



# JACKSONVILLE ART IN PUBLIC PLACES PROGRAM FIVE YEAR PLAN

July 11

# 2012-2016



*"Public art can express civic values, enhance the environment, transform a landscape, heighten our awareness, or question our assumptions. Placed in a public site, this art is therefore for everyone, a form of collective community expression – from the once celebrated but now unrecognized general on a horse to the abstract sculpture that may baffle the passer-by on first glance."*

*Penny Balkin Bach*

# JACKSONVILLE

## ART IN PUBLIC PLACES PROGRAM

### FIVE YEAR PLAN: SUMMARY OF CHANGES

#### **Background**

The Art in Public Places Committee approved the first version of the Art in Public Places Program (APPP) *Five Year Plan for Program Development and Implementation* on July 11, 2007. Following that vote, the Plan was utilized during the period of 2007-2011 by the Committee and Program Manager to implement the Program's written guidelines and procedures to govern the manner and the method for acquiring, maintaining and developing community outreach for public art.

The Plan can be updated at any time prior to the five-year expiration. It must be approved and adopted by the Mayor and City Council on or before July 11, 2012.

#### **Recommendations**

As the Committee and Program Manager have used the Plan over the past five years, it has become apparent that additional changes are needed. The updated strategies for implementation during the period 2012-2016 are recommended within this new version. The most significant updates to the Plan are detailed below:

- Inserted language referring to the meaning and value of public art as it relates to public access, forms of artwork, community engagement, and quality of life
- Updated Mission and Values Statement for the Program developed to summarize the current and relevant goals and ambitions of the Committee and the Cultural Council of Greater Jacksonville specifically as it relates to how public art can be meaningful and lasting for the City of Jacksonville
- Expanded project initiative list called "New Directions" referring to the Program's objectives for the 2012-2016 period. With the best use of funds with maximum benefit to the community, the following project initiatives will increase awareness and ensure growth of Jacksonville's public art collection, promote partnerships between artists and organizations, maintain conservation for artwork sustainability, and encourage residents and visitors to explore the collection and Jacksonville landscape through technology
- In recognition of the 27 past works acquired for the City of Jacksonville's public art collection, image references are included depicting artists and artworks, local artist initiatives and installations, and area craftsmen used at various stages of project development

Submitted by the Art in Public Places Committee to the Mayor of Jacksonville and City Council in accordance with Jacksonville Ordinance Code, Chapter 126, Part 9.

**CITY OF JACKSONVILLE**

Mayor Alvin Brown

**DEPARTMENT OF PUBLIC WORKS**

Jeff Beck, Interim Director

**CULTURAL COUNCIL OF GREATER JACKSONVILLE (CCGJ)**

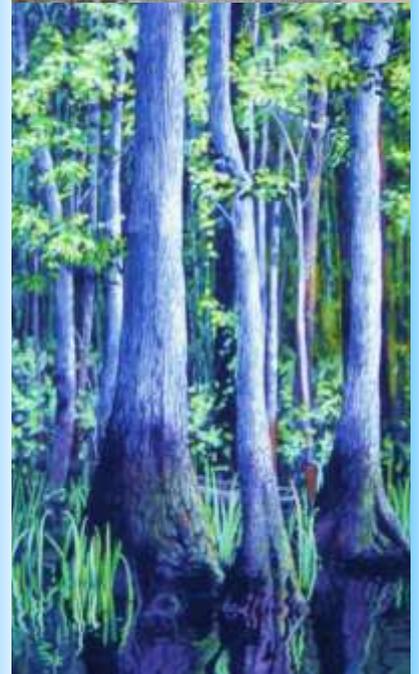
Robert Arleigh White, Executive Director

**ART IN PUBLIC PLACES COMMITTEE MEMBERS**

Ginny Steiger, Chair	CCGJ Board
David Engdahl	CCGJ Board
Louise Freshman Brown	Art Professional
Holly Keris	Art Professional
Ben Thompson	Art Professional
John Bunker	Community Representative District 5
Mai Keisling	Community Representative District 2
Sandra Hull Richardson	Community Representative District 4

**JACKSONVILLE CITY COUNCIL**

District 1	Clay Yarborough	District 11	Ray Holt
District 2	William Bishop	District 12	Doyle Carter
District 3	Richard Clark	District 13	Bill Gulliford
District 4	Don Redman	District 14	Jim Love
District 5	Lori N. Boyer	Group 1 At-Large	Kimberly Daniels
District 6	Matt Schellenberg	Group 2 At-Large	John R. Crescimbeni
District 7	Dr. Johnny Gaffney	Group 3 At-Large	Stephen C. Joost
District 8	E. Denise Lee	Group 4 At-Large	Greg Anderson
District 9	Warren A. Jones	Group 5 At-Large	Robin Lumb
District 10	Reginald L. Brown		



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# PURPOSE

This plan is designed to provide goals, policies, and operational guidelines for the Art in Public Places Program (APPP) in pursuance of its responsibilities as outlined in Jacksonville Ordinance Code, Chapter 126, Part 9. The Five Year Plan can be updated at any time, but must be approved by Jacksonville's City Council. Updates shall be provided to the Mayor and City Council at least six months prior to the expiration of the Five Year Plan and shall be placed on file with the Legislative Services Division. The updates and changes to the plan will not take effect until City Council approval. (126.905a)\*

\*Numbers in parentheses indicate the location of the citation in the Art in Public Places Ordinance.



*Showing the Way*: Tillie K. Fowler Memorial, 2009  
Northbank Riverwalk at Jackson St. (downtown)  
Aluminum, steel and powder coating

Artist: Broward Hatcher, Providence, RI

# WHAT IS PUBLIC ART?

Public Art is artwork in the public realm. It is any work of art that is placed in an area that is open and easily accessible to everyone. Created from a full range of visual, performance and participatory artworks of diverse artistic materials, public art can take the form of a painting, photograph, mural or graffiti; a permanent or interactive sculpture; mosaic; dance, street theatre, or poetry; and as functional objects such as a fountain, bench, gate, pavement, light and window.

# WHY PUBLIC ART?

Public art highlights a community's commitment to art. It educates and inspires residents, and enhances the quality of life. Research shows that public art gives character to public spaces increasing livability, walkability and desirability of neighborhoods and cities. Public art serves as a powerful economic force as a forum for supporting local and regional artists, as a service advising to urban planning, or through employment of local trades from electricians to fabricators who purchase local materials. For all these reasons, public art is an essential component of a thriving community.

# HISTORY

In 1997, the City of Jacksonville passed Jacksonville Ordinance Code, Chapter 126, Part 9 allocating .075% of each City construction and renovation project with a budget above \$100,000 towards the creation, placement, and conservation of public art. In 2006, legislation authorized the Cultural Council of Greater Jacksonville, supported by the Mayor, Jacksonville City Council, and City departments to administer the Art in Public Places Program (APPP) on behalf of the City of Jacksonville.



*Memorial to the Great Fire of Jacksonville, 2003*  
Northbank Riverwalk at Market St. (downtown)  
Stainless steel

Artist: Bruce White, DeKalb, IL

# MISSION

The City of Jacksonville's Art in Public Places Program, together with the Cultural Council of Greater Jacksonville, acquires, maintains, and performs responsible stewardship of public art throughout the City.

# VALUES

Public Art adds to the cultural landscape of the City by fostering a visual identity.

Public Art is accessible to diverse audiences including residents and visitors of all ages.

Public Art enhances the stature of the City through the commitment to artists and their disciplines as vital elements of urban dynamics and economic development.

Public Art is a catalyst for unique partnerships between individuals, businesses and cultural organization.



# NEW DIRECTIONS

## **Internship Program**

Administer the Art in Public Places Internship Program, a partnership with the University of North Florida Department of Art & Design. Interns participate each semester for 10 -15 hours per week earning college credit and working on social media & web contribution, events and outreach, and temporary and permanent project management.

## **Public Art Archives**

Organize and modify WESTAF (Western States Arts Federation) Public Art Archive and CultureNOW online collection databases and archives. The database is reorganized including Google mapping coordinates, images, audio and video files as new works are added to the collection.

## **APPP Instructional Media**

Design, print and distribute program posters in visible public spaces including kiosks located along Laura Street, downtown. Modify existing downtown map to reflect location of public art sites within walking distance.

## **Smartphone application “APP app”**

Launch the APPP Smartphone application, an interactive web application created pro bono by Natural Guides, LLC highlighting the City’s public art collection, and expand artworks added to the collection while incorporating audio and video by selected artists.

## **Maintenance and Conservation**

Complete artwork maintenance in order of priority following examination, and as identified in the maintenance schedule; build a database of material-specific vendors and services; and explore sustainable funding option in the event of reduced CIP funding or maintenance emergencies.

## **Photography Collection**

Acquire traditional and non-traditional photographic-media works annually for three (3) years to grow the existing photography collection.

## **Main Street Park**

Designate Main Street Park as a platform for temporary public art projects through the installation of permanent infrastructure to integrate the highest quality presentation of public art, durability at the street level.

## **Outdoor Sculpture Exhibition**

Create an outdoor sculpture exhibition in the downtown urban core consisting of year long, recurring juried exhibitions of existing three-dimensional works selected from local, regional and national artists.

## **Mural Program**

Identify prospective building facades to integrate local artist murals reflecting diversity in style, media and experience.

## **Private/Public Partnerships**

Provide consulting services encouraging the use of best practice goals and guidelines for the field to produce work of outstanding quality through a process that is ethical, fair and reasonable for all parties. Past partnerships include: the Haskell Company. APP as consultant furnished a Call-to-Artists and Art Selection process to acquire “Interactive Design Elements” as part of Southbank Riverwalk renovations.

# **ADMINISTRATION OF COLLECTION**

In 2006, Jacksonville Ordinance Code, Chapter 126, Part 9 was amended to reflect the transfer of performance of the duties of the Art in Public Places Commission to the Cultural Council; creating an Art in Public Places Committee of the Cultural Council; creating Art in Public Places Selection Panels; and increasing new construction allocation percentage for public art.

## **Art in Public Places Committee (APPC)**

As specified in the Ordinance, the APPC is appointed by the Mayor, and is responsible for commissioning artists and artworks for the Art in Public Places Program on behalf of and subject to various approvals by the Mayor and the City Council. The APPC will perform tasks related to selection, placement, installation, and maintenance of art within and connected to City-owned facilities. The makeup of the committee is set out in the Ordinance at 126.903.

The primary responsibilities of the APPC are as follows:

- Prioritize eligible projects, recommend APPP Trust Fund allocations, and determine an annual plan
- Oversee art selection process and approve proposals for permanent or semi-permanent public artworks, including gifts, loans and memorials
- Advise on program policy and work with APPP Staff to oversee program administration, including ongoing maintenance concerns
- Promote the Art in Public Places Program through publications, education programs, and leadership

## **Cultural Council of Greater Jacksonville (CCGJ)**

The Cultural Council shall administer the Art in Public Places Program on behalf of the City of Jacksonville. The Cultural Council will provide administration, professional, and support staff for the operation of the program and administer the APPP and art selection process. The specific duties of the Cultural Council are set out in the Ordinance at 126.905.

## **Art in Public Places Program Manager**

The Art in Public Places Program Manager, employed under the Department of Public Works Director's Office, is responsible for developing, managing and implementing the Art in Public Places Program in locations throughout the City; acting as liaison in communication and coordination with City departments; planning and proposing recommendations of artists and project types; implementing maintenance, community outreach and education initiatives; and working directly with the Art in Public Places Committee and the Cultural Council of Greater Jacksonville.

# FUNDING

Funding for APPP projects will be generated primarily by an allocation of three-quarters of one percent (.075%) of the construction costs of those building projects defined in the Ordinance as eligible. (126.911)

Criteria for eligibility include:

- City Council approved Capital Improvement Project
- Budget of over \$100,000 for construction or alteration
- City-owned facility that is open to the public and inhabited by City employees

Funds appropriated to the APPP Trust Fund shall be used for the creation and placement of artworks as developed and administered by the Cultural Council and the APCC as set out in the Ordinance at 126.904c:

- Up to five percent of the allocation percentage shall be dedicated to maintenance
- Up to ten percent of the allocation percentage shall be dedicated to administration and community education

These allocation percentages shall not apply to appropriations originating from any funds which prohibit expenditures for maintenance and administration. These amounts shall be used at the discretion of the Cultural Council in collaboration with the Finance Department, Procurement Division and other City departments as appropriate for maintenance, administration and community education. (126.904c)

These funds, as well as any other revenues, donations or gifts received by the APCC or the City, will be deposited into the Art in Public Places Trust Fund. Disbursements from this fund will be made by the Director of the Finance Department upon written request of the Cultural Council, subject to appropriation by City Council.

It is not required that funds generated by the construction costs of a specific facility be used for art in or connected with that facility, but may be used for:

- Public art at another APPP eligible City-owned facility
- Public art at a City-owned facility that may not have been recently constructed/renovated, but which conforms to all other APPP eligibility requirements

Bond funded projects are exempt to this policy-- all APPP funds must be expended specifically on the facilities funded by the bond.

# POLICIES AND GUIDELINES

The following policies and guidelines are designed to implement the APPP as described in the Ordinance.

As funds are assigned by the City to the APPP Trust Fund, the APPC will review each eligible project and the following process will be initiated. Cooperation and coordination between the APPC, APPP Staff, various COJ departments, and architectural firms is necessary-- this plan addresses the responsibilities of each entity.

## 1. BUDGET

The APPC is responsible for initiating all disbursements from the APPP Trust Fund that are allocated to APPP project budgets (requires final approval by the City Council). The Cultural Council will maintain records of all allocations to the Trust Fund by the COJ and from other sources. APPC responsibilities regarding the Trust Fund are as follows:

- Review financial reports of the APPP Trust Fund which are prepared by APPP Staff in cooperation with the City of Jacksonville's Department of Administration and Finance
- Determine the amount and availability of funds generated by new construction or renovation of eligible projects planned by Department of Public Works. These funds are identified by the COJ's Director of Finance and Administration
- Approve an annual budget according to the art allocation plan (below), to include the following:
  - Total amount available for art purchases/commissions **(85% of total allocation)**
  - Amount reserved for maintenance **(5% of total allocation)**
  - Amount reserved for administration and community education programs **(10% of total allocation)**

## 2. PROJECT INITIATION

The allocation of funds to a project in a specific location is the primary responsibility of the APPC. Art allocation procedures are as follows:

- a. Review the list of eligible sites.

The following will be considered to determine the appropriateness of a public art installation at the site:

- The function of the facility
- The site location within the City
- The primary audience the site serves
- The architectural design and physical plan of the site
- The facility (interior and exterior) accessibility to the public
- The construction schedule
- The construction costs (as defined by Ordinance) and amount of eligible funds

- b. Generate a list of locations in the City, not connected with new construction, but appropriate for inclusion in the APPP.
- c. Prioritize locations and develop an annual plan of projects for the year.
- d. Review plans of each selected site and recommend possible installation locations for each facility.

The APPC will also identify the type of art (material, theme, subject, etc.) appropriate for each location. Site visits will be made by an APPC member or a designated APPP Staff member.

- e. Establish a budget for each project, including:

- Proposal fees including travel costs
- Cost of design and fabrication
- Cost of site modifications
- Installation and presentation costs
- Documentation of process
- Identification plaque
- Lighting equipment and installation
- Maintenance costs

- f. Authorize APPP Staff to proceed with designated projects according to guidelines and to develop project timelines.

### 3. ART GUIDELINES

The APPC is responsible for setting appropriate standards for art selection and for determining the proper placement of the work. The consideration of the following areas will be integral to the APPP process. (126.902)

- a. APPP Art shall be:

- Excellent in creative expression and technical execution
- Contemporary in terms of the best of current and relevant creative thinking
- Varied in terms of aesthetic direction, materials, scale, and range of expression
- Diverse in the origins and backgrounds of the artists
- Appropriate for the architectural design and function of the facility as well as the audience it serves

- b. Placement of Art

Art is to be placed in locations that are easily accessible to the public, both visually and physically. Both exterior and interior spaces of public facilities are eligible. Security will also be a consideration when evaluating potential locations of art.

Examples of appropriate locations: (126.902f)

- Exterior park, courtyard, plaza or entrance areas, building facades, interior lobbies, foyers, waiting rooms, corridors, and other highly visible exterior spaces considered safe and appropriate by architectural teams

Examples of inappropriate locations: (126.902f)

- Isolated interior courtyards, private offices, or meeting rooms

c. Standards

Works of art selected for the APPP will be original works whenever feasible, not mass-produced or of standard design. (126.902d)

Art will reflect generally accepted community standards of aesthetic appeal and artistic expression. (126.902a)

Art will be created by artists of appropriate status and recognized by art professionals for excellence of their previous work and the suitability of their current work for a particular project. (126.902e)

Materials and fabrication processes of artwork must be suitable for the specific installation site, particularly exterior sites. Considerations will include material durability, maintenance concerns, effects of vandalism and graffiti, as well as natural deterioration. Similarly, electronic and mechanical aspects of proposed work must be evaluated and approved as satisfactory. New materials and regional climate effects require special consideration.

APPP Staff will maintain a roster of technical advisors to assist suitability issues.

d. Forms of Artwork (126.902c)

**Acceptable forms of artwork** shall include visual arts mediums, including, but not limited to, paintings, drawings, original prints, mixed media, sculpture, electronic media, photography, glass, clay, fiber, and others.

**Existing art** or art previously produced by an artist and available for purchase may be considered in any situation.

**Commissioned art** designed to accommodate large or unusual spaces

**Site-specific commissions** which involve collaboration between the artist and architect will be considered to create art that is integrated with the facility's architecture.

#### 4. ARTISTS

Work (commissioned or purchased) will be selected according to the above guidelines and artists must meet the following qualifications. To contact qualified artists, the APPC will employ the resources and procedures listed below. The responsibilities of selected artists are included in the Commission Agreement Contract.

Exceptions may be made upon the recommendation of an art professional involved in the process.

a. Qualifications

**Residency:** The Ordinance states that the APPC will seek to ensure that at least 15 percent of the selected artists in the APPP Collection will reside in Duval, St. Johns, Clay, Baker or Nassau counties. Further, the APPC is encouraged to consider regional artists, e.g. Florida and

the Southeastern United States. (126.907b) Projects may be advertised to local, regional, nation, and/or international artists based on the project budget.

**Experience:** Purchases or commissions for the APPP will be limited to experienced artists. Artists must have experience exhibiting their work, educational credentials, and in the case of commissions, demonstrated successful experience executing commissioned work on a contract basis. The reputation and critical success of each artist will be taken into consideration.

**Limitation:** Any artist commissioned for a project with a budget of \$10,000 or more shall be eligible for only one additional project with a budget of \$10,000 or more within a five-year period.

**Collaboration:** Collaboration between two or more artists in the design of a single project is acceptable.

#### b. Resources

**Artist Registry:** The Cultural Council, in collaboration with the APPC, will maintain an Artist Registry. This computer database will be available to Art Selection Panels (ASP) and the APPC as a resource to identify artists. This database, including relevant information and visuals (digital, slides, printed, other), will be available to other public and private agencies, as appropriate. Artists' information will be periodically updated.

**Local Artists:** Community outreach to develop the Artist Registry will include calls for artists, university contacts, local art publications, Internet and other communication media. Special efforts will be made to reach minority and ethnic artists.

**Regional, National, and International Artists:** Resources will include responses to Calls-to-Artists for specific projects as well as recommendations from participating art professionals, architects and Cultural Council Board/Staff as well as appropriate on-line databases.

Art professionals participating in the art selection process are encouraged to recommend artists for consideration.

#### c. Payments to Artists

In most cases, payment for art purchased will be made directly by the City to the artist. Artists represented by agents, galleries, or consultants must provide a written statement requesting that payment for existing work be made to such representative.



Commission Agreement Contracts will be made between the City and the artist. Artists represented

*Blu Grass, 2011*  
Main Street Park (downtown)  
Artists: Dolf James and Doug Eng, Jacksonville, FL

by agents, galleries or consultants may have separate agreements with these representatives regarding sales; however, these agreements will not be part of the Commission Agreement Contract with the City.

Artists will submit invoices to the APPP according to a pre-defined format approved by the City Procurement Division. For existing work, this will include a description of the artwork, title, medium, size, date and price.

Statements regarding copyright/ownership/maintenance as prescribed by the City (see Artists Responsibilities below) will also be included. Once approved by APPP Staff, invoices will be forwarded to the City for payment. Commission Agreement Contracts will describe the payment policy for each commissioned work, but must comply with policy promulgated by the City Procurement Division.

#### d. Restrictions

Artists who will not be eligible for APPP projects are:

- Members of the project's architectural, engineering or design teams
- Members of the APCC or Board of Directors or staff of the Cultural Council
- Students working under the supervision of an instructor or submitting a work created as a student art project

Artists serving on APCC, ASP (Art Selection Panel) or AAC (Art Advisory Committee) will not be considered for projects being reviewed during their tenure on such a committee, but will be eligible for other projects being reviewed at another time.

#### e. Artist Responsibilities

Artists commissioned to create art for the APPP will have certain responsibilities, all of which will be stated in the Commission Agreement Contract. They will include but not be limited to the following:

- Guarantee to maintain artwork against all defects for a period of no less than one year after installation
- Work with architects/designers and program managers to assure compatibility of artwork design and installation with architectural and structural issues
- Participate in community outreach efforts, as appropriate

*Examples:*

- Review and discuss approved proposal with community representatives; discuss issues related to public art projects with local artists
- Provide long term maintenance instructions and complete description of materials and installation process

Artists selling work to the City will be required to sign a statement regarding ownership and copyright as required by the City Procurement Division. In some instances, artists will be asked to provide maintenance instructions.

## 5. ART SELECTION PROCESS

The Art Selection Process will be consistent with the language of the Ordinance. The APPC may form an Art Selection Panel or use an alternate selection process to select artwork. (126.906-7)

### a. Policies

The Art Selection Process will, in every case, abide by the policies regarding Art Guidelines, Artists, and Art Allocation described above. For each project, selection will consider aesthetic merit and suitability for the site and its neighborhood. Issues of durability, maintenance, and conservation must also be satisfied.

An artist's selection for a commissioned project will be primarily based upon the quality of past work and the appropriateness of the artist's work for the site, as well as the artist's ability to respond to the distinctive character of a specific site.

Ordinance specifications regarding Artist Outreach (see Artist Outreach below) and the COJ's Procurement Division policies will be incorporated into the selection process.

### b. Structure of an Art Selection Panel (ASP) (126.906)

Membership of an ASP will be appointed by the APPC as prescribed by the Ordinance and will consist of up to seven members including a Chair.

The chair shall be a member of APPC appointed by APPC Chair.

#### Membership:

- One representative of the site (staff or Board member)
- One design professional associated with the building project
- One artist or art professional
- Up to three community representatives, at least one must reside in the Planning District where project is located.

The function of the Art Selection Panel is to make selections of art/artists to be commissioned for an APPP art project via an approved art selection method and make recommendations to the APPC for approval.

The APPC must determine if a project requires an ASP. In most cases, a project with an art budget exceeding \$25,000 will require an ASP. However, the APPC, at its discretion, may determine whether or not such a panel is necessary or appropriate in a particular instance regardless of the budget.

#### *Example:*

- A project with a \$25,000 budget may comprise a number of less expensive works (no ASP necessary) or may require only one large commissioned work (ASP appropriate). Other circumstances may dictate the appropriateness or necessity of an ASP.

c. Alternative Selection Process

When the APPC determines that no ASP is required, an Art Advisory Committee (AAC) may be used to review art/artists directly with the APPC.

The process will be as follows:

- An AAC will be appointed by the APPC and will include three recognized local art professionals/artists (all participating on a volunteer basis) and one member of the APPC (appointed by the APPC Chair). An AAC can meet concurrently with the APPC or may meet separately; recommendations to the APPC will be handled by APPP Staff.
- In cases of art budgets under \$12,000 an AAC will recommend two works (or group of works) for the approval of the APPC.
- In cases of art budgets of \$12,000 – \$24,999, an AAC will make a recommendation of one or more existing work(s) or artists for purchase to the APPC. One representative of the site and one community representative will participate in the AAC for each project.

d. Art Selection Panel/Art Advisory Committee procedures are as follows:

- Review Project Package
- Discuss and reach consensus regarding:
  - Possible location(s) for art
  - Budget allocation
  - Aesthetic direction
  - Preferred qualities of the artist to be hired
  - Preferred materials and scale (if such specificity is desired)
  - Method of artist outreach

e. Calls for Artists

The following are suggested ways of looking for artists. Each form of artist outreach described below requires one of the above mentioned art selection processes (See ART SELECTION). The ASP shall select artists or artwork in one of the following ways: (126.907)

- **Open Competition:** A general and wide call for artists to qualified artists in the Artist Registry plus posting the announcement in printed and Internet publications
- **Limited Competition:** An invitation to a limited number of artists to prepare proposals for a specific project. Artists may be paid an honorarium for these proposals
- **Direct Purchase:** The purchase of existing work
- **Invitational Commission:** The selection of a specific artist for commission

f. Preparation

APPP Staff (with the APPC) will develop a project package with specific guidelines for each art project. The package will include the following information:

- A budget which includes the cost of the art and related expenses such as transportation and installation, proposal fees and travel reimbursements for artists; plaques and other documentation
- A recommendation for location of art at the facility
- A recommendation for a type of art appropriate for the site (painting, sculpture, etc.)
- A recommendation regarding the purchase of existing work verses the commission of new work
- A Sample Call-for-Artists and specific criteria needed for the current project's call
- Information related to the function and community of the facility as related to art selection
- Meeting procedures for ASP or AAC, as appropriate
- Notes regarding long term maintenance concerns

Directions for APPP Staff

In case of **Open Competition:**

Create and execute Call-for-Artists and other outreach methods. Prepare submissions for presentation meeting.

In case of **Limited Competition:**

Create a list of qualified artists and collect related visuals for presentation to selection entity (ASP or AAC) using the Artist Registry, input of ASP/AAC, APPC members, and other and professionals.

In case of **Direct Purchase:**

Prepare a visual presentation of artists in the Artist Registry or others recommended by the ASP/AAC, APPC members, and other art professionals.

In case of **Invitational Commission:**

Prepare a list of qualified artists.  
Schedule meeting with ASP/AAC for review of visuals.



*Untitled, 2006*  
Main Library: Grand Reading Room (downtown)  
Artist: Al Held, Boiceville, NY

With the ASP/AAC, review visuals and make appropriate selections for approval by APPC.

Present selected art/artists to APPC for approval.

If a purchase is recommended, proceed with purchasing process according to COJ's Procurement Division guidelines

g. Recommendation/Acceptance/Rejection

**Recommendation**

The ASP/AAC will make recommendations to the APPC during a scheduled APPC meeting unless a special meeting is required (determined by the APPC Chair). At the discretion of the APPC Chair, selections made be reviewed and approved electronically.

If an existing work is recommended for purchase, APPP Staff will arrange for its delivery.

Upon arrival, APPP Staff will examine the work to determine its condition. If it is not in excellent condition, the work will be returned to the artist for satisfactory repair. If the work cannot be repaired, another recommendation will be made by the same ASP/AAC.

In the case of a proposed commission, APPP Staff will prepare a presentation of visuals by the artist(s) selected by the ASP/AAC.

The APPC will vote to accept/reject the recommended artist/proposal. (See COMMISSION PROCEDURES below)

**Acceptance**

**Existing work:** APPP Staff will contact the artist and request an invoice for the amount stated on the artist's price list. (See Payment to Artists above)

**Commission:** APPP Staff will contact the artist to request a proposal and to arrange the proposal agreement

If the proposal was submitted and accepted, contract arrangements will begin.  
(See Commission Procedures below)

**Rejection**

If the APPC rejects the recommendation of the ASP/AAC, the project will be returned to that committee for additional review. APPP Staff will notify the artist.

**6. COMMISSION PROCEDURE**

All art commissions proposed for the APPP will be on a contract basis. All commissions will include a proposal phase, unless the initial selection process included a Request for Proposal (RFP) or the semi-finalist interviews included a proposal. The ASP will:

- a. Review previous work by proposed artists and select one (or more) to complete a proposal
- b. Invite all semifinalists to interview with or present proposals. A proposal shall contain:

- A model, drawing, or other visuals to communicate the artist's concept
- A budget, to include the artist's fee, cost of materials, fabrication, installation, shipping, insurance, travel and other related expenses
- Timeline including design, fabrication, installation, etc.

Artists invited to present proposals may be paid a proposal fee to be set by the APPC. Proposal fees are non-refundable. In the event that the proposal is rejected, fees are retained by the artist. Proposal fees will be budgeted separately from the advertised award for the project and in advance of the Call for Artists. In the case of a rejected proposal or should the APPC determine that more than one artist be invited to submit a proposal for any given project, those fees paid to the rejected artists will be deducted from the project budget or from the 10% allowance for administrative costs as described in the Ordinance.

#### c. Finalization Policy

In general, the following procedures will be used to initiate and execute an art commission:

- A site visit for artist(s) will be arranged to include meetings with the site architect, presentations to ASP/APPC.
- Artist/architect meetings and means for future communication will be arranged as needed.
- ASP/APPC accepts, rejects or requests modifications to the proposal.
- Upon approval of proposal, complete a contract with the artist, specifying all conditions of the commission and complying with all COJ Procurement requirements. Contracts will be between the artist and the City of Jacksonville. APPP Staff will consult with the City's Office of General Counsel in regards to all such contracts to assure that all terms are in compliance with COJ requirements.
- Payment for commissions may be made on a schedule, including an initial deposit upon signing the contract and additional payments at specified stages of completion. At least ten percent of the contract amount will be retained until satisfactory completion has been approved in writing by APPP Staff and/or a COJ representative.
- In addition to describing the scope of the artist's work, contracts will also specify terms related to insurance, shipping standards, liability, and recourse in case of disagreement or rejection of completed work.
- APPP Staff will monitor progress of all commissions and report periodically to the APPC.
- APPP Staff will coordinate with the artist, architect, engineers, as well as project managers, design and construction teams, and the COJ regarding site preparation, construction schedule, and all other issues pertinent to the installation of the commissioned work.
- A plaque or label must be provide for each work according to APPC specifications.
- Document project including inventory and maintenance requirements as required by the APPC.
- The City of Jacksonville retains ownership of the proposal. (126.908c)

## 7. INSTALLATION AND PRESENTATION

The Cultural Council, in its administration of the APPP, is charged with the installation and appropriate presentation of all APPP works to achieve the maximum aesthetic impact while considering access and security

measures. Installation and presentation costs must be budgeted in art costs as noted in the project package for existing work or included in the artist's budget as shown in the commission contract.

a. Existing work

APPP Staff will arrange for the installation of work at each facility according to the following guidelines:

- Works attached to walls may require special security devices to be specified by APPP Staff from a list approved by COJ's Department of Public Works.
- Freestanding works must be securely attached to the floor/ground unless judged to be of a weight/solidity that poses no danger of the work moving. Approval by the Department of Public Works is necessary for this exception.
- Pedestals, required for certain freestanding works, may be designed and fabricated by the artist or by others. Pedestal design may be approved by ASP, AAC or APPP Staff as directed by the APPC. Security attachments are required.
- Frames may be required for certain works -- to replace inappropriate existing frames or for unframed works. When work is presented for consideration, APPP Staff will advise the APPC of framing options, including cost estimates. Frame selection will be the responsibility of APPP Staff, following the APPC recommendations.
- Cases (vitrines) for small three dimensional objects attached to a wall, pedestal, or other support will be made of non-breakable material (e.g. clear acrylic) and attached to the support with a security device.



*Gust of Wind #2, 2003*  
San Marco Branch Library/Balis Community Center: lobby  
Artist: Jerry Smith, Jacksonville, FL

b. Commissioned Art/Site-Specific Art

Installation of commissioned art will be by the artist or supervised by the artist. A description and cost will be included in the artist's Commission Agreement Contract.

Installation of site-specific art or any art integrated with architecture may be a collaboration between artist and architect and is subject to approval of the APPC.

Non site-specific commissioned art (dependent upon scale and portability) will be subject to the same guidelines as the installation of existing work as described above.

### c. Plaques

Plaques will identify each work of art in the APPP. Plaques will be located in clear visual proximity of the work of art, such as the lower right corner of a painting or the wall adjacent to a sculpture. When possible, plaques should be placed in a consistent location within a facility with multiple works. Additionally, a label identifying the work will be attached to the work (e.g. back of a framed work or bottom of a three-dimensional piece). All plaques will include the following content:

- Name of artist (city of residence)
- Title of work (date of installation)
- Medium of work

An identification plaque is the responsibility of the APPC Staff. The content and format will be approved by the APPC. Project budgets will include the costs of plaques.

The APPC may choose to use informational labels that include additional information about the work/artist. APPP Staff will partner with facilities if informational brochures, tours, etc. are desired.

The purchase of plaques will be according to Procurement Division policies. (Given equal quality and comparable price for goods/services, local providers, including minority firms, will be given preference.)

## 8. SITE PREPARATION

In certain cases, particularly with site-specific commissions, special preparation or modification of a site may be required for the installation of an artwork. This may include:

- Additional lighting
- Reinforcement of walls, ceilings, floors, etc.
- Repainting/refinishing
- Special access

The APPC is responsible for determining, at the outset of a project, the possible need for such adjustments and requesting APPP Staff to follow certain procedures, such as:

- Coordinate with the artist and appropriate members of the project team, including program manager, architect or others, as appropriate to determine exact requirements
- Review assessments by appropriate team members regarding feasibility and cost of requested adjustments and determine the appropriate procedure from the following alternatives:
  - Costs of site preparations can be absorbed by construction budget
  - Costs must be included in art budget
  - Costs may be shared by the construction budget and the art budget

In order to contain costs related to site preparation, the APPC and APPP Staff will follow procedures for commissioning art in a timely manner, thus minimizing the need for site modifications following construction.

## 9. PROJECT MANAGEMENT

In the case of large construction projects, the COJ's Department of Public Works may employ a project/program manager who is responsible for all aspects of such a project. The APPP Staff will communicate and coordinate with such managers during the art planning, execution, and installation process, to ensure efficient integration of the APPP in these public facilities.

The project manager will work with the APPP and determine the most meaningful and practical ways to coordinate the APPP with the building project. Areas for coordination include, but are not limited to, the following:

- Set up initial meeting with architects to discuss projected building plans and possible opportunities for art in or adjacent to the facility
- Maintain communication with APPP Staff so that meetings with architects may be set for key points in the project timeline prior to the APCC beginning the art selection process
- When architect's plans are finalized, make them available to the APCC along with key information regarding weight bearing capacity, finishes, and other issues which may relate to art selection
- Maintain communication with APPP Staff regarding any changes in the timeline, construction delays, and other changes that may effect art installation
- Regarding site-specific work proposed by the APCC, the project manager will determine the portion of site modification costs that can be absorbed by construction/design budgets and what portion will be considered part of the APPP budget.
- Provide information to the APPP Staff regarding possible savings that may be realized through early decisions and/or specific adjustments to an artist's proposal

*Example:*

Lighting requirements such as additional conduits, junction boxes, fixtures; special accommodation for extremely heavy works (e.g. reinforcing walls/floors); replacement of some functional items, (e.g. stair rails, doors, windows) with designs by artists; special footings as required for certain exterior installations; and others

- Work with APPP Staff regarding location and cost of storage for commissioned art completed on schedule but installation delayed because of construction delays.

APPP Staff will communicate with the project manager on matters including, but not limited to, the following:

- Meet with project/program manager and architects to express the goals of the APPP as it relates to the specific facility in question
- Work with the architect and project manager to identify locations for art

- Identify issues regarding art installation that should be addressed during early planning stages such as lighting, weight bearing capacities, wall/floor finishes, accessibility issues, landscape schedule, and others
- Work with project managers/architects to determine installation schedule

## **10. ARCHITECTURE**

An important task of the APPP is to assure that art placed in or adjacent to public buildings is appropriate for the architecture of that building. (126.902b)

In new construction, the architect and other members of the design team will be involved in the art selection process.

In a case where the APPC process begins after the building has been completed and the architect may not be available, the APPC/APP Staff/Cultural Council will make every effort to obtain copies of the architectural plans if needed.

When available, the architect's responsibilities will be as noted above (see PROGRAM MANAGEMENT), whether or not a project manager is in place. In addition, the architect will collaborate with the APPC as follows:

- Be available for preliminary meetings to discuss APPP goals before the planning process begins
- Provide copies of all relevant plans to the APPC and to commissioned artists, as appropriate
- Respond to questions from artists selected to prepare proposals and from commissioned artists, as necessary
- Work in collaboration with artists selected to execute site-specific works that will be integrated into the architecture of the building

## **11. ADMINISTRATION**

The Ordinance states that all administrative services related to the APPP will be provided annually by a COJ grant appropriation, requested yearly by the Cultural Council of Greater Jacksonville.

APPP administration and community education may use up to 10 percent of the APPP project allocation to the APPP Trust Fund. Projects funded by tax free bonds that specifically exclude expenditures for administration will require special arrangements to be made upon initiation of such a project.

Cultural Council of Greater Jacksonville will present a budget for APPP administrative services and expenses related to community education, mailing costs, office supplies, printing, travel, plaques, and other overhead to the COJ annually. Determined by the City Council and according to the grant contract, payments will be made from the grant source and/or from the APPP Trust Fund for up to a maximum of 10 percent of funds available as identified in the budget, as needed.

References in this document to “APPP Staff” refer to the Art in Public Places Program Manager and any other staff assigned to the APPP. The Cultural Council may use existing staff with appropriate qualifications. The COJ and the APPC may contract independent consultants. (126.909)

APPP Staff responsibilities include the following in addition to other jobs assigned by the Cultural Council:

a. Meetings

- Send meeting notices and handle responses for all meetings of the APPC, ASP, and AAC
- Complete Public Notices for all meetings
- Prepare meeting agendas and record/transcribe meeting minutes
- Prepare presentations for meetings, as appropriate, including visuals for the art selection process
- Arrange meetings for commissioned artists with architects, engineers, and project managers, and provide information to out-of-town artists regarding local resources as necessary

b. Budgets

- Prepare budget information for the APPC including a running balance of APPP project funds and eligible facilities
- Communicate with Jacksonville’s City Council and the COJ’s Director the Finance Department as appropriate, regarding release of funds, format of payment, and all other information required for fiscal conformance regarding APPP projects

c. Artist Outreach

- Create and maintain an Artist Registry including visual materials
- Prepare and distribute Call-for-Artists for specific project competitions (Design should be consistent for all projects)
- Supervise all artist competitions including mailings, submissions, presentations, and return of materials
- Develop and deliver educational and outreach activities to engage local artists

d. Commissions

- Monitor proposal development
- Monitor progress of art commissions according to the Commission Agreement Contract
- Notify the APPC of any problems related to Commissions (e. g. schedule, budget, installation, etc.)
- Maintain communication among artist, architect, project manager, and construction team as necessary
- Oversee installation of all commissioned artwork
- Develop a list of vendors, fabricators, art installers, and conservators for reference

e. Inventory Records/Documentation

- Determine City requirements regarding purchase and inventory information and provide to the appropriate COJ department after the purchase/commission of a work of art
- Maintain detailed documentation of each work of art purchased/commissioned for the APPP including description, location, and condition

f. Maintenance/Conservation

- Perform all responsibilities outlined in MAINTENANCE/CONSERVATION (below) regularly.

Certain Better Jacksonville Plan (BJP) projects remain unfinished. These and “Various Projects” i.e. projects other than BJP generated art funds between 4/97 and 2/02 will be administered by APPP Staff.

**12. OWNERSHIP/COPYRIGHT**

Copyright and other moral rights of artists including those covered in the Visual Artists Rights Act of 1990 will be addressed in all Commission Agreement Contracts or purchase agreements related to APPP art acquisitions.

APPP Staff will review these issues with the City’s Procurement Division to assure that purchasing procedures are consistent with federal law and COJ policies. Any waivers required must be signed by the artist and kept in the permanent records of the APPP inventory.



*No Couch Potatoes Here, 2006*  
Police Athletic League: Ed Austin Park  
Artists: Peter Rumpel & Roxanne Horvath, Jacksonville, FL

**13. MAINTENANCE/CONSERVATION**

The Ordinance states that five percent of the funds deposited in the APPP Trust Fund through the .075% allocation will be for art maintenance and conservation of art in the APPP. This will apply to all projects except those funded by tax free bonds which may restrict such a distribution; special arrangements for maintenance of the latter will be made upon initiation of each such project. (126.904c)

Maintenance and repair is the responsibility of the City in cooperation with the APPP and will be coordinated by the APPP Staff. Costs will be funded by the maintenance allocation included in the APPP Trust Fund. (126.908d)

The APPC may request, and Cultural Council will authorize, APPP Staff to review the condition and location of all art in the APPP on an annual basis.

In case of an emergency where a work of art is considered at risk or in the case of serious damage, the APPP Staff will immediately review the piece and report to the Cultural Council and the APPC. Review summaries may include the following recommendations:

- Condition satisfactory
- Repair required and estimated costs
- Review annually to monitor hazardous conditions
- Relocate the work
- Deaccession the work

Repairs may be completed by COJ personnel or by professional conservators, as recommended by APPP Staff.

The APPP will maintain list of professional conservators (including the area of specialization for each) who may be contracted to accomplish approved repair work. The APPC is encouraged to continually update this list.

APPP Staff will provide cost estimates for necessary repairs, subject to approval by the Cultural Council and the COJ's Department of Finance.

Artist participation in repair of art will be dictated by:

- Terms of the Commission Agreement Contract
- Visual Artists Rights Act of 1990

Each Commission Agreement Contract requires the following from the artist:

- Maintenance instructions
- Installation plan providing all information regarding attachment, access, etc.
- Detailed description of materials

Maintenance requirements, including cleaning, specified in the Commission Agreement Contracts will be supervised by APPP Staff and all costs must be approved by the Cultural Council.

These maintenance specifications will be reviewed carefully at the time of contract development to determine if long-term maintenance costs fall within the scope and budget of the project. The APPC and APPP Staff will determine acceptable costs.

#### **14. DEACCESSION/RELOCATION**

Deaccession or the destruction of any work of art in the APPP must be approved by the APPC and Jacksonville's City Council and procedure followed as set out at 126.908b.

Exception: Art valued at less than \$10,000 may be deaccessioned with the APPC approval only

Recommendations to destroy, deaccession, or relocate a work of art may be based on the following conditions:



*River Runner*, 2002  
Northbank Riverwalk at Market Street  
Sponsor: Jacksonville Track Club  
Artist: Derby Ulloa, Jacksonville, FL

- Irreparable damage
- Deterioration of materials to a degree that aesthetic value is destroyed
- Removal or functional change in the facility where the piece is located
- Repeated vandalism in present location
- Other conditions considered by the APPC to invalidate the appropriateness of retaining a work of art in its present condition/location.

Relocation of a work of art from one public facility to another will be approved by the APPC.

In the case of any of these actions, reference should be made to The Visual Artist's Rights Act of 1990 and to the artist's Commission Agreement Contract, if the work was commissioned, in order to assure compliance. Notification of the intent to move or deaccession a work of public art must be made in advance to the artist who created it.

## **15. GIFTS, LOANS, MEMORIALS**

Gifts of art offered to the APPC for installation in City-owned public facilities or public property will be subject to the same review and approval process required for works proposed for purchase or commission.

The condition of the work, appropriateness for the site, maintenance requirements, and other requirements apply:

- Gifts accepted must be compatible with stated goals of the APPP
- Suitable location for the gift must be identified and approved by the APPC
- All costs related to the installation and maintenance of the work of art, including administrative services must be born by the donor (The APPC may waive this requirement if funds are available and the work is considered to be of significant value to the APPP)
- Works considered to be in need of a high level of maintenance will not be accepted
- Commissioned gifts must also comply with the established review process and be approved by the APPC. Such gifts may be accepted by the APPC on behalf of the City; if special site modifications are required they will be financed by the City, thus requiring City Council approval
- For gifts of art valued under \$25,000 the APPC may recommend that the receiving site administrators, board members, staff, and community representatives be included in the decision-making process.

Loans of art for temporary installation in a public facility will be considered if the work is judged to have significant value in terms of enrichment of the site and its community for the limited time it is available. All conditions which apply to acceptance of gifts also apply to loans.

Memorial works of art, funded privately or by other public funding sources may be placed on City-owned property or in public facilities only with the endorsement of the APPC and the final approval of Jacksonville's City Council. In the event of a proposed work of art designed specifically to memorialize a person, group of persons, or an event, APPC will determine eligibility for APP funding.

APPP Staff required to facilitate a commission and/or placement of any memorial on public property will be charged to the donor. Maintenance costs must also be funded by the donor. A reserve of 5 percent of the cost of the piece will be placed in the APP Trust Fund for this purpose.

## **16. COMMUNITY EDUCATION**

The Ordinance states that a part of the budget allowance for administrative services for each project will be spent on community education. Public outreach is considered a necessary component of the APPP in general and for each major acquisition. (126.904c)

To achieve this, the following will community education efforts may be employed:

- Media promotion and community meetings at the outset of any major art project to explain the APP in general and to describe the particular project.
- Artist lectures and presentations regarding their project proposals for local artists, residents and, in particular, neighbors of the public facility involved
- Public display of project models and drawings
- Special programs for local artists to learn about the public art process and the APPP requirements
- Catalogs, brochures, maps, etc., as appropriate

## **17. GRANTS AND GIFTS**

The Ordinance states that Cultural Council is “responsible for applying for and receiving state, federal and private funds related to public art on behalf of the City through appropriate grant applications, and for the administration thereof.” (126.905f)

The APPC or the Cultural Council may, if funds for a particular project appear to be inadequate to achieve the goals of the APPP, seek funding from other appropriate sources.

In the event a gift of money is given to the APPP, the APPC may determine to accept it and deposit those funds in the APPP Trust Fund or the committee may reject it if terms of the gift are inconsistent with the goals and purposes of the APPP.

## **18. CITY RESPONSIBILITIES**

The Mayor appoints members of the APPC and approves this Five Year Plan.

City Council will approve this Plan as it is updated. City Council approves all disbursements from the APPP Trust Fund.

The Director of the Finance Department disburses funds from the APPP Trust Fund upon written request of the APPP, subject to previous approval by the APPC and appropriation by City Council.

The Finance Department and other appropriate City departments will collaborate with the Cultural Council to manage expenditures.

The Procurement Division will collaborate with the APPC regarding the purchasing process. The Ordinance states that processes may be modified as necessary to accomplish the objectives of the Ordinance. (126.907)

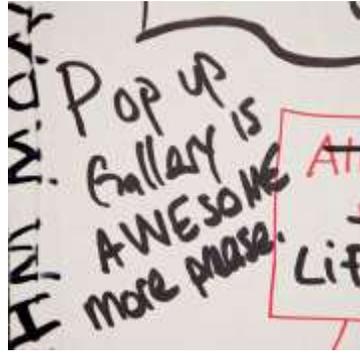
The Office of the General Counsel will collaborate with the APPC and the Cultural Council in regard to Commission Agreement Contracts and other legal issues affecting the APPP.

Department of Public Works project managers for large public facilities that qualify for APPP funds will act as informal liaison between the COJ and the APPP, providing and receiving information pertinent to APPP projects in the facilities for which they are responsible. Coordination of large commissioned art projects will be mutually beneficial to the APPC and the Department of Public Works in achieving smooth scheduling and the appropriate installation of large-scale art works.

# CONCLUSION

The 2011-2017 Five Year Plan is an effective device for invigorating Jacksonville’s public spaces while promoting community interaction through public art. With judicious use of the public funds entrusted to the program much can be accomplished. Together with creativity at its core, artists, cultural administrators, City representatives and the Cultural Council of Greater Jacksonville’s Art in Public Places Committee will promote and expand the City’s art collection for future generations to experience.

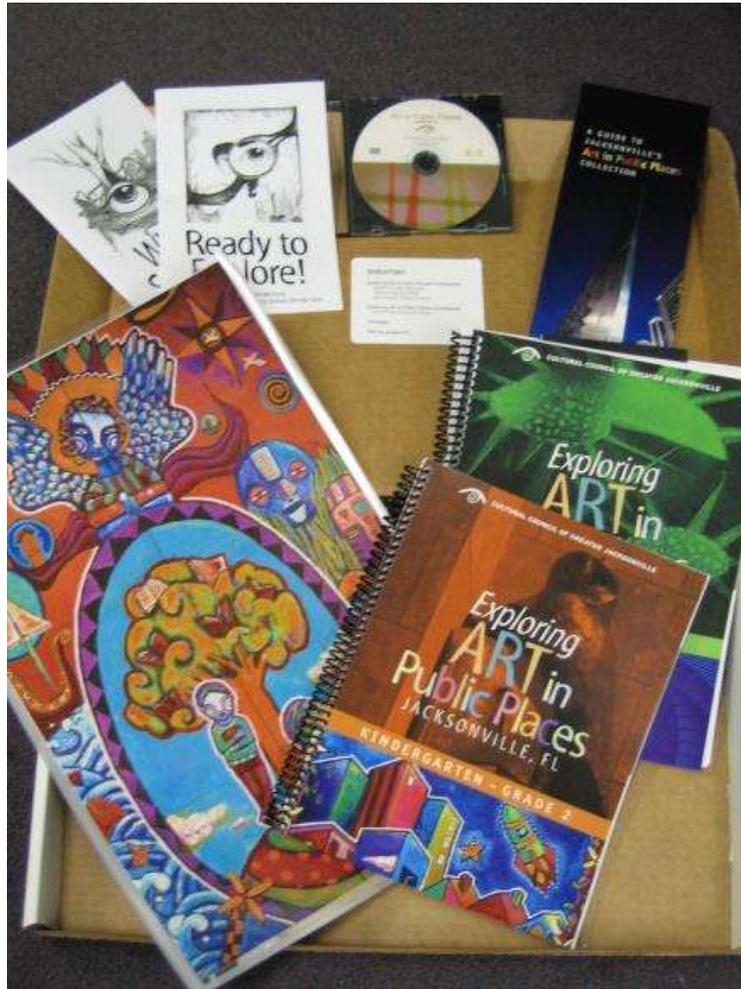
*Pop-up Galleries, 2011*  
Art in Strange Places: Main Street Park (downtown)  
Artists: 17 local artists



Photography by:  
Paul Figura, Inc.; Douglas Eng Photography; and Laird

# APPP K-12 Curriculum

*Connecting our Creative City:  
Investigations of the art in public places*



The Cultural Council of Greater Jacksonville has developed a series of lesson plans to introduce K-12 students to the City's Art in Public Places Program (APPP) collection, while fulfilling grade level requirements and Florida's Sunshine State Standards. Lessons integrate themes from the artworks with the public school curriculum focusing on science (elementary), social studies (middle school), and 21<sup>st</sup> century learning skills in the areas of language arts, social studies and technology (high school).

The APP Curriculum is available in the media centers of all Duval County Public elementary, middle and high schools. Lesson plans and the informational DVD are available for download on the Cultural Council's website [www.culturalcouncil.org](http://www.culturalcouncil.org).

Each lesson features at least one work from the Art in Public Places collection. Teachers are provided curriculum notebooks, posters of the artworks, and a DVD which serves as an introduction to public art.

# ART IN PUBLIC PLACES ORDINANCE

## APPENDIX A

### PART 9. ART IN PUBLIC PLACES

#### **Sec. 126.901. Definitions.**

For the purposes of this part, the following terms shall have the following meanings:

- (a) **Capital improvement program** means and includes the capital improvement programs adopted or approved by the Council.
- (b) **Construction costs** means the estimated cost of construction or alterations of a project listed as Priority One within the capital improvement program including engineering and architectural costs. Land acquisition costs, site preparation and specific equipment and furnishings costs shall be excluded from the definition of construction costs. Furthermore, cost overruns and change-order costs shall not be considered construction costs for the purposes of the funding calculations set forth in this part.
- (c) Construction or alterations means new construction, where **construction costs are \$100,000 or more**, and rehabilitation, renovation, remodeling, or improvements (herein collectively "alterations") to existing buildings. Alterations to buildings that are under \$100,000 in cost, or are primarily "redecorating" and involve no actual structural alterations, shall be excluded. Alterations of a strictly structural or mechanical nature necessary to keep the facility functional, but without altering the aesthetic character of the facility shall be excluded. Examples of this type of alteration would be replacing an air conditioning system or major repairs to a leaking roof. These types of structural items shall be included when part of a larger renovation project involving aesthetic changes to facilities.
- (d) Public facility means **any City-owned building or facility intended for habitation where public employees work on a regular basis or which the general public uses on a regular basis**. Public facility includes, but is not limited to, office buildings, recreation and community centers, libraries, maintenance garages, firehouses, police substations, and the like. Public facility specifically excludes water and sewer pump stations, electrical and communications substations and switching houses, and similar unoccupied structures.  
(Ord. 2004-602-E, § 4)

#### **Sec. 126.902. Public art standards.**

- (a) **Public art is a work of art to which the general public has open and easy access** and which will enrich and give dimension to the public environment, and which reflects generally accepted community standards of aesthetic appeal and artistic expression in the decorative arts.
- (b) **The goal of the Art in Public Places Committee of the Cultural Council of Greater Jacksonville will be to choose art which is compatible with and which will enhance the architecture and general environment of the City.** In some cases, the work will be site specific (i.e. art which is commissioned especially for the specific space and becomes integral to the site). Such art may relate to the function and the users of the facility, to the history or population of its neighborhood and/or may become a part of its architecture. Planning of site specific works will begin early in the project and may be a collaboration between artist and architect.
- (c) **Acceptable forms of artwork** shall include all visual arts mediums, including, but not limited to, painting, drawing, original prints, mixed media, sculpture, bas relief, mobiles, murals, kinetic art, electronic art, photography, clay, glass, fiber and textiles, as well as art which may be functional (e.g. doors, gates, furniture, etc.).

(d) Public art shall not include items that are mass-produced or of standard design.

(e) Works shall be created by **artists of appropriate status** who shall be selected by the means outlined in detail in this part. Such artists shall generally be recognized by recognized art professionals, as artists of serious intent and recognized ability, and shall not be a member of the project architectural, engineering, or design team or of the Art in Public Places Committee, Art Selection Panel or the Cultural Council Board or their respective Staffs.

(f) **Appropriate sites for placement of public art include any outdoor, easily accessible public facility or the interior of public buildings.** Appropriate sites for placement of art within public buildings include, but are not limited to, lobbies, foyers, corridors, waiting rooms, conference rooms, plazas, courtyards, transportation facilities, facades, and any other sites without restricted visual or physical public access. Private meeting rooms and offices are examples of inappropriate sites with restricted access. (Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

#### **Sec. 126.903. Art in Public Places Committee.**

There is hereby created an Art in Public Places Committee. The Committee will be an 11-member board appointed by the Mayor as follows: **Three from the Cultural Council of Greater Jacksonville Board of Directors; three from the professions of architecture, interior design, landscape architecture, planning, art professional, or art historian; and five from the community at large as community representatives, each residing within a different planning district whose interests, professions and community activities reflect the diversity of the Jacksonville arts community and of the community at large.**

All members shall be confirmed by the council. Initially one member of each group shall be appointed for three years, one of each shall serve two years and one of each shall serve one year. Thereafter, all terms shall be for three years. No member appointed to the Committee for two consecutive full terms shall be eligible for appointment to the next succeeding term. The Committee shall be responsible for receiving, reviewing and acting on the recommendations of the Art Selection Panels.

(Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

#### **Sec. 126.904. Funding.**

(a) A percentage of the total allocation ("allocation percentage")(including multi-year phasing) for construction costs of a public facility, as determined by that percentage existing by ordinance at its initial inclusion within the capital improvement program, and as outlined in section 126.911, Ordinance Code, shall be appropriated to the Art In Public Places Trust Fund.

(b) Funds appropriated to the **Art in Public Places Trust Fund shall be used to implement a city-wide plan for the creation and placement of artworks as developed and administered by the Cultural Council.**

(c) **Up to five percent** of the allocation percentage shall be dedicated to **maintenance**, and **up to ten percent** of the allocation percentage shall be dedicated to **administration and community education**; provided however, these allocation percentages shall not apply to appropriations originating from any funds which prohibit expenditures for maintenance and administration. These amounts shall be used at the discretion of the Cultural Council in collaboration with the Department of Administration and Finance and any other City department as appropriate for maintenance, administration and community education. (Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

#### **Sec. 126.905. Duties.**

The duties of the Cultural Council are as follows:

(a) Create updates to the five-year plan known as the **Art in Public Places Program Five Year Plan for Program Development and Implementation**. This plan may also be revised from time to time by the Cultural Council. Updates shall be provided to the Mayor and Council at least six months prior to the expiration of the five-year plan

and shall be placed on file with the Legislative Services Division. The updates and revisions to the plan shall be reviewed by Council and shall not take effect until Council approval.

- (b) Review annual City Capital Improvement Projects with appropriate boards, agencies, authorities and departments and establish a **list of eligible projects** to include in the program.
- (c) Develop **budgets for public art administration, maintenance, conservation and community education.**
- (d) Develop an annual plan and budget for public art projects.
- (e) Develop and **oversee policy implementation and administration of the public art program**, which may include such things as acceptance of gifts.
- (f) Be responsible, in its discretion, for **applying for and receiving state, federal and private funds** related to public art on behalf of the City through appropriate grant applications, and for the administration thereof. (Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

**Sec. 126.906. Art selection panels.**

The Art in Public Places Committee shall, when deemed appropriate by, and as outlined in, the Art in Public Places Program Five-Year Plan for Program Development and Implementation, form Art Selection Panels to make recommendations to the Committee on the selection of artwork.

Each Selection Panel will be composed of up to **seven members: a Chair, who will be a member of and represent the Art In Public Places Committee; a representative of the site selected for the art (Staff or Board member); architect or other design professional for the project, if available; one artist or art professional; and one to three community representatives, at least one of whom shall reside in the planning district within which the art shall be sited.** The artists or arts professional representatives will be selected from a list, maintained by the Committee, of interested and qualified individuals. (Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

**Sec. 126.907. Art selection methods.**

- (a) The Art Selection Panel shall select artists and art work in one of the following ways:
  - (i) **Open competition:** Requesting artists' submissions with specifications regarding local, state, regional or national scope.
  - (ii) **Limited competition:** Inviting a small number of artists to respond with examples of past work or to prepare formal proposals, and selecting a specific artist based on these submissions.
  - (iii) **Direct purchase:** Purchase of existing work and all rights thereto.
  - (iv) **Invitational commission:** Selecting a specific artist for direct commission.
- (b) The Cultural Council and the Art in Public Places Committee shall seek to ensure that **at least 15 percent of the artists selected for purchase or commission will be resident(s) in the Greater Jacksonville area**, (the counties of Duval, St Johns, Nassau, Clay and Baker). The Cultural Council and the Art in Public Places Committee will also encourage the selection of regional artists e.g. Florida and the Southeastern United States.
- (c) All purchases made pursuant to this Section shall be made pursuant to an evaluated bid process created by the Purchasing Division and modified as necessary to accomplish the objectives of this Chapter. **A proposal fee and/or travel reimbursement may be offered for the invited artists to cover the cost of the formal proposals at the discretion of the Art in Public Places Committee.** The proposal fee and/or travel reimbursement shall be part of the amount funded pursuant to Section 126.904(a) and (b).

Any provisions of this Chapter conflicting with the expressed intent and procurement methodology of the Art in Public Places program are hereby waived.

(Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

**Sec. 126.908. Ownership; maintenance.**

(a) The City will own all the rights to the art produced by the Art in Public Places program, subject to the provisions of the Visual Artists Act of 1990. All contracts with artists and all art purchases will require the Artist to waive the following restrictions:

- (1) **Photographic reproduction rights (to be shared by artist and owner);**
- (2) **Right to remove/relocate art;**
- (3) **Right to repair art in case of emergency;**

(b) Artist will retain the copyright and the right to be notified if the work is to be destroyed, or de-accessioned or radically repaired on a non-emergency basis.

(c) City will retain ownership of proposal models or drawings of commissioned art.

(d) **Maintenance will be the responsibility of the City** and will be funded by that portion of the trust fund which is allocated for maintenance and conservation, and will be administered in cooperation with the Cultural Council based on a conservation evaluation plan. (Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

**Sec. 126.909. Cultural Council responsibility**

**The Cultural Council shall administer the Art in Public Places program on behalf of the City.** The Cultural Council will provide professional and support staff for the operation of the program and administration of the Art in Public Places Program and the art selection process.

(Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

**Sec. 126.910. School Board; independent authorities authorized to use program.**

(a) The Council hereby urges and requests the Duval County School Board and the independent authorities of the City to adopt Art In Public Places programs.

(b) The Duval County School Board and the independent authorities of the City are hereby authorized to utilize any portion of this Part 9 in order to implement an Art in Public Places program. (Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2)

**Sec. 126.911. Schedule.**

The allocation percentage appropriation created in Section 126.904(a) shall apply as follows:

- (a) **0.75 percent to any project subject to the provisions of this Part and declared by the Council to have Priority One status after July 1, 1997.**

(Ord. 2004-602-E, § 4; Ord. 2006-289-E, § 2; Ord. 2006-1084-E, §