

### **Goal 3. Formulate a funding mechanism(s) to support a Public Art Program.**

**Strategy:** Determine the most appropriate funding mechanism(s) based on the scope and scale of the vision for Public Art in Jackson. Conduct focus groups involving stakeholders from the Town of Jackson, Teton County, and private developers.

**Action:** Draft an ordinance.

#### **3.1 Public Funding Overview**

The majority of government public art programs are funded through a ‘percent for art’ program. This type of program allocates a percentage of Capital Improvement Project budgets to integrate public artists in the construction project to aesthetically enhance publicly owned facilities, roads and land. The resulting artwork is integrated into buildings, shelters, parks, trails, retention ponds, parking lots, streetscapes and gateways. This funding method has become widely accepted as demonstrated by the fact that over 350 towns, cities and governmental bodies around the U.S. have public art programs. There are distinct advantages to funding public art through the percent for art mechanism:

- It protects the artwork funds from budget cuts which can occur when public art funds are borne by a municipality’s general fund.
- Since artwork funds are determined in advance, early selection of artists and their involvement on project design teams can be achieved, and the artwork can become part of the fabric of the overall project, rather than an afterthought.

While the details of individual funding ordinances vary, three common elements include:

##### **3.1.1 Definition of eligible capital improvement projects (CIP)**

Since public art program funds are made available through CIP’s, defining the eligibility of such projects is a critical consideration, as it will have a large influence on the scope of the artwork project that can be accomplished. Potential CIP’s may include: office buildings, transit projects, libraries, schools, parks, airports, hospitals, street/sidewalk improvements, fire stations, county/state buildings, freeways and bridges.

The flexibility to pool public art funds from multiple smaller projects to create fewer, larger-budgeted projects should be considered as well. It should be noted that every public art project takes significant staff resources to accomplish and maintain.

##### **3.1.2 Percentage identified for public art projects**

The percentage allocated for public art projects typically ranges between .5 percent and 2 percent, which may also include project administration and maintenance costs if these are not to be funded from the municipality’s general fund or another source. In recent years,

most new programs have allocated at least 1.5 percent of capital costs, which ensures sufficient funding to provide for both artwork and program administration.

### **Examples of Public Art Ordinances**

<b>Location</b>	<b>Population</b>	<b>Legislated</b>	<b>% for Art</b>
Loveland, CO	59,563	1985	1%
Boise, ID	208,000	2001	1.4%
Coeur d’Alene, ID	41,328	1999	1.33%
Hailey, ID	6,200	2008	1.25%
Moscow, ID	23,131	2004	1%
Rexburg, ID	17,257	2005	1.25%
Frisco, TX	33,714	2002	2%
Philadelphia, PA	1,300,000	1959	1%
Longmont, CO	85,000	1987	1%
Greely, CO	98,596	1998	1%

### **3.1.3 Guidelines for expenditure of percent for art funds**

After defining the type of CIP that is eligible, and what percentage of that CIP budget provides funding for public art, guidelines for the specific use of those funds are the next consideration. The total pool of percent for art funds must be appropriately divided into two funds: (1) administrative funds, and (2) artwork project funds. Public art program administrative costs run between 15 percent and 20 percent of total percent for art funds, leaving a balance of between 80 to 85 percent to fund artwork projects. Administrative costs may include: staff salaries, overhead, public relations, project development, artist selection, community outreach, artwork dedication and maintenance.

### **3.1.4 Program Profiles**

#### **Seattle Art Commission, Seattle, Washington:**

One of the unique features of Seattle’s public art program is that eligible CIP’s include utility plants in addition to the construction or remodeling of any building, structure, park, street, sidewalk, or parking facility. In the construction of a new electrical substation, 3 artists were commissioned to work in collaboration with architects, engineers and other professionals to approach a project as a whole, and in which the artwork was integrated seamlessly throughout the project. The result was a whimsical integration of the artists’ sensibility into every aspect of the substation from security signage, color-coding pathways of electricity as a visual guide to a series of whirligigs throughout the entire substation. The substation is now a popular neighborhood attraction and playground.

#### **Public Art and Design Program, Broward County, Florida**

In 1995, the Art in Public Places Program of the Broward County Cultural Affairs Council went through a master planning process, resulting in a shift of the program away from the more traditional placement of paintings and sculpture in public spaces toward the enhancement of urban design through artist participation on design teams. A direct result is that artists are now brought into the CIP process at the same time as architects, and work with the architects as collaborators. Artists are also encouraged to reach out to the community in the early stages of the design process to ensure that the resulting artworks respond to community needs and perceptions. The master planning process also broadened the definition of eligible CIP's to include parks, highways, bridges, sidewalks, and bikeways, above grade utility and road beautification projects. By applying the public art and design efforts to include a wide variety of CIP's, the opportunity has been created to effect, over time, the whole look of urban design in Broward.

### **San Jose Public Art Program, San Jose, California**

The San Jose Public Art Program, funded by a two-percent mandate, emphasizes community input through an extensive public process. While developing a series of commemorative art projects, staff determined that a public process was critical to realizing meaningful projects, and that outreach to the public had a direct bearing on the relevance of those projects to the community.

## **3.2 Percent for Art Funding Mechanism for the Town of Jackson and Teton County**

### **3.2.1 Amount: 1.5% of eligible CIP's**

**3.2.2 Eligible CIP's:** 1.5% mandated on any construction project with an estimated construction cost of fifty thousand dollars or more. Projects costing between \$50,000 and \$300,000 will be evaluated on a case-by-case basis by the Public Art Committee to determine if the arts budget will have sufficient impact for the given project. If the project will not be adequately served by a public art project, the Public Art Committee will pool the funding to support future projects with larger impact.

Capital Improvement Projects are defined as- any municipal project, whether new construction or renovation, that will be accessed by, or be highly visible to the public, including:

- Construction or remodeling of buildings and structures such as Town and County offices, administration buildings, fire and police stations, airport terminals, and the recreation center.
- Construction or expansion of utilities such as electric substations, water plants and above ground reservoirs, waste water treatment plants, bus stations, parking structures and lots.
- Construction or renovations to maintenance facilities for public works and utilities, recycling centers and transfer stations.
- Construction, renovations or expansions to parks, playgrounds, swimming pools, trails and playing fields.

**3.2.3 Ineligible CIP's:** The public art ordinance will not be applied to projects not visible to the public. Such projects include below grade construction, rehabilitation of equipment, ordinary maintenance, and sewers.

-Where a CIP has a scope of work that includes eligible and ineligible items, for example, remodeling and ordinary maintenance, the art budget amount shall be calculated on the eligible portion of the project.

**3.2.4 Eligible CIP Costs Include:**

- Cost of architectural design, and engineering of construction project
- New construction of a building or of additional space or renovation of a building part added to a building
- Any reconstruction or renovation of a building or part of a building equal to or exceeding in cost of \$50,000
- Any other project, the intended use of which requires that it be accessible or visible to the public, including but not limited to parks, bridges, retention walls and trail systems.

**3.2.5 Ineligible costs include:**

- Administration, fees and permits, building demolition, relocation of tenants, contingency funds, land or building acquisition, off-site costs, environmental testing or indirect costs (such as interest during construction), advertising and legal fees.
- Any projects or project cost components specifically excluded by Town Council or County Commissioners.

**3.3 Administrative costs**

15% of the public arts budget will be retained in a separate account for program administration and maintenance of the collection.

**3.4 Other Options:**

The city of Kent, WA uses a \$2 designated per capita mechanism and a private percent for art. This city art fund can be carried over from year to year and pooled to create larger projects, in turn reducing administrative duties and costs.

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.