for interns to run the slide registry, they should be properly trained and supervised. Information received on each artist should be entered into a database.

The Registry should be available as a reference to other government agencies, art consultants, writers and curators, as well. A well-managed and orderly Registry will be viewed as a positive public service that benefits the entire arts community.

### **SELECTION COMMITTEE ARTIST RECOMMENDATIONS**

Public art program staff should take a pro-active role by pre-selecting qualified artists from the slide registry to be presented to the Selection Committee for review. When Selection Committee members seek to nominate artists for a commission who are not currently included in the artist registry, public art program staff will have to contact artists recommended by Selection Committee members and ask them to submit materials and slides. An additional meeting of the selection committee may be required, after the artist slides have been received. This is generally the way the GSA's Art in Architecture program addresses artist selection. This process applies to the open call method of artist selection as well.

### **DIRECT SELECTION**

Here, a very few identified artists (1-3) are invited by the Selection Committee to develop proposals for a public art project, or one artist is chosen directly by the PAAC or the Selection Committee. It is common in this case for the Selection Committee to request more in depth and well-developed proposals than with an open call (see below) that are likely to include a maquette, sketches, site visits etc. for which the artist is compensated. For some projects, either with smaller budgets (under \$25,000 for example) or where there is considerable time pressure, the PAAC has the option of selecting one or more artists, to develop a short list of artists on their own, and to convene a small panel.

### **OPEN CALLS**

This method has, over time, proven to be administratively unwieldy, time consuming and expensive and should, therefore, be used infrequently. In order to ensure that the most qualified candidates respond, however, the call should state that only "eligible" artists may apply (see definition of artist eligibility above), that preference will be given to artists from the Mobile metropolitan area, and provide as much information about the project site and project parameters as possible. For example, a call for artists or RFP for a public art project that will be located in a predominantly African American neighborhood could also request that "submitting artists should have a demonstrated knowledge of and experience with African-American culture, history, and traditions."

## **REQUEST FOR PROPOSALS (RFP) AND REQUEST FOR QUALIFICATIONS (RFQ)**

The public art program staff sends a notice to all artists (RFP) in the public art slide registry (open call), to artists recommended by members of the Selection Committee, or to artists invited to submit a project proposal (direct selection). The RFP informs artists about an upcoming project and requests expressions of interest. It is recommended that RFPs indicate the variety of methods available to artists for creating art projects and clearly spells out the goals and intent of the art project, the project description and scope, the project location, history and context of the site and community in which the piece will be located, the processes and requirements for public meetings and site visits, budget, project schedule, eligibility, and selection process, procedures, criteria, and schedule. RFQs can include the same project information but generally do not require that artists develop a full proposal; the application requirements are also less complex and focus on assuring that an interested artist is qualified to undertake a commission.

Tad Savinar, a public artist based in Portland, OR warns not to develop fancy graphics for RFPs and RFQs; they should be readable, clearly state deadlines that list anticipated short-listed interview dates, describe the panel process, include readable sites and elevations, and clear descriptions of what is expected of the artist. Letting rejected artists know who was short-listed or who wins a commission is an oft-overlooked courtesy that most artists will appreciate.

## **PURCHASE OR ACQUISITION OF AN EXISTING WORK OF ART**

In some circumstances, the selection committee might wish to consider purchasing existing work rather than commissioning. This may be a viable course to pursue when:

- the project budget is considered too small, under \$10,000
- the site or facility may not provide an ideal opportunity for an artist to create a site-specific work, such as a temporary or interim use facility or one where the facility is already built
- the Selection Committee wants to include artists who normally do not create site-specific work or who might find it difficult to work within the constraints of a given construction project
- the commissioning agency of the facility has internal deadlines which make commissioning a piece untenable or infeasible
- posthumous acquisition of art by an important artist is possible
- the Selection Committee or commissioning agency has a preference for paintings, small sculptures or other collectible objects.

## Selection Procedures

The Selection Committee meets to review the artist materials (slides, bios, back up materials) submitted for consideration. This often takes more than one meeting, as is the case when a large number of artists respond to the RFP. It is important that public art program staff organize the artist's materials in a logical manner, and takes the time to eliminate those artists who clearly are not eligible for the project or who did not comply with the specifications of the RFP. The Committee usually comes up with a short list of 2 to 5 artist finalists, ranked in order of preference. The Selection Committee can then contact their first choice and request that a full proposal be developed. If their first choice artist declines the offer, they would move on to their second choice etc. In the event that all the first round of artists decline to propose, then the Committee could reconvene and come up with a second group of preferred artists, resend the RFP or invite another artist (not originally short-listed, but from the original list of submittals) to submit a proposal.

In the event that the Selection Committee opts to request an in depth proposal from an artist(s), the proposing artists are to be paid a stipend according to a set series of fees set by the public art program staff. These fees, which will comprise a percentage of the total budget for the art project, will vary depending upon the amount of work required to comply with the proposal request. For example, if an artist is asked to prepare a maquette, meet with the community, interview with the Selection Committee and visit a project site, the fee would be higher than if an artist had only to complete one of these tasks. Proposals may not be necessary in all circumstances, however, such as when the project is a collaboration of an artist with an architect or community, and that collaboration is essential to the nature of the artist's proposal. When an artist interview is requested, it is important to give the artist a minimum of 30 minutes in which to present their ideas, with another 30 minutes set aside for questions.

In addition, prior to the date that artist proposals are due, either the public art program staff, the PAAC or the project architect should hold an information/networking session for interested artists and community members. The project architect would discuss the project, site, etc. and members of the community would have an opportunity to inform both the architect and prospective artists about the neighborhood and community in which the public art project will be located.

## H. Process and Criteria for Design and Review of Public Art

No processes exist in Mobile, for example, for working with or advising private entities who commission public artworks in order to guarantee a level of aesthetic and material quality or to build consensus for a work of art so that no one person has the power to reject something that their colleagues are in favor of. This section describes a fairly standard and generally accepted process for officially reviewing and approving proposed public art projects

While the criteria for reviewing artworks designed collaboratively between artists and architects, artists and communities, and for both site-specific and integrated artworks will be fundamentally the same, the review process itself will differ somewhat.

### Project Design

#### SITE-SPECIFIC ARTWORKS

- Artists can be commissioned to create a stand alone artwork or
- The artist, architect and engineer could work collaboratively to integrate the artist's ideas into the building/facility or
- Funds can be pooled for community-based public art projects and
- The architect must work cooperatively with the artist and provide the artist, in a timely manner, with all necessary plans, blueprints, drawings and other such materials that the artist deems necessary to his/her work.

Once an artist has been selected and put under contract, the Selection Committee should meet with the artist to discuss and explore ideas for the artwork. If a maquette or specific design proposal was part of the selection process, the Selection Committee should identify issues and concerns about the proposed piece that need to be addressed during the design process.



R.M. Fischer's "Sky Stations" pylon sculptures are installed atop the Bartle Hall Convention Center in Kansas City, MO and are visible from the highway as one approaches downtown. Initially controversial, they have become a downtown Kansas City landmark and symbol for the city.

The artist should also begin any background planning work, community outreach, and site visits as outlined in their proposal or as necessary (as indicated by the Selection Committee or specified in the RFP). When an artist is part of a design team, it is recommended that the project architect participate in community outreach and public education programs and site visits, rather than just the artist alone.

Before the artist begins the actual design process, they should meet with the public art program staff to discuss the following:

- Art project timeline (vis-a-vis the construction schedule)
- Schedule of meetings and presentations (to the community, project architect, commissioning agency, etc.)
- Any limitations and/or constraints intrinsic to the project or required by the City or commissioning agency
- A review of general guidelines and goals for public art in Mobile.

The project Selection Committee should convene as necessary, but at least once at the project conceptualization stage and once at the end of the pre-final design phase, in order to review submitted designs, maquettes and design proposals. These proposals should include fabrication, installation and maintenance requirements as well. If approved by the Selection Committee and public art program staff, the artist's designs would be forwarded to the PAAC for review and approval. Art projects with budgets greater than \$50,000 could be sent to the City Council as well for approval (optional, based on City Council requirements). After all requisite approvals (from the PAAC, public art program staff, Selection Committee) and the final installation and maintenance description as specified in the artists' contract (see Contract section below) are received, the art project would go into final design and fabrication.

After all site preparations are made and the artwork is installed, the Selection Committee would convene, with the project's structural engineer, to inspect the artwork and make sure that it was built and installed properly. It is also recommended that the evaluation and documentation of the artwork take place as soon after installation as possible. Once a post-installation site visit has been made and the work approved as installed, the maintenance program developed by the artist in conjunction with the commissioning agency, should go into effect. This process is recommended not only for project specific artworks, but for community-based and temporary art projects as well.

## **COMMUNITY-BASED ART PROJECTS**

The same process for developing and reviewing public art projects is used even if, during the project conceptualization phase, the project Selection Committee decides that project funds



"Dreams and Designs" for ECC1 in the Bronx was funded by the New York City Public Art for Public Schools (PAPS) program and was created by children in the school. The PAPS program is funded by a one percent for art for all new school construction city-wide.

should be pooled and used to commission a community-based art project.

Participatory public art initiatives, such as Community-Based Public Art Projects, provide communities with the means to positively impact their environment and the opportunity to develop a sense of pride and ownership over their parks, streets, and public institutions. Here, the artist serves as a collaborator, interpreter, visionary,

teacher, mentor, and liaison between client and community.

The goal of these community-centered processes is to facilitate the creation of public art works that are accessible to the public not simply by virtue of their placement in a public space, or because of content, but through the engagement of numerous people in the community in the process of bringing them into existence in the first place, and making people's knowledge and experience part of the design process.

These kinds of projects are often funded by pooled monies, taken from small construction projects or where the project site is not accessible to the public. The process for project and artist and site selection should be very flexible. The selection process can involve a number of selection choices: sites, artists, and projects.

## Project Selection

In general, to assure fairness and equity, the public art program staff should issue Request for Proposals to select community-based art projects, although the Public Art Advisory Committee and public art program staff could decide to fund a single project without competitive review if it feels that the project is of unique benefit or that provides an opportunity for ongoing public art projects, such as a rotating exhibition area for temporary public art.



Doris Freedman plaza is a permanent place for temporary art located at the corner of 59th Street and 5th Avenue in Manhattan, and curated by the non profit Public Art Fund. Jenny Holzer is one of dozens of artists whose work has been displayed here during the past ten years.

A few of the wide variety of processes available to solicit and develop community-based projects are:

- An RFP would be developed by the public art program staff to request proposals from communities for sites and artists. The RFP would require specific information from the community regarding the proposed cost of the project, processes for involving the community in the project, the number of people expected to benefit from the project, and plans for maintaining the artwork
- The public art program staff could identify a site and create an RFP for artists
- The PAAC may identify selected artists from the Slide Registry and ask communities to propose sites.

The Public Art Advisory Committee will work with the public art program staff to select projects for funding. After the project site is selected, a Selection Committee will be set up by the PAAC to review artist designs and proposals, and to ensure that the processes used for designing, installing, maintaining and evaluating the final artwork are compatible with the procedures used by public art program staff for procurement of on-site works of art.

## **TEMPORARY ART PROJECTS**

If artworks are to be installed on a temporary basis, the artist's designs would only require approval of the Selection Committee and project funder (a City agency, private property owner or private donor). After design approval, the artwork would go immediately into the final design stage. A maintenance program would not be required. However, the artist should include documents regarding how and when the work is to be removed after display and plans for returning the site to its original condition (if necessary).

## **Review Guidelines**

The Selection Committee will review submitted public art project proposals at the end of the design phase. If approved, the artist designs will be forwarded to the PAAC for review and approval, after which the art project will go into final design and fabrication. Specific criteria for review of proposed permanent public art projects should be adopted, the most important of which relate to the technical feasibility of the project, that is, can the work be built and installed as proposed. Other criteria would address:

- Relevance of the piece to the City of Mobile, its values, culture and people
- Suitability of the work for outdoor display, including its maintenance and conservation requirements

- Relationship of the work to the site and the host community, especially how it serves to activate or enhance public space
- Appropriateness of the scale of the artwork
- How closely the proposed artwork meets the goals set out in the RFP and envisioned by the community.

In general, a proposed work of public art should not be accepted if it is not one of a kind or an original, in the case of a work of fine art (sculpture or painting) or it is reproduced in editions of over 200 in the case of fine art prints and photographs. In general, reproductions, unlimited editions/mass productions, decorative, ornamental and functional elements of architecture, directional elements such as super graphics, signage and color coding, and landscape usually are NOT considered artworks unless done by an artist.

Acceptable media include but are not limited to:

- a) Sculpture: in the round, bas relief, mobile, fountain, kinetic (mobiles), electronic, statuary, etc.;
- b) Mosaics, engravings, carvings, frescoes;
- c) Fountains or water elements;
- d) Crafts: clay, fiber (tapestries), textiles, wood, metal, plastics, stained glass;
- e) Mixed media: collage, photography;
- f) Earthworks and environmental artworks;
- g) Decorative, ornamental or functional elements designed by an artist;
- h) Murals, paintings, and drawings
- i) Monuments

Other recommended design review criteria can be found in the Gift Policy, Section M.

## I. Site Selection Procedures

### Why have site selection procedures?

To ensure that public art is placed throughout the City and at key destinations and locations, processes for site identification are necessary. For each project, the public art should be installed where it can be viewed and enjoyed by the most people, during a large part of the day. This decision can either be left up to the artist and architect to decide, or identified early on by the PAAC, public art program staff or the Selection Committee (according to the criteria presented below). For the artwork itself, site selection procedures guarantee that the

artwork is sited where it will be shown to its best advantage, where it will serve as an important design feature, where it can take advantage of environmental factors where applicable (the sun's rays, shadows, setting sun, etc.) and last to make certain that no one person (the designing architect for example) can dictate and wholly control where the artwork goes.

## Site Selection

In order to ensure the fair and equitable distribution of public art throughout the City, and the siting of public art in such a way as to enhance, anchor and activate the City's public spaces, criteria has been developed to guide the placement of art projects. Sites where public art is to be displayed should:

- Experience high levels of pedestrian traffic and be part of the city's paths of circulation
- Be easily visible and accessible to the public
- Serve to anchor and activate its site
- Enhance the overall public environment
- Enhance the streetscape experience for pedestrians
- Help to create a place of congregation and activity
- Establish landmarks and neighborhood gateways

## Placement Criteria

Furthermore, criteria for the placement of artworks within project sites is needed in order to ensure that the artwork is displayed prominently on the building site or, if it is integrated into the architecture, is detectable as artwork.

Within the context of the site itself:

1. Artworks displayed in interior public spaces should be accessible to the public at least during normal building operating hours without requiring the public to obtain special passes or permits to be allowed to view the artworks.
2. Artworks displayed in exterior public spaces should be accessible to the public 24 hours per day or, if they are sited in a setting such as a park, be accessible during the normal hours of operation of that site or facility.
3. Artworks should not block windows or entranceways, obstruct normal pedestrian circulation in and out of a building (unless such alteration is specifically a part of the experience or design of the artwork).

4. Art should not be placed in a given site if the landscaping and maintenance requirements of that site cannot be met.
5. Art should be sited so as to be either immediately visible or in a location where it will be visible by the most people.
6. Art should be placed in a site where it is not overwhelmed by nor competing with the scale of the site or adjacent architecture, large retail signage, billboards, etc.
7. Art should be placed in a site where it will enhance its surroundings or at least not detract from it (creating a "blind" spot where illegal activity can take place).
8. Art should be sited where it will create a place of congregation or in a location that experiences high levels of pedestrian traffic, and activity.
9. Art should be located in a site where works of art will be effective in enhancing and activating the pedestrian and streetscape experience.

On-site locations for public art projects include but are not limited to:

- Walls
- Ceilings
- Floors
- Windows
- Staircases
- Escalators
- Entrances and Exits
- Rooftops

In addition, locations for public art projects could include but are not limited to:

- Parks
- Plazas
- Along roadways, traffic islands or medians
- Bridges
- Historic places or landmarks, such as Martin Luther King Boulevard

While it is usual and customary for percent-for-art funded art projects to be located on property owned or leased by the City, exceptions can be made if an appropriate easement or long term agreement with the property owner can be reached (seven year minimum).

Additional sites for public art throughout Mobile can be found in the Action Plan chapter.

## J. Public Participation Processes for Obtaining Community Input

### Why are processes for public participation and obtaining community input needed?

Where a percent-for-art ordinance is in place, public funds are being reallocated from a CIP for the commissioning of art. When public monies are used for an art project, the public generally feels they have a say in the art that's produced, even though architects, engineers, landscape architects and others working on a public building project are not usually held by the public to this rule to the same extent.

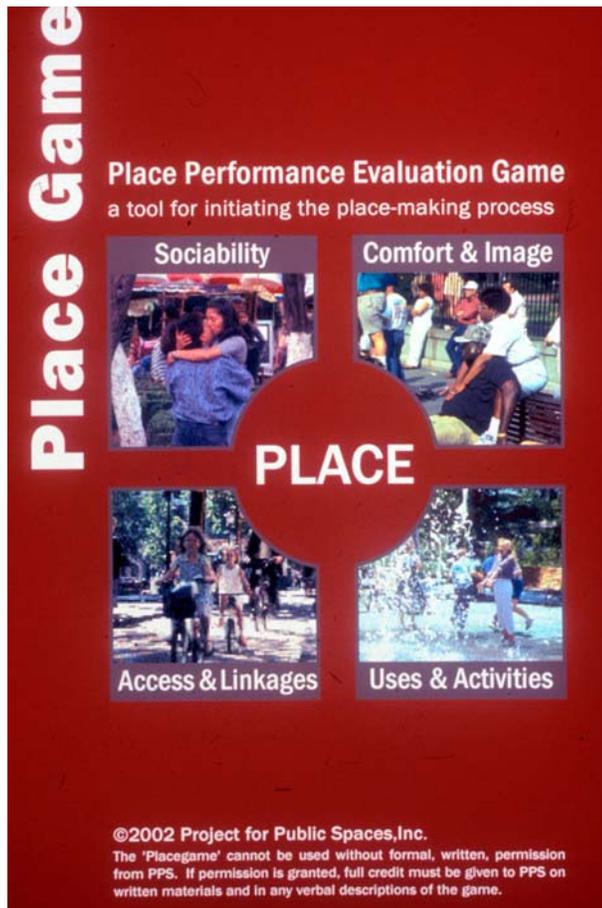
In addition, fear of controversy over public art may keep some sponsors away. A well-run process with much public involvement and buy-in reduces the chance that a controversial piece or artist will be commissioned, unless it is what the public has selected.

In the Approach Section of the Action Plan, PPS's steps to "How to Turn A Place Around" with public art are described. The first tenet of this approach is that "The Community is the Expert." There is tremendous value to be gained by a project, regardless of whether the funding source is public or private, when the community is regularly consulted as to issues that need to be addressed, opportunities for enhancement, their vision and goals. Public stewardship over a completed work, the meaningful interaction of people in a community with each other and with an artist, and the creation of artworks that resonate with the public for whom they are intended are just a few of the benefits of doing this, not to mention the good public relations such success generates for any public art initiative.

In order to ensure the generation of meaningful community input into a public art project, private sponsors and public commissioning bodies alike should make planning monies available to artists and administrators to fund the reconnaissance period of project and community partnership development, in the post-award or scoping phases (pre-design phase). This includes the study of potential or existing sites, identification of communities willing to collaborate, advise and receive a public artwork, and the development of a program of uses and activities for the site that will guide the type and location of art and amenities. Regional Arts Council in Great Britain are funding more of this background enabling work, including marketing and information gathering.



New York's Cows on Parade got people talking about public art, even though some members of the arts community thought the project was too kitschy and not aesthetically rigorous enough. See Appendix C for a discussion of the economic benefits to the city of this summer long art event.



Second, the public art program's mission and vision must be carried through the entire process, the community's needs and suggestions incorporated into the language of the RFP, and translated into the criteria for artist selection. Third, continuous access must be maintained between the artist and community representatives during conceptualization, design, and fabrication. Sustaining this continuity, which most frequently falls to a project manager or public art administrator, can be accomplished by introducing community members in a voting capacity to the artist selection process, and/or convening a citizens review panel to meet regularly with the artist as well as review phased designs. Only when the community is a part of the public art process from the start, and all pertinent information has been fully disclosed to them, however, will these types of mechanisms promulgate meaningful, effective involvement. This, however, is only the first step towards the evolution of a truly holistic, community-based design approach. Such an approach not only solicits public input, and facilitates the articulation of expectations and goals, but formalizes opportunities for ongoing community contribution to a public art program or scheme, as well.

The goals of this public art policy include involving the citizens of Mobile in the City's public art program and fostering educational interaction between the artist and community during all stages of the design process, so that the art created is responsive to the site and is truly reflective of the community. As members of the Selection Committee, neighborhood representatives would be involved in the public art planning process in the following ways:

- Assist with the development of calls for artists and requests for proposals, project purpose and mission statement by providing the public art program staff with information about the history, demographics, architectural heritage and culture of the project community
- At the pre-selection networking session, they would make a presentation to the project architect and prospective artists about the history, demographics and culture of the project community
- As members of the Selection Committee, they would assist in the initial project conceptualization, identification of sites for artworks, recommend artists for consideration, and in artist selection
- Provide input into how well a selected site functions now, what it is used for, and how it could be or needs to be improved to become a more successful place. The community could engage in the Public Space Evaluation Game (see Appendix H) to identify ways of improving the proposed site to make it supportive of the public artwork
- Offer comments and suggestions to the PAAC, selection committee and public art program staff when the artist presents their preliminary designs, and meet with the artist as well to share ideas, concerns, and to help the artist shape the project
- Assist in the identification of community members to assist in the fabrication and installation of completed artworks as appropriate
- Review and approve artists designs and maquettes
- Review gifts of public art to the City to be placed within a particular neighborhood.

## Case Study

Community input also can help secure funding for art projects. In fact, some foundations look for evidence of community support for a public art initiative as part of their grant evaluation. The Austin, TX Public Art Program is staffed by 2 ½ people and is a department in

the Parks and Recreation Division. Other departments as well as citizen volunteers and artists support Austin's Public Arts Program. Community members will set up their own support networks to help secure funds, or to raise awareness. For example, a local artist completed a commission to carve a limestone façade on the front of a city building. This artist has now begun to fundraise from private sources to complete the rest of the building with the limestone. She is working with the support of the public arts program and the community. When she has raised the funds, the public arts program will extend a new contract from the artist.

## K. Contracts

The unique nature of how public art projects proceed, the changing role of the artist (community collaborator, art project designer, art project designer and fabricator) and position in the project (as a subcontractor to the architect, as a member of a design team, or working directly for a client) requires that recommendations for contract structure be included in a public art policy. Making sure that artists are paid in a timely fashion so that they can in turn ensure that works are fabricated and installed on time is another important feature of the contracting process. Clearly outlining a "chain of command" and hierarchy of project responsibility also can be defined in a contract.

The formal agreement between the City and the artist outlines what is required and expected of each party. While the City will want to have a standard agreement form, flexibility within its structure can help address the particular needs of each project. Existing or standard city contracts also can be modified to serve as public art contracts.

In many instances, this type of binding agreement will be a first for the artist. Public Art Program administrators may wish to take time to walk the artist through the contract, ensuring that the requirements and expectations are clear, especially with regard to the budget and timetables. Please refer to the section below on Costs of Artworks for recommended budget guidelines.

Many cities utilize a contract that stipulates that the artist is responsible for the design, fabrication and installation of the artwork. The cities of New York, Chicago, and Philadelphia have adopted a two-tiered contract structure in which artists are first under contract for the development of a design proposal (with artist fees ranging from between 10 and 20% of the project budget), and then enters into a second contract for the fabrication/installation of the artwork (with fees for this fabrication contract ranging from between 10 and 20% of the total budget, as well).

Increasingly, artists have been engaged as part of the facilities design team, their ideas being incorporated into the facilities' construction documents as integrated works rather than free-standing artworks. Some cities, such as New York, recognize benefits of an agreement whereby the artist collaborates with the project architect and/or engineer to inform the overall design scheme. For instance, under a design team agreement, artists designed the paving scheme for a plaza and the wall and floor tile patterns in a public school. The artist's contract consists primarily of the first phase agreement (development of the design proposal) with additional responsibilities during construction, which could include the review of working drawings, shop drawings or custom features fabricated by a subcontractor, or the supervision of the installation of certain elements.

Many cities also stipulate that the artist is responsible for providing photo-documentation. The public art program staff may wish to consider assuming this responsibility, for they will be more aware of its own photographic needs for archival and public affairs purposes. Please refer to the section on Maintenance and Conservation for further discussion on this matter.

It also is common practice in primarily larger metropolitan areas to include a policy which states that artists who have received and successfully completed a public art commission are ineligible to receive another commission for a specific period of time (two to five years is the window of ineligibility which many cities presently use). In smaller cities, with fewer artists competing for commissions, this policy may be detrimental to the efforts of an emerging public art program and be unnecessarily restrictive. In any event, public art program staff may, however, consider adopting a policy that makes an artist who is presently working on a public art commission ineligible to compete for another commission until the present commission is completed.

## **Standard Contract Clauses For Public Art Contracts**

In addition to the scope of work, payment schedule, artist fees to be paid, design, fabrication, and installation schedule, design review process, insurance requirements, and artist's rights, the following clauses should be included in public art contracts:

1. Risk of Loss
  - a. Artist is responsible for loss or damage to piece until installation on City property
  - b. Risk should be borne by the City for any damage or loss that occurs on City property and is beyond the control of any party

2. Title and Ownership
  - a. All rights and interest in the artwork passed to the City or commissioning body upon final acceptance
3. Warranties
  - a. Artist warrants that the artwork is his/her sole and original creation, does not infringe upon any copyright or trademark, and has not been offered elsewhere. (If the commissioned artwork is one of a multiple edition, then the warranty will have to be adjusted)
  - b. Artist warrants that artwork is free of defects and that the artist will remedy at his/her own expense any defect that occurs for a specified period of years (to be determined)
  - c. Artist warrants that artwork will not contain any physical characteristics, which pose a hazard to public safety
  - d. Artist warrants that the artwork will last approximately 30 years under normal conditions with regular, routine maintenance.
4. Insurance
  - a. Artist shall provide and maintain policies of comprehensive general liability insurance in a specified amount of money, to be determined, covering the period from which the art is being installed until the final acceptance by City/client. City/client and architect should be named as insured on all insurance policies.
  - b. Artist can be required to take out a life insurance policy in the amount of the commission in the event that the artist, through disability or death, cannot complete the commission as planned. Alternatively, artist can take out a line of credit or home equity loan in the amount of a commission as collateral, or become bonded in said amount, to cover repayment of fees, costs related to starting the commissioning process over, etc. in the event of death or disability.
5. Reproduction Rights/Copyright
  - a. Artist retains all rights under the Copyright Act of 1976
  - b. Artist agrees not to make an exact duplicate or permit others to do so except by written permission of the City/client
  - c. Artist grants to the City/client the irrevocable license to make two-dimensional reproductions for promotional purposes
  - d. On projects with a total budget of less than \$25,000 dollars, for example, leniency should be allowed for limited editions (Allowing the artist to make copies enables the artist to create a project which would not be economically feasible if it were a sole artwork. Conditions may be placed on the timing and location of the installation of the other editions.)

6. Signage

- a. City/client prepares and installs at site a plaque identifying artist, title of artwork, copyright symbol and date of completion

7. Maintenance

- a. Artist should submit maintenance and guidelines for the artwork to the City/client that are developed in conjunction and cooperation with the public art program staff and/or the sponsoring agency
- b. City Agency or Client responsible for artwork will make every effort to maintain the artwork and make any decisions regarding repairs and restoration based on the maintenance guidelines submitted by the Artist and in consultation with artist when feasible (as per the Visual Artists Rights Act)
- c. City/client agrees that it will not intentionally destroy, damage, alter or modify artwork and City/client is obligated under federal law to inform artist of any alteration to artwork

8. Termination or Cancellation of Contract

- a. If the underlying construction project is canceled, the agreement terminates
- b. City/client may terminate this agreement with the Artist if the Artist willfully or negligently fails to fulfill in a timely manner any of the covenants, agreements or stipulations herein:
  - i.) Should the City/client deem that enough of the project was completed at point of termination, it may stipulate that the Artist must deliver to the City/client any portion of the artwork which has been completed.
  - ii.) City/client must pay Artist for any work completed up to the point of termination as stipulated by the payment schedule. The remaining monies revert back to the Public Art Program to finance the completion of the artwork when feasible.
  - iii.) Should an artist's contract be terminated by the City/client due to negligence or non-compliance on the part of the artist, the City/client has the right to consider that artist ineligible for any future art projects funded by the City/client.

9. Project Delays

- a. Should the artwork be ready on time but the construction project is late, the sponsoring agency should pay all maintenance and storage costs for the artwork(s) until which time as the artwork(s) can be safely installed
- b. Should the construction project be ready on time but the artist is late in producing the finished artwork, a 10% performance bond could be set aside from the budget to cover the costs incurred by the delay.

#### 10. Fabrication

- a. A public art program can establish guidelines for general standards to guarantee that a work of art is free from defect and should last for a specified number of years without unscheduled maintenance.
- b. The artist must supervise fabrication

#### 11. Installation

- a. An artist's installation method(s) should be approved by the sponsoring agency, with other requirements generated on a project-by-project basis. All guidelines should be developed or reviewed by the public art program staff and the sponsoring agency. The installation of each work of art must be signed off and approved by a structural engineer, preferably by the engineer who signed the artist's drawings.

#### 12. Documentation

- a. The artist must attach a description of the project, approved design and drawings to this contract.

#### 13. Contingency Fee

- a. Artist agrees to set aside 10% of the project budget to ensure cost control (to cover unforeseen costs and expenses that are beyond the artist's control), and in the event that changes must be made to the original design in order to make the artwork feasible to build. This is meant as a safeguard to help protect artists in the all too often event that unanticipated though mandatory changes to the architecture, engineering or design of a facility, for which an artwork is being fabricated, cause the artist to have to rework - either partially or completely - their design for that facility. This contingency fee is meant to act as a financial cushion that would set aside funds to enable the artist to undertake mandated changes to their design.

## Costs of Artworks

One of the issues that arise in administering a public art program is budget: how much does public art cost? Within a fixed budget, what kind of art is feasible?

Currently, in Mobile, there is no way of ensuring adequate funding for a work of art that has been commissioned. Examples include artworks commissioned for the airport, where budgeted funds were not adequate to complete the works, and an allusion made during a focus group discussion to overpaying artists for a work (the inference being that the final

product did not cost or was not worth the funds paid to create it). Ensuring that artist fees and materials costs are in line with the quality of the final artwork is a concern that this section endeavors to address.

While the work of some well-known public artists may have a known or agreed upon market value (based upon gallery sales, auctions, previous commissions), the costs of public art commissions are not as easy to categorize and forecast. It is difficult to say that if the art budget is \$75,000, the resulting artwork will be a sculpture of these particular materials and dimensions; conversely, one cannot predict that an artwork of one type--a lighting piece, for example--will cost X dollars while an artist's paving design will cost Y. There may be bare minimum costs for various kinds of artwork, but the real costs are affected by many factors including:

- The quality of material selected
- The location of the fabricator
- The year in which the artwork is created (since material and labor costs generally rise over time)
- Whether or not elements of the artwork can be paid for and fabricated by the general contractor, or donated as in-kind contributions
- The artist's working methods (whether the artist is using subcontractors, needs to build a prototype, etc.) and
- How much design fee the artist will take (or sacrifice).

To demonstrate the range in commission costs in New York City's public art program, a neon light sculpture created for the exterior of a sanitation transfer station was commissioned for \$126,000 in 1990, while a glass light sculpture was commissioned for the interior of a courthouse lobby for \$200,000 in 1993. Paving designs have been commissioned from \$55,000 (interior terrazzo) to \$320,000 (exterior etched granite). Ceramic tile murals have cost from \$26,500 to \$150,000. One artist created a steel artwork fence for a school for \$144,500; another did a fence in bronze for



"Imagine" is a memorial to John Lennon in New York's Central Park, directly across from where he lived. The terrazzo is the centerpiece of a new garden, "Strawberry Fields," created to commemorate Lennon, which the Parks Department encouraged Yoko Ono to fund as an alternative to the stand alone artwork she was interested in commissioning. By having a long range plan for the types of new gardens and landscape improvements the park requires, and working with potential donors, funders, and commissioning bodies, the Central Park Conservancy is able to obtain private monies to renovate the Park by providing desirable and attractive alternatives to the standard memorials and statuary that could quickly overwhelm the park while the grounds suffered for lack of maintenance funds.

\$180,000, using his customary foundry in Thailand (the savings in casting expense compensating for the shipping costs).

Some well known artists will accept a relatively meager commission if a project is of particular interest to them (in their home-town, in a new medium they've always wanted to try, to get larger commissions in the same city later on, etc.). These are hard to predict, however, and are generally not the rule of thumb. However, artists are loathe to respond to RFP's and RFQ's where the budgets are \$20,000 but the scope calls for a "major artwork" or requires close community collaboration (and the time that that entails). "Under-funded projects," according to Tad Savinar, "are detrimental to artists, architecture, the public art field, the community and future arts administrators. These projects are better off not being undertaken at all!"

If public art program staff need to determine the kinds of artwork that can be considered for a certain commission level, the practical and aesthetic needs of the building or space should be the first guide. Sites should be selected based on their public access (visual or actual) and their ability to accommodate another aesthetic voice in the architectural design, and then a variety of artwork possibilities can be suggested. For example, a public plaza, particularly one in which people may sit, is often a prime site for artwork. If the budget is fairly small, the artwork might use elements already included in the construction budget, such as pavers or landscaping; if the budget is more substantial, freestanding, artist-fabricated elements (sculpture or custom seating) might be possible as well.

During the selection process, the Selection Committee should get a general sense of the budget for any of the artists' proposed ideas and whether the actual funds available will be sufficient. To help in this process, arts professionals serving as members of the PAAC and on the Selection Committee should have demonstrated knowledge and experience in public art costs. Where a community or city has identified a number of artists they would like to curate into a public art collection, the public art staff looks for projects, sites, and funding to commission those artists.

Once the artist is selected, the problem facing the public art program is rarely getting enough for their money but making sure that the artist does not overextend his or her budget. Detailed budget guidelines should be provided to the artist as soon as possible (during the artist selection phase) to enable the artist to design a piece that is financially feasible (often-times artists overlook the administrative costs inherent in a commission).

The budget worksheet should include costs and fees for:

- The artist's design fee (generally 20% of the overall commission)

- Models, maquettes, working and construction drawings
- Artist's assistant(s)
- Independent structural engineer (to stamp drawings)
- Other consultants, researchers, professional services
- Travel and site visits
- Space and equipment rentals
- Fabrication materials
- Subcontracted fabrication (foundry, etc.)
- Storage (if the work is completed early; if the work has to be stored because the site is not ready or the building not complete, the commissioning agency is responsible for paying for storage)
- Packing/crating of the artwork
- Shipping and transportation of the artwork to the site
- Installation (the commissioning agency is responsible for this unless otherwise stated). Installation of artist-community collaborations and projects funded by the Public Art Idea Bank may need to be paid for by the artist and community respectively
- Insurance (liability, etc.)
- Contingency fees for unavoidable and unforeseen expenses (10% from the total art project is standard)
- Administrative costs, including 5% for education and community outreach, 5% for emergency maintenance and conservation of the artwork and 10% for project administration (a total of 20%).

Professional photography of the finished work, site preparation, lighting and signage are separate costs that should be borne by the commissioning agency.

A detailed budget including (if possible) back-up materials, such as written estimates from a fabricator, should be required as part of the artist's submitted proposal under the design phase of the contract before the fabrication/installation phase is begun (or fabrication/installation agreement signed). The artist's budget should equal, or at least not exceed, the available art budget, and the proposed fabrication costs should be such that the artist is assured of collecting their full fee (targeted at 20%).

## L. Maintenance and Conservation

The spelling out of procedures, allocation of responsibility and identifying methods to fund the ongoing maintenance and conservation of public artworks is included in public art policies so that the public art program itself does not become burdened with this cost and

responsibility, unless it chooses to do so. This also prevents - to as full an extent as possible - the possibility that a work of public art will fall into disrepair, become dirty, damaged, or even disappear! The conservation and maintenance of some works of art can be painstaking and require a large degree of care. Giving the artist and the commissioning agency or client an opportunity to work out the maintenance schedule and techniques for caring for an artwork helps to ensure that it will remain in good condition for many years to come.

It is important to note: **Routine maintenance of an artwork becomes the responsibility of the agency that houses the artwork.** As part of the contractual requirements, the artist should develop a maintenance program in cooperation with the commissioning agency, for the proper day-to-day maintenance of the artwork.

The maintenance program should include a statement regarding the materials from which the piece is fabricated. The commissioning agency will be responsible for communicating this information to their custodial staff and in providing any necessary additional tools or equipment to ensure proper daily maintenance of public artworks.

## Conservation

Should conservation work be deemed necessary or repairs needed, the artist should be notified at once. A qualified conservator/restorationist should also be consulted. Whenever feasible, the artist should be hired to perform or supervise the repair and conservation work for a reasonable fee. Arts professional members of the PAAC with knowledge of curatorial concerns can help determine the fee. Conservation should be handled either by the public art program staff or the PAAC in conjunction with the host agency. Commissioning departments should contact the public art program staff regarding any conservation or preservation activities for artwork in the collection that predate the Public Art Policy. Emergency repairs that are deemed necessary to prevent loss or damage to an artwork would be approved by the Director of the public art program staff. Every effort will be made to contact the artist and to maintain artistic integrity (as per the Visual Artists Rights Act).

Art professionals are required to evaluate the needs of the artwork; their aesthetic judgment and their familiarity with art materials, fabrication methods, and the artist's intent make them better equipped to select the proper conservator for the job. In New York City, the appointed Art Commission holds the major responsibility for conservation of the city's collection, although some host agencies with extensive art programs and art professionals on staff, such as the Board of Education, are active in conserving work in their facilities. In Chicago, the public art program staff is responsible for recommending any repairs beyond routine maintenance.

Monies should be set aside for the funding of conservation/restoration of the City's existing and future public art collection, for special and emergency maintenance of artworks. It is recommended that 5% of each project budget be earmarked and set aside to fund the extraordinary or emergency maintenance and special conservation needs of each artwork, including repainting, repatinating, repairing, and deep cleaning. If funds are not earmarked specifically for conservation, they are not likely to be allotted later, and in times of fiscal restraint, artwork conservation is not considered high priority.

The Smithsonian Institution's SOS! program has achieved much in locating, documenting, and evaluating the historic and contemporary art around the nation. It is recommended that the public art program staff contact SOS! and consider giving them the 5% to evaluate artwork and hire conservators. SOS! could ultimately administer the additional funds for maintenance and conservation for the City.

Private partnerships, such as an Adopt-a-Monument program, can be another, although partial, solution but such programs cannot cover all conservation projects. In New York City, the Adopt-a-Monument and Adopt-a-Mural programs have addressed only historic works, and it remains to be seen whether it will be feasible for the programs to manage and maintain contemporary artworks, including an artist-architect designed pier or a lighting sculpture in a courthouse lobby. Such a partnership could be organized at the outset, however, to fund and carry out the conservation of community-based, artist-community collaborations, which are funded either by pooled monies or through the Public Art Idea Bank.

## Documentation

Visual and written documentation of the artwork as installed and/or as intended by the artist is a necessary element of both the public education and conservation programs. What the artist had in mind when designing the piece, what materials and fabrication methods were used, and how the piece should be maintained and conserved are vital pieces of information, which can ensure the success of a project.

Much of this physical information should be provided by the artist as part of the maintenance program. Another essential piece of the documentation is the artist's statement of intent, generally a one- to two-page description of his/her thinking behind the artwork. Blueprints, including schematics, sketches, photos, construction, working and shop drawings, can be invaluable resources in future conservation, as are professional photographs of the just-finished work, taken from a variety of viewpoints. These should all be included in the documentation portfolio for each project.

To facilitate future conservation, the documentation should be standardized for all projects and controlled by the public art program. The public art program staff should establish the specific physical information required about the artwork and the minimum level of detail in that information. Typical entries should include:

- Artist's statement of intent, including name, address and telephone number
- Location and drafter of blueprints, working drawings, shop drawings, construction drawings
- Location and fabricator of maquettes, sketches, and photograph(s)
- Artwork dimensions (without pedestal) including weight
- Materials and medium
- Joining materials and methods (such as hardware, types of welds)
- Surface treatment
- Name and address of fabricator and installer
- Location where the piece was fabricated
- Foundation structure
- Date installed
- Location of artwork within the project or building
- Suggested routine maintenance
- Special needs or conditions of artwork.

Because materials can differ widely from project to project, the staff should determine what additional information will best help the conservator; a Pantone color sample might be added to the documentation, for example. The staff should evaluate the artist's statement of intent for clarity. Public art program staff also should be responsible for acquiring photographs of the artwork, making sure that the photos serve both the program's publicity and conservation needs. By assigning documentation to one body, the archival quality of the material submitted can be controlled.

One practical concern in acquiring thorough documentation of each project is finding the appropriate space to store the material archivally. The documentation should be housed in a place where it can be organized in a safe yet accessible fashion. A lack of storage space may limit documentation more than any reluctance on the part of the program to acknowledge its importance.

## Evaluation of Completed Artworks

If documentation helps to indicate how the artwork should be conserved, the evaluation indicates when. A systematic evaluation of the collection is the missing link in conservation

programs. New York City's Public art program has no procedure for revisiting their artworks, primarily because of small staffing. They rely on notification from the host agency or the artist when the artwork requires attention. Some programs have de-accessioning policies, which require a re-evaluation of the artwork after ten years, but if the artwork has been neglected all that time, there may be all the more reason for de-accessioning. An exemplary model is Chicago, where the Public Art program staff shall "at least once annually...provide for the inspection of and shall report on each work of art in the City of Chicago public art collection, including:

- Present location of the artwork;
- Present condition of the artwork;
- Recommendations regarding needed maintenance or repairs."

In addition to the City agency's own internal and ongoing maintenance of the artworks, each work in the public art collection should be professionally evaluated at least once every two years for purposes of documentation and collection management as well as assessing the continuing relevance of each work to the collection. Further, these inspections should be mandated to assess conditions and determine prescribed maintenance procedures.

The procedures allow for this inspection to be completed either by the staff or other competent individual or organization contracted to perform this service. In Mobile, SOS! could be funded to provide evaluation of the city's contemporary public art collection as part of its duties.

## Needs Assessment

Integral to the evaluation process is a standardized survey form, which prompts the surveyor for certain kinds of information needed to gauge the condition of the work. This form should be created by the art program and be accompanied by photographs as necessary. The SOS! form could be used/modified to suit this purpose, at least initially. This "needs assessment/condition" report should also include descriptions of any additional maintenance or conservation work that may be necessary. Public art program staff could work with the SOS! program to develop a plan to restore those currently existing public artworks which may be in need of major cleaning, painting, re-patinating, or other type of restoration.

## Public Opinion

Evaluation of each public art project should be conducted within the first two years of a work's installation to determine its success relative to the siting and selection procedures used

and its acceptance by the community. Evaluation may take the form of informal on-site interviews with passersby, questionnaires handed out to civic associations that have works of public art in their communities, videotaping of public response, etc. The Place Evaluation Game, described in Appendix G, also could be modified and used as a way of evaluating not only the work of art, but also the success of the place in which the artwork is sited, and how well the artwork has contributed to creating a sense of place.

## M. Gift Review Policy

### Why is a gift review policy important?

There is no set of evaluative tools available to the City et. al. to determine whether or not to accept a proposed gift of public art, and no way to ensure that the funds necessary for its transportation, installation, preservation, and conservation will be provided for (by the donor or other entity).

As curators of the City's public art collection, it is important that each work of public art commissioned, purchased or accepted as a gift fulfills the public art vision for the City as set out by the public art policy. Gifts are a way of obtaining desired works of art from an artist who is deceased, for example, or at a lower cost than might be achieved via a commission. However, the review policy is important so that your program is not burdened with paying for the (sometimes) extensive repair, maintenance, and conservation or relocation of a work of art, and to ensure that funds for this are secured up front, and that an appropriate site can be selected and prepared to receive the art.

Decisions to accept or commission public art and choose appropriate sites are almost always difficult, involving questions of artistic merit, site compatibility, durability, maintenance and community. Consequently, a comparative study of American cities yields common criteria in the review process. Procedures for accepting public art donations vary from city to city. Most with formal procedures, such as in Denver, New York, Seattle and Los Angeles, have an art commission or standing committee to review gifts, which occurs on a monthly or bi-monthly basis. Other cities, like Dallas, prefer to operate on a case-by-case basis whereby an ad-hoc committee convenes to review proposed donations.

The chain of command also differs. In Seattle, for example, the Gifts Panel makes its recommendation to the Public Art Committee (which could be one and the same), who then requests formal approval of the proposed site for the artwork by the appropriate city department. If approval is received, the committee passes its recommendation down to the Seattle

Arts Commission for final approval. In New York, the Arts Commission, by virtue of an ordinance, is vested with all responsibility of a regulatory agency, deciding on all matters concerning city-owned works of art and architecture.

An issue important to policies governing acceptance of gifts is that of maintenance, namely who will be the responsible party. Dallas requires, as part of its review, that the potential maintenance impact be addressed in either a written commitment from the donor to provide funds for maintenance or an agreement between the city and the donor for maintenance responsibility. Similarly, in Denver, maintenance requirements and a provisional schedule need also to be documented with an agreement between the donor and the City. The Seattle Arts Commission, on the other hand, accepts responsibility for the maintenance of all accepted donations, unless otherwise specified.

Community acceptance, one of the most contemporary issues in public art, also impacts greatly on policy considerations for gifts/donations. While nearly every city expresses this concern in their respective criteria for the acceptance and review of gifts to their public art collections, exactly who is consulted and the process that this entails is not an established procedure in any city approached during this study. However, a recommended process for including the public in decisions regarding gifts of public art is outlined below.

## Policies and Procedures

The process of reviewing proposed gifts of public art could be among the first part of this Public Art Policy to be approved by the City in light of the number of gifts of artworks currently being offered to the City of Mobile. Because there are usually very limited funds to protect, maintain, preserve, and conserve public art works and a finite number of suitable sites on most city-owned property for these works, a careful review process should be established to evaluate proposed gifts. Any gift of art on City property should, therefore, undergo a review process in which the City will determine whether or not to accept or reject a gift of art.

Similar to the criteria for the selection of public art projects, gifts should first be considered on artistic merit, including the qualifications and proven ability of the commissioned artist. Context in the City's art collection and programming, site appropriateness, oversight responsibility, liability and maintenance requirements are equally important considerations. Moreover, potential gifts to a city should carry a proposed maintenance agreement between the City and the donor. As part of this Agreement, the City should require a guarantee of maintenance, preservation and conservation in perpetuity from the donor, unless the Host City Agency, responsible for siting a potential gift, agrees to fund the performance of these duties.

Very often, a Mayor or Councilmember will be approached by a donor with a work of public art that they would like to present to the City. Currently, there is no process for deciding to accept or reject a piece of public art. Under the proposed process, the PAAC and or MHDC could undertake a full gift review process and make a recommendation to the Mayor and Council either to accept or reject a proposed gift. The Mayor and City Council are strongly encouraged to first refer all gifts to public art program staff to initiate the review process and to uphold all final decisions and recommendations by the PAAC/MHDC. Rejection of a proposed gift will be made based upon the results of the reviews conducted by public art program staff, impacted Neighborhoods, PAAC, and proposed Host City Agency according to the criteria which follows.

## Gift Review Process

Before the review process begins, public art program staff should send the donor a Donor Information Checklist form. Each donor will be required to provide the pertinent documentation and information necessary to conduct a fair and thorough review of a proposed gift of public art (See Donor Checklist below).

Once this information has been received and certified that it is complete, the public art program staff will refer it to the Public Art Advisory Committee. If the donor has identified an intended site for the gift, then the Donor Information Checklist would also be sent to the Host City Agency which controls the property or building for which the gift is intended (i.e. Parks, Planning, Public Works), and impacted neighborhood groups for their review and initial recommendations.

If the work of art has no designated site, the gift would first go to the public art program staff and PAAC for review to determine if it is of sufficient merit to warrant site designation, including whether it is deemed to be of benefit to the City and a valuable addition to Mobile's public art collection. If the public art program staff and PAAC agree that the gift is of sufficient merit, they will contact other City agencies (i.e. Parks, Planning) in order to identify possible suitable sites for the gift. At this point, the Donor Information Checklist would be sent to the potential Host City Agencies with responsibility for those sites for review. Note: All gifts to the City must receive the endorsement of the Host City Agency responsible for the property on which it will be sited prior to review.

The public art program staff will review the artwork according to the established gift evaluation criteria listed below and submit a written evaluation to the PAAC for comments. The public art program staff will also offer guidance to the agency being offered the gift (Parks, for example) and the host neighborhood, regarding how to go about making their decision to accept or reject, what to look for and how to review the appropriateness of the gift to the City of Mobile.

The Host City Agency would review the work based on its technical feasibility and site appropriateness. This would include a study of detailed construction/fabrication drawings to be submitted by the Donor (see Donor Information Checklist) consisting of site plan, elevation and section view of artwork, in order to determine whether the artwork can be built and installed as proposed.

The Host City Agency will review and comment on the proposed gift and also make their decisions known to the PAAC/MHDC in writing. The PAAC/MHDC will review the agency's decision, those of the public art program staff and community group and will make its final recommendation to the Mayor and Council for acceptance or rejection of the gift. Every gift must receive all requisite approvals before it receives final PAAC/MHDC approval.

If the gift of public art is temporary (as with a loan, for example, and to be in place for less than one year), the Donor Information Checklist would go to the public art program staff who would conduct the review with the PAAC, neighborhood and Host City Agency. The same review process and approvals would be required as in the case of permanent gifts and the commitments on the part of the donor would also be the same. If interest in accepting the work were strong but adequate funding to cover the costs were unavailable, the public art program staff, donor and or Host City Agency could raise funds to cover the costs of accepting the loaned artwork.

There should be 60-day time limit for review. If a reviewing entity misses the deadline, the PAAC/MHDC should proceed with a decision without the reviewing agency's input, if necessary. To expedite the process, they may ask the donor to make a joint presentation to all of the above groups to initiate the review process. If it is not possible to bring the groups together at one time, the reviewing bodies should work with the donor to keep to a minimum the number of meetings and presentations about the work.

## Acceptance Agreement

A recommendation to accept a gift of public art will be spelled out in an Acceptance Agreement between the City and the donor. This Agreement, prepared by the MHDC/PAAC and signed by the Mayor, should describe the terms and conditions under which the art is to be accepted, including responsibilities for installation and fabrication, site preparation, insurance, ongoing maintenance and conservation, etc. as well as what the City is to provide (for example, a plaque with the name of the donor). This letter should also include a statement that the City of Mobile retains full rights of reproduction, removal, relocation, and de-accessioning of the gift.

It is important that following installation, a meeting between the agency and donor is held to make sure the work was properly constructed and sited according to plan.

If a proposed gift cannot be completed within the timeline originally established, or if significant changes (both conceptual and financial) to the proposed work occur, it would be reviewed again by the MHDC/PAAC.

## Gifts of Sites for Public Art

In the case of gifts of land or site, the donor will go through a similar process, whereby the appropriateness of the site will be evaluated (see site criteria below) and the possibility of finding funds to acquire public art for the site. If the gift of site is a loan, the donor may also be asked to supply some seed money for the start-up of a temporary or rotating art program, to include funds for staffing, etc.

### DONOR INFORMATION CHECKLIST

This information should include, at minimum:

1. The name, address, phone and fax number of the donor or donor's agent.
2. Donor's Statement of Intent. Three statements acknowledging the following: intent of the donor/receiver, relationship between donor/receiver and the origin of contact between donor/receiver. The statement of intent should describe the following:
  - a. Their reason(s) for offering this gift to the City of Mobile
  - b. In their estimation, the aesthetic value of the work
  - c. The value of the work as an addition to the City, and to the public art collection of both the City of Mobile
3. Credentials of the Artist. This should include as many of the following as possible:
  - a. Name, address, phone and fax number of artist(s)
  - b. Catalogue Raisonne
  - c. Bio or resume
  - d. Exhibition catalogues
  - e. 10 to 20 slides of existing public artworks
  - f. Name, address, phone and fax numbers of current gallery representative or agent

4. Written text describing the artwork and specifications, models or presentation drawings, slides or photographs, including a Statement of Technical Feasibility, by an independent engineer, that the work can be built and/or installed as proposed. In addition, detailed construction/fabrication drawings consisting of site plan, elevation and section view of artworks will be submitted describing:
  - a. Adjacent/surrounding site conditions, if applicable
  - b. Dimensions of the work as proposed
  - c. Materials from which it is to be fabricated
  - d. Proposed colors
  - e. Electrical power, plumbing and all other utility requirements
  - f. Construction/installation methods

5. Responsibilities and Funding for Installation and Maintenance Costs

The donor should also provide the following:

- a. Description of responsibilities and funding sources to cover costs of fabrication, transportation, storage, insurance, maintenance, site preparation, installation (personnel and equipment), site preparation, utilities as required, maintenance and conservation, fencing or other security devices as needed, and artist fees.
  - b. A final report on future maintenance including a plan for routine care, with estimated costs. This report may or may not be prepared with the assistance of a qualified conservator.
  - c. A letter of guarantee of indemnification for maintenance, preservation and conservation of the artwork, in perpetuity, from the donor, unless otherwise agreed to by the Host City Agency. **The Host City Agency should agree to the responsibilities and funding outlined in the Donor Information Checklist regarding installation and maintenance before the start of the review process.**
6. Name, address, phone and fax numbers of the fabricator(s), engineer(s), etc. to be involved in designing, fabricating, transporting, installing, and maintaining the work of art, and the process by which the commissioned artist was selected.
  7. If the work is existing, progeny and documentation of the piece, including locations where the work has been previously displayed and previous owners.

8. A timeline for completing and installing the gift.
9. If the Donor suggests a particular site for the gift, the City agency receiving the gift would need to approve the site before the start of the review process.

The Donor Information Checklist form should also include a statement that, once a gift of art is formally accepted, the City retains full rights to the gift, including reproduction, removal, relocation, and deaccessioning. In addition, a statement indicating that the donor agrees to make presentations during the gift review process as requested.

## Gift Evaluation Criteria

Each proposed gift of art should be reviewed based upon a number of review criteria described below. Much of the following review criteria also is appropriate for the art project review process, in the evaluation of artist designs and proposals.

In general, a work of public art will not be accepted as a gift if:

1. It is not one of a kind or an original, in the case of a work of fine art (sculpture or painting) or it is reproduced in editions of over 200 in the case of fine art prints and photographs. In general, reproductions, unlimited editions/mass productions, decorative, ornamental and functional elements of architecture, directional elements such as super graphics, signage and color coding, and landscape usually are NOT considered artworks unless done by an artist.
2. The artwork is not thought to meet professional standards for public art. That is, it is thought to display any one of the following:
  - a) faults of design or workmanship which would cause physical defects posing a public safety hazard or it diminishes the value of the work
  - b) there exists the possibility that the artwork is fraudulent or not authentic
  - c) the artwork appears to be of inferior quality relative to the quality of other works in the City's collection
  - d) the artwork may require excessive or unreasonable maintenance
  - e) there may be no appropriate site for the artwork because of its size, installation requirements, etc.
3. There is reason to believe that the artwork was not created for the purpose of public display, or is deemed inappropriate for public display.

4. A proposed site has not been approved by the City agency in charge of that site.
5. Funding for installation of the artwork and ongoing maintenance has not been provided or guaranteed, either by the donor or by the Host City Agency.

Additionally, the public art program staff, Host City Agency, and host community should consider the following questions and criteria when conducting its review:

- I. **AESTHETIC QUALITY AND ARTISTIC MERIT.** Longevity, craftsmanship, artistic accomplishments, creativity, scale, color, proportion, standard of excellence and representation.
  1. Is the piece considered to have artistic merit?
  2. If the piece is of historical significance, does it have aesthetic merit as well?
  3. Is the piece relevant to the City of Mobile, its values, culture and people?
  4. Does the piece have value as an addition to the City's public art collection? That is, does the City already have sufficient examples of this type or style or theme of artwork?
  5. Will it appeal to a large portion of the City's population?
  6. Has information been provided about the gift, including information on the artist, progeny, donor/provenance, donor's intent?
  7. Is the artist willing to commit to the project being a unique piece (or limited edition)? Is the piece one of a kind? Is there a copyright on the piece? Would the copyright have any impact on the display or use of the piece? What are the donor or artists plans for reproduction and marketing of the work (on tee-shirts, etc.)?
  8. Is the artist willing to develop and disseminate interpretive and educational materials as may be deemed appropriate?
- II. **PLACEMENT/SITING.** Potential site location, limitations, restrictions, environmental concerns, human, replacement/relocation, restoration of site to original condition, appropriateness, relationship to site, relationship to the collection as a whole.
  1. What is the relationship of the work to the site? Is it appropriately scaled?
  2. Has a list of alternative sites been developed?
  3. Will the site become a destination in itself?
  4. Will the work of art help to anchor and activate the site and enhance the surrounding area?
  5. Will there be easy public access to the site?
  6. Will additional parking be required?
  7. What preparations need to be made to the site in anticipation of the installation? Is the donor willing to pay for these preparations?

8. (When the artwork is loaned to the City temporarily) Is the donor willing to pay to restore the site to its original condition, if necessary?
9. If the gift is intended for permanent siting on City property, has siting been made in cooperation with the Agency which owns the site?
10. What are the utility requirements of the site?
11. Is the neighborhood interested in having the piece located in their community?

### III. FABRICATION, HANDLING AND INSTALLATION.

1. Are the projected costs accurate and realistic?
2. Have written estimates been obtained from technical support and fabrication contractors?
3. Is the cost assured? Can the donor guarantee the funding sources?
4. Does a certain site present special obstacles?
5. Who will execute and pay for transportation, storage and installation of the piece?
6. How many people will be needed to site or move the work?
7. Can it be easily hung? Transported? Installed?
8. Does it require special vehicles or equipment?
9. Is the work removable, if necessary?
10. Has written permission been granted by the artist for work by a qualified conservator, should the need arise?
11. Has the stated value of a gift been sent to the appropriate municipal legal offices?

### IV. MAINTENANCE REQUIREMENTS. Permanence of materials, source of maintenance funds, maintenance schedule, environmental issues, durability and lifespan.

1. Is the work suitable for outdoor display?
2. What effect will the elements potentially have on the work?
3. How long is the material expected to last in a public, non-archival setting?
4. What age have other works in the same materials attained?
5. Does the work have a limited lifespan due to built-in obsolescence? Inherent weakness, i.e., will the materials last?
6. Has the donor signed a written commitment to provide funds for maintenance or an agreement signed between the donor and City for maintenance responsibility?
7. What are the existing or projected maintenance requirements of the artwork?
8. What is the potential maintenance impact of the piece?
9. What is the maintenance schedule for the artwork?
10. Are the workmanship and materials used deemed to be of high quality?
11. Might the work be prone or susceptible to vandalism?

12. What thoughts do the donor and the artist have about protecting this piece of art, should it become subject to vandalism?
13. Will the work have a graffiti-resistant coating or can one be easily applied?

V. CONSERVATION AND PRESERVATION.

1. Are unusual or on-going costs likely?
2. Has written permission been granted by the artist for work by a qualified conservator, should the need arise?
3. How difficult would it be to conserve the object? At whose cost?

VI. LIABILITY AND SAFETY.

1. Is the work a potential safety hazard?
2. Does the piece propose a potential danger to the public?
3. Who will pay for any insurance coverage required?
4. Does the piece meet safety codes?
5. Will fencing or other types of security measures be required?

VII. COMMUNITY. Because community involvement in the City's decision to accept a gift is key to community support and endorsement of a potential gift, it is recommended that a special series of questions be asked of host neighborhoods when works of art are to be located there. These questions could reflect the perceived relevance of the piece to the residents of the host community, their values and culture.

1. If the artwork proposal has been generated by a community group, was the selection process an open one?
2. How has the surrounding community been involved?

VIII. BUDGET.

1. What will the artist's fee be? Will it be paid by the donor?
2. Are all cost estimates guaranteed by the donor for the duration of the project?
3. Can the donor guarantee the funding sources?

## N. De-accession Policy

### Why include a de-accession policy?

The development of de-accessioning policies has only recently been addressed by public art administrators. Primarily, this issue has arisen out of controversies over public response and public opinion, or been provoked by unanticipated and overwhelming conservation demands. During the past decade, public art programs across the country have experienced controversies in one form or another. In some cases communities have risen up against projects deemed inappropriate. In other cases, artworks have been destroyed or otherwise removed without informing the artist. Sometimes artworks are too costly or difficult to conserve over long periods of time and the budgets and expertise to carry this out are not forthcoming. In other cases, no appropriate place for the art exists, or it has to be removed or relocated due to change of building ownership or tenant, or changes or renovations to the building. Just as the City is required to clearly articulate the processes through which artworks are accepted by the City, it likewise needs to clarify the processes through which it alters or removes works in the City's collection.

The term "de-accession" applies to disposition or exchange of public artworks no longer deemed appropriate (to a City, a site, the commissioning agency, etc.) and to the process(es) by which title to an artwork is transferred from the City to another institution, individual or a work is otherwise disposed of. All de-accessioning plans and policies must consider the federal regulations set forth in the Visual Artists Rights Act of 1990. This Act states that "the significant or substantial distortion, mutilation, or other alteration to a pictorial, graphic, or sculptural work, which is publicly displayed, caused by an intentional act or by gross negligence is a violation of the exclusive rights of the copyright owner where the author of the work is the copyright owner."

De-accessioning may either be addressed directly in the agreement or it may refer to an approved policy specifically addressing the issue. Such a policy should allow the process to be initiated by the commissioning agency, artist or community and provide valid reasons why de-accessioning is proposed. Valid reasons include a request from the commissioning agency or artists that the piece be removed, or sustained public outcry. This would set into motion a systematic process for examining claims and requests for de-accessioning.

A review of cultural plans and public art programs across the United States shows very little precedent for de-accessioning other than the criteria for de-accessioning proposed herein. An interesting difference in opinion is whether or not sustained public objection to a work of art constitutes legitimate criteria for de-accession. Another variance among cities was

whether or not an artist had the right to request removal, alteration, or relocation of their own work of art.

Clearly a cautionary approach is called for when developing such policies. Public art administrators should consider contractual obligations, the artists' legal rights, ethical considerations, public trust, freedom of expression, censorship, etc. To avoid hasty decision-making that is based primarily on the vagaries of fashion and taste, many cities do not permit a work to be de-accessioned until it has remained in place for a specified number of years. In Seattle and Dallas, the minimum is ten years, in Phoenix the minimum is five years, and in New York the minimum is two years. Based on a review of these policies in other cities, it is recommended that de-accession be undertaken no sooner than three years after a work has been installed. Further, the policies guiding the alteration, removal or destruction of any work should also consider the impact on the artists' and public's perception of the public art program.

## Eligibility for De-accessioning

The following conditions should be met for a work to be eligible for de-accessioning:

- The site for the artwork has become inappropriate because the site no longer is accessible to the public, is unsafe or the physical setting is to be destroyed
- Significant changes in the use, character or actual design of the site require re-evaluation of the relationship of the artwork to the site
- A suitable place for display no longer exist.
- The agency displaying the work has requested it to be de-accessioned
- The artwork is found to be fraudulent or not authentic
- The artwork has been determined to be of inferior quality relative to the quality of other works in the collection
- The artwork possesses faults of design fabrication or workmanship which calls into questions its aesthetic merit
- The artwork requires excessive or unreasonable maintenance
- The artwork is damaged irreparably or to an extent where repair is unreasonable or impractical
- The artwork represents a physical threat to public safety
- The artwork is not, or is rarely displayed
- A written notice from the artist requesting de-accession has been received
- The City/client wishes to replace the artwork with a work of more significance by the same artist
- The artwork is not in keeping with the intent, vision, and goals of the public art collection/program.

## De-accessioning Process

Once valid reasoning for de-accessioning has been established, the public art program staff, along with the PAAC, should assemble a jury created solely for de-accessioning purposes. The jury should include at minimum an artist, a conservator, and an art historian. Input from artists involved should be solicited and considered in all cases, along with testimony by representatives of city agencies who maintain the works under review.

The criteria for de-accessioning public art should not be based on the fashionability of a particular style or public tastes, but the quality of the work itself as representative of its style or genre and its relation to public context. However, if after a work is the target of sustained objections and has been in place for a specified minimum of years, the city wishes to consider removal, the following are useful guidelines for the process:

- Review of the original contract, other agreements which may be pertinent, and federal legislation, specifically the Visual Artists Rights Act
- Discussion with the artist of the circumstances prompting the review as well as a discussion with the parties critical of the work to determine what their specific objections are and
- Consultation with qualified independent professionals—conservators, appraisers, engineers, architects, art critics, safety experts, etc. for their opinions.

The Committee should then review all written correspondence, press, and other evidence of public debate. Similarly, any attempts made by the sponsoring agency or client to mediate between the parties in conflict, including examination of options such as public education, explanatory text, additions of complementary artworks to the site, alteration of the work by the artist, and possible relocation are reviewed. After this procedure, the jury presents a recommendation to the public art committee of reasonable measures is formulated to address the concern, which prompted the review.

The Committee may also wish to consider the following alternatives to de-accessioning artwork:

- Relocation of the artwork at the City or client's expense. (If the work was designed for a specific site, relocation should be to a site consistent with the artist's original intention. The artist's assistance and consent is normally required to make this determination.)
- Covering the artwork for a period of time without damaging the work at the City or client's expense, a recommendation that relates primarily to murals. The hope would

be to uncover the work at some point in the future once any conflict has been resolved. Some cities have resolved this problem by requiring muralists to paint their works on portable surfaces so that the works may be removed, re-hung or stored without causing damage to the art.

If the jury recommends that the artwork be de-accessioned by sale, extended loan, trade or gift, the city will need to obtain independent professional appraisals of the fair market value of the artwork and:

- a. If feasible, the artist should be given the first option to purchase
- b. Sale may be through auction, gallery resale, or direct bidding by individuals
- c. Trade may be through the artist, gallery, museum or other institution
- d. Proceeds from the sale of the work are to be deposited into an account to be used only for future public art projects. Any pre-existing contractual agreements between the artist and the responsible agency, project architect, or engineer regarding the resale shall be honored.

The costs for removing or relocating an artwork de-accessioned by sale, loan, trade or gift will be borne by the new owner or recipient of the artwork.

If the above alternatives are not deemed viable, the only recourse may be to destroy the artwork.

Clearly defined de-accessioning policies can help ensure that the public art collection's integrity and quality. In order to reduce the necessity for de-accessioning public art from the city's collection, artworks must be of the highest quality and should be acquired initially without any legal or ethical restrictions as to future use and disposition. The only exception to this being the restrictions of copyright and certain residual rights that are part of a contract with an artist. Moreover, a legal instrument of conveyance, transferring title of the artwork should accompany all works defining the rights and responsibilities of all concerned parties. For example, in the case where the artwork is a gift, the City/client has the right to remove the work and will consult with the donor where possible.

The City of Chicago includes the following reference to de-accessioning in their public art contracts:

"Once the committee has determined that one or more of the following conditions have been met, works of art may be considered for sale, donation, exchange or disposal:

1. Their physical condition has deteriorated to such a point whereby it would be undesirable to display or study the object and that conservation of such an artwork would be beyond reasonable consideration.
2. Forgeries or questions of authenticity inhibit the display.
3. Cultural developments have placed a work of art's integrity into question.
4. The work of art is deemed physically dangerous."

## O. Temporary Art Projects and Programs

### When is temporary art appropriate?

Installation of temporary art may be appropriate to prevent the need for de-accessioning. For example, when a public art program or a client agency/funder cannot afford to maintain a work in perpetuity, works of temporary art, lasting up to ten years, for example, could be commissioned. Temporary art also works well as a series placed throughout a downtown or park, or within a specific geographic area. To generate interest in public art, or where no firm public art tradition exists but there is a desire to create a public art tradition, temporary art can be useful. Because it is understood to be of limited duration, it can be more challenging and cutting edge in terms of its message and medium. In addition, a client agency or funder could commission several pieces of temporary art over a period of time, rather than just one piece, which allows the city's public art collection to expand at a faster pace.

Temporary art programs also provide valuable opportunities for training emerging artists or those unfamiliar with the public art commissioning process to undertake public art projects that have smaller, more manageable budgets, often less rigorous contracting procedures, more flexible deadlines, and offer artists more options in terms of appropriate materials. Temporary art projects often give communities a chance to become involved in public artmaking as they are often more suitable to artist/community collaborations than are larger permanent public art works. These programs also enable communities to become actively involved in identifying and encouraging their own emerging artists; these artists, in turn, can nurture the creativity of others.

In a Wall Street Journal article entitled, "Expiration Dates for Art," Geoffrey Fowler points out an irrefutable fact: "the passage of time can have an impact on how the public views the same piece of public art," and events such as September 11th and the fall of Communism can render some artworks contextually obsolete or somber reminders of disaster. The reaction of the public to public artworks today (Richard Serra's Tilted Arc still being a notable example) is behind the growing challenge to art world's contention that "public sculpture can, and should stick around forever."

## Case Studies

UrbanArts, a private public art group located in Memphis, TN has kicked off their fledgling public art program with a series of temporary art projects including adding public art to an annual waterfront arts festival, starting up an ironworking mentoring program where local iron workers train high school students in creating decorative fencing and gateway medallions for each of the City's neighborhoods, and a series of auditory artworks that recreate and recapture the City's vanished history through storytelling, music, and aural history broadcast over loudspeakers in locations throughout the downtown.

Examples of some other successful temporary art projects and initiatives known around the world are:

- Over ten years of temporary art projects commissioned by the Public Art Fund sited in locations throughout the five boroughs of New York, including the renowned exhibition of Ferdinand Botero sculptures along Park Avenue. Sculptures also line Berlin's main street (Kufurstendam) and could be located along Water Street, Mobile's boulevard
- Creative Time's marquis signs and art installations in vacant stores and storefronts along 42nd Street; New York City
- Artist design lifeguard booths; Miami Beach, FL
- International Festival of Arts and Ideas; New Haven, CT
- Block 37: Summer art classes and exhibitions held in tents set up on a vacant downtown; Chicago, IL
- "Cows" and "Pigs" on parade (see Appendix C: Economic Benefit of the Arts to Cities)
- Chalk/Street Painting/I Madonnari Festivals; Montgomery, AL, Santa Barbara, CA, Norfolk, VA
- Topographical maps and large format photographs of human settlements and geographic marvels; Luxembourg Gardens; Paris, France.

## P. Conclusion

This public art policy is meant to act as a guide for the public art program, from the first two months through the next twenty years. It is understood that the program staff, PAAC, partners, and community will evolve over time with the policy as it is laid out in this document. However, in order to attract the right artists to Mobile who will work to create a collection of public art that reflects the city and its citizens while serving to activate the public spaces and neighborhoods around town, the public art program must be up and running, with all possible partners and funders on board and in agreement with the tasks set before you -- tasks described by this policy and evaluated as to their appropriateness for Mobile and their effectiveness in cities around the nation.



"Boy Kissing Gorilla." Seattle, WA



# Appendix

## Research and Additional Findings

- A. Art on Waterfronts
- B. Artist Housing
- C. Economic Benefit Of The Arts To Cities
- D. Innovative Public Art Initiatives
- E. Survey Of Percent For Art And Public Art Programs From Around The Nation
- F. Directory of Mobile Artists and Arts Resources
- G. PPS's Place Evaluation Game
- H. Catalogue Of Images Comparing Successful To Unsuccessful Public Artwork

## APPENDIX A: Art on Waterfronts

With increasing frequency, today's urban communities are re-discovering their waterfronts. Mobile is no exception. Cities and towns have become passionately involved in their own waterfront environments, creating new public access, site amenities and historic and cultural connections. Redevelopment of these environments may have many additional benefits, including increased water quality, wildlife habitat and new economic vitality for the surrounding community.

- Whatcom Waterfront, City of Bellingham, Seattle
- Silverdale Waterfront, Kitsap County, Seattle  
<http://www.djc.com/special/landscape98/10037854.htm>
- Riverwalk, Fort Lauderdale  
<http://www.goriverwalk.com>

### Problem:

Bellingham's waterfront was cut off from the downtown by busy arterials and an active railroad line- a familiar scenario in today's industrialized world. This isolated waterfront became a hostile environment with unmaintained, half-abandoned properties, sidewalks and landscape areas.

Silverdale lost its connection to the waterfront when small businesses and retail shops along the waterfront were replaced by large retail businesses and finally strip mall developments. As a result, Silverdale's waterfront community began disappearing.

## Goals:

Create safe pedestrian access to the waterfront from downtown. Increase water quality, attract visitors and residents back to the Whatcom waterfront area.

Use of public art to reflect history and culture of the waterfront community.

Bring back the waterfront and attract new interest in downtown Silverdale.

Build and nurture the Riverwalk as a vibrant community connected by the New River.

## Plan/Funding:

The plans for Whatcom and Silverdale were designed by Hough Beck & Baird (landscape architects and urban planners). The design team worked with the city, community and local business groups to create a "vision" for the waterfront.

Through a grant program established by the city's parks and planning departments, Bellingham had already funded improvements to an existing park adjacent to Whatcom Creek, creating safe pedestrian access to the waterfront from downtown. A long promenade will extend from the civic district along an existing street to an overlook at the end of Central Avenue along the waterfront. It will become the spine connecting the waterfront to the civic district and downtown communities. A series of proposed gateways will create a sense of entry into the downtown and waterfront environments. Site improvements designed to slow traffic and provide more pedestrian-friendly access to the waterfront: lighting, paving, trees, railings, benches, and public art.

Hough Beck & Baird created a regional park and waterfront design, which developed the Silverdale waterfront into a public park, boat launch, and fishing pier. The park is now the focus of a "Whaling Days" celebration, and artwork incorporated into the design helps reinforce this maritime theme. In addition, the image of the beach is drawn through the park with the use of texture, color, and the sense of movement created throughout the park design.

Riverwalk Park is a multimillion-dollar project involving state, local and private funding and combining the arts, history, entertainment, higher education, and various businesses. The passage of a Parks and Recreation bond referendum in the fall of 1996 granted money for the expansion of Riverwalk past Stranahan House to connect with the fashionable Las Olas Shops. The Riverwalk Fort Lauderdale Trust, made up of volunteers from all levels of the business and professional community, began selling Signature Bricks in January, 1989, to raise funds specifically designated for ongoing Riverwalk promotions and improvements. The group, although not a department of the City of Fort Lauderdale, works very closely with the City's Parks and Recreation Department. The group has sold over 20,000 Signature Bricks along the Riverwalk to raise funds for beautification and enhancement of the Riverwalk Park. Additionally, the Board of Directors has emerged as primary advocates for the Riverwalk Park.

### **Community Participation:**

Before completion of the master plan, local residents showed their commitment to the Whatcom waterfront environment through the construction of their own improvements—such as building benches and landscape plantings in and around the park and waterfront area. In Silverdale, local residents also invested in the waterfront before the project was even completed, when school children submitted designs of sea creatures to be sandblasted into the walkways within the park.

The Riverwalk Fort Lauderdale Trust is working on numerous projects to raise funds for Riverwalk improvements and to create additional entertainment for the community and visitors. The dedicated group of private citizens who make up the Riverwalk Fort Lauderdale Trust, is constantly seeking the continued support of merchants, government, businesses and local Fort Lauderdale and Broward County residents to help accomplish their goals. Signature bricks allow residents to own prime riverfront property in the heart of Downtown Fort Lauderdale along the historic New River starting at only \$50. This tax-deductible contribution supports the Riverwalk Trust whose efforts focus on Riverwalk Park advocacy, promotion, and enhancement. These funds go to creating and enhancing various projects throughout the park.

### **Results:**

Improved water quality, revegetation, which will reduce erosion and help prevent pollutants from entering the creek or bay. Re-investment in the Whatcom waterfront by local businesses, property owners, and residents.

Businesses began to re-invest in their waterfront. The park gave Silverdale's waterfront community a new identity, and today the waterfront area is a thriving mixed-use center for small businesses, retail, offices, and restaurants. The waterfront attracts many regional visitors and residents.

According to Hough Beck & Baird principal Colie Hough-Beck, "In both the Silverdale Waterfront Park and the Whatcom Waterfront Master Plan, community interaction and commitment to their waterfront environments were crucial to the success of each project. The effort begins with one group, a community or governmental agency, investing themselves in their waterfront environments to spark new interest and a greater investment from others." Fort Lauderdale's Riverwalk successfully links Florida's lush, tropical landscape and winding walkways to various attractions, restaurants and shops on the New River. It is an energetic community, which brings people together with music, art, shopping, and ample places to eat, walk, and sit.

The Silverdale waterfront is now a part of community life. Photo courtesy of Hough Beck & Baird



The Silverdale waterfront is now a part of community life. Photo courtesy of Hough Beck & Baird

## APPENDIX B: Artist Housing

It is often difficult for artists to find affordable spaces in which to live and work. Many artists gravitate to older warehouses and districts with industrial buildings as these buildings provide large spaces for low rents, high ceilings, large windows that let in natural light, a non-residential population that leaves the area at night and doesn't complain about the operation of noisy equipment, etc. However, after a time, the very presence of artists in an industrial neighborhood often acts as a catalyst, setting in motion a process of gentrification that drives rents up and ultimately forces the artists out.

There are a number of organizations that specialize in developing housing and live/work space specifically for artists. These agencies purchase buildings, ensure that they meet safety codes and provide all the amenities that artists require. Three well-known programs are described below.

The Artist Housing study being undertaken by the University of Southern Alabama will be very useful in determining the feasibility of and possible locations for artist housing in downtown Mobile, and should be made available to the following organizations as potential project developers.

- Artspace, Minneapolis, MN
- Artists' Housing, Seattle, WA
- Artists' Housing Incorporated, Baltimore, MD

### Goals of these Programs:

- Create and manage space where artists can live, work, exhibit, perform, and conduct business;
- Support the continued professional growth of artists and enhance the cultural and economic vitality of the surrounding community, and
- Invite visual artists to spend a period of time living and working in an area in order to create a public art project that relates to the social or cultural environment of the community, which the artist is free to interpret.

**Why:** Aesthetically pleasing spaces create a safe working environment that helps artists grow professionally and achieve financial stability. Artists' live/work projects help increase pedestrian traffic in urban areas, while streetscapes take on a new, lively character. Other neighborhood development typically follows within three years of the completion of an artists'

live/work project. This development in turn helps generate other cultural activity and creates a general increase in visitors to the area.

## Getting Started:

Artspace was established in 1979, to serve as an advocate for artists' space needs. Funding was provided by the City of Minneapolis. By the mid-1980's, however, it was clear that the problem required a more proactive approach, and Artspace expanded to include real estate development and ownership, so financing now comes from development and operation. Most projects are financed by a patchwork of public, corporate and private money. Artspace takes pride in the fact that they have never had to return to a community for additional funds once an Artspace project is completed and is fully operational.

In Seattle, the City's Office of Housing has been assertive about advocating for innovative housing development that is appropriate for artists' live/work space. Each housing project is funded by the City.

Baltimore's Artists' Housing began in 1987, when a condemned building was donated to the project by the city. Artists' Housing is still possible today through grants from the city and state, along with low interest loans. There is a \$1,000 membership fee, which entitles the artist to own a portion of the building.

**How cities are identified:** Most often, cities and arts organizations contact Artspace. Artspace then works with the community to determine if an Artspace project would be viable in their city. There are 3 criteria:

1. Leadership of the community must be strong enough to support this type of project.
2. The sites must be suitable for projects in the particular community.
3. It must be possible to fund and sustain the project.

How buildings are identified: Buildings must be 50,000 square feet or more and must serve a minimum of 25 artists. They cannot cost more than \$10,000 per unit in acquisition costs. They look for structures that are suitable for reuse: abundance of natural light, a sound structure, and a willing seller. Cities often have multiple buildings identified ahead of time.

In Baltimore, Artists' Housing Incorporated chooses locations downtown in depressed areas where there are abandoned buildings. After renovation, these buildings are perfect for artists' housing.

Results: Artist housing developments benefit their communities in several significant ways. They create affordable spaces for artists to live, work, exhibit, perform, and conduct business. These projects serve as catalysts for neighborhood revitalization, transforming unused or underutilized buildings into fully functioning facilities, creating a lively arts community. All completed projects generate a positive cash flow and contribute positively to the communities around them.

In Baltimore, there has been obvious improvement in the project neighborhoods, including living space, gardens, and professional work.

## APPENDIX C: Economic Benefit of Art to Cities

"The sign of a great state or a great city is the strength of its cultural life," said J. Clayton Hering, president of Northwest Business for Culture and the Arts. "Our non-profit arts groups are a powerful economic force, and act as a magnet for tourism. Even more important, they help educate and inspire our citizens and stimulate creativity in the workplace and in our schools."

In a February 2000 report to the Mobile Arts Council, Wolf, Keens and Company cited the financial contribution of the cultural sector to the economy of the City of Mobile as \$47 million annually in direct, indirect organizational and audience spending, supporting 265 full time employees with over 200,000 volunteer hours logged annually. Yet despite these impressive figures, many cultural organizations were faced with reduced contributed income and a lack of trained, paid staff to run their organizations.

### Quality of Life

Industries that are planning relocation or expansion place great emphasis on a healthy cultural climate. In a past survey conducted by the Joint Legislative Committee on Cultural Affairs, 99% of the chief executive officers who were questioned stated that the availability of cultural activities in an area is an important consideration in choosing a new location.

### Culture and Tourism

The Travel Industry Association of America was commissioned by Partners in Tourism to add a series of questions to its January 2001 National Travel Survey. The purpose was to determine the length of time that travelers extend their trips because of cultural activities or events.

According to the results, two-thirds (65%) of American adult travelers say they included a cultural, arts, heritage, or historic activity or event while on a trip of 50 miles or more, one-way, in the past year. This equates to 92.7 million cultural travelers.

Of the 92.7 million adult travelers who included a cultural event on their trip, 32% (29.6 million travelers) added extra time to their trip because of a cultural, arts, heritage, or historic activity or event.

Visiting a historic site such as a building, battlefield, or historic community remains as the most popular cultural activity with four in ten (43%) adult travelers participating in this activity while on a trip in the past year.

Museums are also popular with travelers, with 30% including this activity during the past year. Other cultural activities Americans enjoy while on trips away from home include live theater (23%), art galleries (21%), heritage or ethnic festivals (20%), and music concerts (19%).

This study underscores the importance of arts and culture as an effective product for tourism professionals to market their communities both domestically and internationally.

## State Case Studies: South Carolina and Oregon

### SOUTH CAROLINA

Cultural activities elevate the state's economy. The benefits can be expressed in terms of dollar output, earnings, or the total number of jobs the industry supports. Other industries across the state benefit from the ripple (or multiplier) effects that link the cultural industry with the rest of the economy.

#### Spoletto Festival

An estimated 100,000 persons attended the 1992 Festival, about 72% of whom were from outside Charleston. The direct spending impact of the 1992 Festival was over \$48 million. This spending generated over \$73 million in revenues, supported over \$23 million in earnings, and helped sustain 2,400 jobs. Spoleto also brings invaluable international press and positive recognition to South Carolina. Spoleto and other high interest events serve as tools for business and development leaders, while also drawing national and international attention to the state.

#### Direct Spending

The cultural industry provides a direct source of income for many individuals and businesses in South Carolina. The cultural industry spent over \$380 million in South Carolina in 1992.

#### Indirect Spending

Spending by the cultural industry leads to spending by other businesses in the State. This is called the multiplier effect. The average multiplier is 1.72. This means that every \$1 of expenditure by the cultural industry generates \$1.72 in state economic output. For some activities, such as the Spoleto Festival, the output multiplier is higher than the average. The survey found that South Carolina's cultural industry as a whole supports over \$640 million in state economic output.

#### Earnings and Jobs

The cultural industry also has an impact on statewide earnings. During 1992, 17,631 jobs for South Carolinians were supported by the cultural industry.

### **Links to Other Industries**

The tourism industry is related to culture and the arts. Festivals like Spoleto draw out-of-state visitors. There is an indisputable link between the development of new hotels, shops, and restaurants in areas where abundant cultural activities exist. Public art entices visits and brings public relations coverage, which is the equivalent of paid advertising for the city.

### **OREGON**

More than 400 non-profit arts organizations around the state of Oregon contributed \$100 million in direct spending and more than \$262 million in overall impact to the state's economy in fiscal 2000. Oregon's non-profit arts sector grew by nearly 19% over the past three years and attracted more than 5.6 million people, making it a vibrant industry and major contributor to the cultural life of the state.

### **Job growth**

Oregon's broad range of cultural activities has also supported rapid growth in creative services industries such as advertising, public relations, website design, filmmaking, and commercial art ventures.

The Shakespeare Festival brings more than \$32 million into Ashland's economy each year, and helps make the city an educational center.

### **Community Support**

Although state funding for the arts is among the lowest in the nation, Oregon's private donors have increased their giving to the arts by 94% since 1997. In addition, Oregon's citizens donated more than 700,000 hours of volunteer time, and more than \$5.2 million of in-kind support to non-profit arts groups in fiscal year 2000. A combination of public support and private funding is considered critical sustaining statewide cultural activity.

## **Economic Impact of Temporary Public Art Projects**

### **CHICAGO COWS ON PARADE**

This world-renowned temporary public art installation brought an estimated additional 2 million visitors to the city. These tourists spent approximately \$500 million, during the 3-month exhibit, on hotels, food, and sightseeing, plus national and international media attention. One store in Chicago reported a \$40,000 profit over its weekly projections due to thousands of additional customers generated by the exhibit. Other retail shops, restaurants and hotels reported a 20% increase in sales.

### NEW YORK CITY'S COW PARADE

The benefits to New York of the Cow Parade included a boost in tourism by 3-4 million visitors, generating an additional \$1 billion in revenues for local businesses. New York raised \$1,351,000 at the Charity Auction to support the work of dozens of New York- based charities; the average cow sold for \$18, 250; the winning bid was for \$60,000.

### CINCINNATI PIG GIG

According to a University of Cincinnati study of the event's economic impact, approximately 968,000 people attended Greater Cincinnati's Big Pig Gig last year, 462,000 of whom were out-of-towners. These tourists spent \$59.4 million in area stores, restaurants, hotels, and gas stations- not a bad return on the \$1.2 million direct cost of the event. The study concluded that out-of-towners stayed an average of three days in Cincinnati, and spent \$130 per person. This obviously is a significant public art event that brought people and their money to Cincinnati.

On June 10, Americans for the Arts released the findings from Arts & Economic Prosperity: The Economic Impact of Nonprofit Arts Organizations and Their Audiences. This research project reveals that America's nonprofit arts industry generated \$134 billion in economic activity during 2000, including \$53.2 billion in spending by nonprofit arts organizations and \$80.8 billion in event-related spending by arts audiences.

The project findings are available for download on our website, along with many other materials that you can use to help make the case for increased public and private sector arts funding in your community. These materials include:

- \* The Arts & Economic Prosperity Calculator (NEW), a handy tool that allows organizations (and entire communities) that did not participate in our national study to estimate the economic impact of their expenditures
- \* A text version of the study summary report with findings, background, scope, and methodology
- \* A summary of the findings for the 91 Partner Communities
- \* The Arts & Economic Prosperity pamphlet with study highlights
- \* Detailed data tables and survey instruments
- \* A list of the 91 Partner Communities grouped by population category
- \* A press release announcing the study results
- \* Details from the Congressional Arts Briefing on June 12, 2002

These materials and more information about this project are available on line at [www.AmericansForTheArts.org/EconomicImpact](http://www.AmericansForTheArts.org/EconomicImpact).

## APPENDIX D: Innovative Public Art Initiatives

### Innovations in Government:

#### ARLINGTON, VIRGINIA PUBLIC ART PROJECT:

Arts Incubator: Since its inception in 1990, Arts Incubator has helped to grow the number of arts groups located in Arlington County by 150 percent. Audiences increased from 100,000 in 1990 to 300,000 people in 1995, nearly twice the county's population. As a result, the county's arts community has grown to become a \$5 million-per-year industry.

Arts incubator is a cost-effective strategy for providing rehearsal and performance space to artists and arts organizations by reusing underused public- and private- sector space. This approach yields substantial dividends: although the county's grants program is small--\$98,000 in 1997--the annual savings in rent to organizations using county-subsidized spaces exceeds \$400,000.

"The Arts Incubator has accomplished a multiplicity of goals," says David Briggs, chairman of the Arlington Commission for the Arts, "most notably expanding the number and diversity of arts available in Arlington and improving outreach to and services for visual artists." These days, says Briggs, who has been on the commission since its inception in 1990, many of Arlington's performing arts offerings "are as good as those at the Kennedy Center--and for a significantly lower price." More important, many of these artists and arts organizations are closely involved with the community through their work with at-risk populations in the county's schools, recreation and senior centers and residential programs. "

<http://www.arlingtonarts.org/incubator/>

### Public Art as Economic Development

#### LOS ANGELES PUBLIC ART:

The Chandler Outdoor Gallery was conceived to provide a means for the community to improve a blighted economic corridor. Through the program, local artists will address, design, and improve the facades of existing businesses along the commercial street. These improvements will complement the installation of a new bike path and walkway. The project is intended to provide and maintain visual continuity and create an environment that will stimulate economic revitalization.

The project is a collaboration b/w the community, North Hollywood Community Forum, The Chamber of Commerce, services and organization, local government, Community Redevelopment Authority, the Cultural Affairs Department, Public Works, Metropolitan Transit Authority, and the Department of Transportation

## Temporary Art

### STAMFORD CONNECTICUT PUBLIC ART PROGRAM

For the past seven years, Stamford Downtown has hosted an annual art exhibit in the public spaces of the City and in the Town Center. The summer of 2001, seventy originally designed fiberglass car sculptures, painted and embellished by 40 local artists displayed in Downtown Stamford. At the conclusion of the exhibit, the cars will be refurbished and sold at auction, with proceeds to benefit local charities.

## Public Art and Youth

### MIAMI DADE COUNTY PUBLIC ART PROGRAM

In ArtCARE, is a program designed to provide artistic expression, and communication for juvenile offenders. Artists have worked with youth in residence at Bay Point Schools, a pilot project of the Florida Department of Juvenile Justice and with youth who are being tried as adults at Turner Guilford Knight corrections facility. ArtCARE is a collaborative effort of Miami-Dade Art in Public Places and the Miami-Dade Cultural Affairs Council.

In 2001, Miami-Dade Art in Public Places received a National Endowment for the Arts (NEA) Challenge America Fast Track Grant for a new ArtCARE artist-in-residency program at Bay Point Schools North Campus. Artists worked with thirty at-risk youth in residence at the school to implement ArtCARE: Tile Mural Project. The youth created a mural measuring 8 x 12' titled Fruits of Our Labor. The final mural site, centrally located in a common living/dining area is used daily by the resident youth.

## PATH

PATH (an acronym for Public Art Transforming Housing) connects artists with youth at public housing sites to create artworks that identify community issues, promote healthy choices and advocate drug-free communities.

PATH program is funded through a drug elimination grant and the collaborative efforts of Miami-Dade Housing Agency, Department of Resident Development; Miami-Dade Police Department, Public Housing Police Section; Regis House, Inc. and Miami-Dade Art in Public Places

### **CHICAGO PARKS AND RECREATION**

Classified as "temporary" or "student art" functional pieces are created in from themes that emerge from the community. Over the summer months students and artists collaborate to make smaller more functional that may last from 5-15 years. Artists train the students to create benches, murals (in historic neighborhoods --the murals are painted on panels, or are in some way removable), paths, and installation sculpture. The Chicago Parks Department also collaborates with the cultural events department during the summer months to do non-visual public art. Most recently, a festival on puppetry or in the coming year, sound installations. This is a citywide event involving school children, community groups, and public parks.

### **Non- Profit Community Arts**

#### **VILLAGE ARTS**

The Village of Arts and Humanities is a community-based arts, education, and neighborhood development organization located in inner city North Philadelphia. Through arts-based programs and activities, they work with residents to reclaim abandoned space and rebuild a sense of hope and possibility in their neighborhoods. Youth and adults work together to turn garbage-strewn vacant lots to into vibrant art parks bursting with beauty and greenery. Since 1986, the Village has worked with tens of thousands of people to provide a wide variety of arts education programs, renovate abandoned properties, rebuild the environment, conduct experiential training, create jobs, and celebrate our achievements together through festivals, theater, exhibitions, and publications.

Village arts is an artist led program, initiated by the now president Lily Yeh, and is volunteer based. It has become a model for many similar projects begun in urban areas around the country.

[www.villagearts.org](http://www.villagearts.org)

## GALLERY 37

Conceived by the City of Chicago Department of Cultural Affairs, Gallery 37 is a mentoring program that provides jobs for more than 4,000 apprentice artists and 400 professional artists every year. Gallery 37 addresses art education and youth employment, offering young people an opportunity to learn and practice essential work skills that will stay with them for life. The youth, called "apprentice artists," receive training in visual, literary, media and performing arts by professional artists. They are paid an hourly wage and are required to conduct themselves as responsible employees; they must log their hours and report their work to supervisors and undergo significant evaluation on their job performance.

Young artists at Gallery 37 work on public art projects, produce commissioned artwork and fill the Gallery 37 Retail Store with their unique illustrations of artistry.

Gallery 37 is sponsored by both the City of Chicago and Private donors.

[www.gallery37.org](http://www.gallery37.org)

## COMMUNITY BUILT ASSOCIATION:

The CBA is a not-for-profit association of professionals in Parrot, GA who are involved in all aspects of the community built environment. The organization was formed in 1989 to provide network for such professionals and to offer information, education and training to the general public.

Through this process, CBA members work with local volunteers to create a physical product like a (park, playground, mural, or sculpture). In addition to an attractive and useful final product that becomes an asset for the community, there are many other, less tangible benefits such as friendships and social networks, and ownership and pride of local neighborhoods.

[www.communitybuilt.com](http://www.communitybuilt.com)

Other resources and links on Public Art programs around the country:

[www.commnuityarts.net](http://www.commnuityarts.net)

[www.artsresourcenetwork.org](http://www.artsresourcenetwork.org)

## APPENDIX E: Survey of Percent for Art and Public Art Programs Around the Country

### Percent for Art Ordinance City Summaries

1. What is the composition of the Arts Commission? What is its role re: public art?
2. What process is used for the approval of percent for art projects?
3. What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?
4. What are the rules governing placement of art and site selection?
5. How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?
6. How are funds allocated from capital construction projects for percent for art projects? What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?
7. What percent of percent funds are used for project management and administration?
8. How are "calls for artists" advertised?
9. Do you have guidelines regarding artists fees? What are the procedures for paying artists for maquettes and design proposals?
10. What are your policies for accepting or declining "gifts" of public art?
11. How do you handle the process of community involvement?
12. Miscellaneous

## Summary of Percent For Art Ordinances and Procedures

Cities Interviewed:

Baltimore, MD  
 Broward County, FL  
 State of California  
 Dallas, TX  
 Los Angeles Community Redevelopment Authority  
 Philadelphia, PA  
 Seattle, WA  
 Washington, DC

**What is the composition of the Arts Commission? What is its role re: public art?**

See: Individual City Summaries.

**What process is used for the approval of percent for art projects?**

In many cities, the City Council has the final word regarding which projects are accepted or appropriate for artistic treatment. In Phoenix, the Cultural Affairs Commission has final approval of public art projects. Most often, the public art committee will meet with the Cultural Affairs Commission and prepare an art plan or list of public art projects for approval by the City Council and Mayor. Sometimes this art plan is submitted to the Mayor with the appropriation and budgetary requests for capital construction projects from each City department.

**What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?**

With few exceptions, percent for art monies are geared towards permanent works of visual art sited in or adjacent to the capital construction project, which generated the funds. All building projects - often including remodeling work or renovation - on land owned, rented, leased, or under the jurisdiction of the municipality are eligible for percent for art projects and up to 1% (1.5% in Dallas) of the capital construction budget is set aside to pay for artistic treatments. Public works and utility projects are often eligible as well, but sometimes at a rate less than 1%, depending upon how visible the work will be. In cases where the budget is not enough to pay for an artwork or the actual site is deemed inappropriate, those monies may be spent on other arts-related projects and programs within the public art plan.

**What are the rules governing placement of art and site selection?**

Public viewing accessibility is the prime requirement. The artist and/or architect usually selects the site. Sometimes, the public art committee or arts commission approve site selections.

**How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

Some public art committees meet with City departments at the beginning of each year and jointly develop a list of possible art projects. In Seattle, City departments come to the public art committee and present this committee with a list of approved or probable capital projects. A 1% appropriation for art/artist services must be included in these capital construction project budgets.

**How are funds allocated from capital construction projects for percent for art projects? What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?**

In many cities, separate public art fund accounts are set up. Sometimes there is one fund for each city department, sometimes there is a separate fund or account established for each capital project funded by the municipality, funded by a bond program or funded by a private sponsor (developer, grantmaking authority). Oftentimes the City Manager establishes these accounts on behalf of each department, project, etc. When the funds are released for construction, the monies are released for artworks. The public art committee in Seattle submits a request to utilize percent funds for art projects, which request accompanies a City department's request for construction funds for the same project. Sometimes, however, release of construction funds is contingent upon there being an art plan in effect, an artist and/or design approved, etc. In Los Angeles, the goal has been to have the artist on board and the art program planned for each project before conceptual development and schematic design work begins.

Funds are only pooled and used for temporary projects, projects off-site, cultural programming and facilities in Los Angeles on land under jurisdiction of the CRA.

**What percent of percent funds are used for project management and administration?**

The newest percent programs and most recent procedures in this area specifically address the percentage of funds to be appropriated for administrative purposes and suggest that these funds be set aside in a separate Public Art Administration Fund. The generally accepted amount apportioned for administration nationwide is 15% to 20%. Nearly every ordinance speaks to the need for the provision of funds to carry out such administrative duties as assisting artists and architects in site selection, development of educational tools, contract prepa-

ration and negotiation, ongoing project management, etc. even if specific amounts are not expressly indicated.

### **How are "calls for artists" advertised?**

See: Individual City Summaries.

### **Do you have guidelines regarding artists fees? What are the procedures for paying artists for maquettes and design proposals?**

When artists participate in an open competition, they are usually asked only to provide slides and to fill in whatever application forms are supplied. It is not considered fair nor practicable to ask artists to submit proposals, maquettes or designs during the first round of an open competition. Those artists that are selected during the first round (usually up to 6) are then asked to produce proposals, drawings, maquettes, etc. for which they are paid. Artists drawings are recompensed at approximately \$300 to \$500 per drawing while maquettes, depending on the scope of the project and the complexity of the model, are compensated somewhere in the range of \$750 to \$1500 each.

### **What are your policies for accepting or declining "gifts" of public art?**

See: Individual City Summaries.

### **How do you handle the process of community involvement?**

See Dallas. Their ordinance and procedures are two of the few to address this directly. .25% of each 1.5% art appropriation in Dallas is designated for community educational and outreach activities.

### **Maintenance.**

Maintenance, repair and restoration of public artworks become the responsibility of the commissioning agency or client. Some ordinances specify that, at regular intervals, the Cultural Affairs Commission or Public Art Committee should survey the entire public art collection and evaluate it in terms of what works need to be cleaned, repaired, or possibly moved in order to better protect them from the elements. .25% of each 1.5% art appropriation in Dallas is designated for the conservation and maintenance of the City's public art collection.

## Individual City Summaries

### BALTIMORE, MD

#### **What is the composition of the Arts Commission? What is its role re: public art?**

The Civic Design Commission is comprised of a representative from senior staff from of the Baltimore Museum of Art; a member of the Baltimore Chapter of the AIA; the project Engineer or Architect; a living Maryland artist; and a citizen committed to the "civic good." The Design Commission reviews and approves types of art and ornamentation for municipal building projects.

#### **What process is used for the approval of percent for art projects?**

The City agency involved and the project architect or engineer determine what and whether art is appropriate for a particular project. Plans for artworks are submitted to the Commission before construction documents are approved. However, if the architect and City agency decide that art is not appropriate for a project but the Commission disagrees, then the Commission has 30 days in which to override the architect's decision and instruct them in the type of ornamentation to be commissioned. The art must be determined to be in the public's best interest.

#### **What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?**

Only permanent visual artworks are funded under this ordinance. All municipal projects are eligible. The responsible city agency and project architect or engineer make the initial determination regarding the necessity of artwork for a project.

#### **What are the rules governing placement of art and site selection?**

In general, the project architect determines the site for a work of art within his/her project. There is a stipulation that the work of art must be in public view.

#### **How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

Heads of city agencies and the project architect submit project plans and cost estimates of new projects to the Civic Design Commission for review.

**How are funds allocated from capital construction projects for percent for art projects?**

**What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?** Not mentioned in the ordinance.

**What percent of percent funds are used for project management and administration?**

Not specified. However, the architect's fee for administration and project coordination is paid for out of percent allotment.

**How are "calls for artists" advertised?**

The project architect can either select the artist or conduct a competition.

**Do you have guidelines regarding artists fees?**

What are the procedures for paying artists for maquettes and design proposals? Not mentioned in the ordinance.

**What are your policies for accepting or declining "gifts" of public art?**

Not mentioned in the Ordinance.

**How do you handle the process of community involvement?**

A citizen dedicated to civic-mindedness is included on the Design Commission.

## **BROWARD COUNTY, FL**

**What is the composition of the Arts Commission? What is its role re: public art?**

The public art and design committee is a qualified citizen committee appointed by the Cultural Affairs Council to oversee the County's public art program. This committee is responsible for developing the annual Public Art and Design Plan, ensuring the quality of the artworks created under the program, and developing budgets and scope of individual public art projects. The committee is advisory to the Cultural Affairs Council and is chaired by a member of the Cultural Affairs Council. The Committee is comprised of artists, arts professionals, architects, designers, collectors, and other persons who are qualified to oversee a public art program.

**What process is used for the approval of percent for art projects?**

The Cultural Affairs Council approves a pool of artist selection panelists based on recommendations from the Public Art and Design Committee. The Council then reviews and approves the recommendations of artists from the artist selection panels, following Public Art and Design Committee review and recommend dollar amounts of contracts.

The Artist Selection Panel develops the project based on the charge from the Public Art and Design Committee, including site, medium/media, scope of project, method of artist selection, local/regional/national significance of the project, and other relevant considerations.

Broward County has a 2% ordinance for public art and design. 15% of the 2% allocation is set aside for maintenance and curatorial services, including the development of a survey and condition report at least once every five years.

Another 15% of the allocation is for program support costs and community education activities. This includes artist selection costs, travel and honoraria for panelists, project consultants, identifying plaques, documentation, public amenities, dedications, advertising and publicity, and community outreach efforts.

**What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?**

It is the policy of the Cultural Affairs Council that all artworks commissioned or acquired under the public art program be designed by professional visual artists. Such artworks may be temporary or installations, if they serve the purpose of providing community and educational outreach purposes.

Funds from eligible construction projects shall be allocated within the Public Art Trust Fund for artist design services and the acquisition or commissioning of artworks for the County Art Collection. Moneys in this category may be expended for artist design fees, proposals/drawings/maquettes, artist travel and expenses, artwork purchase/commissioning/acquisition, artwork fabrication or materials, shipping and crating, insurance, architect or other designer fees if the project is a collaboration, engineering fees, installation or placement of artworks, site preparation, framing, exhibition or display of artworks, or other purposes deemed necessary by the Cultural Affairs Council for the implementation of the program.

The County Department determines, in consultation with the Cultural Affairs Council which projects are eligible for art treatment, the amount of public art money available and whether the project is appropriate for design collaboration.

**What are your policies for accepting or declining "gifts" of public art?**

The Cultural Affairs Council reviews and approves proposed gifts and long-terms loans of public art to the County (when the proposed loan or gift is valued in excess of \$25,000 based on a professional appraisal supplied by the donor), upon recommendation from the Public Art and Design Committee.

### **California State**

2% for State building projects

1% for California Regents (university system) projects with budgets over \$50,000

1/4% to 1% for utilities projects, jails or artworks at Amtrak stations.

### **What is the composition of the Arts Commission? What is its role re: public art?**

Arts Council helps the state architect to pick artists; implements the selection process, appoints art advisory committees, maintains the artist slide registry, and handles publicity.

### **What process is used for the approval of percent for art projects?**

After the artist and site have been selected, the state architect approves the final project drawings with the project architect. Then the Arts Council can vote to accept or to delete the proposed project, which it does at an open, public meeting.

### **What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?**

The ordinance covers funding for visual artworks for all state buildings, state construction projects including remodeling, public places, jails, university buildings, Amtrak stations. 10% of the arts budget can be used to pay for amenities that are not artist designed. In addition, artworks may be participatory. 20% of each percent allocation can be expended on works of art off-site or in state art parks.

### **What are the rules governing placement of art and site selection?**

Artworks must be placed in public places in or on state buildings. Sites are identified during the preliminary design phase. Artists must develop site requirements for their pieces.

### **How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

The state architect computes the total costs for all selected art projects and forwards this to the Arts Council by August 1st of each year for the next year. The state architect informs the Arts Council regarding eligible projects.

### **How are funds allocated from capital construction projects for percent for art projects? What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?**

The state architect calculates 2% of capital construction costs of all eligible buildings. The totals go to the Governor for review and approval. Monies are released for the art projects at the same time that construction funds are released by the Department of Finance.

**What percent of percent funds are used for project management and administration?**  
10%.

**How are "calls for artists" advertised?**

Public announcements, wide publicity, and mailings to the visual artists slide registry.

**Do you have guidelines regarding artists fees? What are the procedures for paying artists for maquettes and design proposals?**

Artists selected are paid to develop maquettes and to identify sites with the state architect. Up to 2% of the total art project budget is paid to the artist to prepare drawings.

**What are your policies for accepting or declining "gifts" of public art?**

Not mentioned in the Ordinance.

**How do you handle the process of community involvement?**

Public meetings are held at each project site which includes public review of the slides of potential artists. The goal of these meetings is to rank selection of artists. 20% of ordinance funds goes towards community education materials.

**Miscellaneous: Spending Caps**

Percent expenditures cannot exceed two percent of construction budgets, and no art project can cost over \$1 million.

## **DALLAS, TX**

**What is the composition of the Arts Commission? What is its role re: public art?**

The Public Art Committee (PAC) is an 11 member subcommittee of the Cultural Affairs Commission (CAC). It is responsible for determining the scope and budget for public art programs, selects juries, annually surveys the City's public art collection, designates funds for the repair and maintenance of the collection.

**What process is used for the approval of percent for art projects?**

The arts plan as developed by the CAC and Public Art Committee is approved by the City Council which can disallow art projects as it sees fit. CAC staff works with city departments to review annual capital improvement program projects for the City and determine the scope of each pending project and the appropriate allocation per project from pool of available funds.

**What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?**

Permanent public improvement projects within the city limits, paid for with city monies, are eligible. This includes construction projects, building remodelling or renovation, decorative structures, parks, streets, sidewalks, parking facilities, utilities and the airport.

**What are the rules governing placement of art and site selection?**

The art committee designates sites for art.

**How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

In consultation with those city departments planning capital improvement projects, the Public Art Committee and Cultural Affairs Commission develop an annual arts plan. Immediately after the annual budget approval, the CAC staff and the Budget Office review the City's annual capital improvement budgets and calculations for new art appropriations to the Public Art Funds and Public Art Administration Fund. CAC staff also reviews with the Budget Office the status of accounts and funds for projects carried over from previous years.

**How are funds allocated from capital construction projects for percent for art projects? What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?**

All appropriations for city capital improvement projects include a 1.5% appropriation for art. For utility projects that are out of public sight, .75% is appropriated for art. If the City Council deems an art component not to be necessary for a particular project, those monies can be spent on other art projects that are part of the annual arts plan. City departments automatically include a grant amount for artists/art services in all applications to private granting authorities. Projects are funded out of appropriations for capital construction projects and by municipal bonds. Three types of accounts are established for public art monies: in each bond program where the proceeds are to be used for public art, by each private developer or private granting authority and in each capital improvement project. The city manager establishes the account within each capital improvement project to receive the art appropriation.

**What percent of percent funds are used for project management and administration?**

20% of total annual appropriations for public art, according to the public art plan, is set aside in a public art administration fund.

**Do you have guidelines regarding artists fees? What are the procedures for paying artists for maquettes and design proposals?**

Artists are paid \$200 to \$300 for proposal drawings, and \$500 to \$1000 for proposal maquettes.

**What are your policies for accepting or declining "gifts" of public art?**

They do not de-accession any works within 10 years of acquisition. Artists are also notified if a work is to be modified, moved or destroyed.

**How do you handle the process of community involvement?**

The public art committee is a voluntary citizen task force which oversees the public art program.

**Maintenance.**

Dallas has a 1.5% funding requirement, where 1% goes for art and artists services, .25% is for maintaining and preserving the art collection, and .25% is for miscellany, such as the production of educational materials, etc.

**LOS ANGELES, CA**

**COMMUNITY REDEVELOPMENT AUTHORITY**

**What process is used for the approval of percent for art projects?**

The art program for each project is planned before construction begins; before conceptual development and schematic design work begins.

**What sites and projects are eligible? How (by whom) is this decided?**

Does percent funding cover anything other than permanent works of public (visual) art? Projects, such as commercial or multi-family developments, built on land belonging to the CRA have a percent for art requirement. Funding is available for a variety of art forms, including events, on-site cultural programming, and cultural facilities (MOCA was built with CRA funds), and circulating/rotating public art projects. Artist designed gates, street lights and signage, etc. are also fundable. The Downtown Cultural Trust Fund is also used to support artists and institutions and to redistribute money throughout downtown sites for art.

**What are the rules governing placement of art and site selection?**

Areas with public access 12-18 hours per day, on either public or private property owned or under the jurisdiction of the redevelopment authority. Electric substations, bridges, walls, etc. are all eligible.

**How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

30 days after the developer receives construction financing, he or she must make their contribution to the Cultural Trust Fund.

**How are funds allocated from capital construction projects for percent for art projects? What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?**

A preliminary art budget is developed based upon the estimated costs of the project. 40% of the percent obligation for each project goes to a Downtown Cultural Trust Fund. Funds are deposited in this fund 30 days after the developer receives construction financing. An 80% cash construction is considered as meeting the full 1% requirement.

**What percent of percent funds are used for project management and administration?**  
10%.

**What are your policies for accepting or declining "gifts" of public art?**

Not mentioned in the Ordinance.

**How do you handle the process of community involvement?**

Not mentioned in the Ordinance.

#### **Miscellaneous: Maintenance**

The Developer or private property owner is responsible for on-going maintenance of artworks.

### **PHILADELPHIA, PA**

**What is the role of the Arts Commission?**

The Art Commission has jurisdiction over all buildings and signs. It certifies in writing that ornamentation is appropriate to a building or structure. Originally, the Commission was also charged with approving the design and location of any building, bridge, public space etc. and all structures erected over highways and bodies of water.

**What process is used for the approval of percent for art projects?**

The Art Commission has 60 days to approve an art project. Commission approval must be obtained before building permits are issued.

**What sites and projects are eligible?**

All buildings, bridges, gates or other structures paid for wholly or in part by the City.

**What are the rules governing placement of art and site selection?**

All artworks on all city owned or controlled projects must be approved by the Commission. Their removal must also be approved.

**How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

Not mentioned in the Ordinance.

**How are funds allocated from capital construction projects for percent for art projects?**

Not mentioned in the ordinance.

**What percent of percent funds are used for project management and administration?**

Not mentioned in the ordinance.

**How are "calls for artists" advertised?**

Not mentioned in the ordinance.

**Do you have guidelines regarding artists fees?**

Not mentioned in the ordinance.

**What are your policies for accepting or declining "gifts" of public art?**

It is the responsibility of the Arts Commission to approve gifts and their location.

**How do you handle the process of community involvement?**

Not mentioned.

**Miscellaneous:**

Maintenance of Artworks The Arts Commission is charged with inspecting all city monuments and works of art every two years.

**Notes:**

Philadelphia's original ordinance gave the Commission jurisdiction over removal of artworks as well as their placement. The Fairmount Parks Art Association and Philadelphia RDA also have their own percent ordinances.

## PHOENIX, ARIZONA

### **What is the composition of the Arts Commission? What is its role re: public art?**

To establish a city-wide public art policy, advocate excellence in the arts, set priorities and plan for development of arts activities, raise level of public awareness regarding art, to administer and allocate monies budgeted for arts funding.

### **What process is used for the approval of percent for art projects?**

The Arts Commission approves public artworks. Art projects are included in the design program of each capital building project.

### **What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?**

Sites in, on, or about municipal projects and on municipally-leased or rented property. All public infrastructure improvements including roads, utilities, parks, transit facilities as well as public buildings are also eligible. Sites are identified at the planning stages and their appropriateness and eligibility are reviewed by the Arts Commission. Off-site artworks are eligible, as are temporary works - all art must be visual art. Percent monies can also be used to pay for site improvements. In addition, the Arts Commission maintains an inventory of public spaces that are suitable sites for art and updates the list of sites with other city departments. There are three types of projects with provisions for artworks: projects that are directly related to building construction; art projects related to outdoor open spaces; and projects related to more extensive outdoor networks and infrastructure.

### **What are the rules governing placement of art and site selection?**

The Arts Commission advises the City Council regarding the placement of art. The Art Commission also has control over methodology to be used for selecting artists. The city department responsible for the design and construction of each project must make space available for artworks in consultation with the Arts Commission.

### **How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

The Art in Public Places subcommittee provides the Arts Commission with an annual plan to be adopted by the Commission. The plan includes a list of eligible projects with an amount allocated from each project, up to 1% of capital construction costs, to fund percent for art projects. This becomes the Commission's public art budget for eligible projects, which is then submitted by the Arts Commission to the City Manager and approved by the City Council. Then, percent monies are allocated for art projects. Each budget item request is

accompanied by a description of the type and nature of artwork or art project to be commissioned. Within each department, City officials are responsible for coordinating with the Arts Commission on site identification, project implementation and scheduling, informing the Commission regarding proposed or planned projects which involve construction, renovation or further development of a site or facility, or neighborhood improvement projects (Economic Development Department reports), and informs the Commission generally about all long range planning studies planned or in the works.

**How are funds allocated from capital construction projects for percent for art projects? What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?**

The Arts Commission makes an annual review of all city capital improvement projects in cooperation with the Mayor, City Council and representatives from various city departments. The finance department maintains accounts for each city department arts appropriation within a Municipal Arts Fund. Percent monies are expended as normal appropriations from City funds, upon direction from the Arts Commission. The Arts Commission monitors expenditures from the Municipal Art Fund against those indicated in the public art plan.

**What percent of percent funds are used for project management and administration?**

25% - down from a high of 40-50%.

**How are "calls for artists" advertised?**

The Arts Commission arranges publicity, mailings to the media and to registered artists, and the organizing of public meetings.

**Do you have guidelines regarding artists fees? What are the procedures for paying artists for maquettes and design proposals?**

The Arts Commission recommends payment amounts for each artwork in their budget submitted to the City Council.

**What are your policies for accepting or declining "gifts" of public art?**

The Arts Commission advises City Council regarding accepting and receiving art. The Commission applies for gifts and authorizes the purchase of artworks for the City.

**How do you handle the process of community involvement?**

Ad hoc citizen advisory groups are created around each project site and public hearings are held. Art projects are developed in connection with neighborhood focal points. Opportunities for artists to participation with citizens in the development of artworks projects in public spaces are encouraged.

## SEATTLE, WASHINGTON

### **What is the composition of the Arts Commission? What is its role re: public art?**

The Seattle Arts Commission reviews all capital improvement programs with the Mayor and the City departments responsible for each program. It then recommends for which projects an art component is appropriate. The Arts Commission also authorizes disbursements from individual city departmental arts funds. (See below)

### **What process is used for the approval of percent for art projects?**

Not mentioned in the Ordinance.

### **What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?**

Projects on municipally-owned or rented land, within the city limits and public works, parks, utility and capital construction projects are eligible. In addition, any construction projects to be supported or paid for by funds generated by water, sewer, and light revenues are eligible for percent for art projects. Temporary art projects on or adjacent to all of these projects/sites are also eligible for percent monies.

### **What are the rules governing placement of art and site selection?**

The Arts Commission selects sites for artworks.

### **How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

All City departments are required to provide the Arts Commission with copies of all the appropriation requests they send to the City Council requesting permission to expend funds on capital construction projects.

### **How are funds allocated from capital construction projects for percent for art projects? What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?**

As part of the budget of every project to be included in the annual capital improvement program for each City department, City Department heads must include a 1% line-item allocation for artworks, computed based upon the total costs of each project, in their initial request for construction appropriations. All appropriation requests for construction projects must include a 1% request for art, which request is to be accompanied by a request from the Arts Commission for authorization to expend these funds. Each department may create its own art fund or departmental arts account within which 1% allocations from each of their upcoming capital projects accumulate.

**What percent of percent funds are used for project management and administration?**

Not mentioned in the Ordinance.

**How are "calls for artists" advertised?**

The Arts Commission draws up a prospectus for each project, sends an announcement to all of the artists registered in their slide bank, and sends out press releases to major publications. The City department commissioning the artwork places advertisements in Seattle newspapers, as well as a notice in The Arts Magazine.

**Do you have guidelines regarding artists fees? What are the procedures for paying artists for maquettes and design proposals?**

Not mentioned in the Ordinance.

**What are your policies for accepting or declining "gifts" of public art?**

Not mentioned in the Ordinance.

**How do you handle the process of community involvement?**

Not mentioned in the Ordinance.

**Miscellaneous: Repairs**

All repairs made to a work of public art must have the artist's approval. Whenever feasible, the commissioned artist will be hired to make the necessary repairs. The City department responsible for commissioning the artwork is responsible for paying for and seeing to its maintenance and up-keep.

**Summary:**

Seattle's ordinance is the most far-reaching in terms of the number and kinds of eligible projects. It is also quite advanced in the way it makes City Departments responsible for setting aside the 1% allocation from their initial budget requests and putting the money aside for use by the Arts Commission.

**WASHINGTON, D.C.**

**What is the composition of the Arts Commission? What is its role re: public art?**

The Art in Public Places committee determines when and where art is appropriate, recommends members of the project review panels and expenditures for public art. The APP committee also recommends locations for the placement of art, specifies the manner of artist participation, and reviews and recommends public art projects to the Arts Commission.

**What process is used for the approval of percent for art projects?**

Public art projects are reviewed and voted upon by the selection panels and Arts Commission.

**What sites and projects are eligible? How (by whom) is this decided? Does percent funding cover anything other than permanent works of public (visual) art?**

Only permanent visual artworks are eligible, which includes crafts and earthworks. All public spaces under jurisdiction of the DC government are eligible.

**What are the rules governing placement of art and site selection?**

The APP chooses the sites and the Arts Commission approves them.

**How is the Arts Commission or Art in Public Places Committee notified of upcoming capital construction budgets? How far in advance?**

Not mentioned in the Ordinance.

**How are funds allocated from capital construction projects for percent for art projects? What is the procedure for transferring percent monies from one city departments to the % program? Are funds pooled? How are they managed?**

For the construction of public facilities and institutions, a 1% public art fund is requested as a discrete capital project in the Mayor's budget.

**What percent of percent funds are used for project management and administration?**

Not specified. However, where no capital funding is available, this appears as a line item on the Art Commission's budget under Operating Funds. Funding is also available from this source for temporary art works and staff.

**Do you have guidelines regarding artists fees? What are the procedures for paying artists for maquettes and design proposals?**

All artists requested to submit a full proposal, design or maquette receive funds from the Arts Commission to do so.

**How do you handle the process of community involvement?**

The members of selection panels meet with members of the community to assess needs, interest and requirements for placing art in a given site.

## APPENDIX F: Internet Directory of Mobile Artists

### Artists

#### ADAMS, NANELLE

P.O. Box 932  
Grove Hill, AL 36451  
(334) 948-7010 Gulf Shores  
(334) 275-3754 Grove Hill

**Specialty: Watercolor**

#### BEESON, CHEL

454 Fair Land Avenue  
Fairhope, AL 36532  
(334) 928-6673

**Specialty: Photography**

#### CALAGAZ, ANN

6314 D'Olive Landing  
Daphne, AL 36526

**Specialty: Watercolor, prints**

#### CLONINGER, SPIKE

33515 Brown's Landing Road  
Seminole, AL 36574  
(334) 946-3299  
(334) 478-0619 Home

**Specialty: Wooden Bowls**

#### COLBURN, WILLIAM F. JR.

c/o Iron Age Furnishing Gallery  
40 South Section Street  
Fairhope, AL 36532  
(334) 990-5351  
(334) 947-6125  
(334) 947-6125 (Home)

**Specialty: Decorative Iron Works**

**LOPER, DAWN AND TAYLOR, STACEY**

1750 Government Street, Apt. #3  
Mobile, AL 36604  
(334) 479-0371

**Specialty: Print Maker**

**DARK, STEVE DBA**

P.O. Box 4691  
Gulf Shores, AL 36547  
(334) 968-4982; (334) 948-3473

**Specialty: Pottery Central**

**ASHLEY KUPPERSMITH AND SHARI PRESTWOOD**

1455 McVay Drive. W.  
Mobile, AL 36605  
(334) 478-9438  
(334) 415-4277

**Specialty: Any craft item from Native American beadwork, Medieval costumes, Mardi Gras gown, or Halloween.**

**LAWSON, CHRIS**

18175 Scenic Highway 98, #9  
Point Clear, AL 36532  
(334) 928-4893

**Specialty: Collages**

**LEVERT, L. WINN**

14 Brown Street  
Fairhope, AL  
(334) 990-9048

**Specialty: Film/Production Instructor, film studies**

**MAGNOLIA RIDGE STUDIO**

Bob & Elizabeth Haskin, Owners  
10740 Elnina Drive  
Mobile, AL 36608  
(334) 639-9895

**Specialty:** Hand made stone ware and Silversmith/Sterling Silver jewelry. Utilitarian ware such as dinner ware casseroles and wine goblets. Sterling silver jewelry, Contemporary sterling silver with 14kt gold, precious stones and equestrian (horse design) line of jewelry.

**MARCHMAN, FRED**

103 Clearmont Street  
Mobile, AL 36606  
(334) 473-5237

**Specialty:** Visual Artist, painter, sculptor

**MUTCHNICK, FRANCES**

304 Fernhill Court  
Mobile, AL 36608  
(334) 342-2000

**NOLEN-SCHMIDT, MICHELE**

1835 Dauphin Street  
Mobile, AL 36606  
(334) 479-1122

**Specialty:** Commissioned portraiture, in oils, watercolors, pastels

**NOLEN-SCHMIDT, WILLIAM G.**

1835 Dauphin Street  
Mobile, AL 36606  
(334) 479-1122

**Specialty:** Oil, watercolors, etchings

**PAPP, MARIA**

6417 Sugar Creek Drive, South  
Mobile, AL 36695  
(334) 633-3763

**Specialty:** Sumi-e (oriental brush), Origami (art of paper folding)

**REED, DARLINE**

20 South Street  
Mobile, AL 36606  
(334) 476-3225

**Specialty: Painting**

**ROBERTS, MARILYN**

152 South Dearborn Street  
Mobile, AL 36602  
(334) 438-1112 (Work)  
(334) 438-4884 (Home)

**Specialty: Oil Painting**

**ROWAN, MARTHA ANN**

51 Oakland Avenue  
Mobile, AL 36608  
(334) 342-4191

**Specialty: Oil Painting**

**SABLE, BETSY**

Seven Azalea Court  
Fairhope, AL 36532  
(334) 928-8207

**Specialty: Jewelry**

**SEAWELL, KATE**

1905 Old Shell road  
Mobile, AL 36607  
(334) 476-8196

**Specialty: Portrait artist, landscape artist, all media**

**SHAW, JANE**

117 East Ridgelawn Drive  
Mobile, AL 36608  
(334) 944-0735

**Specialty: Painting, pastels, all media**

**SHAW, KEN**

2453 Taylor Avenue  
Mobile, AL 36606  
(334) 479-0592

**Specialty: Watercolor, all media**

**SHEFFIELD, JOE**

1217 Baylor Drive  
Mobile, AL 36618  
(334) 344-2296

**Specialty: Watercolor and prints**

**SMITH, VANCE**

601 Eslava Street  
Mobile, AL 36602

**Specialty: Sculpture & Painting**

**THEOLA BRIGHT PRODUCTIONS**

3488 Springhill Avenue  
Mobile, AL  
(334) 343-8138

**Features: Art, braids, entertainment, fashion and African Artificats. Artist-in residence, teaching the art of braiding**

**THOMPSON, LES**

304 East Byron Avenue  
Mobile, AL 36609  
(334) 479-9776

**Specialty: Etchings and oil painting**

**TOPOLINSKI, ANNE**

5604 Glass Drive  
Pensacola, FL 32505  
(850) 469-8912

**Specialty: Watercolor**

**WALKER, BETTY**

507 Monroe Street  
Mobile, AL 36602  
(334) 438-3941

**Specialty: Painting**

**WESTERBERG, ANITA**

3617 Scenic Drive  
Mobile, AL 36605  
(334) 473-8199

**Specialty: Oil painting, portraits**

**WHITE, JUELS**

P.O. Box 428  
Montrose, AL 36559  
(334) 928-3711

**Specialty: Acrylics on canvas, portraiture, landscape**

**Art Historian**

**DICKEY, JOYCE C.**

4 Corte Court  
Fairhope, AL 36532  
928-4301

**Specialty: Current art historian instructor at Springhill College, lecturer, show judge. Available for any groups needing historical information.**

**Art Services & Institutions**

**DEBBIE'S FRAMES & GALLERIES**

2423 Schillinger Road South  
Mobile, AL 36695  
(334) 639-7000  
(334) 639-7463

**THE EICHOLD-HEUTSTIS MEDICAL MUSEUM**

1504 Springhill Avenue  
Mobile, AL  
(334) 434-5055

**Specialty: Medical museum**

**THE ESTUARIUM @ DAUPHIN ISLAND SEA LAB (DISL)**

**LISA YOUNG, PUBLIC RELATIONS OFFICER**

101 Bienville Boulevard  
Post Office Box 369-370  
Dauphin Island, AL 36528  
(334) 861-7509  
(334) 861-7506  
e-mail: [lyoung@jaguar1.usouthal.edu](mailto:lyoung@jaguar1.usouthal.edu)

**Specialty: The Estuarium is an exciting educational facility highlighting the four key habitats of coastal Alabama: This facility is a showcase of the plants, animals, and other natural resources found in the estuary and its surrounding marine habitats.**

**GULF COAST EXPLOREUM MUSEUM OF SCIENCE AND IMAX DOME THEATER**

65 South Government Street  
Mobile, AL 36602  
(334)208-6873  
(334)208-6889  
[www.exploreum.com](http://www.exploreum.com)

**Specialty: An exceptional science attraction for children and adults. Interactive exhibits, IMAX films and hands on exhibits provide for an entertaining outing for the imagination.**

**CHRISTINE LINSON GALLERY**

203 Fairhope Avenue  
Fairhope, AL 36552  
(334) 990-3580

**Features: Award winning watercolors, painted furniture, unique accessories, art classes.**

### **MARY'S INKSPOT**

Mary Rodning  
4500 Cavalier Drive  
Semmes, AL 36575  
(334) 649-8586  
Email: maryink@suno.com

Features: Creative ink brush painting/sumie' origami (paper fold) English calligraphy

### **MOBILE BOTANICAL GARDENS**

Museum Drive  
P.O. Box 8382  
Mobile, AL 36608  
(334) 342-0555

Feature: 64 acres of native and exotic flowers united with communities of plants and nature trails. Call for further information.

### **MOBILE MUSEUM OF ART**

Main site  
4850 Museum Drive  
Mobile, AL 36608-1917  
(334) 343-2667  
Website: [www.MobileMuseumOfArt.com](http://www.MobileMuseumOfArt.com).

Downtown Branch  
300 Dauphin Street  
Mobile, AL 36602  
(334) 694-0533

Features: American Paintings from the 19th Century as well as the 1930's. A section for American crafts. The American Scene in the South, Revolution in Clay and the West in American Art are just a few. Please call for more information. Art classes for all ages.

### **NOLEN-SCHMIDT GALLERY & STUDIOS**

1835 Dauphin Street  
Mobile, AL 36606  
(334) 479-1122

Features: Specializing in commissioned portraiture, prints, original works by regional artists, custom framing and restoration. Morning/evening adult classes in watercolor and oil painting. Special summer programs for children ages 3 and up.

**THE PELICAN PALETTE**

1606 Bienville Blvd.  
Dauphin Island  
(334) 861-7271

Features: Water colors, oil paintings, pastels, portraits, jewelry, pottery

**Dance**

**FRED ASTAIRE DANCE STUDIO**

8157 Airport Blvd., Suite 307  
Mobile, AL 36608  
(334) 344-5296

Owners: Mike Powell, Debbie Simmons, Lukas Ewin

Specialty: Dance instructions for Eastcoast Swing, Westcoast Swing, Cha cha cha, Rumba, Merengue, Samba, Bolera, Hustle, Quickstep, Paso Doble, Viennese Waltz, Mambo and Salsa.

**MOBILE BALLET, INC.**

Mr. Winthrop Corey, Artistic Director  
4351 Downtowner Loop North  
Mobile, AL 36609-5501  
(334) 344-7454

**MOBILE SQUARE DANCE ASSOCIATION**

Nancy Pollara, Fest. Chairperson  
P.O. Box 91593  
Mobile, AL 36691

**PARAPLUIE DANCE COMPANY**

P.O. box 81742  
Mobile, AL 36689

Specialty: Contemporary Dance

**PRIMA DANCE THEATRE AND TAEKWONDA STUDIO**

Ms. Lynne Irby Brown  
5450 Ziegler Blvd.  
Mobile, AL 36608  
(334)460-0202

**Specialty:** Classical ballet, lyrical, tap, jazz, modern, drama and taekwonda.

**"STYLEE" SHARI PRESTWOOD AND ASHLEY KUPPERSMITH**

1455 McVay Drive W.  
Mobile, AL 36605  
478-9438

**Specialty:** All styles of dance performed and taught from folk to jazz.

**Dramatic Arts**

**COMEDIA DEL ARTE PERFORMERS AND INSTRUCTORS**

Shari Prestwood  
1455 McVay Dr. W.  
Mobile, AL 36605  
478-9438  
451-4277 Pager

**Specialty:** A troop of medieval style thespians who performs various styles of comedy. Acting lessons and workshops are available. Lectures, costume making, stage make-up and combat.

**JOE JEFFERSON PLAYERS**

11 South Carlen Street  
Post Office Box 66065  
Mobile, AL 36660  
471-1534

**Specialty:** Seasonal family theatre with live performances, both musical and non-musical.

**JUBILEE FISH THEATRE CO.**

USA-BC10 S. Summit St.  
Fairhope, AL  
(334) 990-9299

**MOBILE THEATRE GUILD**

14 North Lafayette St.  
Mobile, AL  
(334) 433-7513

**PIXIE PLAYERS/PLAYHOUSE IN THE PARK**

Danny Mollise, Director  
Langan Park  
Mobile, AL  
(334) 602-0630

**Specialty: Children's theatre live performances both musical and non-musicals.**

**THEATRE 98**

151 South Church Street  
Fairhope, AL  
(334) 928-4366

**UPPER ROOM DINNER THEATRE**

University of Mobile  
College Park Drive  
P.O. Box 13220  
Mobile, AL 36663-02201  
(334) 675-5990 Ext. 215

**Specialty: Wholesome entertainment for the entire family, reasonable ticket costs.  
Performance include musicals, dramas and comedies.**

**USA LAIDLAW PERFORMING ARTS CENTER**

University of South Alabama Campus  
(334) 460-6306

**USA SAENGER THEATRE**

65 Joachim Street  
Mobile, AL

## Music

### JACQUAR PRODUCTIONS

University of South Alabama  
108 Student Center  
Mobile, AL 36688  
(334) 460-7144

**Specialty: Different types of musicians during the year and the programs are open to the public.**

### MARGARET M. LYONS

Piano Studio  
Michigan Avenue  
Mobile, AL 3664  
(334) 433-7441

### MOBILE CHAMBER MUSIC SOCIETY

Mrs. Catherine Hayes, Vice Pres.  
26 Hannon Avenue  
Mobile, AL 36604  
(334) 675-5990 Office  
(334) 476-8794 Home

### MOBILE JAZZ FESTIVAL

Mr. Bob Spielmann  
555 Broadcast Drive  
Mobile, AL 36606  
(334) 479-5555

### MOBILE MUSIC TEACHER'S ASSOCIATION

Patricia Gragg, President  
5154 Pineview Lane  
Mobile, AL 36608

### MOBILE OPERA

P.O. Box 66633  
Mobile, AL 36660-1633

**MOBILE SYMPHONIC POPS BAND, INC.**

P.O. Box 91468  
Mobile, AL 36691-1468  
(334) 343-5233

**PUPPET MASTERS**

Hamilton, Clarence Jr.  
5855 Chalet Drive North  
Mobile, AL 36608  
(334) 343-9148

Specialty: Audiences of young and old alike. Clarence's Cluppets, versatile clown and puppet theatre, blends entertaining programming of colorful puppets, clown antics, audience participation.

## APPENDIX G: PPS Place Evaluation Game

### How to Look at a "Place"

Yogi Berra has said "you can see a lot just by observing!" Over the past 26 years, Project for Public Spaces, Inc. (PPS) has applied this idea to its work in making urban public spaces function more effectively for people. Basically, by spending time in an area, observing how people use it and asking the people who are there what they like or don't like, it is possible for just about anyone to experience first hand how a place functions. This knowledge then becomes an important tool in determining how specific places can be improved.

The experience of looking at these spaces need not be onerous, and can actually be fun as well as educational -- especially if structured in a way to involve teams of people in a creative way. In St. Louis, Missouri, for example, the transit agency used this approach in planning new light rail stations. By looking at existing stations as well as interviewing transit riders on the trains, community representatives and station planners found new insight into the positive and negative qualities of the existing stations which will aid them in their own planning efforts. They also found the experience entertaining!

This "Place Performance Evaluation Game" approach has worked equally well at conferences. At the Austin, Texas conference for PPS's Lila Wallace-Reader's Digest Urban Parks Institute program, for instance, approximately 100 attendees (including parks directors, foundation and community representatives, and others) participated. Divided into groups of 5 or 6, they observed people using the city's downtown areas like streets and street corners, parks and plazas, bus stops and the riverfront. This not only broke the ice for participants, but also allowed them to directly experience what was going on downtown and to develop their understanding of what works and what doesn't.

### WHAT IS PLACE PERFORMANCE EVALUATION?

Place Performance Evaluation (PPE), copyrighted by PPS, is a place-oriented approach to community improvement, rather than the project oriented one generally used by planners and other professionals. It requires the participants to use common sense and intuition along with structured observation and interview skills. This allows them to very quickly see the good and bad qualities of a place. It seems to ignite a creative process about how to make a place a "great" place. The evaluation can be done by anyone who is observant from a highly trained professional to a layperson. Equally dramatic results can be achieved by both groups.

Place Performance Evaluation can be done by a small planning team working individually, and it also makes an excellent workshop. By participating in this "game," participants not only can get to know each other better but also can gain insight on ways to look at neighborhoods and the areas within them more holistically and to see their potential as "places" in communities.

### **STRUCTURING THE PPE OBSERVATIONS**

If structured as a workshop, this one-day exercise should begin with a slide presentation of places in the community which people think have good qualities and bad qualities. After the slide show or video, small groups of 3-8 people spend the morning in an area of the city observing activities and informally interviewing people in the area.

During the visit, observation checklists, designed by PPS, are filled out, and one member of the group is designated to take Polaroid photos to communicate the group's findings. Each member of the group should interview actual users of the space to get their views as well.

### **REACHING CONSENSUS**

After the observations, the groups return for a discussion of what each group found. People describe their findings using the Polaroid photos or slides of the observation areas for reference.

Specific suggestions for improvement should be developed along with a plan of action appropriate to the location

## **Evaluating A Public Art Place**

### **Comfort & Image**

Attractive  
Feels safe  
Clean/well maintained  
Human scale  
Welcoming  
Comfortable places to sit

### **Access & Linkages**

Identifiable from a distance  
Walkable/Touchable  
Connected to adjacent areas  
Artwork supports the place  
Art relates to local community

Location \_\_\_\_\_

### Evaluate the Place

Comfort & Image			
Attractive	GOOD	FAIR	POOR
Feels Safe	GOOD	FAIR	POOR
Clean/well maintained	GOOD	FAIR	POOR
Comfortable places to sit	GOOD	FAIR	POOR
<b>Comfort &amp; Image average rating:</b>	GOOD	FAIR	POOR

Access & Linkages			
Identifiable from a distance	GOOD	FAIR	POOR
"Walkable"	GOOD	FAIR	POOR
Accessible by transit	GOOD	FAIR	POOR
Clear information/signage	GOOD	FAIR	POOR
<b>Access &amp; Linkages average rating:</b>	GOOD	FAIR	POOR

Uses & Activities			
Good mix of stores/services	GOOD	FAIR	POOR
Frequent community events/activities	GOOD	FAIR	POOR
Area is busy	GOOD	FAIR	POOR
Area is vital economically	GOOD	FAIR	POOR
<b>Uses &amp; Activities average rating:</b>	GOOD	FAIR	POOR

Sociability			
People in groups	GOOD	FAIR	POOR
Evidence of volunteerism	GOOD	FAIR	POOR
Sense of pride and ownership	GOOD	FAIR	POOR
Children and seniors are present	GOOD	FAIR	POOR
<b>Sociability average rating:</b>	GOOD	FAIR	POOR

**Overall rating:**                      **GOOD**                      **FAIR**                      **POOR**

### Identify Opportunities

1. What do you like best about this place?
2. List three things that you would do to improve this place that could be done right away and that wouldn't cost a lot:
  - 
  - 
  -
3. What three changes would you make in the long term that would have the biggest impact?
  - 
  - 
  -
4. Ask someone who is in the "place" what they like about it and what they would do to improve it. Their answer:
5. What local partnerships or local talent can you identify that could help implement some of your proposed improvements? Please be as specific as possible.

**Place Game**

### Uses & Activities

- Variety of things to do
- Appealing to different ages
- Fun
- Special and/or unique
- Has local character and uses

### Sociability

- Social interaction
- People in groups
- Interaction with artwork
- Sense of place

### Identify Opportunities

1. What do you like best about this public art "place"?
2. List three things that you would do to improve this place so that it contributes more to the public art experience, that could be done right away and that wouldn't cost a lot:
3. How could this work of art play a larger role in creating a place here?
4. What changes would you make in the long term that would have the biggest impact?
5. Ask a person in the place how he/she thinks the artwork contributes to this place.
6. What local partnerships or local talent can you identify that could help implement some of your proposed improvements? (e.g. artists, musicians, gardeners, etc.) Please be as specific as possible.

