



PAC



PUBLIC ART PLAN - CITY OF ITHACA - 2003



■The artist works pictured on the cover are, in order as they appear, left to right:

■**The Wandering Eye**

Caleb Belleueau  
Metal

■ **Arbor**

Phillip Donovan  
Mixed Wood, Copper

■**Radiator**

Albert Belleueau  
Cast Iron

■**Crested King Heron**

Doug Makemson  
Steel and Copper

■**Picasso's Dog**

Yolanda Daliz  
Mixed Media

■**Close the Language Door**

Teresa Moorehouse Howley  
Bronze

■**Yesterday**

Philippe Faraut  
White Marble

■**Roots, Thorns, Lemons**

Eva Capobianco and  
Howard Nathenson  
Mixed Media

■**Where House**

Jane Dennis  
Wood

For information about these artists, call (607) 277-8679.

■Cover Design by Leslie Carrere.

# ■Public Art Plan

■City of Ithaca

■Prepared by the Public Art Commission

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■November 2003

## OVERVIEW

The Public Art Commission (PAC) began work on a comprehensive public art plan in the fall of 2002, following adoption of ordinance # 2002-6 by the City of Ithaca's Common Council. Gathering input from key informants in the community representing visual arts, education, business, individual artists and civic groups, the commission drafted a long-term plan for public art. In addition, research into public art best practices was used to develop the processes and procedures recommended in this plan.

The commission's goal is that the plan for public art will serve several purposes:

- To **identify and recognize the city's past efforts** and call attention to the city's existing holdings.
- To establish a vision and serve as a guide to **lay the foundation** for a comprehensive program for public art in the city.
- To help **educate the public** about the value of public art in the community.
- To **identify critical issues, procedures, and best practices** that need to be agreed upon in order to establish a successful program.
- To **present ideas to formulate funding** mechanisms to support a public art program in the city.
- To **enhance economic development** in the city, helping to attract businesses, employees and tourists to the area.

Public art programs, combined with other cultural activities, have helped make communities interesting and attractive places to live and work. Ithaca's vital artist community and supportive business climate make a comprehensive public art program the logical next step in community enhancement. The Public Art Commission believes Ithaca and Tompkins County have both the artists and audiences to support a public art plan.

The City of Ithaca has already demonstrated appreciation for the place of public art in our community. Through projects like the Commons rails, the Centennial art collection, and area murals, the city has supported art as a part of the spectrum of community values. Building on existing programs like "Art in the Heart" and the Greater Ithaca Art Trail while identifying potential city public art sites and processes, the Public Art Commission hopes to contribute to the City of Ithaca's vision of a "model community: a great place to create, dream, live, learn, work and play."

The plan is presented with the understanding that not all facets of the proposed program can be put in place immediately. Full implementation will require a larger commitment to public art by the city over the long run. Some pieces of the plan can be implemented in the near future. However, the Public Art Commission hopes that full realization of this plan will occur as the resources become available to the city.

*"The arts are an integral part of a healthy culture and provide significant value to both the community and the artists. Public art offers an alternate context in which to contemplate art; outside of an institution and in our everyday lives. It can function as a daily reminder of the value and power of creative expression. As artists respond to the physical and psychological nature of our landscape, their work can connect us to the diversity and stories of our neighborhoods. The arts are a valuable resource in our community and need support and exchange. Such a program can encourage discourse, innovation and experimentation in the arts, energizing the spirit of both artists and audiences."*  
Carol Spence, Ithaca City School District Fine Arts Chair, High School

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## **BACKGROUND: A BRIEF HISTORY OF PUBLIC ART IN ITHACA**

The City of Ithaca has long been concerned with the visual appeal of its community. Through neighborhood initiatives, historic preservation efforts, as well as design and landscape requirements for new development, the city sets guidelines for spaces and buildings. Over the past fifteen years, the city has also strived to enhance the visual appeal of the community through the acquisition of art works and acceptance of donated works. Below is a brief description of the city's public art efforts to date and some key events that form the backdrop to this plan.

In 1988, the city celebrated its centennial with many activities and programs. Under the Centennial Commission (the nonprofit group that organized the festivities), an Arts and Culture Committee was established made up of city residents and chaired by Tom Niederkorn. This committee had a budget of approximately \$30,000 that was used to sponsor a series of arts events and to purchase a collection of art for the city. The collection was curated by Jean Deming, former Commons Coordinator, and a committee that included Sally Grubb, Jill Hartz, Thomas Leavitt and Carleen Skawski. Over a dozen pieces were acquired which are displayed in corridors and offices of City Hall, although the intent had been to display them in public buildings throughout the city.

In 1992, a seven-member Advisory Commission on Art and Design for Public Spaces was established to replace and take over the responsibilities of the Centennial Commission and to add to the existing collection of art for public places owned by the city.

August 1993 marked the completion of a brick and trolley rail sculpture by artist Gail Scott White on The Commons near the center pavilion. This project commemorated Ithaca's old trolley car system and included the names of 30 local geographic features. In 1994, Art Under Foot – a series of historic markers in The Commons pavement – were laid under the guidance of Jon Meigs with artwork contributed by Bill Benson. An explanatory plaque was placed on the electrical box in Bank Alley.

In 1999, the city worked with the Sciencenter to establish the Sagan Planet Walk, dedicated to astronomer Carl Sagan. This series of concrete planet station markers is a scale model of the solar system. The markers, reminiscent of Standing Stones, were designed by Erin Caruth and the plaques on the markers were designed by members of the Sciencenter. Local businesses and community members sponsored the planet stations, which stretch from the center of The Commons north to the Sciencenter.

Also, in 1999, the Common Council revised the 1992 ordinance that had established the Advisory Commission on Art and Design for Public Spaces. The major change to the ordinance was the addition to the group's duties to establish a plan and mechanisms for implementation of a public art program to enrich the visual environment of public, private, and semi-private spaces within the city. The focus was shifted to the goal of developing a plan for public art in order to promote a broader and more comprehensive approach to the city's endeavor, to encourage more outdoor art, and to address public art funding issues. The group's name changed to the Public Art and Design Commission.

In the early nineties, the city had finally reached resolution on reconstructing the "Octopus," a confluence of roads that converged near the Cayuga Inlet and the West End of Ithaca. In 1995, as a part of this construction involving reconfigured bridges, a design contest was held to add artwork to the bridge abutments. All Tompkins County residents were invited to take part in the "Invitation to Design" contest. Artist designs for two bridges were received and reviewed by the Bridge Oversight Committee. The committee make-up included one artist, Bill Benson; three architects, John Schroeder, Mario Schack, and Kent Hubbell; two engineers,

Background continued

Bill Gray and Diana Miller (NYSDOT); and one planner, Jon Meigs. Fifty-four entries were received. Finalists' designs were displayed for the community to view, and finalists were given a \$300 honorarium. Criteria for the selection included: artistic merit, aesthetic integrity of the bridge as a whole, success in fostering site specific "sense of place," and adherence to stated practical construction. Artist John Snyder won the competition for the Route 96 bridge with his entry of four aluminum sculptural pieces designed to reflect "sentries" marking entry and departure from the bridge, and Tim Merrick won the competition for the Route 89 bridge with his entry of masonry (Llenroc) towers with ceramic murals depicting the images of local beauty. After the installation of the art works in 1999, controversy surrounded the Route 96 bridge sculptures. A resolution to relocate them was approved by Common Council in 2000. After Snyder filed a lawsuit against the city, the matter was resolved when Common Council voted to repeal the resolution.

In 2000, the Ithaca Downtown Partnership began the Art in the Heart Program, a predominantly outdoor exhibit of art, supported by the city and private sponsors. Approximately 30 pieces of sculpture, ranging from representational figures to abstract forms, cast in stone, steel, bronze and wood, were located in high traffic pedestrian areas of downtown.

In 2001 and 2002, two works were donated to and accepted by the city. Corrine, Danielle and Ethan Stern and friends donated an Ethan Stern piece, "Merge," in memory of Robert Stern. Led by Andrew Sciarabba, Sciarabba Walker and Co. LLP, donated a Christi L. Harrington piece, "Song of Innocence." Both pieces are located in planters on The Commons.

In 2002, Roberto Bertoia's Cornell University sculpture class worked with the city on designs for the Neptune bridge, located near the Sciencenter and Neptune Park. These pieces were designed and installed by the class. Shortly afterward, the pieces were compromised because of materials and installation issues. New symbols were designed, fabricated and installed.

In 2002, the Common Council revised the 1999 ordinance to clarify the role of the Public Art and Design Commission, and to establish policies and guidelines regarding acquisitions, donations, and temporary artwork. The title of the commission was changed to the Public Art Commission, reflecting the group's focus on public art.

In 2002, NYSEG donated a Cherry Rahn piece called "Businessman in Touch with Nature," an enlarged recasting of a piece from the Art In the Heart Program which had been displayed in the Tompkins County Public Library. Rahn's piece was installed on The Commons in the spring of 2003. A listing of artwork owned by the city is included in Appendix B.

There have been other program collaborations and temporary art installations as a result of the city's collaboration with Cornell classes, individual artists and other groups, such as the Ithaca Festival. Many student mural projects appear on city buildings such as GIAC and the Ithaca Youth Bureau, as well as in the Home Dairy alley on The Commons.

It should also be noted that other private businesses and not-for-profit groups in the city have taken an active role in promoting public art and have installed some art pieces over the years. Most notable are the large Cayuga Lake landscape mural by David Finn on the north wall of the now-demolished Strand Theater, murals currently on the Domino's Pizza west wall and the Scoop Ice Cream Shop building on Taughannock Boulevard, and a metal sculpture in front of the Drop-In Children's Center on First Street. In 2002, Handwork purchased Teresa Howley's work that was displayed on the exterior of their building on Cayuga and State Street as part of the Art in the Heart exhibit. The piece remains in the same location today.

## Background continued

Paintings are also consistently displayed in the interior of private buildings throughout the city – for example, in lobbies of financial institutions and in numerous restaurants. Other not-for-profit venues for public art in the city include the Tompkins County Human Services Building and the Tompkins County Public Library, which regularly hosts shows displaying the work of local artists.

While most of these projects have been enthusiastically accepted by the community and successful in establishing public art, there have been instances when some installations have been marked by controversy and in a few instances, vandalism. Along with other stated goals, the intent of this plan is to provide processes and procedures for acquiring art that will help minimize these conditions.

*City of Ithaca Economic Development Plan 2003 excerpt .....*

*“The City of Ithaca recognizes the important role that public art can play in the quality of the built environment and its relationship to the economic vitality of the city. As such, public art should be incorporated into development projects in the city. The addition of a variety of art in public spaces will enrich the everyday experiences of residents and visitors, create a sense of place, and contribute to the visual vitality of the city’s public environment. Studies have shown that public art can promote enhanced tourism and be important components in economic development, contributing to a region’s livability and quality of life – factors in attracting and retaining businesses and employees.”*

## **PUBLIC ART VALUES, VISION AND GOALS**

Art and cultural events are largely recognized as an essential part of a community's vitality and health. Even so, public art in the United States has been accompanied by controversy and conflict since its beginnings. The gift of the Statue of Liberty was met with opposition. In the 1970s, Richard Serra's *Tilted Arc* in New York City was the subject of hearings to review the commission of this work and these discussions eventually led to removal of the artwork. The nature of "public" and the individualistic, subjective process of an artist creating an original work of art have sometimes led to conflict. However, even with the potential for disagreement, communities have recognized the value of engaging in public art activities.

Why engage in public art and cultural activities when there is potential for disagreement or at a time when public resources are stretched? The Public Art Commission addressed these questions and many other questions raised by individuals in the community. "Why are you doing this when we are eliminating jobs?" "Why does the city have to be a leader in this instead of a facilitator?" "How do you choose art that everyone likes?" "How do you prevent the "bridge" from happening again?" The Public Art Commission seriously considered these and other questions.

The Public Art Commission believes that the aesthetics of a community count, even in tough times, and that art as part of our surroundings is a right, not a frill. Aesthetic considerations and art should, therefore, be incorporated as part of basic city planning.

A secondary benefit of embracing art as a basic city value is economic enhancement and livability. Public art can be part of an overall strategy to improve our community. A cultural focus is an important city value for the public good. Attention to this value signals a community's health and forward thinking.

The commission can't guarantee that public art will not be without future difficulties or controversy. Art, by its nature, is very subjective. However, the commission offers this plan and its described processes and criteria to provide for community access and participation in the public art process and to highlight information about goals. Community input and public relations and information have been proven factors contributing to the success of public art projects.

The commission, spurred on by Common Council member Susan Blumenthal's vision, enthusiasm and energy for public art, embarked on this planning process with the view that to not do so would be a missed opportunity. Ithaca and its surrounding area are rich with artists, interested audiences and art experts. Ithaca already has the necessary foundation for a successful public art program.

According to the Community Arts Partnership's (CAP) recently completed Community Cultural Assessment (July 2003), the arts and the arts community contribute to the quality of life in our region. This fact was widely recognized by the public and private sectors. In terms of cultural tourism, there is "an excellent opportunity to make the downtown visit a distinctive one by 'intercepting' visitors with public art as well as art and craft shops." The Tompkins County Quality of Life 2000 booklet confirms the vital role of the arts in our county's livability. The number of arts events and arts in education activities numbers in the several thousands in a given year according to the county booklet. Residents demonstrate their value of the arts through their participation.

The Public Art Commission values and envisions use of the city as a gallery. Our "gallery" would present a diverse array of permanent and temporary art. Members of the community would have their favorite art pieces in our gallery but not everyone would like every piece. However, the focus on our community's visual environment and promoting dialogue about it would contribute to city life and people's use and enjoyment of public spaces.

## PUBLIC ART PLAN CREATION

From November 2002 to June 2003, the Public Art Commission worked toward the creation of this plan. Commission members, working with consultant Martha Frommelt, looked at other public art plans, reviewed literature on public art and connected with other arts agencies concerned with public art issues. Working from Ithaca's public art ordinances, the commission fleshed out the specifics of this plan in monthly meetings.

Community members were consulted at various points in the process. In October 2002, commission members participated in the Ithaca Downtown Partnership's public art forum where the role of public art in a community was discussed. In December, the Public Art Commission sponsored an artist meeting to gather input on the plan. In March community groups were contacted for input on specific sites for public art and program ideas. In May a second artist meeting was held to review parts of the draft plan. Also, in July, following an initial presentation to the Planning and Economic Development Committee, a public meeting about the plan was held at the State of the Art gallery. Meetings with individuals also occurred (Frank Robinson, Johnson Museum; John Snyder, bridge sculptor; Jeff deCastro, public artist; Jean McPheeters, Chamber of Commerce; Gary Ferguson and Chamber of Commerce City Affairs Committee, Ithaca Downtown Partnership board presentation, and developers meetings).

Terry Plater, Commission Chair and Susan Blumenthal, Common Council liaison, attended many extra meetings to gather input. Richard Driscoll, Community Arts Partnership (CAP) liaison, hosted meeting space and connected the commission to over 600 artists through the CAP listserv. Gary Ferguson, Ithaca Downtown Partnership liaison, included the commission in IDP's public art forum. JoAnn Cornish, city staff liaison, and Susan Blumenthal assisted the commission and consultant with historical information and current planning issues. All commission members - Leslie Carrere, Barbara Mink, Alan Nemcek, Sally Grubb with Terry Plater - undertook the extra tasks of following through on "homework" in between meetings.

A large number of key informant groups representing cultural, neighborhood, and not-for-profit organizations were sent letters and asked to reply to these questions:

In your area (or from your organization's vantage point), what three public spaces could be improved visually? Please list in priority order.

What are the best ways to make these improvements? In what ways would art improve the city as a place to live and work?

How would your group like to work with us in crafting a city public art program and plan?

What are ways in which your organization would like to interact with a city public art program and plan?

A list of the groups contacted is contained in the appendix.

All the research, input and outreach led to the creation of this plan, which is intended to be a foundation for guiding public art activity in the City of Ithaca.

*"Art should be used to humanize overly architectural spaces, to soften edges, to bridge between people and the overwhelming scale of buildings. Art should address the specific site whenever possible – incorporating visual cues, historical context and social aspects of the space. Art should make people think, not just serve as visual embellishment. It should do so in a way that is visually pleasing, which, although quite subjective, can be defined by the incorporation of basic visual harmonies ... . The art should inform, but not antagonize the general populace. The work should create dialogue and possibly debate but be open to interpretation so that viewpoints other than that solely of the artist can be expressed."*

Rob Licht, sculptor

## **PLAN SUMMARY**

This plan will serve as a blueprint for discussion and implementation of the city's acquisition, installation and maintenance of art in public spaces. In addition, the plan calls for community involvement in the public art process and dialogue about the city's existing public art collection.

### **Mission**

The plan's mission is to enrich the everyday experience of residents and visitors by engaging them in art acquisitions, art donations and loaned art displayed in the city's public places. The primary focus is on outdoor art. The plan also suggests ways to support inclusion of art and artist ideas in private development projects.

### **Criteria**

Overall criteria for choosing works of art include:

- artistic merit and quality
- safety and durability
- unrestricted public viewing
- installation and maintenance of work
- representation of a variety of styles and tastes in the collection.

In addition to the general criteria, more specific criteria and processes provide a somewhat different focus for each program element.

### **Plan Program Elements**

#### **Acquisition Program**

This program focuses on revealing and creating a sense of place by enhancing city-owned sites with art works. A percent for art ordinance and other sources are discussed as future mechanisms to fund this program. Grants and donations would also be used to fund acquisitions.

#### **Donations Program**

This program focuses on enhancing and expanding our community identity through placement of donated art works in city-owned spaces or other public settings. This program will be funded through donations, grants and partnerships.

#### **Loaned Art Program**

This program focuses on representing a broad variety of tastes within the community and engaging the public in a dialogue about the art with the artists and each other. This dialogue will take place through programming and public information about the loaned art that is temporarily displayed. This program will be funded through ongoing partnerships with such groups as Ithaca Downtown Partnership.

#### **Long-term goal**

The long-term goal is to have the public art plan managed by a designated city staff person working with the Public Art Commission, in partnership with contracted agencies and community stakeholder groups, all overseen by the Common Council.

The Public Art Commission recognizes the potential economic and social benefits of the City of Ithaca's Public Art Plan. Through improving the city's visual appeal, promoting celebration of the arts and civic pride, the Public Art Program will contribute to a sense of community vitality. Part of the long-term vision is that this kind of program could eventually be established as a county-wide effort.

## **PROGRAM ELEMENTS**

The following sections explain the criteria and procedures recommended for the three program elements of the public art ordinance: acquisitions, donations and loans. The Public Art Commission recommends use of the criteria and procedures described in each section to implement public art activity.

### **ACQUISITION PROGRAM**

### **DONATIONS PROGRAM**

### **ON-LOAN PROGRAM**

# ACQUISITION PROGRAM

## PURPOSE

The Acquisition Program presents exciting opportunities to highlight key areas of the city with outstanding outdoor art commissions or acquisitions. A major feature of an acquisition program is that it has the potential to involve the community in providing input into the design process. Also, a site usage study, including an analysis of established patterns of use, would be integral to planning. Focus on community input and site enhancement would help fulfill the program purpose to reveal and create a sense of place. With attention to the site and its place in the community, art will serve the role of making public spaces interesting and successful.

## PROCESS

**Selection Criteria:** In addition to the overall program criteria, the acquisition program would consider these additional, specific points in art selection. The overall and specific criteria are listed in priority order or order of importance.

Overall -

1. Artistic merit and quality of work
2. Safety and durability of work
3. Unrestricted public viewing of work
4. Administration of work (shipping, installation, maintenance)
5. Balanced inventory in the permanent collection

Specific -

6. Artist's demonstrated ability to respond to the project site and context
7. How work fits into the natural or built environment of the site
8. Compatibility with established patterns of use of the site
9. Established objectives of the acquisition program
10. Use of community input in design

## Selection Steps

The steps are based on established practices used by public art programs across the country and are described later in this plan. The steps focus attention on three important phases of an acquisition: selecting the site, the artist and the design. An initial list of sites for public art is contained later in this plan. An advisory panel would be used to assist in the artist and design selection phase. Opportunities for public comment would be provided. An appeals process would provide for final feedback before an acquisition is installed. After installation of an artwork, public information would be provided and community dialogue encouraged.

## Funding

Potentially, the Acquisitions Program would focus on large to small commissions of artwork. A variety of funding methods could be used. However, government public art programs have often used "percent for art" funding to conduct these commissions where a percentage of capital improvement costs is used to incorporate public art into the city landscape. This funding method enables cities to conduct the appropriate community input gathering and site study procedures that contribute to public art success.

If percent funding is not used, the City of Ithaca could seek grants, though this option usually allows less flexibility and creative control because the use of grants is often tied to specific grant-giver goals. Depending on the acquisition/commission project, the city could seek a grant source with a matching goal. For example, transportation funding has been used to support art incorporated into bus stops and train stations. Urban development funds have supported artwork in revitalization efforts.

## Acquisition Program continued

Also, individual donations have supported art purchases and cultural programming. As was the case with the Centennial Commission, donations supported many cultural and other activities, including the purchase of a city art collection. However, these donations were accepted through the Centennial Commission, a separate 501c3 organization set up for the singular purpose of celebrating Ithaca's Centennial. This kind of significant giving would probably work best tied to a specific purpose (like the Centennial) or a specific site (like the current waterfront trail project).

Another option for funding art is to include a budget line in the general operating budget. This approach is one proposed by the City of Huntington, NY. Some cities also use a per capita mechanism to fund a budget line for public art. However, establishing such a budget line and maintaining it during tight budget times is difficult.

A local option for funding worth exploring is the room tax mechanism. This option might provide an ongoing revenue stream that could be pooled with other revenue sources to build sufficient funds for an acquisition or commission.

Any of these funding methods could be directed to a pool for public art. Gathering resources into a fund for public art enables Ithaca to address prioritized sites and have time to plan and gather community input.

Overall, a percent for art funding mechanism, a general operating budget line, or a pooled fund for public art allows for more planning and community collaboration. More information on funding methods is contained later in the appendix of this report.

*"Public art should contribute to city life and people's use and enjoyment of public places. Public art is most effective when it is incorporated, as a design strategy, into the planning of public spaces from the outset and acts as a catalyst for generating activity."*

Project for Public Spaces [www.pps.org](http://www.pps.org)

*"In the past, public art often referred to site-dominant sculpture -- that is sculpture conceived primarily as an object and made out of context and placed or adjusted to fit into a setting. In recent years, site-specific works have emerged which are often contextual responses to a site -- using physical features, history and symbolism to inform their conceptualization, form and experience."*

Gail Scott White, artist, December 1992

# DONATIONS PROGRAM

## **Purpose**

The Donations Program would enhance our community identity by celebrating the donors and artists who contribute to the visual vitality of our public environment through donating works of art.

## **Process**

Donations of artwork will be considered based on the selection criteria below. While the Public Art Commission welcomes and values donors' interest in public art, it may be that not all donations can be accepted.

**Selection Criteria:** In addition to the overall program criteria, the donations program would consider these additional points in art selection. The overall and specific criteria are listed in priority order or order of importance.

Overall -

1. Artistic merit and quality of work
2. Safety and durability of work
3. Unrestricted public viewing of work
4. Administration of work (shipping, installation, maintenance)
5. Balanced inventory in the permanent collection

Specific -

6. Physical condition of work
5. History and provenance of work
6. Suitable location for work
9. Compatibility with the city's donations program objectives and education plan
10. Contribution to existing public art collection.

## **Selection Steps:**

The selection steps are based on practices used by public art programs across the country and are described later in the plan. The steps focus a review of the artwork for donation, suitable sites for the artwork, required maintenance and sharing information with the public about the donation.

## **Funding:**

Funding is dependent on donors, partnerships, individual solicitations and grant writing. A maintenance fund or endowment could be created from percent for art funds or some other funding mechanism.

## ON-LOAN PROGRAM

### **Purpose**

This on-loan program enables the city to engage in creative partnerships that foster public dialogue about art and artists.

### **Process**

**Selection Criteria:** In addition to the overall program criteria, the on-loan program would consider these additional points in setting up partnerships. Overall and specific selection criteria are listed in priority order or order of importance.

#### Overall -

1. Artistic merit and quality of work
2. Safety and durability of work
3. Unrestricted public viewing of work
4. Administration of work (shipping, installation, maintenance)
5. Balanced inventory in the permanent collection

#### Specific -

6. Public information and programming opportunities

**Selection Steps:** The selection process for the on-loan program would include the following steps.

1. Current year program objectives are identified by the PAC.
2. Appropriate partners for objectives are identified by the PAC.
3. City staff, PAC and partner group create timeline, budget and assign tasks.
4. Program implementation begins.
5. Post program evaluation conducted with partner group.

### **Funding:**

Various grants, in-kind donations, and donations would fund programming. See appendix for resource suggestions.

# ADMINISTRATION OF THE PUBLIC ART PLAN

## Purpose

This section contains a broad blueprint for management of overall program policy as well as implementation details. The city would implement its Public Art Plan through the combined efforts of volunteer Public Art Commission members, review panelists, paid city staff and artists, contracted agencies or consultants, and in-kind donations of partner agency staff time.

Until 1997, the Commons Coordinator position also included coordinating the city's arts and culture activities, providing staff support and leadership for the arts and collaboration with area arts organizations. Upon formation of the Ithaca Downtown Partnership and the coordinator's retirement, some of this office's downtown duties were transferred to the IDP and formal city staffing for the arts was lost.

To fully implement the plan, committed staff time is essential over the long run. Small projects and larger ones will require similar attention to implementation details. A city staff liaison to the Public Art Commission or a contracted consultant/agency would be needed to oversee acquisition selection steps as well as manage maintenance and public information pieces of this plan.

## PUBLIC ART COMMISSION (PAC)

The PAC advises the Common Council in exercising its authority to make decisions concerning the selection, acquisition and display of public art. The PAC's **duties** include the following:

From the ordinance:

- \* creation of a public art plan for approval by the Common Council
- \* advise the Common Council about the selection and siting of acquisitions and donations
- \* review and advise Common Council on proposals for the exhibition and display of public art in city spaces, building, facilities and infrastructure
- \* review development proposals for decorative elements in city's public spaces
- \* maintain the Centennial Art Commission collection
- \* submit annual report to Common Council and Board of Public Works
- \* report regularly to Mayor
- \* submit minutes and membership information in accordance with city guidelines

Proposed additional duty:

- \* plan annual information/education presentation regarding the city's public art collection

**Membership** - The Commission consists of seven voting members, five of whom are city residents. At least four members shall be professionals in the field of design, visual arts, architecture or landscape architecture. Terms are for three years. Membership shall strive to represent a diverse cross section of the visual arts field and the general community.

Commission members do not receive compensation for their services as members, but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within any available appropriations.

Nonvoting members of the commission shall include a liaison from the Common Council, a member of the Department of Planning and Development, a member of the Department of Public Works, and the Directors of the Community Arts Partnership and the Ithaca Downtown Partnership. The city staff liaison serves as staff for the commission and as a nonvoting member. Citizens interested in becoming a commission member may submit a letter of interest to the PAC or the Mayor.

Administration continued

**Meetings** - A quorum for transaction of business consists of four voting members. Meetings shall be held at least every other month. Special meetings may be called by the chair and city staff liaison to consider acquisition, donation, loan or site selection questions. Meetings are open to the public.

**Conflict of Interest** - PAC members will be notified of the city's conflict of interest policy prior to each deliberation of an acquisition, donation and loan. PAC members will then declare conflicts in writing. Any conflicts or appearance of conflicts would require a PAC member to recuse themselves from the deliberations.

Grounds for conflict include: direct, personal familial relationship to/with artist, art work or site; commission member stands to benefit financially from art, art work or site placement; commission member's family member (spouse, domestic partner and dependent child) stand to gain or benefit from a particular project; or commission members feel there would be appearance of personal or financial benefit to them by participation in the deliberations. Conflict of interest guidelines would apply to all panels and committees involved in deliberations for sites, artist selection and artwork selection.

## **OTHER PUBLIC ART PARTNERS**

### **Contracted Agency**

To conduct acquisitions, additional staffing may be needed to manage the selection, design and installation process. Consultation on maintenance and preservation may be needed. Programming assistance with community and education outreach may also be needed to fulfill art plan goals. In these circumstances, the city would contract with a qualified agency or consultant to carry out work.

### **Acquisitions and Donation Advisory Panel**

This is a panel of experts gathered to review artists and artist works or designs for acquisition or donations. Panelists would base decisions on technical, financial and aesthetic criteria established by the PAC. In addition, written conflict of interest forms would be on file for each panelist. Each panel member would have one vote. If consensus could not be reached by the panel, then a majority vote would carry the decision. The panel would have the option of making no recommendation if there was no design judged to be of sufficient merit.

### **Partnership Agencies**

These are agencies that collaborate with the city and the PAC on public art goals by managing programs through contracts or in-kind contributions. Program partnerships will be reviewed annually with the PAC and partner organization. Examples of partner agencies include non-profit organizations such as the Community Arts Partnership, Ithaca Downtown Partnership, and the Community School of Music and Art and others. Potential partnership agency information is included in the appendices.

## **DELINEATION OF RESPONSIBILITIES WITHIN CITY DEPARTMENTS**

The public art plan, objectives, sites, overall budgets and project budgets will be undertaken and implemented by the Public Art Commission and city staff in partnership with city departments and the community. Some expertise, feedback, and staff assistance from other city departments will be needed to successfully implement public art acquisitions, donations and loan programs.

### **Common Council –**

Final approval of acquisitions, commissions, donations.

Reviews the PAC annual report.

Approves the PAC membership appointments made by the mayor.

### **Mayor -**

The PAC shall recommend to the Mayor, for his/her appointment, a Chair and Vice Chair.

Brings nominations for PAC membership to Common Council.

### **Board of Public Works –**

Receives the PAC annual report.

**City Staff Liaison** to the PAC – (This is a percentage of a Planning Department position, an independent position or a contracted agency.) Manages overall public art plan and staffs the PAC. Coordinates “citizen artist” program as described in maintenance section of this plan. Acts as liaison to site architects, builders, etc.

### **City Department –**

Engineers, planners, neighborhood, public works, etc – These staff members assist in various stages of site review, artwork selection and design for checking on issues of maintenance, location, safety and durability.

### **City Attorney -**

Prepares and reviews all public art contracts.

### **City Department Partners –**

Department of Public Works maintains area around art works with guidance from city staff liaison, participates in annual joint meeting with the PAC to review goals.

### **Planning Department –**

Informs and alerts the PAC to upcoming projects, neighborhood issues/needs.

### **Information and Technology –**

Adds artworks to web site.

### **Controller -**

Manages funding, oversees percent for art funds.

### **Advisory Groups –**

The PAC communicates with these groups as needed regarding the public art plan. Commons Advisory Board, Parks Commission, Shade Tree Advisory Committee, Strategic Tourism Planning Board, Chamber of Commerce, Ithaca Downtown Partnership, Ithaca Urban Renewal Agency, Community Arts Partnership, Historic Ithaca, Cornell University, Ithaca College, Galleries and others.

## **PROPOSED COLLABORATION WITH CITY DEPARTMENTS**

In addition to the collaboration by city departments listed previously, further input is proposed. The following steps are recommended.

- The PAC reviews the list of the city's capital projects for the year and develops lists of capital improvement projects most appropriate for public art inclusion. The PAC will consider high public visibility, accessibility and appropriateness of sites, as well as financial resources to implement the public art projects.
- The PAC reviews plan objectives with the Mayor and Common Council. Acquisitions, etc. follow.

## **PUBLIC MEETINGS**

The Public Art Commission will hold periodic public meetings in order to gather input on public art goals, to inform the community about public art and activities, and get input on acquisitions, donations and loaned art.

All meetings of the Public Art Commission are open to the public.

## **PROGRAM EVALUATION GOALS**

**Annual Review:** As part of the annual report, the city staff liaison and the PAC will evaluate program activities and objectives, including maintenance issues.

**Periodic Review:** Every three years, the PAC will review and update plan objectives.

**Annual Report:** The PAC will submit an annual report to the Mayor, Common Council and the Board of Public Works, including a description of the year's objectives and outcomes, voting action, membership, and any conflicts of interest and appeals.

## **PARTNERSHIPS**

The Public Art Commission wishes to foster partnerships to achieve its public art goals and the community-oriented public art goals of other agencies. The commission may on occasion work with other groups on a specified project. To ensure a productive partnership, the following guidelines will be considered.

- Program and budget responsibilities for each group will be defined in writing before the start of a project or program.
- Program timeline for each group will be agreed upon before the start of the program.
- At the conclusion, partners will conduct an evaluation based on program objectives.

## **OTHER DESIGN SERVICES - ARTIST COLLABORATIONS**

Beyond acquisitions, donations and loans, the Public Art Commission seeks to involve artists in a variety of ways to enhance our community's visual environment. Artists could be involved in design teams for planning buildings and other sites in our community. Engaging building designs will make our community an interesting one. The Public Art Commission also encourages private developers to incorporate public art into their development plans. The PAC can assist developers and others through access to its review and selection procedures, connection to the Community Arts Partnership slide registry and other avenues of assistance.

**Site-specific artwork** - Artists may be selected to design artwork for private development projects.

**Individual works** - Artists may be commissioned to create works of art, or existing works of art may be purchased for private development projects.

## EDUCATION/PUBLIC INFORMATION PROGRAM

### Purpose

The Public Art Commission recognizes the importance of community outreach and public information to the success of public art. Art sometimes challenges the public. Therefore, a context for public art should be part of the effort to build understanding and appreciation. The commission should focus on outreach, or community involvement in the acquisition selection process, and on community access to regular information such as through the city's web site.

The Public Art Commission should conduct **education and outreach** to inform the public about new artworks, existing works, public art plans and processes. This could include at minimum an annual press conference or forum highlighting the city's collection and goals or an annual Common Council presentation, or a printed brochure explaining the program.

With each new acquisition, the PAC should seek an **artist's statement** about the work to share with the public. Information about each artwork is an important part of building public understanding and contributing to a public dialogue. Public dialogue will lead to community connections and understanding.

The city's **web site** can be a useful tool in public information as well as connecting to cultural tourism efforts. A gallery of images of the city public art collection with location information could be included at the city's web site with links to [ithacaevents.com](http://ithacaevents.com) and other tourism web sites.

For historical purposes and community access to the full collection's history, each acquisition and donation should be added to a **city directory** including the title of work, artist statement, written description (medium, date created, dimensions, etc.), artist resume and cost.

The PAC should explore educational **partnerships** to further goals of the public art plan, for example, connection to the Strategic Tourism Planning Board, Greater Ithaca Art Trail, shared artist and lecture programming with educational institutions, and outreach to schools.

In addition, **educational opportunities** for staff, Common Council, and/or the PAC should be considered in order to understand trends in the public art field and to connect to technical assistance organizations and information (for example, subscription to *Public Art Review*, attend related conferences).

Finally, public information is an important aspect in reducing vandalism. Ithaca Downtown Partnership's experience with Art in the Heart is that the first two weeks of a new program are the most vulnerable time. Through education and appropriate placement of the artwork, vandalism can be minimized.

*"Ideally, a public art education program begins with representation of the public educating the selection committee about this community, and participating in the design concept in ways that are appropriate to the specific project. But the sponsoring organization has a responsibility to continue to inform the public. .... The artist may "explain" and discuss his or her work with building inhabitants, community groups, politicians, and the press. The finished work may be amplified by information about the artist, a statement of artistic intent, critical comments, and pertinent technical information....."*

*"place of art education.....dual function... to ensure that the commissioned art is informed by the community input and to provide access to a general audience, mitigating the distinction that separate the public from those who know and those who do not." The Tilted Arc Controversy by Harriet Senie p.87, 88, U of MN Press 2001*

## **MAINTAINING THE COLLECTION**

Maintenance of public artwork is essential to the success of the city's program. Therefore, maintenance policies and procedures need to be in place at the outset. The city's current policy regarding maintenance is that insurance for all art works to cover damages, vandalism, theft and fire is covered by the city's insurance policy. Damage from natural disasters and normal "wear and tear" are excluded from coverage by the city. Therefore, repairs and maintenance for normal "wear and tear" of artworks acquired by the city and put on public display shall be provided by the city at its discretion. The city has stated it will make a good faith effort to maintain artworks, pedestals and plaques in good condition. It is recommended that the city contract periodically with an art conservationist to review the collection and assess maintenance needs, and recommend a maintenance plan.

When a work is installed, the artist should provide the city with detailed drawings of the installation of the artwork and with detailed instructions regarding routine and any required extraordinary maintenance of the artwork. The artist should also be asked to guarantee and maintain the artwork against all defects of material and workmanship for a period of not less than one year following installation.

It is recommended that regular maintenance around the artwork be conducted by the Department of Public Works (snow removal, leaf removal). City staff liaison should communicate any special needs to the DPW.

Like the city's "citizen pruner" program, the city could set up a "citizen artist" program under the auspices of the city staff liaison. As part of this program, city residents may "adopt" selected works and provide additional basic maintenance and oversight (eg. alerting city staff to problems, garbage removal, clean up from elements, etc.).

The Public Art Commission should work with the city staff liaison to request an annual maintenance needs assessment. The PAC will recommend maintenance standards and should make suggestions for when works should be de-accessioned. Records of inspections and maintenance should be kept on file. The public art ordinance does not require artist agreement for repairs. However, the Public Art Commission recommends that any repairs and restorations made to the artwork within the lifetime of the artist should have mutual agreement of the city and artist, and to the extent practical, the artist should be given the opportunity to do the repairs at a reasonable fee. Emergency repairs required to ensure public safety would be exempt.

### **De-accession**

De-accessioning an artwork should be an action seldom used and should not be used due to fluctuations of taste. After due consideration, the PAC may recommend and the Common Council may authorize de-accession/removal of a work. Artists should be notified of the de-accession criteria at the time of the contract and should be notified before de-accessioning, if possible.

The public art ordinance in city code does not limit reasons for removal of artwork. However, the following situations are some examples where the Public Art Commission believes that relocation/removal could take place:

- The artwork in its present state is a safety hazard to the public or environment.
- Restoration of the work is not feasible, or the expense of such restoration would be disproportionate to the value of the work.
- The architectural support system is to be destroyed and relocation is not feasible.
- Over an extended period of years, the consensus of informed artistic judgment may change regarding a specific work. In such a case, the work may be removed and put in storage for a period of time.
- The works acts as an encumbrance to the use of public property.

## Maintenance program continued

- The public use of the site has changed or is proposed to change in a manner that is no longer compatible with the artwork.
- Works not designed for a specific location (not site specific) may be moved if a more suitable location is found. See relocation and removal conditions listed below.
- The artwork is found to be fraudulent or not authentic.
- The artwork possesses substantial demonstrated faults in design or workmanship.
- A written request for de-accessioning has been received from the artist.

## Relocation

In the current contract that an artist signs, the city retains the right to move or remove an artwork. To do so, a waiver of the Visual Arts Rights Act of 1990 (VARA) and Section 14.3 of the New York State Cultural Affairs Law is included in the contract, only as to the extent such rights would preclude relocation or removal of the artwork. The artist retains the right to withdraw his/her name and then the artwork would not be represented as the artist's work. If the city elects to move the artwork to another site, the Public Art Commission recommends that the artist be given written notice within a reasonable period. Examples of possible conditions for relocation are the same as the de-accession conditions.

## Storage/Removal

If de-accessioning has to occur, a plan for the work would also be formulated. Procedures for contacting the artist as described in the artist contract should be followed.

Recommendations for this process include:

- The city may decide to retain ownership of the artwork but shall remove it from the collection, thus eliminating the need to maintain and preserve the work.
- The city may donate the work to an appropriate non-profit organization in the community.
- The city may decide to recoup the value of the work through a sale, such as a public auction.
- Work deemed to be of little inherent monetary value due to damage or defects may be declared surplus and disposed of according to the city's policy.
- The artist will be given written notification of the city's disposal plan and the city will provide the artist with an opportunity to reclaim the artwork.

## Funding

A maintenance fund could be set up through the percent for art fund or other budget categories. Donations or loaned works shall be repaired through funds from the donor. Funds to support installation and maintenance would be received from donations at time of the donation.

## PROPOSED LOCATIONS FOR PUBLIC ART

The Public Art Commission believes that a vital public environment begins with well-designed buildings and open spaces. Public art cannot change bad design. However, public art can enhance and bring focus to a space.

The Public Art Commission, in consultation with various community groups, has identified sites as potential areas for future public art commissions and donations. Criteria for prioritizing sites will include high impact in terms of viewers and high need in terms of visual enhancement.

Additional sites for public art can be added by contacting the Public Art Commission. The PAC will continue to seek input from appropriate city agencies and neighborhood organizations.

Sites for public projects must be public property, situated so that the art is visible and accessible to all members of the community with priority on outdoor art. The artwork must not seriously disrupt the flow of pedestrian or vehicular traffic or adversely alter the environmental conditions of the selected site. Structural and maintenance issues of the prospective artwork will be considered when selecting a site. Works should be structurally sound to ensure the safety of the community and longevity of the work.

Potential areas for public art:

The areas listed below are sites mentioned at outreach meetings and discussions by more than one group or individual. The sites are not listed in any priority order. Prioritization of sites will depend on funding strategies.

- \* Seneca Garage and Cayuga Green Garage
- \* Gateway project creek walk
- \* Cayuga Green creek walk
- \* Route 13 entrances on south and north sides
- \* Route 13 corridor
- \* Defined Gateways of Ithaca or city entrances
- \* Cayuga Waterfront Trail, near Cass Park and elsewhere
- \* Downtown
- \* Commons - State Street - Rte 366 (connected plan) corridor
- \* Parks – explore all parks, especially Cass and Stewart
- \* All trails connection (look at existing trails - Greater Ithaca Art Trail Collaboration, Planet Walk, Discovery Trail, etc.)
- \* All new bus shelters or renovated shelters and stops
- \* Inlet island
- \* Tuning fork island at bottom of State Street
- \* Use artist designed functional pieces in areas of city (eg. artist designed benches on The Commons)
- \* All buildings, well designed with enhanced facades

Other possible areas for public art:

These areas were mentioned as other possible sites for public art.

- \* Dewitt Park
- \* Route 13 fence near Sciencenter
- \* Cass Park near new recreation trail, visible to Rte 89 and watercrafts between the ice rink and Inlet boating
- \* Library, inside and in front on Green Street side
- \* State Street/Rte 79 light poles for banners from Giles Street to Commons

Locations continued

- \* Route 13 Pedestrian bridge on south end
- \* Collegetown
- \* Collegetown triangle near Schwartz Center
- \* Neighborhoods and neighborhood centers
- \* Southside Community Center and GIAC
- \* Six Mile Creek
- \* Central West End
- \* Washington Park
- \* University Avenue cemetery – maintenance needed
- \* Area businesses - exhibits
- \* Collegetown – west of parking garage (green space below Cascadilla Hall)
- \* Mitchell – College Avenue Intersection
- \* Rte 79 at Mitchell Street
- \* Primary and Secondary Commons sites already approved for the Art in the Heart
- \* Murals in Commons “Home Dairy” alley
- \* Youth Bureau Building
- \* Purity Triangle
- \* Northside Neighborhood plan ideas (NYSEG chain link fence, Franklin Street, First Street, bus shelters, Third Street pedestrian bridge, replace Cascadilla Bridge, cover/improve DPW storage yard, input on P&C and Third Street Corridor, use of murals for youth activities)
- \* Unusual/unexpected spaces (hole in bricks on Commons)

City gateways: The Planning Department has already identified the various gateways listed below. These spaces could be considered for public art sites.

- \* Northern Gateway – Visitor's Center, Youth Bureau, Stewart Park Area
- \* Southern Gateway – Aurora Street bridge, Plaza area northwest of bridge near Aurora Street bus shelter
- \* Eastern Gateway – tuning fork at base of State Street
- \* Western Gateway – also referred to as “Pete’s Triangle”
- \* Inlet Island Gateways – Look out point and Inlet Island Promenade
- \* Other Gateways – Ithaca Falls “Park”  
- Purity Triangle

*One idea mentioned mentioned in outreach.....*

*“...The question should be: which spaces are best suited to accommodate public art. I would begin by setting specific criteria:*

*Large outdoor spaces with visual corridors linking to pedestrian and vehicular routes and a minimum footprint of 400 square feet. Sites should accommodate sculpture that is at a minimum human scale, ideally monumental. Sites should be without visual clutter within the footprint area. i.e.: no light poles, trash cans, etc. that block the view of the work or compete with it visually within this zone.... Exceptions would be site specific work placed by the artist that takes into consideration existing elements.*

*Sites should be dispersed yet linked by corridors of public travel or at gateway points to the downtown. Sites should not be associated solely with commercial areas (unless financed by those businesses) but should primarily serve public areas used for recreation, social gathering, public transport or public education. Sites should have fairly high traffic volume to warrant expenditure, but increasing the scale of the work and field of visual access will also increase the volume of viewer interactions.*

*Sites should be permanently free from conflict of use. Example of conflicted areas are the Commons with it’s multiple festivals, areas near sometimes full parking lots, areas that serve as winter snow banks, areas that contain extensive utilities underground, favored skateboard areas, etc.....”* - Rob Licht, sculptor

## **BUDGET**

Listed in this section are many of the expense categories to consider for full implementation of this public art plan. If a percent for art funding mechanism is used, there would be separate budgets for each project, excluding staff time dedicated to overseeing the plan.

### General Categories

- City staff liaison
- Planning Department support
- Department of Public Works assistance
- Public Art Commission support
  - Supplies
  - Copying
  - Postage
- In-kind staff support
  - City Attorney
  - Information Technology Department
- In-kind staff support from partner agencies

### Future Budget Considerations\*

#### For acquisition/donations

- Acquisitions -
  - Selection costs
    - Call for proposals
    - Community input process
    - Selection panel costs
    - Artist design phase costs
    - Site usage study
  - Installation
  - Contingency costs
  - Signage
  - Insurance
  - Public Information
  - Maintenance costs/endowment
- In-kind support
  - City staff review of design
  - Site review
  - Contract review

### Future Budget Considerations\*

#### For on-loan program:

- Program start up costs
- Publicity
- Education programming
- Installation
- Insurance
- Maintenance
- Shipping
- In-kind support
  - Maintenance
  - City staff review of design
  - Site review
  - Contract review

## Budget notes continued

\*General budget allocation guidelines have been established in public art programs across the country. For a commissioned project, the suggested recommendation is to establish an administrative budget of 15 – 20% of project funds and an artwork budget of 80 – 85% of project funds. Costs usually considered under each area are listed below.

Administrative funds – staffing, overhead, public relations and information, community outreach, art dedication and maintenance

Artwork funds –

Design phase to include the design fee, research, travel, engineering and construction documents and proposal fee.

Fabrication/Installation to include artist travel, materials, studio overhead, subcontractors, fabricators, installers, site preparation, insurance and bonding. A contingency of 10% is recommended within the fabrication/installation costs.

*“The presence of public, outdoor art in any community is an integral part of a healthy culture that provides significant value to both residents and visitors. Public art and monuments promote social gathering and interaction. The art automatically becomes an identifiable point in the urban environment.”*

*- Matthew Braun, Executive Director  
Dewitt Historical Society of Tompkins County*

## PROPOSED PLAN OBJECTIVES

2003

**Goal: To build a foundation for the implementation of the public art plan**

<u>Objectives</u>	<u>Who</u>
1. Public art plan draft adopted by Common Council	Commission /Consultant
2. Existing city collection is catalogued (almost completed)	Planning Department
3. Slides of existing collection are taken and added to catalog	Planning Department
4. Subscribe to <i>Public Art Review</i> (completed)	Commission

2004

**Goal: To continue to build a foundation for the implementation of the public art plan**

<u>Objectives</u>	<u>Who</u>
1. Staff liaison identified*	Council/Planning Dept. /Commission
2. Conduct maintenance assessment for existing collection	Commission/staff liaison
3. Add existing city collection to web site in a gallery of images with location information	Staff liaison/ Info and Tech Dept
4. Update artist slide registry to include public artists with background files	Staff liaison/ Commission/CAP
5. Review public art project possibilities and send letters to departments/developers	Commission/ Staff liaison
6. Examine existing siting of city's public art collection to discuss ideal siting of the artwork. Make recommendations for any improvements.	Commission/ Staff liaison/DPW
7. Explore transfer of Art in the Heart Project from IDP to the city as proposed by IDP	Commission/ IDP/Staff liaison

2005

**Goal: To set up framework for first acquisition and continue building the foundation for implementation of the public art plan**

<u>Objectives</u>	<u>Who</u>
1. Funding method mechanism drafted, reviewed and adopted	Commission/staff liaison
2. Create advisory panel file by collecting names and background information to be used for potential advisory jury (Tompkins County and outside of the county)	Staff liaison/ Commission
3. To plan rotating exhibit of existing public art collection including city chambers	Staff liaison

2006

**Goal: To implement a public art education program and consider partnership ideas**

<u>Objectives</u>	<u>Who</u>
1. Explore partnership programming ideas (for example, IDP partnership to display art in businesses, or collaboration with Light in Winter Festival or Art Trail or Discovery Trail, etc.) See ideas lists for possibilities.	Staff liaison/ Commission/ Partners
2. Host public information event and/or brochure about city public art collection	Commission/ Partners
3. Seek outside funding for artist presentation	Staff liaison

Plan objectives continued

**2007**

**Goal: To implement first acquisition**

Objectives

1. Prepare for first commission by defining project parameters
2. Finalize site selection and artist selection details for project
3. First acquisition installed
4. Public information and education about acquisition conducted

Who

Staff liaison/  
Commission  
Staff liaison/  
Commission  
Staff liaison/  
DPW/artist  
Staff liaison/artist  
Commission

**2008**

**Goal: Review public art plan progress**

Objectives

1. Review public art plan, update, and evaluate
2. Undertake public art activity as opportunities are presented
3. Define objectives to attract art donations
4. Define objectives to expand loaned art opportunities

Who

Commission  
Commission/Staff  
liaison  
Commission/Staff  
liaison  
Commission/Staff  
liaison/Partners

\*Staff liaison is defined as a city staff person with time designated to conduct public art plan objectives.

## **PUBLIC ART IDEAS**

In discussions with commission members and various community groups, many ideas for public art activities were gathered. These ideas should be explored, prioritized and added to as resources are identified.

### **Ideas List:**

Use of commission process to commission functional pieces (lamps, benches, etc.)

Contemporary art museum downtown

Saltonstall travelling exhibit of past artists

City as gallery – use businesses as galleries on an ongoing basis

Look at connection to history and include those notions in art projects

Improve plan for presenting works in public buildings

Create an educational partnership with schools, ask students to view art and give feedback and talk with artists, use advanced student artists to contribute works to an appropriate public venue

Make sure our buildings are architecturally interesting, too

Public art should serve as a focal point for neighborhoods, celebrating the artistic, historic and cultural heritage of our community

Make consideration of what spaces can accommodate public art – no visual clutter, enough space for human scale or monumental scale works

Mural arts project, both temporary and permanent

Explore alternative art venues such as sidewalk or fountain mosaics

Consider revised Ithaca Downtown Partnership 2000-2010 Downtown Development Strategy when it is developed

Support sculpture art program in downtown, permanent and public

Look at supporting art in private spaces, eg. doctor's offices

Improve siting for art with lighting, placement, items in area surrounding it

Work with public, kids

Cultural Foundation – explore one

Invite speakers from other communities that have successful public art models

Share examples, pictures of great public art

Connect with Discovery Trail and other trails

Expand to county, build partnerships throughout county

Explore cultural zone program of NY State  
Public art ideas continued

Poetry, art on buses

Use artist to design bus shelters and connect designs of shelters

Have fund for community initiated public art projects

Art teacher of year – celebrate connection to education

Allied artist award - apprenticeship experience in order to make transition to field of public art

Focus on artist collaborations, eg. barn projects

More temporary installations - do one with group of artists; fund one connected with existing community celebrations, such as Ithaca Festival

Have an artist "seed" funding - mini grants for artists to develop a bank of ideas

Do art windows project - artists do installations in windows or display video works there

Do a sculpture walk or art walk of temporary works

Include sound and video installations in your public art program

Revitalize Design Review Board (use artists, architects, landscape, planners)

Look at including artists in community projects

Improve existing art - look at art in context, use lighting

Look at unusual sites - hole in bricks on The Commons, for example

Some sites - downtown, route 13, malls

Bus stop program

Public relations as key

Competitions would be a good thing

A commission for the gateways of Ithaca

Look at connection to Waterfront Trail

Foster partnerships with existing programs – Art in Heart, Greater Ithaca Art Trail, Ithaca Festival, Gallery Night, etc.

Connect to tourism efforts

Expand education efforts

Create a printed brochure about the program and explain and celebrate it

Go to communities with successful public art programs and see what is possible

Have public art that kids/people can touch and/or play around

## CITY OF ITHACA ARTIST POLICY

The Public Art Commission wants to create a climate where artists thrive and receive the economic benefits of and recognition for their work. For these reasons, artists participating in the public art commissions and acquisitions will retain control over the artistic integrity of their artwork and receive equitable compensation for their work.

The Public Art Commission strives to ensure the following rights to artists, which would be included in commission contracts.

The following is adapted from policy in Huntington, NY and is proposed for Ithaca.

- **Right to retain work in situ (for site specific acquisitions):** The city requires absolute discretion regarding relocation and removal. However, the Public Art Commission proposes that the intent for site-specific commissions is that artwork would not be moved or removed unless the site is destroyed, the artwork is damaged beyond reasonable repair or restoration, the use of the space changes significantly, public safety becomes an issue, and other situations listed under the de-accession/relocation section of this plan become pertinent. Site-specific artwork refers to art that is integral to the total design of a site/place/building and has been integrated as part of a multi-disciplinary design team approach, often including the community. Herein, the artist works with the project team for the design or renovation of a project site. Temporary removal may be done to complete repairs to the artwork or the site. Overall, though, under the public art guidelines adopted by Common Council, acquisition and donations of public art are to be free of restrictions unless the council agrees specifically to named conditions.
- **Right to disclaim authorship:** The city will not intentionally alter, modify, or destroy an artwork unless conditions of the de-accessioning/relocation procedures apply. However, if an artwork is significantly altered, modified or destroyed, the artist has the right to disclaim authorship of the artwork. Should an artist choose to exercise this right, the city shall review plaques or labels after receiving written notification by the artist.
- **Right to maintain work:** The city commits to periodic inspection of the artworks in the city collection and to making reasonable efforts to ensure that each artwork is maintained in accordance with the maintenance program guidelines.
- **Right to consultation about repairs:** The current public art ordinance states that the maintenance and alteration of an artwork would be done in consultation with the artist whenever feasible. The commission recommends making a reasonable effort to notify the artist before undertaking repairs and restorations to the artwork and, where practical, consulting with the artist about the repairs or restorations at a reasonable fee. The city reserves the right to make minor and/or emergency repairs without prior notification.
- **Retention of copyright:** The artist shall retain all copyrights associated with artworks acquired by the city. The city agrees that it will not copy or reproduce artwork without written permission of artist. However, the city will secure in its artist contracts the right to make and reproduce photographs or other two dimensional representations of the artwork for public, non-commercial uses, such as catalogues, brochures, web site directory, and other educational or public relations purposes. Non-commercial purpose refers to information shared for the general welfare or benefit of the community. Any commercial uses, such as images on souvenirs or other items intended for sale, shall require prior written permission by artist. All printed material and reproductions will contain a credit to the artist listing the title of the artwork and the artist name.

## **APPENDICES**

- A. City Code – Public Art**
- B. City Artwork Directory**
- C. Acquisitions Steps**
- D. Donations Steps**
- E. Appeals Process**
- F. Discussion of Selection Criteria**
- G. Funding Methods**
- H. Funding Sources**
- I. Public Art Plan Key Informants**
- J. VARA Visual Artists Rights Act**
- K. Contracts**
- L. Potential Public Art Partners**
- M. Ithaca Downtown Partnership: Plan for Downtown**
- N. Public Art Resources and Information**
- O. Sample Ordinances**
- P. Public Art Commission Members 2002-03**

## APPENDIX A

### CITY CODE – PUBLIC ART

#### Chapter 5, PUBLIC ART COMMISSION

[HISTORY: Adopted by the Common Council of the City of Ithaca 5-5-1999 by Ord. No. 99-4; amended in its entirety 11-6-2002 by Ord. No. 2002-6. Subsequent amendments noted where applicable.]

#### § 5-1. Creation.

The Common Council of the City of Ithaca hereby creates a commission that shall be known as the " Public Art Commission," hereinafter referred to as "the Commission." The Commission is formed to advise Common Council, in exercising its authority pursuant to § C-35 (General legislative powers), to make decisions concerning the selection, acquisition, and display of public art.

#### § 5-2. Purpose and duties.

The purposes and duties of the Commission shall be as follows:

- A. To create a public art plan for Common Council to adopt and to advise the Common Council about mechanisms for implementation of a public art program to enrich the visual and aesthetic environment of public, private and semipublic spaces within the City of Ithaca.
- B. To initiate and develop proposals, to receive recommendations and to solicit contributions for additions to the existing collection of art in public places.
- C. To develop criteria and guidelines for approval by Common Council for the selection, acquisition, exhibition and display of new works of art, either temporary (on loan) or permanent. The criteria and guidelines shall relate to, but are not limited to, economic feasibility, maintenance, security and aesthetics. Acquisition of art includes either the purchase of art by the City or the acceptance of a donation of art to the City.
- D. To advise the Common Council about the selection of acquisitions and donations of public art that meet the selection criteria and guidelines and to determine whether to accept unsolicited donations of art and where they may be located.
- E. To review and advise Common Council on all proposals for the exhibition and display of public art in the City's public spaces, in public buildings, and public facilities and infrastructure.
- F. Appropriate locations and elements of the environment that the Commission will consider or promote for the placement of public art may include but will not be limited to:
  - (1) Outdoor public spaces.
  - (2) Publicly owned buildings, interior and exterior.
  - (3) Privately owned outdoor public space, with the agreement of the owner.
  - (4) Privately owned semipublic interior spaces, with the agreement of the owner.
  - (5) Public works projects, e.g., parking facilities, bridge improvements and lighting, acting in cooperation with other City departments.
- G. To review proposals for decorative elements in the City's public spaces, e.g. banners and fountains. The Commission shall provide advice on the location and aesthetics of these items.
- H. To replace and take over the responsibilities of the Centennial Arts Commission and as such to oversee the maintenance of the Centennial art collection; find appropriate public places for the display of this collection; and, where appropriate, see that the works are

appropriately displayed in places with adequate security and see that the works are marked with plaques containing the title of the work, the artist and, where appropriate, a notation that City Code continued the work was a part of the Centennial collection developed during the City's centennial year of 1988.

I. To submit an annual report to the Common Council and to the Board of Public Works and to report on a regular basis to the Mayor.

**§ 5-3. Membership.**

A. The Commission shall consist of seven members, all of whom shall be voting members, appointed by the Mayor subject to the approval of the Common Council. Of the seven members, at least five shall be residents of the City of Ithaca. At least four members of the Commission shall be professionals from the field of design, visual arts, architecture or landscape architecture.

B. Nonvoting members of the Commission shall include a liaison from the Common Council, a member of the Department of Planning and Development, a member of the Department of Public Works, and the Directors of the Community Arts Partnership and the Ithaca Downtown Partnership (or their successors). The Mayor may make other nonvoting appointments as deemed necessary and appropriate.

**§ 5-4. Terms of office; vacancies.**

A. The seven members shall be appointed for terms of three years, except that the terms of the first Commission members shall be for such lesser periods of time as to provide appropriate staggered rotation and continuity.

B. Vacancies on the Commission shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by expiration of term of office shall be filled only for the remainder of the unexpired term.

**§ 5-5. Officers.**

The Commission shall have a Chairperson and a Vice Chairperson, who shall be appointed by the Mayor.

**§ 5-6. Compensation of members.**

The members of the Commission shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within the appropriations made available therefor.

**§ 5-7. Meetings.**

A. A quorum for the transaction of business shall consist of four members of the Commission.

B. The Commission shall meet at least every other month.

C. The Commission shall adopt rules and procedures for its meetings. It shall keep accurate records of its meetings and activities and shall file an annual report as provided in § 5-2 of this chapter.

City code continued

## **Public Art Guidelines**

[Adopted by the Common Council of the City of Ithaca 11-6-2002  
by Ord. No. 02-06. Amendments noted where applicable.]

### **A. General authority.**

1. Definition. Works of art or art work - All forms of original creations of visual art which may be portable as well as permanent; to include but not limited to:

- a. Paintings of all media, including both portable and permanently affixed works such as frescoes and murals;
- b. Sculpture of any form and in any material or combination of materials; to include statues, monuments, fountains, arches, or other structures intended for ornamentation or commemoration. Also included are reliefs, mobiles, kinetic, electronic and neon, sculptures;
- c. Other works of visual art, such as inscriptions, stained glass, fiber works, carvings, mosaics, photographs, drawings, collages, textile works, and prints. Also included are crafts, both decorative and utilitarian, in clay, fiber, wood, metal, glass, stone, plastic and other materials;
- d. Artist-designed landscapes and earthworks, including the artistic placement of natural materials or other functional art objects.

2. Among its other duties, the Public Art Commission, hereinafter referred to as "the Commission," is authorized by Common Council to:

- a. Review proposals for the acquisition of public art on behalf of the City;
- b. Plan for the siting of all public art;
- c. Accept on-loan art work for display;

3. Common Council shall have the authority to acquire art work for City ownership pursuant to its general authority to acquire property and materials by and for the City.

4. The City shall be subject to these guidelines if it wishes to purchase art work and/or display art work on City property.

5. These guidelines shall not supersede the authority of Common Council.

### **B. Acquisitions - General.**

1. Acquisitions shall include art work that is either purchased by the City, donated to the City, or on loan to the City.

2. Acquisitions of public art shall be free of restrictive conditions by the Artist or Donor unless, in the discretion of the Commission, with the concurrence of Common Council, such conditions are reasonable and not detrimental to the City. The location of pieces will be the responsibility and right of the City.

3. All acquisitions of art work must be accompanied by the following statement:  
The Donor or the Artist, in cases where an Artist loans or makes a donation, or a piece is purchased by the City, represents and warrants to the City of Ithaca, New York, that it intends to loan or donate (as the case may be) the art work to the City. The Donor or Artist also represents that s/he has not entered into any agreement that may impair this Agreement. The City recognizes and respects artists' rights as set forth in the Visual Arts Rights Act of 1990  
City code continued

(VARA) and Section 14.03 of the New York State Arts and Cultural Affairs Law, including, but not limited to, the right to claim authorship, the right to not have his/her name used on any work not created by the artist, and the right not to have his/her work intentionally distorted, mutilated or modified so as to prejudice the artist's reputation. However, the City expressly reserves the right, in its sole discretion, to relocate or remove from display visual art, and an artist shall sign a waiver to allow such relocation or removal.

4. There are no absolute criteria for the acquisition of works of art, except for the following general tenets:

a. Outdoor works of art must be deemed safe and durable for public display and be able to withstand weather conditions. Pieces should also be free of sharp or protruding edges or be able to be sited in a manner that minimizes the possibility of injury.

b. Pieces should be suitable for unrestricted public viewing. Art located in a public setting does not require a ticket or necessitate a decision to choose to view. Therefore, the art should be suitable for all audiences.

c. The Commission shall strive toward a goal of representing a broad variety of tastes within the community and the provision of a balanced inventory of art in public places to ensure a variety of styles and design throughout the community that will also be representative of the eclectic tastes of the community.

5. Siting.

a. The siting and location of all public artwork will be the responsibility and right of the City.

b. Until such time as the Commission can prepare comprehensive plans for specific areas of the City, decisions on siting will be made by appropriate City Planning and/or Public Works Department staff in consultation with the Commission and with consideration of recommendations from the Commission. Once the Commission prepares comprehensive plans for the siting of art, then location decisions will reside with the Commission.

c. Proposals for the siting of public art acquisitions shall also be reviewed by other City boards and commissions which have potential interest in the siting of art work. This may include, but is not limited to: the Parks Commission, the Commons Advisory Board, the Shade Tree Advisory Committee, and the Board of Public Works. Review of proposals by other boards and commissions shall be confined to issues that do not include aesthetics. (Appropriate review includes items such as maintenance, safety, and location.)

d. Public art shall be identified with suitably designed and sized plaques approved by the Commission. Plaques for donated art work or on-loan art work (as discussed below) can include the name of the piece and the donor but shall not include any advertising.

6. Installation, maintenance, alteration, refinishing, moving, and removal of art in public places shall be done in consultation with the artist whenever feasible.

7. Art work acquired by the City shall be insured by the City's insurance to cover damage, vandalism, theft, and fire. Damage from natural disasters and normal wear and tear are excluded from coverage by the City. Therefore, repairs and maintenance for normal wear and tear of pieces acquired by the City and put on public display shall be provided by the City at its discretion. "Wear and tear" includes such things as normal aging or exposure to the elements, or similar circumstances (e.g., rust, cracks, fading). The City shall make a good faith effort to maintain the art work, pedestal, and plaque in good condition, on par with other art works on public display owned by the City.

City code continued

C. Donations.

1. In addition to the guidelines set forth below in this Section C, the guidelines in Sections A and B above shall apply to donations.
2. All costs for installation shall be negotiated by the City's designee and the donor at the time of donation.
3. Should the City choose to remove a piece of art work from public display for a period of at least one year, the City shall make a good faith effort to attempt one of the following actions: (1) to negotiate with the donor an extended period of time for the piece to remain out of public display; or (2) to offer to return the piece, at donor expense, to the donor. If the original donor cannot be contacted after reasonable efforts or chooses not to accept the return of the piece, the City reserves the right to sell or convey the piece.
4. If an art piece is damaged, it may be repaired at the donor's expense. The City also reserves the right to repair the piece, at its own discretion. If a piece is not repaired and is subsequently removed from public display, the provisions in Section C.3 apply.

D. On-Loan Items.

1. On-loan public art is defined as art that is not owned by the City.
2. In addition to the guidelines set forth below in this Section D, the guidelines in Sections A and B above shall apply to public art on loan to the City, which is displayed by the City or on City property.
3. The City will assume the costs of pedestals and plaques.
4. On-loan art work shall be insured by the City's insurance to cover damage, vandalism, theft, and fire. Damage from natural disasters and normal wear and tear are excluded from coverage by the City. Therefore, repairs and maintenance for normal wear and tear of on-loan art work put on public display shall be provided by the loan or, or by the City at its discretion. "Wear and tear" includes such things as normal aging or exposure to the elements, or similar circumstances (e.g., rust, cracks, fading). The City shall make a good-faith effort to maintain the art work, pedestal, and plaque in good condition, on par with other art works on public display owned by the City.

## APPENDIX B

### CITY ARTWORK DIRECTORY

Listed below are artworks that are part of the City of Ithaca's holdings. The information included includes the title, artist, medium and location.

#### Centennial Collection

1. "The Swimming Pool"; Joy Adams; oil on spackle board; City Attorney's office at 108 E. Green Street; part of Centennial Commission collection 1989
2. Untitled; Jim Powers and Glenn Miller; photographic collage; second floor hallway at 108 E. Green St; part of Centennial Commission collection 1989
3. "Give Me Your Scraps"; Mary Milne; fabric collage; third floor hallway at 108 E. Green Street; part of Centennial Commission collection 1989
4. "Blue Cypress 1"; Laurel Hecht; 20x20 poly chrome landscape, 1985; third floor office at 108 E. Green Street, part of Centennial Commission collection 1989
5. Unknown; Linda Tsang; paint; Planning Department office, third floor, at 108 E. Green Street; part of Centennial Collection 1989
6. "Trees With Shadows II"; Laurel Hecht; paint; Planning Department office, third floor, at 108 E. Green Street; part of Centennial Collection 1989
7. "The First Hundred Years Are The Hardest"; Liese Bronfenbrenner; fabric collage; storage; part of Centennial Collection 1989
8. "Kevin's First No-Hitter"; Margaret Larsen; reproduction of an original pencil drawing; storage at Ithaca Youth Bureau, 1 James Gibbs Dr.; donated during Centennial Art in Park show 1989
9. "Fishermen in Cascadilla Creek"; Muli Tang; oil on canvas; part of Centennial Commission collection, in storage, second floor of City Hall, 108 E. Green St., 1989
10. "Stripes"; Kumi Korf; mixed media with handmade paper; City Courthouse second floor office atrium; part of Centennial Collection 1989
11. "Spring Green, Cayuga"; Daphne Sola; serigraph; fourth floor hallway at 108 E. Green Street; part of the Centennial Collection 1989
12. "Dreams of the Diamond II"; Mary Shelley; low relief wood painted with acrylics; part of Centennial Collection 1989
13. "Scarf and Color Tubes"; Gregory Page; limited edition print; part of Centennial Collection 1989
14. "Sunset Ithaca"; Beverly Livesay; photograph; part of Centennial Collection 1989
15. "It Came From Cayuga Lake, 1988"; Chester Hall Salustri; ceramic stoneware; part of Centennial Collection 1989
16. "Undercurrents"; Renate Ferro; collograph; second floor hallway of 108 E. Green St.; part of Centennial Collection 1989

#### Other artworks collected

17. "City Hall"; Stein; paint; first floor entrance at 108 E. Green Street; donated by New York State Electric and Gas (NYSEG) 1988
18. "We The People"; Dan Burgevin; oil on canvas; third floor hallway at 108 E. Green Street; donated by artist during Centennial celebration 1988
19. "NY Bicentennial of the Constitution"; Mary Shelley; paint on wood; Seneca Street Parking Garage on Tioga Street, 1989
20. "Toxic Pollack"; Kay Walkingstick's Advanced Painting Class; oil on canvas; second floor conference room at 108 E. Green Street; donation by class in 1990
21. Untitled; Gail Scott White; brick and steel rails in pavement; Commons, 1993
22. Art Underfoot; Bill Benson and Jon Meigs; plaques on the Commons pavement and metal gate marker Bank Alley electrical box, 1993-1994
23. Sagan Planet walk stations; Erin Caruth; metal, plexiglass, masonry; various city locations; partnership with Sciencenter and the City of Ithaca 1999

24. Untitled Ceramic Murals; Tim Merrick, artist, and Linda Blossom, ceramicist; ceramic tiles; Route 89 bridge; part of bridge redesign competition – joint Department of Transportation and city project 1999
25. “Silent City”; John Snyder; metal; Route 96 bridge; part of bridge redesign competition – joint Department of Transportation and city project 1999
26. “Merge”; Ethan Stern; steel; Commons Center pavilion, west side; donation 2001
27. “Song of Innocence”; Christi L. Harrington; bronze sculpture; Commons, donated by Sciarabba Walker Co. 2002
28. “Businessman in Touch with Nature”, Cherry Rahn; bronze sculpture; Commons; donated by NYSEG after the Art in the Heart Program administered by the Ithaca Downtown Partnership 2003
29. “Unknown” (fire bell); artist unknown; metal; Dewitt Park near Cayuga Street

Some other art activity done by students and staff/not a part of the formal collection

30. Mural; artist unknown; paint; GIAC inside; first done in mid 1980s, retouched mid 1990s
31. Mural; John Ewing and Carlos Rodriguez; paint; Greater Ithaca Activities Center (GIAC) and Youth Employment Service student works; maintenance building on N. Plain St., 1989/1990
32. Untitled Mural; local teens; paint on masonry wall; Ithaca Youth Bureau
33. Untitled Sign; Dan Burgevin and teens; paint on wood; Ithaca Youth Bureau
34. Mural; Cass Benson, staff member of Cass Park; paint; Cass Park near end of ice rink, 1997
35. Mural; Tim Wood and other Cass Park staff members; paint; old filter building at Cass Park 1999
36. Mural; Michael Meier, staff member of Cass Park; paint; Cass Park pool filter building, 2001
37. Murals; Carlos Rodriguez; paint; GIAC on Albany Street side of building; GIAC funded, 2000
38. Mural; graffiti artists and youth; paint; GIAC on court side of building facing playground, 2001
39. Mural; graffiti artists and youth; paint; GIAC run project located on Cherry Street, 2001
40. Untitled Bridge Sculpture; Roberto Bertoia’s Cornell University sculpture class; metal; Neptune Bridge, 2002

## APPENDIX C

### ACQUISITION SELECTION STEPS

**Selection Steps:** The selection process for acquisitions/commissions would include the following selection steps. Refer to the criteria listed earlier in this report.

#### Site Selection Steps

1. Priority sites are selected through a Public Art Commission (PAC) process and approved by Common Council.
2. Once a site is identified, city staff, the PAC, Planning Department, Department of Public Works, and site liaisons conduct initial site usage study to determine project parameters (budget, timeline, site considerations, potential locations).
3. Public is notified of public art project site. Comments encouraged.

#### Artist Selection Steps

Selection of the appropriate artist is one of the single most important steps in the acquisition process. Generally, artists selected would have a record of working with public art projects and experience with the scale and elements required by a particular site and commission.

The Artist Selection and Commission Design steps listed here will vary depending on the method of artist selection used. The more lengthy process is described here, including first artist selection, then community input and design phase with the chosen artist, then design approval. This longer process includes all the ideal outreach steps in an acquisition selection process. A shorter process such as a direct invitation to an artist, could be used depending on the circumstances of the acquisition.

1. The PAC defines the most appropriate method of artist selection (open competition, limited invitational process, direct invitation or blind competition).
2. The PAC defines project parameters to be used in artist selection and city staff drafts call for artists (budget size, site area, project objectives, etc.).
3. City staff and the PAC set up Acquisition Advisory Panel. The panel would include some PAC members, visual arts experts, architects, and other professionals. Representatives from the site/community user group and outside of Tompkins County may be included. The PAC could choose to constitute itself as the panel. Or, the Advisory Panel could be merged into the PAC with the technical experts of the Advisory Panel and the PAC working together to review artists and proposals. A different panel could be convened for different projects.
4. City staff and the PAC receive and review artist submissions to determine if submissions fulfill requirements of acquisition.
5. The PAC and city staff prepares Advisory Panel by giving them written instructions outlining duties, selection review criteria, review process steps and project parameters.
6. City staff sets up panel review time and administers process. The Advisory panel conducts review and selects two or three semi-finalists from the group of eligible artists.
7. Semi-finalists are invited to present examples of their work at a public meeting. Slides/photos are displayed and written comments from public invited during a week's period. (Artists are offered travel and per diem if artists do presentations to the public.)
8. The PAC considers community input, panel input and makes artist recommendation to Common Council. Common Council votes on artist acceptance. (Denial by Common Council requires beginning artist selection process again.)

Acquisition Selection steps continued

### **Commission Design Steps**

1. If artist is approved, the PAC and city staff works with artist on design phase (community input gathering, site refinement, timeline, final budget, and contract).
2. Artist signs contract and VARA waiver.
3. Should the work scope warrant it, an outside agency is engaged to carry forward the next phases of the commission design process, mainly the community input gathering phase.
4. City staff or contracted outside agency conducts plan for gathering community input and summarizes site usage information. (Community processing like a charrette is referenced in the appendix.)
5. Artist works with community and receives input as well as site usage information.
6. Advisory Panel is reconvened for review of artist designs. (Panel receives written instructions in advance, detailing criteria and community input.) Panel makes recommendation.
7. Recommended design is checked with city engineers and other city department advisors.
8. The PAC presents approved design to community for review and comment. After one week, comment period is closed. Appeals process is opened.
9. Finalized design is presented to Common Council and submitted for approval.
10. Fabrication and construction phase begins, monitored by city staff or contracted agency, with updates to PAC.

### **Installation Steps**

1. Commissioned work is installed. Plaques and insurance arranged by city staff or contracted agency.
2. Community celebration is hosted through the PAC.
3. Follow up public information programs held. Work is added to city web site, art map, and art directory.
4. Post process evaluations conducted by the PAC and city staff.
5. Yearly maintenance inspection and record kept by city staff and followed up by DPW or designee.
6. Every five years – maintenance check by professional restorer/curator.

### **Various Methods of Artist Selection**

It is recommended that artists invited to submit proposals are offered an honorarium for the creation of their proposal. An honorarium would not be used in a request for proposals situation.

- Open Request for Qualifications - Artists submit proposals in response to a public advertisement. Detailed information describing the project and how to apply are distributed. Artists usually submit a package that includes a resume and slides of their work. The selection committee then reviews proposals and recommends an artist or artists for acquisitions or requests more detailed information from selected artists, perhaps even an interview.
- Limited Invitational Process/Curated Pool of Artists - The PAC recommends a limited number of artists based on an interview or review of work. This short list or curated pool of artists are invited to apply. The artists then develop a site-specific proposal for a particular project. The artists are given an honorarium and all the necessary information, as in the open request, as well as the opportunity to present a model and proposal to the committee. This process is used when the project schedule does not allow for an open call or when a specific set of skills is required.

#### Acquisition Selection steps continued

- Direct Invitation - In this process, one artist is invited by the PAC to submit a proposal or participate in community design process. This situation is used when a majority of commission members feel the artist is particularly well qualified for a project.
- Blind Request for Proposals (RFP) - A detailed package of information including site plans and design guidelines is issued. Artists design proposals based on the RFP guidelines. Each proposal is given an identification number used during the review process. One advantage to blind competition is that the process allows an even playing field. This process is most often used when there is a high profile project and large budget to support the process.

## APPENDIX D

### DONATION STEPS

The selection steps for donations would include the following selection steps. Selection criteria to be used is listed earlier in this report.

#### **Selection Steps:**

The process described below and the use of the above criteria are guidelines that will help ensure that the art accepted by the city is of the highest quality, enhances public spaces and is well served by the city's ability to maintain the work.

1. Donor submits letter regarding art donation to the Director of the city's Department of Planning and Development or the PAC city staff liaison.
2. Information regarding the artwork is gathered (description, photo/slides, artist information, siting requirements, etc.) and submitted to the PAC.
3. Information regarding the review process and criteria is shared with donor by city staff liaison.
4. Donation is reviewed by city engineer and other departments for safety and durability.
5. City staff liaison schedules review of donation by the PAC or Advisory Panel (PAC Chairperson, PAC member, artists familiar with work in affected medium, community member from site, visual arts experts, etc).
6. Donation is reviewed and recommendation is made to the PAC and Common Council.
7. Common Council accepts or declines donation, donor notified in writing by city staff liaison.
8. There is public notification of donation and appeals process starts/ends (appeals described in appendix in appendix e).
9. Upon acceptance by Common Council, the PAC notifies donor of accession and donor contract is signed.
10. Donation is installed. Plaques and insurance arranged.
11. Press releases, announcements made.
12. Education programming and follow up planned by city staff liaison. Work is added to web site, art map and directory.
13. Yearly maintenance inspection and record done by city staff liaison and DPW.
14. Every five years – possible maintenance check by professional restorer/curator.

## **APPENDIX E**

### **APPEALS PROCESS**

The Public Art Commission recommends an appeals step as part of the public art acquisition process. The intention is to ensure that public art process and criteria are followed. Therefore, appeals would be based on process issues only.

Information about the appeal and selection procedures will be shared with the public at the start of each acquisition process in order to promote understanding of the public art program and to ensure an open process. In addition, should it be necessary, Public Art Commission and Common Council decisions may be appealed in writing based on the following criteria.

- Appeals should be based on process issues only, including:
  - 1) the decision was based on something other than the established review criteria;
  - 2) the required information or other pertinent supporting material was not used during the review process;
  - 3) conflict of interest procedures were not followed.

Appeals should be submitted in writing after the appellant has first consulted with the Public Art Commission to review the considerations that went into the acquisition or donation process. Appeals should be submitted to the Mayor in writing within two weeks of written notification or public announcement of the selection, acquisition or donation.

- Upon receipt of the appeal letter, the Mayor and the PAC Chair will meet within two weeks with the appellant to hear their grounds for reconsideration. The Mayor has the authority to determine whether or not there are grounds for reconsideration based on the appeal criteria listed above. If there are grounds, the PAC or advisory panel will review the process and decision. After the reconsideration, a letter will be sent to the appellant.
- Notice of appeals will be shared with the Common Council.
- All appeals will be reported in the annual report.

Because this is a city program, only city residents could submit appeals.

## APPENDIX F

### DISCUSSION OF SELECTION CRITERIA

The selection of the artist and artwork in the acquisition, donation and loan programs is based on established review criteria as described in the acquisition, donation and loan sections of this plan. Further (though not all inclusive) discussion of the intent of the selection criteria is listed below.

#### Acquisition Process

1. Artistic merit and quality of work: This criteria is the most important review criteria. This criteria refers to inherent quality of the artwork in terms of timelessness of its vision, design, aesthetics, and excellence. Acquisitions will strive to include artworks of the highest quality. Artists will be selected on the basis of their qualifications as demonstrated by their past work. The merit of an artwork would be substantiated by past history of exhibitions or sales, awards or other recognition, or an outstanding first work. Selection of the artist will be made without regard to race, gender, religion or sexual orientation.
2. Safety and durability of work: This refers to the artwork and its ability to withstand Ithaca weather conditions, as well as structural and surface integrity. Consideration should be given to its permanence and protection against theft and vandalism. Artwork should be examined for unsafe conditions or factors that may bear on public safety and liability.
3. Unrestricted public viewing of work: This refers to public access and suitability. Will the public have free access to the artwork? Outdoor art would be the most accessible. Consideration also should be given to the fact that public art is a genre that is created in the public context and will embrace other factors such as public participation, social and political attitudes, and functional considerations.
4. Administration of work: This refers to considerations in the shipping, fabrication, installation and maintenance of an artwork. The city will consider whether an artwork will be able to be maintained over the life cycle of the work.
5. Balanced inventory of the permanent collection: The city will consider the existing works in its art collection and strive for a diversity of style, scale and media, recognizing that some styles and media will be more appropriate for public, outdoor art.
6. Artist's demonstrated ability to respond to the project site and context: This refers to an artist's history and record of working with the scale required for the project, the materials, and the fabrication and installation process needed for the commission.
7. How work fits into the natural or built environment of the site: The immediate social and physical environments where the artwork is placed should be considered. Scale, form, material and content should be appropriate for the site.
8. Compatibility with established patterns of use of the site: The artwork should not interfere with existing usage of the site unless that site is undergoing a total renovation.
9. Established objectives of the acquisition program: The Public Art Commission will set yearly and multi-year objectives for its programs. These objectives will be considered in selecting artworks.
10. Use of community input in design: Community input will be sought during the design process by the Public Art Commission or artist. This input will be considered in the design creation.

#### Donation Program

Refer to criteria 1 – 5 above and these criteria listed below.

6. Physical condition of work: This is self-explanatory.
7. History and provenance of the work: Does the donor own the work?
8. Suitable location for work: Does the city have an appropriate location for donated artwork?
9. Compatibility with the city's donations program objectives and education plan: Does the artwork further the city's donation program goals?

Discussion of selection criteria continued

Donation Program

10. Contribution to the existing public art collection: How does the artwork fit into the overall collection of public art?

**Loan Program**

Refer to criteria 1-5 above and the criteria listed below.

6. Public information and programming opportunities: The loan program would provide opportunities for the public to learn about the artwork and/or engage in dialogue with the artists. Public information opportunities would be considered in designing loan programs.

## APPENDIX G

### FUNDING METHODS

The majority of government public art programs are funded through a “percent for art” program. These programs are varied in their implementation but all designate a certain percentage of capital improvement money to fund public art. This relatively small fee has been a great benefit in the cultural and economic development of many communities. Numerous cities, both large and small, have established this program across the United States. This funding method has become widely accepted as demonstrated by the fact that 300 cities, counties and other government bodies around the U.S. have public art programs.

Government entities have found percent for art funding useful for many reasons. This kind of funding mechanism enables artwork to be a part of overall project planning from the beginning of the capital design phase. Past experience has shown that this is a key element in public support and acceptance of the art, because the community can be engaged from the beginning. Since thorough planning is often key to a successful public art project, percent funding secures an ideal timeline. Percent for art also allows a flexible approach, enabling adaptation to the size of the project and to community needs.

Implementation approaches to percent for art can be broken down into three broad categories: public, public-private and private. Public percent for art programs obtain funds through public financed capital improvement projects (CIP). Public-private percent for art receives funding through both private and public development projects. A private percent for art program usually is run by an organization or foundation that receives funding through contributions, with percentages as goals. The percent designation usually begins at one percent and can go as high as three percent. Within each of the public, public-private and private categories are many variations and qualifications that include ordinances or voluntary contributions, separate funds, definitions of capital improvement project size, minimums and maximums. A review of percent programs also suggests it is important to designate a portion of the funds for administration and maintenance of the public art. In New York State, New York City, Rockland County, the City of Buffalo and City of Huntington have governmental public art programs.

The Public Art Commission reviewed these possible funding models, which are listed below in the commission’s order of priority. A public percent for art ordinance with voluntary private participation is the preferred option to support a public art program in the city at this time, with consideration of the establishment of a private percent for art to occur subsequently.

1. Public Percent for Art with Voluntary Private Participation
2. Public-Private Percent for Art Ordinance
3. Public Art General Fund through a per capita or other assessment set aside

Funding methods continued

### **Preferred Option/Option 1**

#### **Public Percent for Art Ordinance with Voluntary Private Participation:**

In this option, public capital improvement projects would have a 1% designation for public art and a voluntary .3 or .5% designation on private development as per the proposed zoned approach listed below. Participation by private developers would be voluntary and follow some of the parameters described below in option #2.

### **Preferred Option #2**

#### **Public-Private Percent for Art Ordinance**

A percentage of all public capital improvement projects and private development projects are considered for a public art fee. Art for public projects is owned by the city and selected through a process defined by the Public Art Commission as described in this plan. Art for private development projects is chosen and owned by the developer. Developers would allocate money for art and demonstrate completion prior to receiving a certificate of occupancy. The Public Art Commission would be available to advise private developers on the art commissioning process if requested. Nonprofit development projects would be exempt but project sponsors could be encouraged to make a voluntary contribution or plan for their site. The specific parameters and limits are listed below.

#### **Implementation:**

##### **Zones**

The Public Art Commission recommends the use of a zoned approach to percent for art program.

##### **Public projects - all zones**

Since the city would take a leadership role in public art, the percent for art would be 1% of the total capital project costs in all geographic areas of the city.

Given the current economic climate, it is important to understand how a percent for art program would impact the city budget. As such, capital project costs for the past eight years were examined in order to gauge how expensive a percent for art program might have been for the city had a percent for art been in place in 1996. These figures were then projected forward for a twenty year period to determine possible future costs.

Each year the city establishes a list of capital projects that contains a wide array of items to be funded with serial bonds. Typical items on the list include new cars and vans, repairs to city buildings, new playground equipment, bridge and garage repairs, and the construction of park trails.

Communities across the country with percent for art ordinances use a variety of definitions to determine eligible capital projects. A conservative approach for this analysis was taken by using a narrow definition of eligible capital projects. Thus, items such as improvements to bridges, parks, and city buildings costing over \$50,000 were included, but projects for street and road improvements, sidewalks, traffic calming projects, land acquisition, or project design costs were omitted.

According to the analysis, the annual cost for a percent for art program, including payment of both principle and interest at 5% (the city's historic borrowing rate), would have ranged from a low of \$249 in 1996 on capital projects costing \$314,000 to a high of \$3,478 in 2001 on capital projects costing \$4,391,600. The average cost over the last eight years of retiring debt for these art expenses would have been \$1,825 per year.

Funding methods continued

Total capital project costs vary considerably over the years and with different city administrations, but if this annual rate is representative of typical spending over time, the annual payment for debt retirement would range from \$1825 in year 1 to \$36,500 at the end of year 20 as annual costs accumulate by 2024 (20 times \$1825 or \$36,500 in 2003 dollars). Inflation will, of course, increase this amount, but its real value in constant dollars should remain relatively unchanged. As an example, \$36,500 translates into .09 percent of the city's 2003 \$43 million budget.

The chart below demonstrates what annual costs for the past eight years would have been if a 1 percent program had been in place. The analysis does not include a percent for art project for the new Cayuga Garage, a \$17.5 million project. Although this development project merits an art component, this item was excluded in the analysis because the city doesn't typically construct such large projects and it is an anomaly in terms of its cost.

Table 1. Possible costs for a city percent for art program (in dollars)

Year	Eligible capital projects	Annual debt service on eligible capital projects
1996	314,000	249
1997	1,802,125	1,427
1998	2,567,630	2,033
1999	2,615,000	2,071
2000	2,263,312	1,792
2001	4,391,600	3,478
2002	505,000	400
2003	3,983,024	3,154
Total	18,441,691	14,604
Avg. annual cost	2,305,211	1,825

**Private projects – selected zones**

Recognizing the economic difficulty of private development, especially in the urban core, the Commission recommends a zoned approach for private development percent for art projects.

In the **Urban Core**, the percent for art would be .3% of the total development costs. The urban core area roughly covers downtown, the West End, and Inlet Island. More specifically, the intent is to apply the .3% provision to the defined area subject to the density policy, which is implemented by the Tompkins County Industrial Development Authority (IDA) and which provides tax abatement to qualified projects.

In the **Route 13 Corridor and in Collegetown**, the percent for art would be .5% of the total development costs.

Examples of how the percentages would work:

	<u>Project Cost</u>	<u>% for Art</u>	<u>Dollars for Art</u>
Urban Core	a. \$4.5 million	.3%	\$13,500
	b. \$10 million	.3%	\$30,000
Rte.13/Collegetown	a. \$1.5 million	.5%	\$7,500
	b. \$12 million	.5%	\$60,000

Funding methods continued

### **Preferred Option #3**

#### **Public Art General Fund Options**

##### **Public Art General Fund through Per Capita Funding:**

This type of funding mechanism has been used in some smaller cities. An annual fund is designated based on a per capita set aside in the General Fund. This city art fund can be carried over from year to year and pooled to create larger projects. The City of Kent, WA uses a \$2 designated per capita mechanism and a private percent for art.

#### **OTHER FUNDING OPTIONS**

##### **Public Art General Fund through another assessment set aside:**

A set aside program could be established to fund public art by pooling fees into a designated general fund. For example, a \$4 (Four For Art) or \$5 for art notion added to the city permit application system. These set aside ideas could be developed with public information that would build awareness of program purposes.

Another set aside idea could designate a voluntary contribution for public art paid with city tax payments. This option has yet to be explored in terms of any legal issues.

##### **Other Percent for Art Options**

###### **Public Percent for Art Options:**

Public Percent for Art Voluntary - On public development projects, contribution toward a percent for art is optional.

Public Art General Fund Designation - Public development projects are funded through a general fund designation determined in each yearly budget cycle.

###### **Public/Private Percent for Art Options:**

Public/Private Percent for Art Voluntary - On all public and private development projects, a contribution toward percent for art is optional.

Public/Private Percent for Art in an Arts/Entertainment Zone - On public and private development projects in a designated area of the city, percent for art is applied.

##### **Local Option**

A local funding source for public art may be the room tax. The room tax could be a mechanism for providing ongoing revenue support but the impact on other existing art activities funded by this source would need to be explored.

#### **ADDITIONAL INFORMATION ON PERCENT FOR ART**

##### **Percent for Art Provisions**

Listed below are some general provisions that are a part of percent for art parameters.

Cap -

The percent for art calculation could be capped at \$15 million for each project, public or private. The minimum project cost could be \$200,000 -500,000 for private developers.

Administration -

A percent of each public project (beginning at 5% and up to 15%) should be reserved for administration and maintenance. Some projects might require a higher percentage, some a lower percentage, depending on the acquisition process used and the level of community interaction during the planning stages. In the public project example listed on a preceding

## Funding methods continued

page, the administration cost might range from \$750 to \$2,250 for a total artwork budget of \$15,000.

Administration costs should include staff salaries, overhead, public relations, project development, artist selection, community outreach, artwork dedication and maintenance.

### Pooled Fund -

All projects could have the option of using the percent funds to support artwork on site or contribute funds to a pooled fund. Use of pooled funds could be determined by public art plan priorities. Administration and maintenance money would be set aside from the pooled fund for each project.

### Ownership –

Private property owner would retain ownership of the artwork.

### Art Placement –

Generally, artworks should be outside and publicly accessible. However, art placed in the interior of a building must be in an area accessible to the public from 9:00 a.m. to 5:00 p.m.

### Eligible capital projects –

All new construction and all renovation projects which undergo alterations or repairs that exceed fifty percent of the value of the existing structure could be eligible.

### Artwork costs -

Artwork costs would include approximately 15% to artist design fee, research, travel, project proposal, engineering and construction documents and approximately 85% to fabrication/installation (artist travel, materials, studio overhead, subcontractors, fabricators, installation, site preparation, insurance, bonding). Artists should consider 10% contingency fund for unknown project costs within the fabrication/installation portion of the budget.

### Capital Improvement Project definition –

(There are other communities that have a broader definition of capital improvement, for example, including roads and drainage).

- 1) new construction of a building or of additional space added to a building;
- 2) any reconstruction or renovation of a building or part of a building equal to or exceeding in cost, fifty thousand dollars;
- 3) any other project, the intended use of which requires that it be accessible or visible to the public, including but not limited to parks and bridges;
- 4) projects shall not include equipment or rehabilitation of equipment;

Cost of project could include site work, and contingency allowances for a project, but could exclude land or building acquisitions and subsequent changes to the project unless such subsequent changes exceed fifty percent of the initial cost of the project.

Total Cost does not include costs for: design and engineering of the building, administration, fees and permits, building demolition, relocation of tenants, contingency funds, land acquisition, environmental testing or indirect costs, such as interest during construction, advertising and legal fees.

### Art parameters -

The following non-artistic items do not meet the intent of this program: Reproductions, by mechanical or other means, of original works of art; decorative, ornamental, or functional elements which are designed by the architect or consultants engaged by the architect as opposed to an artist commissioned for this purpose; those elements generally considered to

## Funding methods continued

be components of a landscape architectural design except when elements are designed by the selected project artist and are an integral part of the project artwork; "art objects" which are mass-produced of standard design; directional or other functional elements such as super-graphics, signs, color coding, maps, etc.; modification in or improvements to building surfaces or structural elements of the building, and services or utilities necessary to operate and maintain an artwork over time.

Eligible projects include, but are not limited to: sculpture, murals, portable paintings, earthworks, neon, mosaics, photographs, prints, film, sound, video, any combination or forms of media and new genres; standardized fixtures such as grates, streetlights and other design enhancements as are rendered by an artist for unique and limited editions.

### **New York State Examples of Public Art Ordinances**

Rockland County - Run by Rockland Center for Arts, population 280,000. Ordinance states that 1% of first \$15 million of bonded County capital projects is used for art on project site.

NYC Percent for Art Program - Ordinance allocates 1% of municipal construction budgets for newly constructed or reconstructed capital projects, cap of \$400,000. Annual cap of \$1.5 million.

Huntington, Town (Division of Cultural Affairs) - No ordinance for percent for art, but an allocation is part of annual operating budget. This is a new program with an initial allocation of \$5,000.

Buffalo - Part of city government but run by Buffalo Arts Commission. Ordinance states that any capital improvement project of over \$1 million with any city funding designates 1% for art.

## APPENDIX H

### FUNDING SOURCES

The sources and ideas listed below could be utilized for future funding of public art projects and programming. Broad categories of funding include: public/private sector collaborations; percent for art programs; participation from developers; and alternate sources. Percent for art funding is discussed in more detail in appendix G.\*

- National Endowment for the Arts, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, (202) 682-5400, [www.arts.gov](http://www.arts.gov), matching funds for public art. Also have sponsored “Mayor’s Institutes” where government leaders can bring design projects to an institute for discussion.
- New York Foundation for the Arts (NYFA), 155 Avenue of the Americas, 14<sup>th</sup> Floor, New York, NY 10013, (212) 366-6900 Artists and Audiences Exchange program will provide funding for artist workshops and presentations.
- New York Foundation for the Arts (NYFA), [www.nyfa.org](http://www.nyfa.org), features an interactive web page and provides links to grant sources.
- New York State Council on the Arts (NYSCA), [www.nysca.org](http://www.nysca.org). The NYSCA visual arts category funds organizations to provide a variety of programs and services.
- Community Beautification Program, contact Chrys Gardener, [cab9@cornell.edu](mailto:cab9@cornell.edu), possible Collaboration with landscaping/beautification efforts. Small grants available to municipalities and volunteer organizations.
- Development Grants, liaison Jackie Kippola, [jkipploa@tompkins-co.org](mailto:jkipploa@tompkins-co.org), Tourism grants awarded to organizations for the initiation, development, expansion, and enhancement of Tompkins County tourism attractions and events with broad appeal. This source might be used to produce brochure on the city’s public art collection.
- *Directory of Corporate and Foundation Giving*, The Foundation Center, 79 5<sup>th</sup> Avenue, New York, NY 10003-3076, 212-620-4230, <http://fdncenter.org>
- Funding for public art in other communities across the country has come from alternate sources, such as:
  - Room tax;
  - Neighborhood appeals;
  - Parking meter revenue;
  - Sales tax revenue;
  - Proceeds from the sale of city land;
  - Funds pooled with the county;
  - Partnerships with arts organizations;
  - Local companies/businesses;
  - Arts councils;
  - Funds dedicated from a large scale event;
  - Historic preservation/renovation funds;
  - Funds as part of a larger grant, eg. transportation funding.

\*Some funding information is from Project for Public Spaces.

## APPENDIX I

### PUBLIC ART PLAN KEY INFORMANTS

During the process of creating this plan, the Public Art Commission wanted the participation of key informant persons and groups that might have interest in or feedback on public art questions. The people and groups listed below received letters from the commission seeking input on the public art plan. An asterisk indicates that a response was received via letters or through meetings.

Community Arts Partnership, Richard Driscoll and Lorilyn Light\*  
Ithaca Downtown Partnership, Gary Ferguson and Board\*  
Community School of Music and Art, Tom Scharff\*  
Saltonstall Foundation for the Arts, Lee Ellen Marvin  
Historic Ithaca, Scott Whitham  
Dewitt Historical Society, Matt Braun\*  
Ithaca City School District, Judy Pastel and Craig Evans\*  
Ithaca Community Fine Arts Booster Group, Patti Nozell  
Tompkins County Public Library, Janet Steiner  
GIAC, Marcia Fort  
Ithaca Youth Bureau, Allen Green\*  
Southside Community Center, Diann Sams and Board  
State of the Art Gallery, Stan Bowman, current chair  
Cornell University Art Department, Buzz Spector, chair  
Ithaca College, Susan Weisand  
Sciencenter, Charles Trautmann  
Public Service Center, Cornell University, Leonardo Vargas  
Cornell Council on the Arts, Milton Curry  
Johnson Museum, Frank Robinson\*  
PTA Council, Pam Hanna  
CAP artist email list (Jeff deCastro, John Snyder, Anne Campbell, Nancy N. Maas, Camille Doucet, Rob Licht)\*  
Board of Public Works\*  
Strategic Tourism Planning Board, Scott Wiggins  
Chamber of Commerce, Jean McPheeters\*  
City Affairs Committee, Chamber of Commerce\*

#### Neighborhood list -

Bryant Park Civic Association, Nancy Leeming and Mary Tomlan  
Center Street Neighborhood Watch, Dorothy Rollins  
Collegetown Neighborhood Association, Nancy Schuler and Gary Stewart\*  
Cornell Heights Civic Association, Michael and Erica Decatur  
CAN-DO Neighborhood Association, Leslyn McBean  
East Spencer Street Association, David Henderson  
First Street Neighborhood Association, Armin Heurich and Gail Brisson  
Hector Street Neighborhood Association, Margot Brinn  
Henry St. John Civic Association, Gloria Landes and Eric Rosario  
Latino Civic Association, Leonardo Vargas  
Marshall and Linn Street Association, John Barradas  
Marshall and Utica St. Neighborhood Association, Linda Farthing-Kohl  
Northside Neighborhood Planning Association, Wendy Workman  
Orchard Place Association, Terrence and Jane Fajans  
We Are Neighbors Too, John Beach  
South of the Creek Neighborhood Association, Rick Grossman  
Spencer Road Neighborhood Association, Crystal Buck and Ben Coakley

Key Informants continued

South Hill Civic Association, Jim Meyer  
Titus Towers Tenant Council, Betty B. Miller  
University Hill Neighborhood Association, Kate Lunde\*  
Washington Park Neighborhood Association, Jutta Dotterweich and Michael Vitucci\*  
West Hill Civic Association, Amy Christian  
Wood Street Neighborhood, Rick Rogers  
Church/Religious Organizations:  
Ithaca Reform Temple, Abby Lyon  
Temple Beth El, Rabbi Scott Glass  
First Assembly of God, John Sotero  
Tabernacle Baptist, David Nelson  
Immaculate Conception Church, Father Leo Reinhardt  
St. Catherine Greek Orthodox, Stephen Lilley  
St. John's Episcopal, Phillip Snyder  
St. Paul's United Methodist, Rebecca Dolch  
Unitarian Church of Ithaca, Stan Sears  
St. James A M E Zion Church, Robert E. Williams  
First Baptist, Wendy Fambro  
Calvary Baptist  
First Presbyterian, Ron Allin

\* groups responded via letters or meeting notes or phone

## APPENDIX J

### VARA (VISUAL ARTISTS RIGHTS ACT)

In 1990, Congress proposed VARA, an addition to the Copyright law. This federal law guarantees artists their moral right to claim or disclaim authorship in artwork; preserves limited rights to prevent distortion, mutilation, or modification of a work; and the right, under some circumstances, to prevent destruction of a work that is incorporated into a building. These rights are referred to as the right of attribution, the right of integrity, the right to withdraw a work, and the right to disclosure (allows the artist to determine when a work is complete). The rights last for the life of the artist for works created after June 1, 1991. New York state law also protects artists' rights.

These rights can be waived if the artist signs a written document stating the rights be waived and the specific artwork is identified.

Access to the copyright law information regarding VARA is available at <http://www.loc.gov/copyright/title17/92chap1.html#106a>(basic provision) and <http://www.loc.gov/copyright/title17/92chap1.html#113> (exception for artworks fixed to buildings). In addition, the National Endowment for the Arts posts a guide to the Visual Artists Rights Act at <http://arts.endow.gov/artforms/Manage/VARA.html>.

## APPENDIX K

### CONTRACTS

A review of sample artist and donor contracts indicates that the following elements have been considered as part of contracts.

For the artist:

- Description of the artwork
- Requirements and approval for the design of the artwork
- Artist's scope of work description
- Schedule for artwork, including any progress reports and artwork review
- Fabrication and installation requirements
- Use of community input, if applicable
- Site preparation
- Delivery/transportation and installation
- Price/payment schedule/sales tax
- Inspection and review of artwork/loss/damage/delivery
- Delays in construction
- Copyright and reproduction agreements
- Warranties/insurance
- Indemnification
- Maintenance protocol or requirements
- Signage
- Relocation and removal conditions, including signing of Visual Artists Rights Act waiver
- Death or disability of artist/ termination conditions
- Applicable law
- Notices
- Miscellaneous (servability, entire agreement)

With each contract, artists should receive a copy of any maintenance or appeals policy conditions.

For the donor:

- Site selection information
- Base or pedestal requirements
- Delivery of artwork
- Representations
- Covenants
- Relocation and removal conditions, including signing of Visual Artists Rights Act waiver
- Indemnification
- Notices
- Miscellaneous (governing law, jurisdiction, venue)

With each contract, donors should receive a copy of any maintenance or appeals policy conditions.

## **APPENDIX L**

### **POTENTIAL PUBLIC ART PARTNERS**

Tompkins County and the surrounding area are home to a variety of individual artists and arts/community organizations. There are potential collaborations with many of these individuals and groups who could be public art partners. Listed below are brief descriptions of how these potential partners could connect with public art activities. This information was submitted directly by these groups.

#### **Community Arts Partnership (CAP)**

The Community Arts Partnership serves as a liaison organization to the Public Art Commission. CAP has advised the Commission on artist issues, made connections to artist groups and facilitated access to CAP's artist slide registry. CAP would continue to advise on programs, assist connection to the artist community and potentially serve as a contracted agency/consultant on public art projects.

#### **Ithaca Downtown Partnership (IDP)**

The Ithaca Downtown Partnership serves as a liaison organization to the Public Art Commission. IDP has embraced in the incorporation of art and art activities into the downtown business district and views this activity as good for business. IDP created and administers the Art in the Heart of the City temporary sculpture exhibit and they run the Art Walk program. IDP's long-range plans include an art focus; refer to their vision plan included in the appendix.

#### **Tompkins County Public Library (TCPL)**

The Tompkins County Public Library's new home in November 2000 has served as a valuable exhibit space for art. The library hosts four exhibits a year with support from the Community Arts Partnership, and through partnerships with other organizations such as The Inkshop. The Inkshop cosponsored "Textscapes" in 2002-03, a show resulting from the work of public art creator Jeff deCastro who collaborated with printers and poets in writing and printing workshops to "wrap the library." The library will continue to serve as an exhibit space for art and will continue to do arts programs, including many children's arts programs, and to work in partnership with other organizations.

#### **Community School of Music and Art (CSMA)**

The Community School of Music and Art offers classes to all ages in a variety of arts areas. In addition, CSMA's home on State Street has served as an exhibit space for a variety of arts exhibits. The Community School of Music and Art can assist the Public Art Commission with planning; act as a resource for identifying artists in the community; provide space for temporary installations; and schedule some meeting/work space for public art activity.

#### **Johnson Museum of Art**

The Herbert F. Johnson Museum of Art is a nationally recognized museum as part of the Cornell University campus. The Johnson Museum can help by providing staff expertise, contacts with artists, some fundraising and grant writing, and publicity for the program in the museum's own outlets. In addition, Frank Robinson has offered his expertise as a former commission member in Providence, RI.

#### **The History Center in Tompkins County**

The History Center is devoted to collecting, preserving and interpreting the history of Tompkins County. The History Center has offered to connect with Public Art Commission activities through its role in a variety of areas including: the only museum located in the downtown business district; its location at Gateway Center; its role in the history of the county; use of its collection; promotion of the appreciation of history to foster civic pride and civic engagement; collaboration to benefit The History Center, the PAC and potentially attract and retain people and business to the downtown area.

Potential partners continued

**Ithaca Youth Bureau**

The Youth Bureau building and Cass Park are city-owned and managed by the Youth Bureau. These spaces would be available for the display of art.

**Ithaca City School District**

Response from Carol Spence, 2002-03 High School Fine Arts Coordinator, suggested a student collaboration with future public art activities. Students could view art and discussions could be set up with the artists. Advanced students might also participate by contributing their artwork for an appropriate public venue.

**Individual Artists**

Several individual artists have expressed a desire to collaborate with the public art program as commissioned artists and to provide feedback on program activities.

**Other organizations**

Other organizations have articulated their desire for future collaborations. The Saltonstall Foundation, the Cornell Council on the Arts and the Discovery Trail are examples of organizations that have expressed interest in exploring and considering future collaborations.

## APPENDIX M

### ITHACA DOWNTOWN PARTNERSHIP: PLAN FOR DOWNTOWN

#### THE ITHACA DOWNTOWN PARTNERSHIP 2003-2010 DEVELOPMENT STRATEGY

##### THE ROLE OF ART IN DOWNTOWN

*One of downtown Ithaca's market niches is as a center for the appreciation and commerce of art. The role of art in transforming downtown centers across the country is well documented. Here in Ithaca, there is an opportunity to grow upon a solid base of art programs and art businesses to create a center of regional and even national prominence.*

*Downtown is ideally suited to serve as a center for art. Downtown's ambience and aesthetics, its collection of older commercial buildings, its existing status as a tourist destination and its present group of art businesses, organizations and programs all make it an excellent candidate for further art growth and development.*

There are several overall art goals for downtown:

- To enable visitors to downtown to experience art on each and every trip;
- To build a critical mass of art businesses that, on its own, can stand as a visitor attraction and destination draw;
- To be perceived regionally and throughout the Northeastern United States as a center for art.

To attain these goals during the period 2003 to 2010, the Ithaca Downtown Partnership will work with the Ithaca community to:

- (1) **Continue and work to institutionalize the Art in the Heart of the City annual sculpture exhibition.** Now in its 4<sup>th</sup> year, Art in the Heart of the City has earned praise for its breadth and scope. It was cited by Yankee Magazine as one of New York State's must see attractions for 2003. The IDP will work to grow the exhibition and find a partner to help co-produce the project.
- (2) **Build a permanent downtown sculpture collection.** Downtown currently has four permanent sculpture pieces. The goal of the IDP will be to add a new piece of public art to the permanent collection in downtown each year. Pieces can be held publicly or privately.
- (3) **Develop a mural art program.** The City has already purchased four permanent mural boxes that the IDP will program with mural art on a rotating basis. It is the goal of the IDP to add one new mural to downtown each year on either public or private property. The IDP will also work with the Board of Public Works and the Public Arts Commission to inventory downtown public structures and pre-qualify possible mural art locations.
- (4) **Encourage the growth of art galleries.** The IDP will work increase the number of public art galleries (both private and nonprofit) to at least 12.
- (5) **Encourage art in private buildings and businesses.** The IDP will institute a voluntary program to encourage downtown buildings and businesses to integrate art

into the public spaces. The goal will be to encourage at least 50% of the businesses and major buildings of downtown to feature art in some fashion.

- (6) **Investigate an art incubator program.** The IDP will explore the feasibility of creating a downtown art incubator program that could cluster studio artists and also serve as a center for visitors.
- (7) **Accent art as a key feature in downtown public amenities.** The IDP will work with the City of Ithaca to ensure that, to the greatest extent possible, new or renovated public facilities, infrastructure and/or street and sidewalk amenities will have built-in art features. Among the future projects to be targeted are TCAT bus stops and shelters, Commons entrance improvements and benches and pavilion upgrades.
- (8) **Champion the creation of satellite art museum.** The IDP will investigate the future feasibility of creating a downtown art museum, most likely a satellite facility from either Cornell University or Ithaca College.
- (9) **Organize an ongoing busker program.** Public art can also include performance art. The IDP will work to create an ongoing busker street performer program that seeks to provide musical or other performance entertainment at key visitor times throughout the year.

## APPENDIX N

### PUBLIC ART RESOURCES AND INFORMATION

The resources below were used in compiling this plan; some of these resources could be used for the future implementation of the plan.

- Tompkins County Quality of Life 2000, a report of the Tompkins County Quality of Life Committee, December 2002.
- Community Cultural Assessment, Community Arts Partnership, Ithaca, NY July 2002.
- Project for Public Spaces, Inc., 153 Waverly Place, NY, NY 10014, [pps@pps.org](mailto:pps@pps.org), Cynthia Nikitin, Assistant Vice President, PPS Slide Library
- *Making Public Art Work*, Cynthia Abramson Nikitin, Sculpture Magazine, April 2000, <http://sculpture.org/documents/scmag00/april00/pub/pub.htm> This article describes the charrette process for gathering community input.
- FORECAST Public Artworks, 2324 University Ave.W #102, St. Paul, MN 55114, [www.forecast.org](http://www.forecast.org).
- *The Tilted Arc Controversy: Dangerous Precedent?* By Harriet F. Senie, U of MN Press 2001.
- *2003-2004 Public Art Program Directory*, Renee Piechocki editor, Public Art Network – Americans for the Arts, 2003, [www.AmericansForTheArts.org](http://www.AmericansForTheArts.org).
- *Public Art Funding-Developing Percent for Art Programs*, Brenda Brown and Mary Rubin, American for the Arts monograph, December 2000.
- *Public Art Review*, various issues, <http://www.publicartreview.org/> Public Art Review, 2324 University Ave W., #102, St. Paul, MN 55114, also for images of public art.
- *Public Art 101- Curricular Book*, Seattle Arts Commission, October 2001, [www.cityofseattle.net/arts](http://www.cityofseattle.net/arts)
- *Arts in Public Places Policy Manual*, City of Brea, CA, June 2001, [www.cityofbrea.net](http://www.cityofbrea.net)
- Austin City Connection, Arts in Public Places Program guidelines, <http://www.ci.austin.tx.us/aipp/guideo3.htm>
- New York City Department of Cultural Affairs Percent for Art Program Implementation Guidelines, December 1985, amended January 1996, NYC Percent for Art Program, Department of Cultural Affairs, 330 W. 42<sup>nd</sup> Street, 14<sup>th</sup> floor, NYC, NY 10036, [www.nyc.gov/html/dcla](http://www.nyc.gov/html/dcla)
- Town of Huntington Public Art Initiative, Public Art Advisory Committee Guidelines and Administrative Plan, Town of Huntington Division of Cultural Affairs and Huntington Arts Council, September 2001, John E. Coraor, Director of Cultural Affairs, [jcoroar@town.huntington.ny.us](mailto:jcoroar@town.huntington.ny.us)
- City of Buffalo public art ordinance, Buffalo Arts Commission, 222 City Hall, 65 Niagara Square, Buffalo, NY 14202
- County of Rockland, NY public art ordinance, Arts in Public Places of Rockland County, NY, Rockland Center for the Arts, 27 South Greenbush Road, West Nyack, NY 10994, Julianne Ramos, (845) 358-0877, [info@rocklandartcenter.org](mailto:info@rocklandartcenter.org)
- *Public Art and Private Development – Report on Program Policies*, King County Public Art Program, Office of Cultural Resources, Smith Tower, 506 Second Ave., Suite 200, Seattle, WA 98104, 2002, [www.metrokc.gov/exec/culture/publicart](http://www.metrokc.gov/exec/culture/publicart)
- *Public Art Seattle* interactive cd, <http://www.cityofseattle.net/arts/publications/publicart>
- *The Arts in Public Policy: An Advocacy Agenda*, Thomas L. Birch, The NASSA Advocate 2002, The National Assembly of State Arts Agencies, 1029 Vermont Ave. NW, 2<sup>nd</sup> floor, Washington, D.C. 20005, [www.nasaa-arts.org](http://www.nasaa-arts.org)
- National Assembly of State Arts Agencies, cultural tourism description, [www.nasaa-arts.org](http://www.nasaa-arts.org)

- Public art resources and information continued
- *Municipal and State Programs That Support Artists*, Noelle Backer, Art Calendar September 2002.
- Northside Neighborhood Plan “Turning the Corner” first draft April 2002, Leslie Chatterton, Tim Logue, Northside Steering Committee, Cornell Department of City and Regional Planning Community Planning Workshop
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## **APPENDIX O**

### **SAMPLE ORDINANCES**

This section contains copies of percent for art funding ordinances from Buffalo, New York, Rockland County, New York and the City of Lawrence, Kansas as a reference for future consideration.

**ART IN PUBLIC PLACES COMMITTEE**

c/o Rockland Center for the Arts  
27 South Greenbush Road  
West Nyack, New York 10994

C. Scott Vanderhoef, County Executive

LOCAL LAW NO. 6 OF 19 8 6  
**COUNTY OF ROCKLAND**  
STATE OF NEW YORK

A local law providing for a percent for arts amendment to the administrative code.

Be it enacted by the Legislature of the County of Rockland as follows:

Intention and Policy:

A. Whereas, art and culture are basic human needs, and the encouragement and protection of its art and culture are as important a part of our government as the encouragement and protection of industry, labor, the environment and other resources;

B. Whereas, the arts know no boundaries and when they flourish, they demonstrate our joy at being free men and women challenged and stimulated by awesome individual expressions of creative power;

C. Whereas, a public art program is one of the finest contributions a government can make to its citizens since it provides the community with a unique identity, civic pride and thought-provoking cultural landmarks, as well as a sense of community cohesion;

D. Whereas, in our democratic society, all the people, not just an elite few, have the right to be participants in the arts and it becomes the duty of government to create access to, and encourage participation in, arts and culture;

E. Whereas, many states, cities and counties throughout the United States, as well as the federal government, have adopted percent-for-art ordinances, whereby a specified percentage of the budget for new government construction and major renovation projects is allocated for the commissioning or acquisition of works of art, indicating conscious efforts by elected officials and community leaders to enhance the visual environment.

Section 1. Funding

Capital projects, whether funded by capital funds or operating funds, shall include the appropriation of funds equal to one percent of the cost of the project for the first fifteen million dollars appropriated, said funds to be appropriated for the acquisition, maintenance and management of public art, except where the appropriating resolution, bond resolution, or budget may provide otherwise; provided, however, where applicable, such amount shall be reduced to the extent that state or federal government funds are not authorized to be used for such purpose.

Section 2. Definitions

A. "Capital Projects" shall include:

- (1) new construction of a building or of additional space added to a building;

Rockland continued

(2) any reconstruction or renovation of a building or part of a building equal to or exceeding in cost, fifty thousand dollars;

(3) any other project, the intended use of which requires that it be accessible or visible to the public, including but not limited to drainage, roads, parks and bridges, excepting therefrom sewer lines;

(4) projects shall not include those which are solely for rehabilitation of equipment;

B. "Cost of a project" shall include architectural and engineering fees, site work, and contingency allowances for a project, but shall exclude land or building acquisitions and subsequent changes to the project unless such subsequent changes exceed fifty percent of the initial cost of the project.

C. "Public art" shall include any application of skill and taste to production of tangible objects according to aesthetic principles including, but not limited to, paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, drawings and ceramics.

This law shall apply to all capital projects in each annual budget of Rockland County as defined by this local law.

#### Section 4. The Art in Public Places Committee

A. There shall be an Art in Public Places committee (hereinafter referred to as the "committee") consisting of eleven members appointed by the County Executive, who shall serve at his or her pleasure, subject to confirmation by the county legislature. The chairperson of such committee shall be selected by the county executive from the members of the committee for a term of one year. The county executive, the chairperson of the legislature, the chairperson of the arts, culture and tourism committee of the legislature, the majority leader and minority leader or their designees, shall serve as ex-officio voting members of the committee.

B. The members shall be experts in the fields of art, art history, architecture or architectural history.

#### Section 5. Committee Duties

A. The committee shall prepare a master art plan to insure a coherent acquisition program and implementation guidelines both of which shall be approved by the Rockland county legislature. All acquisitions and sales of public art shall be in accordance with the master art plan and implementation guidelines. The committee shall recommend acquisitions and shall oversee the public education and curatorial aspects of the acquisition program. The Arts Council of Rockland shall serve as coordinator for the program. The Art in Public Places committee shall deliver an annual report to the county executive and the Rockland county legislature.

B. The committee shall choose the methods of acquisition of public art for each project. Such methods of acquisition may include, but are not limited to, projects of pre-existing art, direct commission, art competition or acceptance of donations.

Rockland continued

C. The committee may, for each capital project, convene a panel comprised of at least three members of the committee, one of whom shall be designated chairperson. The committee may also appoint additional art experts as members of the panel. The committee may also appoint additional members to the panel to serve as advisors, who may be community representatives, county employees, project managers or others who will have frequent contact with the public art when it is completed. The architect or engineer of the project shall be an ex-officio member of each panel. The panel shall review the scope of each project and shall make recommendations to the committee on the nature of the public art to be considered for the project, on the specific artist and the specific art for each project, and what portion of the budget for each project shall be used for refurbishing or restoring existing works of art or to be set aside for the maintenance of a work of art.

D. The acquisition and siting of all art work shall be approved by the county executive and the county legislature.

#### Section 6. -Use of Funds

The use of any funds appropriated for any project for public art purposes shall be in accordance with the master plan, except that any such funds provided from the proceeds of county serial bonds or notes shall be used only for public art purposes related to the project for which such bonds or notes were authorized. To the extent the total appropriation of a project is not used for the acquisition of works of art for said project, upon the approval of the county legislature the remainder may be used for:

(1) arts program administrative costs, insurance costs or for the repair and maintenance of any works of art acquired under this law, or

(2) to supplement other appropriations for the acquisition of works of art under this law or to place works of art in or near government facilities which have already been constructed.

**Note: Section 6, paragraphs 1 and 2, were later found to be contrary to state laws governing use of bonded funds. Therefore, all bonded funds used for public art purposes shall be used only for site-specific art. Remaining project funds may be turned back into the general fund of Rockland County upon approval by the county legislature.**

#### Section 7. Ownership and upkeep

Ownership and title of all works of public art acquired by the county under this local law shall be vested in the county of Rockland.

#### Section 8. Effective date

This local law shall take effect immediately upon approval of the county executive in accordance with the appropriate provisions of the Rockland county charter and the Rockland county administrative code and the municipal home rule law, where applicable.

**ART IN PUBLIC PLACES PROGRAM  
CITY OF BUFFALO  
RULES & REGULATIONS\***

The Buffalo Arts Commission presents the following rules and regulations for the selection of public art, pursuant to Chapter 409, Article II, Section 409-7, to The Buffalo Common Council and Mayor Anthony Masiello.

Members of the Subcommittee and Committees responsible for the drafting of these rules and regulations are: Christine Tebes, Chairperson, Judy Beecher, David Granville, David Hayes (corporate counsel), and Nan Clarkson and Margaret Roblin.

An outline of the proposed rules and regulations are as follows:

**1. History**

- I. The Ordinance**
- II. Definitions**
- III. Policies**
- IV. Overview of Responsibilities**
- V. Criteria**
- VI. Composition of APP Committee**
- VII. Development of An APP Project**
- VIII. Review of the APP Committee's Recommendation**
- IX. Project Implementation and Documentation**
- X. Eligible Costs**
- XI. Ineligible Costs**
- XII. Maintenance of Works of Art**
- XIII. Ownership**

**\*Approved CCP 2/22/00 413**

## City of Buffalo Art in Public Places Program

### Rules and Regulations

#### **I. History:**

On July 27, 1999, The Common Council of the City of Buffalo passed an ordinance amendment to Chapter 409 (Statues and Monuments) which establishes a policy to direct the inclusion of works of art in public projects in the city.' Mayor Anthony Masiello signed the legislation making the article effective on September 1, 1999.

The intent of the legislation is to expand Buffalo's citizen experience with visual art, while encouraging artists capable of creating such art, and enhancing Buffalo's standing as a regional leader in art. While Buffalo has several fine examples of public art most notably, the artwork in Buffalo's Metrorail Stations, this is the first time that legislation directly supporting the inclusion of public art in the city has been enacted.

#### **II. The Ordinance:**

Chapter 409, Article 11, Section 409-2 establishes the Arts in Public Place Program, and provides for the set-aside of "an amount of One Percent (1%) of the total budgeted construction and design cost of the Capital Improvement Project", the total of which "is equal to or greater than One Million Dollars," (See. 409-3) be set aside for works of arts in public places.

"Capital Improvement Project means any capital project paid for wholly or in part by the City of Buffalo to construct or remodel any building, decorative or commemorative structure, park, plaza, bridge, sidewalk, pedestrian mall, parking facility or any portion thereof within the limits of the City" (See. 409-5). This includes multiphase projects on a single project site.

The amount of 1% is to be used for "the planning, design, construction, repair and maintenance of the works of art" (See. 409-3).

The ordinance calls for the creation of an ad hoc Art in Public Places (APP) Committee of arts professionals for each capital improvement project (Sec. 409-6). Its responsibility is the proposed selection and placement of works of art pursuant to the rule and regulations promulgated by the Buffalo Arts Commission (See. 409-7).

The ordinance notes that works of art may either be permanently or temporarily attached or detached within or about any capital improvement project or other city owned, leased or rented property. While the APP Committee shall authorize placement of works of art, final placement shall be subject to any necessary conditions as set by the Commissioner of Public Works (Sec. 409-8).

The ordinance allows the Common Council to waive the requirement of setting aside 1% when it appears that a project is not appropriate for its application (See. 409-4).

#### **III. Definitions:**

**APP** means Art in Public Places.

**Commission** means the Buffalo Arts Commission.

**APPC** means Art in Public Places Committee.

Buffalo continued

**APP Coordinator** is the Executive Director of the Buffalo Arts Commission.

**Project Consultant** is the coordinator chosen either by the City of Buffalo or the developer (or both), to oversee the capital project.

**APP Program refers** to the Arts in Public Places initiative that was established by the Ordinance, Chapter 409, Article 11, Section 409-2.

**IV. Policies:**

A. *Relationship to Site:* The Commission views the APP program as a dynamic process in which artists are challenged to respond innovatively to Buffalo's unique weather.

1. In order to encourage works that respond to the city's rich physical settings and diversity of public sites, the commissioning of new works shall have priority over the purchase and siting of existing works.

2. Collaboration between artists and architects in the design process shall be encouraged to promote the integration of the work of art and the site.

B. *Diversity:* Recognizing the multi-cultural nature of Buffalo's population, the Commission shall promote diversity and pluralism in APP and shall encourage as wide a range of expression as possible.

C. *Responsibility to the Community:* The Commission recognizes that works of art often significantly alter public places, becoming a major new presence in the environment, and will, therefore, review proposed works of art as to their effect on public usage as well as on neighboring sites.

D. *Professional Conduct:* The Commission shall oversee the acquisition of public art on the basis of informed and carefully considered professional judgment.

E. *The Private Sector:* The Commission shall consider donations of works of art based upon the criteria and policy set forth herein.

**V. Overview of Responsibilities:**

A. The Executive Director of the Commission shall make periodic reviews in cooperation with other city departments, at least annually, of all capital improvement projects for the purpose of making recommendations regarding appropriations for works of art and arts projects.

B. The Art in Public Place Committee (APPC), through the Commission, shall recommend to the Mayor and the Common Council a method or methods of selection and commissioning of artists with respect to the designs, execution and placement of works of art in connection with public improvement projects

C. All recommendations for the placement of art projects shall be the initial responsibility of the APPC. The same shall be reviewed by the Commission and appropriate contracts submitted to the Executive Director of the Commission with the Commission's recommendation.

D. The primary functions/responsibilities of the APPC are to make recommendations regarding appropriations for works of art through the Commission.

Buffalo continued

**VI. Criteria:**

- A. All APP projects are open to any artist, except members of the Commission, APPC, or employees of the City of Buffalo, all which shall be excluded from consideration.
- B. Artists shall be selected on the basis of the appropriateness of their proposal to the particular project and its probability of successful completion, as indicated by the merit of their past work. In the case of the design team approach, an artist's willingness to fully participate in a collaborative process shall also be considered criteria for selection.
- C. In making its selection, the APPC shall bear in mind the purpose of the APP Program, always aiming to achieve the highest aesthetic quality.
- D. The APPC shall, in making its selection, give due consideration to the appropriateness of the proposed design. in terms of its scale, form, and content with respect to its immediate and general, social and physical environment.
- E. Community input may be solicited, when and where deemed appropriate by the Commission.
- F. The APPC shall also give due consideration to the proposed design regarding its materials and construction for questions of durability, maintenance, public access, appropriateness, safety, and security.
- G. The assurance that the agreed upon project budget will be met.
- H. The aforementioned criteria are the minimum criteria on which the APPC shall base its selection. Other criteria may be established by the APPC as dictated by a project's particular requirements. Any additional criteria shall be outlined in the APPC's written instructions with its RFP.

**VII. Composition of the APP Committee:**

The APPC, appointed by the Commission, shall have seven (7) members and serve as all ad hoc committee of the Commission. The APPC shall be comprised of one representative from the Commission and others as the Commission might appoint. At a minimum the Committee's membership shall include five (5) visual art professionals, two of whom shall be representatives from the environmental design fields (architecture, landscape architecture, urban planning/design.)

Selection of the committee members shall reflect the ethnic, artistic, economic, and demographic diversity of the community. "Each member shall be a professional in the fields of art, architecture, art history or art conservation" (See. 409-6). Panelists shall serve on an ad hoc basis, serving no more than twice every five years. No member may be a "seller of, or work for, a seller of public art," (Sec. 409-6) but should have experience with and knowledge of the arts and arts community. Administration of the APP Program shall come from the office of the Executive Director of the Commission. The Executive Director of the Commission shall serve ex-officio without vote, and as Coordinator for the APPC. The Chairperson shall be a member of the Commission. A quorum of APPC members shall be required whenever any vote is taken. Minutes shall be recorded for each APPC meeting.

Buffalo continued

**VIII. Development of An Art in Public Places Project:**

Art in Public Places projects may occur in, at, or near public buildings, parks, and open spaces. These may be sites which are under development or existing sites where construction is complete. The APP Coordinator shall, on an on-going basis, actively explore potential sites for APP projects. In so doing, he or she shall seek the input of various city departments as well as the community at large.

Once an APP project is identified, information will be disseminated as appropriate through the media and mailings well in advance of the selection process to provide artists adequate time to prepare any necessary submissions of their designs. For sites under development, it is preferable to involve the artist in the earliest phases of the design process to ensure a totally integrated approach. Therefore, at the earliest time possible, all city departments shall inform the APP Coordinator of proposed or planned eligible construction projects.

The city department responsible for an eligible construction project shall subsequently keep the Coordinator apprised of the selection of the Project Consultant. Additionally, provisions for the artwork project shall be appropriately included in the design program for the construction project. The development of an APP project and subsequent selection of an artist shall commence immediately upon the selection of the Project Consultant.

Once a project is identified, the APPC with the Coordinator shall recommend to the Commission, in the form of a written prospectus, the overall approach and selection process. This prospectus will strive for a solution that will allow for the artwork, whether purchased or commissioned, to be appropriate to the particular project site. The prospectus can provide for the direct purchase of an existing work(s) of art, the selection of an artist(s) to complete a specific work(s) of art, or the selection of an artist(s) to participate in a design team.

A. The APP Coordinator shall research the background of each project, consulting, as necessary, with the city departments, project consultant, project manager, and community representatives. This information shall be utilized for formulating parameters regarding:

1. Recommended format for participation of the artist in the construction project's design process and/or media.

2. Recommended location(s) within the site. Siting of the artwork may be determined prior to the selection of an artist, or proposed by the artist selected for the project. In the case of sites under development, it is preferable to allow the artist and the Project Consultant to coordinate the location of the artwork within the construction project. In the case of existing sites where construction is complete, the final location shall be determined by agreed the city departments involved, the artist, and the APP Coordinator. In either case, whenever possible, the artist selected should be given the opportunity to recommend siting of the artwork.

3. Maintenance assessment of the potential for vandalism and/or accidental damage at the project site.

B. The APPC shall, with the assistance of the APP Coordinator, determine the method of artist selection to be used for each project. Consideration should be given to choosing a method that is timely and appropriate to the site.

1. The APPC shall maintain the following general guidelines regarding the methods of artist-artwork selection: a. Open Entry competition - Any artist is eligible to enter, with recognition of the possible residency requirement. Artists submit slides of their past work,

Buffalo continued

resumes, and letter of intent related to the specific project, or specific proposals for the project under review. The site and prospectus are appropriately advertised.

b. Limited Entry Competition - The APPC invites a limited number of artists to participate in the selection process. Artists submit slides of their past work, resumes, and letter of intent related to the specific project or specific proposals for the project under review. The names of the artists invited to participate shall be publicly announced upon receipt of written acceptance of the invitation.

c. Direct selection of the Artist - An artist is invited to participate in the project and may be asked to develop a proposal for the project. If desired, a team of artists may be put together.

d. Direct Purchase of an Existing Artwork - A completed work of art is purchased. No more than ten percent of the cost of the work may go toward a dealer or agent.

2. The APPC shall establish and the APP Coordinator shall maintain an open slide registry for all artists interested in being considered for commissions through the APP Program. The slide registry may serve as the primary resource in the competitive selection of artists/artworks.

3. In the case of a limited competition-and direct selection, an artist may be asked to develop an artwork proposal for a specific APP project, in which case the artist may be paid a proposal fee on the basis of an approved fee schedule. This schedule shall be determined by the APPC, and consist of sliding schedule based on the total project commission.

#### **IX. Review of the APP Committee's Recommendation:**

The APP Committee's recommendation shall be transmitted to the Commission in the form of a written report. The APP Coordinator, along with the APP Chairperson, shall be responsible for the preparation of this information. In reviewing the APPC's recommendation, the Commission shall take into account the APP's Policies and Criteria, as previously stated.

The Commission shall review the APPC's recommendation to determine if the process for selection was properly implemented. If the Commission determines that the procedure for selection was improperly implemented, the Commission shall return the decision back, in writing, to the APPC for clarification. Individual aesthetic preferences/differences by members of the Commission shall not be basis for this action.

Prior to the APPC's transmittal of its recommendation to the Commission, the Commissioner of Public Works, and the city's managing departments responsible for housing the work shall be requested to review the proposal for technical feasibility and maintenance expenses. In cases where legitimate problems are demonstrated to the satisfaction of the APPC, the committee may be reconvened to select an alternative work.

Upon completion of its review, the Commission and the APPC shall **jointly** forward its recommendation to the Common Council and the Mayor.

#### **X. Project Implementation and Documentation:**

A. Upon approval of the APPC, the Commission, the Common Council and the Mayor, The City of Buffalo shall contract with the artist(s) for services and installation of a specific artwork. In general, APP project contracts shall require the artist(s) to produce, deliver, and install a

Buffalo continued

work of art for a guaranteed maximum cost, and by a predetermined time which is keeping with the construction project schedule.

Depending on the nature of the project, work by the artist may be contractually ensured through phased payment for work completed and/or professional liability coverage. The APP Coordinator and the artist shall review the budget to ensure that all necessary costs are met. The artist may be asked to make a public presentation at an appropriate time and in an appropriate forum in the community where the work is to be sited.

B. Prior to the construction of a work of art, the artist must obtain written approval of the final design by the APPC and the Commission. In the case of an artist who has contracted with the City of Buffalo to produce a specific work of art; written approval of the design prior to the signing of the contract shall be considered sufficient. If, however, the design changes substantially from that which was initially approved, the artist must return to the APPC for subsequent review. The APPC and the APP Coordinator shall have full authority to determine what constitutes a substantive change in the design.

In the case of a design team approach, it shall be the primary responsibility of the artist and the project consultant to collaborate on the design of the artwork and its relationship with the site. The artist shall be required to bring the design, in its formative stages, back to the APPC for review. This review shall appropriately parallel the consultant's presentations of the schematic, design development, and construction documents to all appropriate city hall departments. The stage at which final approval of the design occurs will vary from project to project, and shall be specifically set out in the artist's contractual agreement with the City of Buffalo.

C. On site activity in connection with the installation of artwork shall be handled by the artist, the APP Coordinator, and the appropriate city department representative.

D. The APP Coordinator shall function as a liaison between the artist and the various city departments involved in the completion of the project. In instances where construction matters cannot be resolved between the artist and the consultant, the APP Coordinator shall mediate, with input from the Commissioner of Public Works.

E. The APP Coordinator shall establish and maintain appropriate records on each project, which shall include the contract with the artist, records of the APPC and the Commission's actions, interdepartmental agreements, all billings made in connection with the project and all correspondence related to the project. In addition, the APPC Coordinator shall maintain records particular to the project to ensure adequate standards of documentation, registration, care, and installation of the artwork.

#### **XI. Eligible Costs:**

A. All APP contracts shall require the artist to design, produce, deliver and install a work of art for a guaranteed maximum cost. Therefore, the following costs are eligible expenditures for the 1% monies included in total project commission:

1. The work of art itself, including but not limited to:

- a. Artist's fee;
- b. Additional fees including: additional labor, materials and contracted services required for the production and installation of the work;
- c. Artist's operating expenses related to the project;

Buffalo continued

- d. Travel related to the project;
  - e. Transportation of the work to the site;
  - f. Installation of the work.
2. Identification plaques and labels.
  3. Frames, mats, mountings, anchorage, pedestals, or materials necessary for the installation, location or security of the work of art.
  4. Photographs or slides of the completed work for the purposes or routine documentation of the project.
  5. Permits or fees necessary for the installation of the work of art.
  6. Legal costs directly related to the project.

B. In addition, the 1% monies are to be used for the selection, acquisition, and maintenance of the work of art. Therefore, the following items are eligible expenditures for the 1% monies:

1. The project specific costs of the APP Program associated with the selection and acquisition of artwork.
2. Payment for artists invited to submit proposals for a project. This amount shall be determined in advance by the APPC.

**XII. Ineligible Costs:**

The following expenditures are not allowable towards the 1% monies included in the total project commission:

- A. Directional elements such as supergraphics, signage, or color-coding except where these elements are integral parts of the original works of art.
- B. Arts objects which are mass-produced of standard design such as playground equipment or fountains.
- C. Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, printmaking, or other media arts.
- D. Decorative, ornamental, or functional elements, which are designed by the building consultant as opposed to an artist, commissioned for the purpose.
- E. Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist.
- F. Services or utilities needed to routinely operate or maintain the artwork over time.
- G. Project Consultant's fees.
- H. Modifications in or improvements to building surfaces or structural elements of the building.

Buffalo continued

I. General administrative costs of the APP Program, those which are not directly related to a specific project.

**XIII. Maintenance of Works of Art**

A. The Commission shall make an annual review of the City's Public Arts Collection for the purposes of a maintenance needs assessment. The Commission shall communicate those needs to the appropriate city hall departments.

B. The works of art acquired through the APP Ordinance become the property of the City of Buffalo and are held in trust by the Commission. Expenses associated with the routine maintenance and operation of each artwork shall be incurred by the appropriate city hall department and considered to be part of the routine maintenance of the facility. The Commission shall conduct a yearly review of all such routine maintenance which shall be understood to include such things as the periodic cleaning of a work and operational costs such as water, in the case of a fountain.

No routine, or other maintenance, or repair work shall be performed by any city hall department without the prior written consent of the APP Coordinator, and consultation with a conservator selected by the Commission. Additionally, no city hall department shall not remove the artwork from display, without the prior written consent of the Commission, and in conformance with legal restrictions regarding the source of funds for that work of art.

C. Insofar as possible, in the event the repair of the artwork is required, the City shall consult with the artist concerning that repair. The repair shall be carried out by a qualified conservator. The conservator shall be selected by the Commission through an RFP solicitation for bids and subsequent award of a contract to the one presenting the lowest and the most reasonable bid.

**XIV. Ownership:**

All artwork and art projects acquired pursuant to the APP Program shall be acquired in the name of the City of Buffalo, and title thereto shall vest in the City of Buffalo.

## **LAWRENCE ARTS COMMISSION**

City of Lawrence, Kansas 2% for Art

### ART SELECTION COMMITTEE PROCEDURE MANUAL

#### Program Background and Introduction

The Lawrence 2% for Art program was established in 1987 to fund the purchase and installation of visual arts in public places. The resolution that currently governs the program authorizes the City Commission to set aside up to 2% of the city's capital improvement costs for art acquisition. It makes the Lawrence Arts Commission responsible for the art selection process, through an art selection committee, and gives final approval of recommended selections to the City Commission. The protocol described in this manual was developed by the Arts Commission in 1997, on the basis of experience gained in making earlier selections, for use in making future selections.

#### Art Selection Committee

The governing resolution requires the Arts Commission to establish a subcommittee composed of a cross-section of the community for each art selection project. It is the responsibility of the Arts Commission member who will serve on an art selection committee to form the committee. Where appropriate, the Arts Commission member will work with persons with particular interest in the project in selecting members of the committee. It is the art selection committee that, after a thorough consideration of the particular site and its function, selects the artists(s) and/or artwork to be recommended.

Each selection committee member plays a vital role in placing permanent art of the highest possible quality in public places. To ensure the quality of its ultimate selection(s), each member must be committed to artistic and aesthetic excellence. Selection committee membership also demands commitment to enhancing the character, distinction, and quality of our community and commitment to stimulating citizens' enjoyment and understanding of the creative process and products.

Where the artwork is to be integrated into or installed in conjunction with a structure, the art selection committee should include those persons from among the following individuals who are interested in participating in the selection process:

- project architect,
- representative of the contracting agency, e.g., a parks & recreation staff member,
- representative of the resident agency (if different from the contracting agency),
- a member of the Lawrence Arts Commission,
- one or more representatives of the immediate neighborhood,
- one or more artists,
- persons who have volunteered to serve on a committee, and
- persons with a particular interest or involvement in the site.

Committee membership is not limited to persons from this list. Each member must be prepared to participate in a number of meetings and to participate throughout the selection process, which may be a protracted one. All members possess equal voting power.

Administrative functions for the committee will be performed by representatives of the contracting and resident agencies and the member of the Arts Commission with the cooperation of other committee members. Administrative functions include (1) meeting organization and notification, (2) communication with the City Commission and staff, (3)

Lawrence, Kansas continued

preparation and distribution of Requests for Proposals, and (4) receiving, maintaining, and returning materials submitted by artists. For the tasks of communicating with selected artists and overseeing installation of artworks, the project architect also will be actively involved.

### Art Selection Process

The process needs some flexibility in order to accommodate the varying natures of individual projects and participants, but generally it will work as described.

#### Get to Know the Program and Project

Committee members' first task is to become familiar with the 2% for Art program. Studying the project is the next step. At the first meeting; the architect and a representative of the resident agency should lead an in-depth discussion about the space and the activities which occur there.

#### Identify Sites and Suitable Media

In most cases there will be a fixed amount of money allocated for the project. The committee must decide how best to use the budgeted amount. In order to do so, the committee will identify specific locations for artwork and the type of art most suitable for those locations. The committee also will identify and budget for expenses that will be necessary for permanent public display of the artwork, such as installation and labeling. The combined factors of budget and identified locations will form a basis for the committee's deciding how many and what types of artworks to solicit proposals for.

#### Determine Selection Method

The governing resolution permits three methods of selection: open competition, limited competition, and direct selection. The committee's choice should take into consideration the budget, any limitations, and any special or peculiar aspects of the project.

(1) Open Competition. A Request for Proposals is written that details specifics of the project and the committee's directives and preferences as well as instructions and requirements for submitting proposals. The Request for Proposals is sent to artists, and the opportunity is advertised. This represents a critical step in the decision-making process for a committee that uses the open selection method. If the Request for Proposals is drafted by fewer than all members of the art selection committee, the draft should be studied and approved by the committee as a whole. Clear presentation of adequate information about the project in the Request for Proposals will help ensure high quality and suitable submissions. Artists should be required to submit slides or photographs of examples of their completed work as well as proposals for the project. Requests for Proposals from other projects will be available for the committee to use as examples. Distribution of the Request for Proposals determines the field of artists who will participate in the competition, and the committee should make a conscious decision whether and how to limit distribution. Mailing lists that have been used for other projects will be available. The committee should consider whether updating is required and whether use of any specialized lists or methods of advertising would be likely to enhance results for the project.

(2) Limited Competition. A select group of artists may be invited to submit materials to the committee for review and final selection.

(3) Direct Selection. The committee may directly select an artist or artwork for commission.

Lawrence, Kansas continued

### Reviewing Artists' Submissions

While considering the artists' submissions, the art selection committee members should keep the following in mind:

- appropriateness to the project site (content, scale, etc.),
- durability of design and material (exposure to weather, sunlight, etc.),
- overall quality of work (artistic excellence, technical excellence, etc.),
- demonstrated ability to design and execute large scale work (if applicable),
- accessibility (physically and intellectually),
- timelessness (work that is not fad or transitory),
- public safety and ADA regulations,
- maintenance requirements and resistance to vandalism,
- adherence to budget, (including all installation costs),
- lighting requirements, and
- demonstrated willingness and ability to work cooperatively with architects, contractors, etc.

The committee will review all submitted materials that meet the Request for Proposals requirements. The merits of completed works and proposals will be debated. Committee members may choose to devise and employ a ranking system. The committee may make the final selection. If so, a majority vote of participating committee members is necessary for artist or finalist selection. In the alternative, the committee may narrow the field to finalists and leave final selection to a public poll. In either case, artists may be asked to submit more detailed proposals or to make some modifications to proposals.

### Receiving Public Comment

It may be desirable, although not required by the governing resolution, for the art selection committee to seek the input of other citizens. Proposals that are final selections of the committee may be displayed for public viewing, and written comments may be invited. Based on the comments, the committee may request that modifications be made to proposals before the city and an artist enter into a written contract. If the committee has narrowed the field to finalists rather than making a final selection or selections, the finalists' proposals will be publicly displayed so that citizens can make written comments and express preferences. If this method is used, the proposed design selected by the greatest number of persons who express a preference in the designated manner will make the final selection.

### Presenting Selection to the Arts Commission and City Commission

The Arts Commission member of the art selection committee will be responsible for keeping the Arts Commission advised of each step in the selection process. He or she also will be responsible for presenting the final selection(s) to the Arts Commission. The final selection will be recommended by the Arts Commission for City Commission approval unless the Arts Commission determines that there has been some significant deviation from this protocol by the committee. When the selection(s) of the art selection committee is under consideration by the Arts Commission, the Arts Commission member of the committee will not be eligible to vote with the Arts Commission. Before the Arts Commission's recommendation is made to the City Commission, the artist(s) will meet with the city's legal adviser to examine the contract terms for the purchase. The Arts Commission's recommendation to the City Commission will be made at a regularly scheduled City Commission meeting. A representative of the art selection committee will announce the selection(s) to the City Commission and may introduce other committee members, introduce the artist(s), and describe the selection process.

## APPENDIX P

### PUBLIC ART COMMISSION MEMBERS 2002-2003

#### **Terry Plater, Chairperson**

Terry Plater, Associate Dean for Academic Affairs in Cornell University's Graduate School, has lived and worked in Ithaca for nine years. Trained as a professional architect and planner, she is also a practicing artist and a member of the Greater Ithaca Art Trail.

#### **Leslie Carrere, Commission member**

Leslie Carrere is a graphic designer and owner of Lunamedia. She serves as art director of *Training and Conditioning* magazine, a national sports publication. She has also been an art teacher and holds a BFA and MA from Cornell University. Her thesis focus was "Collaborative Art with Community." She also has been active on local not-for-profit boards, currently with the Light in Winter Festival board.

#### **Sally Grubb, Commission member**

Sally Grubb is an administrator for the Tompkins County Public Library Foundation. She also serves as a school board member for the Ithaca City School District and coordinates the Forest Home Chapel Craft Fair each year. A long time community volunteer, Sally also has coordinated the Ithaca Festival, created the Corner Book Store window displays and served on the Centennial Arts and Culture Committee.

#### **Barbara Mink, Commission member**

Barbara Mink is a painter and member of the Greater Ithaca Art Trail and the State of the Art Gallery. Barbara is also a lecturer in the Cornell University Business School. She served for several years on the Tompkins County Board of Representatives. She is the driving force behind the upcoming Light in Winter Festival.

#### **Alan Nemcek, Commission member**

Alan Nemcek is owner of Decorum, a furnishings store at 124 The Commons that features local artists' handicraft. Alan is a former music teacher and has acted on local stages for such theaters as the Hangar Theater.

#### **Susan Blumenthal, Common Council liaison**

Susan Blumenthal has been on the Common Council since 1996 and has served as the Council liaison to the commission since 1999. As Chair of the Planning and Economic Development Committee until 2001, Susan played a leading role in laying the groundwork for development in downtown, Inlet Island, the West End, and the Southwest areas of the city. In 1990 Susan chaired the Downtown Vision Task Force when an arts and culture component was included in the concept of a mixed use 24-hour downtown community. Susan also spearheaded the ordinance changes in 1999 and 2002 that led to the writing of this plan. Her training is in city planning.

#### **JoAnn Cornish, City staff liaison**

JoAnn Cornish, liaison from the city staff, serves as Deputy Director of the City of Ithaca's Planning and Development Department and has been trained as a landscape architect and planner. JoAnn has been actively involved in the Ithaca Downtown Partnership's "Art in the Heart" and serves as the city's staff person for coordinating the city's permanent art collection.

#### **Richard Driscoll, Community Arts Partnership liaison**

Richard Driscoll is a liaison from a key partner agency, the Community Arts Partnership (CAP), the arts council for Tompkins County. He has served as CAP's executive director

since 1990. An equity actor, Richard has been seen on the Kitchen, Hangar, and regional theater stages. Richard has also served as three years (two as chair) on the review panel for the State and Local Partnership Program of the New York State Council on the Arts.

**Gary Ferguson, Ithaca Downtown Partnership liaison**

Gary Ferguson is a liaison from a key partner agency, the Ithaca Downtown Partnership (IDP). He has served as IDP's executive director since 1999. The Ithaca Downtown Partnership is the community organization charged with the management, promotion and revitalization of downtown Ithaca. Among its many programs is "Art in the Heart of the City", an outdoor/indoor temporary sculpture exhibition held each year from June – December. Gary also serves as board member and chair of the City Affairs Committee of the Chamber of Commerce, a trustee of the Tompkins County Public Library, a board member of Historic Ithaca, Inc. and a board member of the Sciencenter.

**Martha Frommelt, Consultant**

Martha Frommelt has been involved in arts in education and comprehensive arts planning projects in Minnesota and New York. She was program director for the Minnesota State Arts Board's Art in Education Program. Martha has also worked for the Chemung Valley Arts Council, and as consultant for the Ithaca City School District and the Community Arts Partnership.