

Draft

**Municipal Public Art Policy
Kingston, NY**

Draft prepared for the Public Art Policy Committee and Kingston Arts
Commission
by McGregor Consulting

May 6, 2024

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Section 1. Public Art in the City of Kingston

Introduction

By adopting an Arts & Culture Master Plan in 2022, the Kingston Common Council validated the effort to provide long-term direction for future support and growth of the City’s creative economy and acknowledged ways that cultural activity and resources make the city a compelling place to visit and to live.

This Municipal Public Art Policy (MPAP) supports the vision and many of the strategies put forward in the Arts & Culture Master Plan (Master Plan).

We envision Kingston as a city in which arts and culture bring together our diverse populations; foster collaboration; celebrate our unique creative energies, educate people about our rich history, emphasizing those stories that have not yet been told; enliven our landscape with public art projects; create economic opportunities; and support the creative activities and initiatives of both long-term and recently arrived residents and organizations.

- Vision from Master Plan¹

The MPAP relies on “Kingston’s network of diverse arts and cultural stakeholders to strengthen partnerships and create more pathways for increased collaborative engagement” as advocated in *Priority B Connectivity and Collaboration*.² By providing opportunities for artists and local fabricators, the MPAP directly aligns with *Priority A Creative Economy*.³

The Municipal Public Art Policy is a roadmap for presenting public art on city property and stewarding the Municipal Art Collection. The policy’s four sections include the Statement of Purpose in Section 1, Roles and Responsibilities for Administrative Review in Section 2, managing the Municipal Art Collection in Section 3, and a process for the city to commission public art in Section 4, as well as definitions. The Appendix provides implementation guidelines, forms to be used, and research on Percent for Art: Benefits, Challenges and Examples.

The City of Kingston’s Municipal Public Art Policy has been developed by McGregor Consultants with valuable guidance from Mayor Steven T. Noble, the Director of the Department of Arts and Cultural Affairs, the City of Kingston Public Art Policy Committee, the Kingston Art Commission, representatives of city departments, members of the City of Kingston Common Council, art nonprofit leaders, and others.

¹ Arts & Cultural Master Plan, 2022, p. 31

² Master Plan, p. 14

³ Master Plan, p. 12

1.1. Statement of Purpose

The City of Kingston has established a Municipal Public Art Policy to achieve the following goals

- To encourage the installation of temporary and permanent artwork that broadens the Municipal Art Collection in ways that celebrate, reflect, and express the core community values and rich cultural and ethnic diversity of this historic city, while advancing the goals of the Kingston Arts & Culture Master Plan and the city's initiatives to foster a healthy natural environment.
- To support a broad spectrum of emerging and established local, regional, national, and international artists whose work advances Kingston as a premier arts and culture destination, promotes economic development, and makes Kingston a desirable place to live.
- To encourage the development and presentation of art on municipal sites and expand artwork locations throughout the city through thoughtful and inclusive community participation in a manner that is flexible, timely, and relevant to the contexts, sites, relationship to surroundings including view sheds, and audiences
- To position the arts in Kingston as integral to the city's overall municipal responsibilities and initiatives guiding other areas of the city's work. This policy has positive implications on economic impact, neighborhood revitalization, smart growth, environmental sustainability, and creates cohesive physical communities with thriving public spaces that give residents a sense of belonging.

1.2 Types of Public Art

For the purposes of this policy, public art embodies all forms of art and culture conceived in disciplines including, but not limited to, visual, performing, literary, and new media arts. This includes historical interpretive markers or contextualizing historic artifacts. Projects must be on city property in a place that is broadly accessible and available for the public to experience. The following are possible projects:

- Permanent artworks owned or commissioned by the city and part of the Municipal Art Collection
- Temporary artistic and cultural projects commissioned by the City
- Temporary artworks or long-term loans that are on city property, but not owned by the City

For the purposes of this policy, an artist is generally a practitioner in the visual, performing, literary, or media arts who is recognized by peers and adjacent arts and cultural communities.

There are a variety of ways to approach public art that employ a wide range of materials and mediums. These may involve collaboration among a variety of disciplines. The following approaches might be considered alone or in combination:

a. Artist and Community Collaborations. Ideally the community should be informed about all projects as outlined below in Section 1.5, however in certain cases artist and community engagement may happen intentionally as part of the artist’s collaborative process. The artist may involve community members in defining the concept, form, and location for a project. The content development or fabrication of the artwork may engage community members, or the work of art may encourage or require interaction. These are achieved by:

- Identifying the type of community engagement desired during planning as part of the project description and the request for qualifications (RFQ). Artists who seek to collaborate should be clear about their intentions and goals for the collaboration so that these ideas are articulated to the community.
- Involving the community stakeholders in decision making as outlined in Section 4. The project team and selected artist may adjust their original framework for the community’s participation based on feedback they receive.
- Artists, organizations and others are encouraged to develop collaborative projects that are presented on city property.

b. Art Integrated into Design. The city’s buildings, streets, parks, and other facilities can be enhanced when artists are engaged to contribute to capital projects⁴. Identifying art locations early in the design stage will ensure that lighting, foundations, attachment mechanisms, landscape and color choices in the surrounding areas will enhance the artwork. Early-stage consideration for integrating art into a project can yield several significant benefits:

- Small and modest budgets can be stretched to have an impact on an entire site, rather than in just one isolated location.

⁴ Resolution 45 of 2022 (approved 9-0 at the March 2022 Council Meeting): Adopting Arts & Culture plan that specifically calls for the incorporation of arts sector workers into decision-making by the Planning Board. Note the committee Q&A where the specific idea of using artists to paint crosswalks is discussed: https://youtu.be/VXPylNv9k_A?t=5491

- Maintenance costs can be reduced when the artwork materials are similar to the rest of the building and do not require special conservation or maintenance.
- The range of participating artists may be expanded by offering ways to translate their concepts into materials that are fabricated by construction-grade contractors or fabricators.
- Artists can create lasting work in the public realm with funding and support provided by the city.

The City of Kingston can facilitate art integrated into design in different ways:

- **Design Team:** collaboration between an artist and an architect, landscape architect, or engineer to design an entire site or specific areas together. In most cases the artist’s elements are integrated into the construction documents and bid out through the regular construction process.
- **Artist Enhanced Features:** simple aesthetic upgrades to functional elements such as fences, railings, benches, pavement, and wall or floor surfaces. These may be fabricated and installed by the artist or a contractor.

c. Social Spaces. Art can be a catalyst to make new social spaces or reinvigorate existing spaces. These social spaces can be places for temporary or rotating works of visual art, interventions, platforms for performing, and literary art, or a combination of these activities. In any manifestation, the purpose is to create places where groups of people want to spend time together, the “third places” outside of home and work where people can interact freely. Implementing complementary public accommodations in these spaces, such as seating, access to bike or vehicle parking, restrooms, or food vendors adds to their appeal.

d. Inspired by Kingston. There are many ways public art can connect thematically to culturally diverse Kingston. As presented in the Arts & Culture Master Plan “The diversity of Kingston’s population is one of its main strengths ...[however] power is not held equally by all, with communities of color and immigrants being historically marginalized. In recent years, new organizations have developed to broaden the stories told about Kingston’s history and to serve its diverse residents. Celebrating the rich history of all residents, sharing power, and ensuring that all feel welcome are essential to consider for everyone to thrive.”⁵

1.3 Types of Funding Sources

Kingston’s arts and culture sector is an important economic generator, as the Master Plan states “In Kingston, the sector generates approximately 1,600 jobs, \$57 million in wages and \$167 million in revenue. Compared to other New York State cities with similar populations, Kingston has the highest concentration

⁵ Master Plan p. 33

of arts and cultural establishments.”⁶ This highlights the importance of continued investment in this sector, and particularly the support of a public art policy.

To sustain the Department of Arts and Cultural Affairs and support the initiatives outlined in this policy, the funding plan must cultivate varied funding streams that enable incremental growth for the administration, acquisition, and maintenance of public artwork in Kingston. Additional resources must be identified for project management and marketing, and conservation of the existing public art collection and commission of new art. This section outlines potential resources to access:

a. Renewable Funding Streams. Public art programs generally have at least one secure ongoing funding source:

- Allocation from City Budget. Monies for staff, public art commissions, or collection management may be allocated from a city's annual budget. Some communities allocate a portion of their tourism fees toward public art through the general fund.

b. Contributions and Partnerships. These resource development strategies are led by the Department of Arts and Cultural Affairs (ACA) and made through strategic planning, partnerships, and in collaboration with the Kingston arts community including artists, organizations, public and private entities, and those working in all artistic disciplines:

- **Integrating Artwork into Design:** Hiring artists to collaborate in design teams with architects, engineers, landscape architects, and others to fully integrate artwork into capital projects using the construction budget for specific items within a capital project is a way to allocate a portion of construction costs to public art without a percent for art mandate. (See Section 1.2b)
- **Voluntary or Incentivized Contribution from Developers of City-Subsidized Projects:** The City can include public art as an option when negotiating incentives with developers for capital projects on city-owned property. This could involve providing artwork on site in a community location, creating exhibit space for art, or contributing 0.5% to 2 % of the project budget to a public art fund.
- **Partnering to present temporary artwork at municipal sites:** The ACA facilitates the process to site artwork through guidelines set forth in this policy. Proactively creating partnerships with organizations in the community is a way to expand the possibilities for art at city-owned sites.

c. Grants. Public art intersects with many disciplines, therefore grant opportunities may extend beyond arts and culture grants. The ACA seeks to diversify funding streams from varied grant sources that may support initiatives such as community or business development, transportation enhancements, social

⁶Arts & Culture Master Plan, 2022. p. 5)

engagement, historic preservation, health and wellness, and more. Where possible seek to cover administrative expenses along with project expenses.

- The ACA and the Office of Grants Management will cultivate positive relationships with stakeholders, supporters, and grant makers. They will undertake these steps, with the Office of Grants Management taking the lead:
 - Determine feasibility and funding strategies for new and ongoing initiatives.
 - Identify and cultivate funding prospects at the federal, state, local, and private level.
 - Maintain grants management schedules.
 - Write and submit well-considered grant proposals that align with Kingston’s needs.
 - Adhere to all requirements and deadlines for submitting reports for grants received.
- Government Sources: Federal, state, and county governments have grant opportunities for art in the public realm. Potential sources include the National Endowment for the Arts, Collection Assessment for Preservation Program of the Institute for Museum and Library Services, the Saving America’s Treasures Program of the National Park Service, and the New York State Council on the Arts/Greater Hudson Heritage Network Grants.
- Civic Sources: potential funding may come from City departments, commissions, Common Council members and the neighborhoods in their wards.
- Foundations and Corporations: Kingston is building relationships with local and regional entities..

d. Donations. The City of Kingston follows the Municipal Fundraising and Gifting guidelines set forth by the [Tug Hill Commission Technical Paper Series \(February 2001\)](#). This states that municipalities may not solicit “gifts” or conduct fundraising. However, unsolicited donations can be offered to the municipality. Donations offered to the ACA will be considered by the ACA, Office of Grants Management (OGM), KAC and ultimately approved by the Mayor.

- Unsolicited Donations: unsolicited donations may be offered voluntarily from individuals, foundations, or businesses. The ACA, OGM, and the Mayor will decide where donations are to be obligated by the Common Council’s approval.
- Donations of Works of Art: individuals, foundations, and corporations that express interest in donating works of art to the City of Kingston follow requirements established in the MPAP which outlines acquisition criteria to ensure that gifts align with the Statement of Purpose (see Sections 3.3 and 3.4). Donations must have a plan for financial support for appropriate maintenance for the artwork’s life span.

e. Aspirational Funding Stream

- **Allocation of City Capital Construction Funds:** Through this framework a “percent for art” formula with a mandated allocation of a percentage of construction costs for new and renovated buildings are budgeted for public art. Most allocations range from 0.5% to 2%. In general, these are mandated through an ordinance. Flexibility is important where permitted. Ideally, funds may be pooled from multiple small projects into larger amounts of money. When possible, funds are allowed to cover conservation and maintenance of works of art owned by the city. Kingston’s capital budget is small, but appropriate to the city’s size and tax base. This source requires investigation to understand if it might be applicable. Broad-based support will be required to establish an ordinance

1.4. Anticipated Program and Project Expenses

The items below include optimal components for public art programs and projects. These are the types of expenses that would be assumed as the program grows:

a. Program Expenses

- **Staff:** salary, benefits, and other costs for employing full time and part time staff.
- **Staff Development:** travel, professional development (including attending conferences and acquiring certifications or specialized training), memberships to professional organizations, and subscriptions.
- **Overhead:** office space, equipment, and other hard and soft costs associated with managing the public art program.
- **Artist Selection Process Costs:** producing and publicizing municipal art opportunities, honoraria for selection committee members, application submission services such as Submittable or Slideroom, travel and lodging for artists and out-of-town panelists, site visits, and interviews, and hospitality for selection panel meetings.
- **Engagement, Outreach, Education:** a range of initiatives are extremely important to reach Kingston's communities and its visitors with public art. Components of the public art process require the design and production of activities, services, publications, website content, and social media. Outreach includes introducing artists and interpreting artworks. Activities to consider include audio, virtual and printed guides to public art in Kingston, artist talks and lectures, panels and symposia, and special events connected to public art projects. Some of the activities can be presented in partnership with other organizations. Methods that reach broadly and deeply will be prioritized. These programs will require staff to develop, manage, and implement.

- **Consultants/Contracted Personnel:** specialized services such as public art management, including planning, conservation, appraisals, fundraising, graphic and web design, and educational programs.

b. Project Expenses

- **Artwork Costs Associated With City-Initiated Commissioned Artwork:** Allowable expenses that are covered by the commission budget include: artist fees, insurance required by the City, specialized consultants such as engineering, expenses to fabricate, install, transport, and document the artwork. Site preparation (footings, lighting, landscaping etc.) not covered by other budgets may be part of the artwork budget. These expenses are indicated in the contract with the artist and are covered by the project budget. Engagement costs and artist selection costs are identified above as program costs. However, projects with significant or ongoing community engagement are likely to require funds as a project expense.
- **Maintenance and Conservation:** since the costs of maintaining art are generally less expensive than the cost of conserving artwork, plan for regular maintenance. These expenses may include cleaning, replacing components, repair of broken parts, and paying for the labor to perform this work. Conservation includes all the maintenance expenses, but can also include the replication of parts, transportation of artwork to an outside facility, and reinstallation of the artwork (see Section 3.5 for more detail).

1.5. Community Engagement in the Public Art Process

The City of Kingston is committed to engaging the public in its municipal processes. This policy has been developed to provide a variety of opportunities for participation. In this policy, community means a group of connected people who live or work in a common neighborhood, or it might include those with a common profession, workplace, age, religion, heritage, or hobby, pastime or sport or other connection. It includes residents, visitors and the range of organizations and institutions that serve them such as schools, libraries, and faith-based groups.

The Kingston Arts Commission already offers opportunities for citizens to participate in public decision-making processes, either by attending meetings that are open to the public, or by joining the task forces or committee. The KAC may form task forces or committees to support public art projects or initiatives.

Opportunities for Community Participation Kingston is characterized by its diversity. To ensure that multiple voices are included in public art projects, community members are invited to participate in the following ways. See Section 4 for more detail.

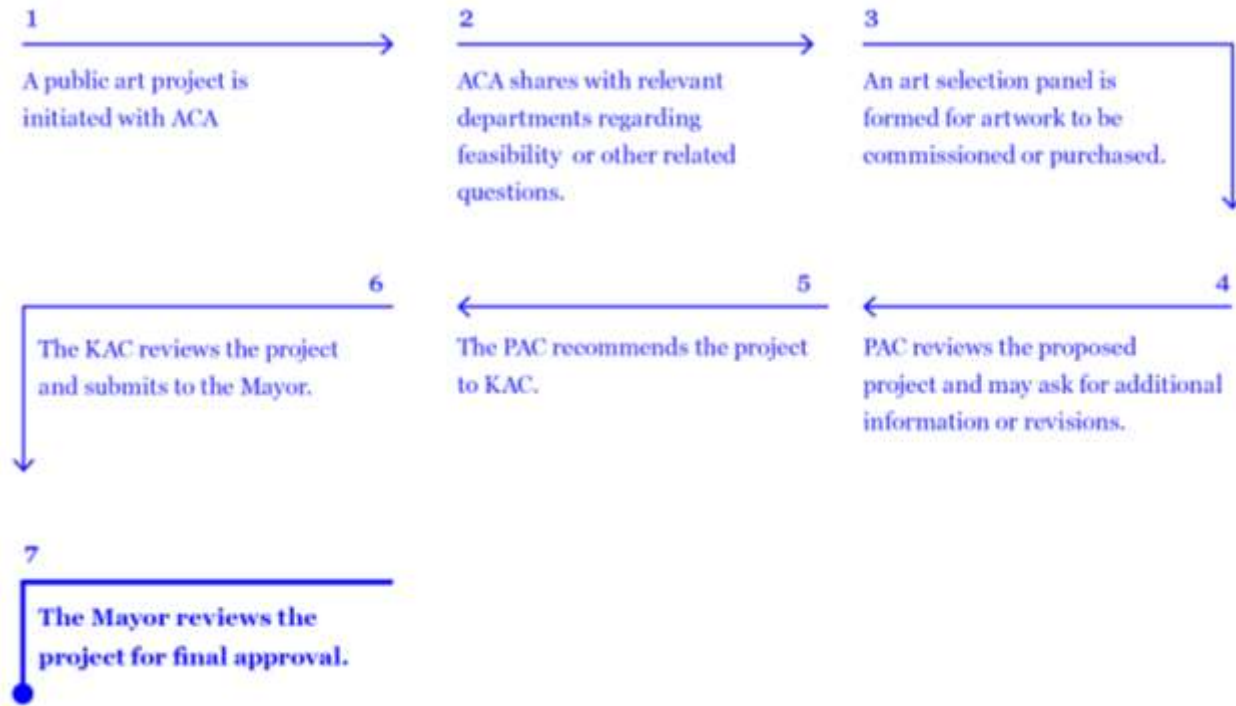
- **Project Planning:** during the project planning phase the ACA and Public Art Committee (PAC) identify people and organizations who are stakeholders in the project to participate on the project team or be consulted during the planning phase.
- **Artist Selection Panels:** community members are invited to participate on selection panels to identify artists for commissions or programs.
- **Artist and Community Meet Ups:** as selected artists develop projects, they may meet with community members to learn about the area’s history, culture, and context. The Project Team, PAC, and KAC may help to identify people and organizations that may provide opportunities to connect. Plus, there are many opportunities through the Aldermen and others to involve artists in the engagement that they already undertake. Artists may be invited to give presentations about their approach to artmaking and the project they are developing in Kingston. In addition, artists who have previously completed projects may join other events to talk about their work.
- **Information Opportunities:** since public meetings are not always widely attended, additional strategies may be developed to share information about planned artworks and to get feedback. These can range from formal project presentations to informal events where information about projects is available such as at other events programmed by the ACA. These programs may be offered in inclusive and welcoming spaces hosted by other organizations or stakeholders.

Section 2. Roles and Responsibilities for Administration and Review

Types of Public Art Projects Reviewed and Sign Off

- Newly commissioned artwork that is requested or initiated by a city department
- Existing artwork to be placed or moved on public property, indoors or outdoors
- Temporary artwork proposed by artists, organizations, or other entities
- Municipal Art Collection issues, inventory, maintenance
- Artwork maintenance and conservation plans
- Artwork to be deaccessioned

Project Sign off



2.1 Department of Arts and Cultural Affairs (ACA)

ACA administers the programs of the Kingston Arts Commission, directs all the City's public art projects, oversees the Municipal Art Collection, and implements the Public Art Policy with advice and guidance from the Public Art Committee (PAC) as follows:.

- Develops the vision and goals of the public art program. Ensures that these goals are in concert with the broader mission and goals of the City of Kingston.
- Communicates and advises departments on the Municipal Public Art Policy (MPAP) and facilitates inter-agency communication and interaction.
- Seeks review comments and approvals for proposed artworks from relevant City departments regarding accessibility, safety, liability, feasibility, and maintenance.
- Determines budgets, criteria, and artist selection methods for public art projects in consultation with the project team.

- Develops and implements a community engagement plan that involves relevant City departments and key community stakeholders.
- Manages art projects from inception to completion including design review, and artist’s fabrication and installation.
- Oversees the documentation, inventory, and management of the Municipal Art Collection by consulting with professional conservators when appropriate regarding conservation and maintenance.
- Provides periodic reports to the PAC, KAC and Mayor’s Office.

2.2 Public Art Committee (PAC)

The Public Art Committee (PAC) is a subcommittee of the Kingston Art Commission. It is composed of individuals with expertise to guide the public art programming and implements the Public Art Policy with the ACA. The PAC is authorized to review and advise on matters related to Kingston public art projects.

Public Art Committee (PAC) Composition

Voting Members	Non Voting Members
2 Representatives of Kingston Art Commission designated by KAC	2 Representatives City Departments
3 Members with relevant expertise: artist, art historian or art conservator, arts administrator or curator, architect, historian, or businessperson. Identified through an open application and interview process	1 Representative of Common Council liaison to KAC
	1 Department of Arts & Cultural Affairs Director
	When appropriate, other commission members or departments may be included.

Duties include but are not limited to:

- Convenes every other month or as needed to review issues related to Municipal Public Art Collection as it exists, project development, public art selection, panelist recommendations, project budgets and other program and project-related issues.
- Members serve renewable three year terms. The first appointments will be staggered.

- May form subcommittee or task forces as needed. This may include deaccessioning, review of artwork in City Hall, or other topics.
 - The PAC reviews a range of projects that it will refer to the Kingston Art Commission with written documentation supporting its decisions.
 - Artist selection panel recommendations and reserves the right to reject selection panel recommendations or recommend modifications or changes.
 - Final design for new artworks.
 - Donation of artwork offered to the City
 - Temporary public art projects initiated by artists, organizations, or other entities and makes a recommendation to the KAC.
 - Plans to move artwork in city buildings and open spaces.
 - Accession and care of all artworks accepted into the Municipal Art Collection.
 - Deaccession proposals and makes recommendations to the KAC.
 - Cleaning, repair, and overall care of artwork in the Municipal Art Collection at the recommendation of the ACA and in compliance with currently accepted standards of care.
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2.3. Kingston Arts Commission (KAC)

Under Resolution 113 of 2015, the Common Council of the City of Kingston, New York, established the Kingston Arts Commission (KAC) on May 5, 2015. Section 5(e) states that the Kingston Arts Commission will facilitate art in public buildings by developing and recommending to the Mayor and Common Council a public arts policy. The Director of Arts and Cultural Affairs is advised by the KAC. The Policy includes these responsibilities:

- Appoints two members to the Public Art Committee.
- Reviews and approves recommendations from the PAC on all projects, works to be added to the Municipal Art Collection and maintenance and care of the collection. The recommendations are forwarded to the Mayor for final approval.
- Receives periodic reports from ACA and Public Art Committee.

- Conducts a review every other year of goals, policies, and guidelines as they pertain to policy and acquisition of artwork on behalf of the City.
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2.4. City Departments

All city departments may engage with the public art, culture and multi-disciplinary process as needed to advance public art on municipal property. The Department of Arts and Cultural Affairs is always consulted and will reach out to all departments with the goal of helping people to work together. Here are some examples of the way the departments may be involved.

- ACA will coordinate with the relevant departments to commission artworks that utilize funds through the city budget or grants. These artworks will become part of the Municipal Art Collection, so these steps are part of acquiring that artwork. This includes determining the project scope, selecting the artist and artwork, and managing the project as indicated in Section 4.
 - Departments will engage with ACA on artworks that are proposed by artists, organizations, and others to be placed on city property temporarily.
 - Departments will engage ACA to identify artworks under the Department's purview and assist with proper documentation and cataloging of artworks in the Municipal Art Collection inventory as indicated in Section 3.
 - Departments will direct inquiries about public art to ACA.
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2.5. Corporation Counsel

- Provides legal advice on public art issues.
- Develops a standard contract to be used for artwork commissions and signs off on individual contracts.
- Periodically reviews the Public Art Policy and related documents to assess compliance by City departments.

2.6. Mayor's Office

- Apprised of all ACA and PAC activities.
- Together with the Director of ACA selects 3 arts related members on the PAC.
- Initiates the City's Budget that includes funds related to the Department of Arts and Cultural Affairs and public art.
- The Mayor is presented with a written recommendation from the Kingston Arts Commission on behalf of the Public Art Committee and the ACA describing the project and the artist's concept. The Mayor then affirms the temporary project, commission, purchased artwork or donated artwork by signing a memorandum of acceptance.
- The Mayor is presented with a written recommendation from the Kingston Arts Commission on behalf of the Public Art Committee and the ACA describing maintenance of collection management issues. The Mayor then affirms the project by signing a memorandum of acceptance.
- The Mayor is presented with a written recommendation for deaccessioning an artwork from Kingston Arts Commission on behalf of the Public Art Committee and the ACA outlining the reasons for deaccessioning. The Mayor then affirms the action by signing a memorandum of acceptance.

2.7. Kingston Common Council

- Approves the City's budget that may include funds related to public art.
 - Supports community outreach particularly as it pertains to their districts.
 - Representative to the KAC advises on the PAC.
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Section 3. Municipal Art Collection Management

The Department of Arts and Cultural Affairs is responsible for overseeing the Municipal Art Collection in collaboration with the other city departments and with guidance from the PAC and KAC.. The Scope of the Municipal Art Collection (below) and the Statement of Purpose are (Section 1.2) are key to making decisions regarding the Municipal Art Collection.

3.1. Scope of the Municipal Art Collection.

Artworks owned by the city are part of the Municipal Art Collection. This includes work in the city's possession at the time of passing the MPAP as well as new artworks that are commissioned, purchased or donated, as well as videos or other documentation of performances, festivals and temporary artwork should be part of the permanent collection as a record of the City of Kingston's artistic and cultural legacy.

As a rule, these artworks should be on display in areas that are accessible to the public. Those not on view will be in storage. As the ACA develops and maintains the collection inventory, artworks owned or on deposit with the City will come to light. Each work will require a determination of ownership and full records as developed by the ACA using best practices for collection documentation outlined in this Section. The purpose of documentation is three-fold: to establish ownership of artworks, to record information pertinent to the artwork for the purposes of insurance, maintenance, and interpretation, and to maintain a history of the Kingston's Municipal Public Art Collection.

Prior to adopting the Municipal Public Art Policy, there was not an inventory of art on city property. A preliminary inventory was started as a baseline that includes public sculpture in city parks, lunettes integrated into the architecture of the City Hall Council Chambers, portable paintings, sculptures and photographs that are owned by the city, and historic artifacts. ([A link to a preliminary inventory developed as a baseline can be found here.](#))

Areas the require further study:

- **Gifts to Mayors:** the Mayor's office contains gifts of artwork, objects, plaques, awards, and other types of objects. Some of these are ceremonial and not necessarily intended for public display. These objects should be inventoried indicating the date, the donor, purpose, and a brief description. The objects should be properly hung in the Mayor's Chambers or stored in a suitable storage area. It was also suggested that they be rotated into public areas that are accessible to the general public. A determination will be made as to which objects become part of the Municipal Art Collection.

- **Objects of Uncertain Origin:** there are photographs, paintings, works on paper, and other items in city buildings or on city property, these need to be studied to determine what is owned by the City and what is personal property or has been left behind or abandoned.

Exemptions to the Municipal Public Art Collection and not the responsibility of the ACA include:

- Artwork donated or loaned directly to City employees or elected City officials for display in personal City offices.
- Artwork that uses temporary non-invasive support, such as easels for exhibition purposes. The City does not accept responsibility for insurance or maintenance of any artworks identified in the above exceptions.

3.2. Acquisition Types

Artwork considered for acquisition by the City of Kingston (City) must have a direct connection to the arts programming and objectives of the City's Statement of Purpose. The Public Art Committee (PAC) makes recommendations to the Kingston Arts Commission (KAC) which makes final recommendations to the Mayor regarding all artwork designated for the Municipal Art Collection (MAC). The PAC bases its decision on quality, placement, and use as well as the extent to which an acquisition meets the criteria and objectives outlined in the statements of purpose and scope of the Municipal Art Collection. Any other factors that may influence acceptance or rejection of an acquisition are also reviewed. A chief consideration is whether the work can be sited rather than stored. City departments are required to defer to the process outlined here for approval of acquisitions.

- **Commission** refers to the contracting of an artist(s) to create new, original artwork for a location or permanent project that becomes part of the Municipal Art Collection. Commissions for temporary artwork, will not be part of the permanent MAC.
- **Purchase** refers to artworks acquired through direct financial obligation of the City of Kingston and are existing works designated for display in particular public city-owned sites. Purchased artworks become part of the Municipal Art Collection.
- **Citizen initiated artwork** ideally these are temporary projects that connect with the life of the city initiated by individuals or groups but presented in partnership with the city.
- **Donation** refers to an artwork that is offered to the City of Kingston without direct financial obligation in assuming legal title.

- **Loan** refers to artworks placed in the temporary care of the City that remain the property of the owner/lender or the artist. Loans remain subject to the guidelines outlined in section 3.4.
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3.3. Acquisition Criteria

The following criteria will be used to determine new work that is added to the collection, whether by commission, purchase, or donation. This is a guide to encourage artwork for the public good that does not burden the collection. These points may also be applied to loans or other temporary art projects.

- Artwork is consistent with the Statement of Purpose and Scope of the Municipal Art Collection
- Artwork is of exceptional quality and enduring value as judged by the PAC and the KAC.
- Artwork has importance/significance within the context of the artist's work and the Municipal Art Collection as a whole.
- The artwork embraces values of antiracism, equity, and inclusion.
- Permanently sited artwork considers the architectural, historical, geographical, and/or sociocultural context of the site.

Technical Criteria

- Title and exhibition criteria for donations must be unrestricted.
- Existing artwork must have provenance information establishing clear title.
- There should be no conflict of interest with the donor.
- Provisions for transportation to the site, installation and future maintenance as determined by PAC and relevant departments must be satisfied.
- As applicable, the artwork must meet city structural, building, right-of-way, electrical and other codes for safety.
- As applicable the artwork must meet Federal Americans with Disabilities Act requirements.
- Artwork must be in stable condition and will retain its intended appearance and function over a substantial period of time and the city will be able to maintain it.

3.4. Acquisition Policy Review and Acceptance Process

Initial Contact

- Potential lenders or donors contact the Director of the Department of Arts and Cultural Affairs to discuss a loan or a gift. The information provided should include the artist(s), medium, size, weight, date of execution, photographs of work(s) of art, and estimated value of work as well as a biography or resume of the artist. (See Appendix Form: Application for loan/donation/new project)

Review

- The Public Art Committee (PAC) shall review the proposal using the criteria in Section 3.3.
- The PAC shall recommend an appropriate location for the artwork if it has not already been determined.
- Once the PAC has approved a loan or donation, it will make a recommendation to the KAC which will make the final recommendation to the Mayor.
- Once the loan or gift is accepted the Department of Arts and Cultural Affairs will be responsible for managing the receipt, installation, display, and interpretation of the artwork.

Information Specific to Donations

- The City through the Department of Arts and Cultural Affairs and City Departments will have final approval of the location for the artwork and the ability to relocate it in the future if necessary.
- An appraisal shall be provided by the donor at the time of the gift.
- All gifts to the Municipal Art Collection shall be concluded on a contractual basis in the form of a Deed of Gift contract that stipulates the conditions under which the artwork is transferred to the ownership of the City.
- Stipulations for ongoing maintenance will be determined. The donor may be required to provide funds for an endowment to cover the maintenance costs.

Information Specific to Loans

- All loans to the City of Kingston shall have a stated expiration date. Before the conclusion of the loan period, the Public Art Committee (PAC) or other designated representative shall discuss with the lender the return of the work, extension of the loan period, or the conversion of the loan into a donation.

- The City through the Department of Arts and Cultural Affairs and City Departments will have final approval of the location for the loaned artwork and obtain approval from the lender if it needs to be relocated.
 - Loans to the City of Kingston shall be insured by the Lender.
 - A loan form must be completed for each artwork loaned to the City of Kingston. It will stipulate the duration of the loan and any agreements regarding costs. (See Appendix, Forms: Loan Form)
 - All loans will be reviewed bi-annually by the Public Art Committee or designated staff to ensure the continued relevance of the artwork to the stated criteria.
-

3.5. Collections Documentation and Maintenance Responsibilities

Collections documentation provides basic information about the artists and artworks for which the City is responsible. It holds the documents that clarify ownership of works and creates a baseline for monitoring their location, condition, and value. Because maintaining this information is the responsibility of the Department of Arts and Cultural Affairs (ACA), it is essential that all requests for new works and the maintenance, repair, or relocation of existing works go through that office. The ACA works closely with City Departments to ensure consensus and open communication for determining artwork site locations, placement, planning, and responsibilities for maintenance and repair. This section is divided into two phases to acknowledge that presently there are insufficient staff and funding for a full and robust system.

3.5a Department of Arts and Cultural Affairs (ACA) Responsibilities

Phase 1 (First Step)

- **Inventory:** The ACA develops and retains a physical and digital inventory of all artworks in the Municipal Art Collection (see 3.7). The initial inventory may be conducted by an independent contractor. This inventory tracks object movement and is updated when necessary. The inventory is checked against the artworks bi-annually. It includes basic identification and valuations of the objects for insurance purposes. It provides a baseline for further documentation of the collection and is shared with the Comptroller's Office.

Phase 2 (Ongoing Responsibilities)

- **Signage:** The ACA develops and oversees the installation of signs that provide basic information about the artwork.

- Finding publicly accessible sites for most of the artwork in the collection and developing secure and climate-controlled storage for artwork not on display.
- Ongoing Maintenance: Includes framing, documenting, and routine maintenance of artworks in the Municipal Art Collection, as well as developing agreements for maintenance of artworks as needed. These agreements ensure the integrity of the artworks and stipulate the roles of each responsible department in staffing, funding, and maintenance for the lifespan of the artworks. These agreements may include directions to the site department for routine maintenance and cleaning. When possible, all maintenance agreements and schedules are developed in collaboration with the artist.
- Conservation: In collaboration with city departments, the ACA oversees the assessment, treatment, maintenance, and relocation of artwork. Directs cleaning and repair of artworks in the Municipal Art Collection in compliance with currently accepted standards of care and conservation by the American Alliance of Museums. This may include working with independent conservators and contractors and making reasonable efforts to notify artists of changes of location or repairs to their works.
- Damage and/or Vandalism: the ACA records the extent of the damage, reports the incident to police, and corrects the damage.

3.5.b City Department Responsibilities

Phase 1 (First Step)

- Inventory: Work with the Department of Arts and Cultural Affairs to identify artworks under the Department's purview and assist with proper documentation and cataloging of artworks in the Municipal Art Collection.

Phase 2 (Ongoing Responsibilities)

- Signage: Work with the ACA to properly install signs to interpret the artworks.
- Ongoing Maintenance: Keeps the area surrounding the artwork clean and neat. Protects the artwork from damage caused by watering systems, furniture placement, and maintenance equipment, such as mowers. Ensures that staff, including service technicians and landscaping employees conducting maintenance of any kind on or around artwork, receive training as needed by the artists, or professional conservators. An appropriate designee determines whether a trained specialist is required and under what conditions nonspecialist labor may be used. Site Department staff undertake cleaning and repairs only as specified by the Department of Art and Cultural Affairs (ACA), and never remove, alter, or relocate artworks in the Municipal Art Collection unless directed by the ACA.

- **Damage and or Vandalism:** Reports any graffiti, damage, or vandalism of artwork to the ACA. The ACA reports the incident to police, confers with the City Department and the Public Art Committee (PAC) as to how to correct the damage. This may involve contacting the artist or a conservator to do the repair.
-

3.6. Placement and Relocation of Works of Art

Portable artworks in the Municipal Art Collection may be moved throughout City facilities at the discretion of the Department of Arts and Cultural Affairs, taking into account requests from individual departments. While the intent is that a site-specific art and artwork integrated into architecture remain in the location for which it was created, the Department of Arts and Cultural Affairs reserves the right to move a piece if circumstances dictate. The following criteria will be considered for relocating site-specific artwork:

- The artwork's condition or security can no longer be reasonably assured at its current site.
 - The artwork has become a danger to public safety in its current site.
 - The site has changed so that the artwork is no longer compatible as placed.
-

3.7. Documentation and Records

As indicated above in 3.5, the Department of Arts and Cultural Affairs (ACA) is responsible for the inventory of the collection. Completing the inventory is the first step and will allow the ACA to determine the collection goals that best fulfill the mission of the Municipal Art Collection and best serve the people of Kingston.

The artworks already in the City of Kingston require accession records that provide basic information for location, condition, and insurance. An accession is an object owned by the City. The act of accessioning is taking possession and title to the artwork, placing it in the collection, and making a record of it. It can be a work acquired by commission, purchase, or gift. Additional information about the artist and/or the previous owners enriches the object record, which becomes a vital source for education and publication about the object. This information is best gathered at the time the work is acquired.

The information above will be required of all new accessions as well and will include documenting the artist's intent for the maintenance of the work. (See Appendix, Forms: Maintenance Manual for Artworks.)

Loans need similar documentation but are not the property of the City and require a loan agreement. While the responsibility of the ACA, record-keeping for loans, whether short or long term, remains separate from and parallel to the Municipal Art Collection records. The biggest difference between the records for accessioned works and loaned works in terms of record-keeping is that accessioned works have deeds of gift or purchase records and loans remain the property of the loaner and are for a set period of time as outlined in the loan agreement between the City and the owner.

The specific information for object records and loan forms are further outlined in the appended catalog and loan agreement forms. See Appendix, Forms.

3.8. Deaccessioning Policy and Procedures

Deaccessioning is the formal procedure by which an artwork is permanently withdrawn from the Municipal Art Collection. The deaccession of artwork will be considered only after a careful and thorough evaluation. In general, deaccession will only be considered ten years after accession or if there are extraordinary conditions. Every attempt will be made to notify the artist and donor when applicable. Final approval for deaccession is made by the Mayor on recommendation from the Public Art Committee (PAC) and the Kingston Arts Commission (KAC).

3.8.a Criteria for Deaccessioning:

A work of art may be deaccessioned for one or more of the following reasons:

- Artwork does not support scope of the Municipal Art Collection and its Statement of Purpose.
- A work is not or is rarely on display for lack of a suitable site.
- The condition or security of the artwork cannot be reasonably guaranteed.
- The artwork has been damaged or has deteriorated and the cost of repair is disproportionate to the value of the artwork as determined by the Department of Arts and Cultural Affairs or by an appraiser as the situation dictates.
- The artwork endangers public safety.
- The location of a site-specific artwork is so severely altered that the work's installation is no longer physically possible or conceptually relevant.
- The artwork is significantly incompatible or inferior in the context of the collection.

- The City chooses to replace the artwork with a work of more significance by the same artist.
 - There has been sustained and overwhelming public objection to the artwork over a two-year period. This can include regular social justice-oriented graffiti, vandalism, or defacement.
 - The property on which a site-specific artwork is located is no longer owned by the City.
 - The artwork has been stolen or destroyed.
 - The subject or impact of an artwork is significantly at odds with values of antiracism, equity, inclusion.
 - The artwork is an ongoing rally point for gatherings centered on racist or bigoted ideology.
-

3.8.b Procedure for Deaccessioning

- Department of Arts and Cultural Affairs (ACA) staff are responsible for recommending artworks for deaccession and should first determine if there are any possible barriers, legal or otherwise, in the way of either deaccession or disposition. The artist, Corporation Counsel, and the appropriate City Department(s) will be consulted.
- A Deaccessioning Subcommittee of the Public Art Committee (PAC) will be appointed as needed. This subcommittee will consist of four members of the PAC and an art conservator or curator. Representatives of the City will be included as the situation requires. In the case of monuments, the subcommittee will develop and oversee a review plan as stated above.
- ACA staff present the deaccession candidates and the findings of the subcommittee to the PAC.
- The PAC will either approve or reject the recommendation for deaccession and disposition and will forward it to the Kingston Arts Commission.
- The Kingston Arts Commission will either approve or reject the recommendation for deaccession and disposition and if accepted will forward it to the Mayor for final approval.
- If approved, Department of Arts and Cultural Affairs staff will proceed with the final disposition as approved by the PAC.
- Staff will record the deaccession process with a Deaccession Worksheet. The worksheet and all other related documentation will be permanently retained by the Department of Arts and Cultural Affairs regardless of the outcome of the recommendation for deaccession.

3.8.c Manner of Disposition

The PAC is responsible for determining the final disposition of a deaccessioned artwork, taking into account the reason for deaccessioning, and the materials and scope. The following actions may be considered.

- **Exchange**

An exchange may be made with the artist, a gallery, museum, or other institution for one or more artwork(s) of comparable value by the same artist. The artist will be given the first opportunity to exchange the artwork. Any artwork that is accessioned into the collection through an exchange is subject to the accessioning criteria outlined in the Kingston Collections Management Policy.

- **Transfer**

The artwork, or any part of the artwork, can be donated to the artist, the original donor, a non-profit organization, a conservator for educational purposes, or, in the case of site-specific artwork, to the owner of the property on which the artwork is installed.

The work may be sold through auction, gallery resale, or direct bidding by individuals, in compliance with City and County law and policies governing surplus property.

Proceeds from the sale of an artwork will be deposited in the Public Art Fund (or an account to be named) or into the departmental account from which the original purchase was made.

Funds from the sale of donations will go into the Public Art Fund (or an account to be named) for future undesignated projects, including conservation. Any pre-existing contractual agreements between the artist or donor and the City regarding transfer of ownership will be honored.

- **Destruction**

An artwork may be destroyed when it has deteriorated or been damaged, and the cost of repair is disproportionate to the value. Options for recycling will be pursued when possible.

Section 4. Procedure To Commission Public Art

This section sets forth the commissioning process from start to finish for projects initiated by the city. This outlines what is typical for visual arts and can be adapted for other art forms such as music, dance, literary arts. The process encourages the following considerations:

- Empower the project team to define the siting, criteria and schedule for the artwork.
- Support the creative process to design and produce a new work of art.
- Allow for a fair and equitable artist selection process.
- Provide a straightforward and transparent design review process.
- Consider the artist's needs.
- Engage the community throughout.

Commissioning New Art



4.1. Project Planning

At the beginning of a public art project, ACA establishes a project team that includes city departments that are involved with the site. ACA and Public Art Committee identify community members or institutions with a relationship to the site and are stakeholders in the project. These may be people who work at or use a facility, those who live nearby or have other affinities with the location. They may participate on the project team or be consulted during the planning phase.

The ACA will discuss and confirm a timeline and project description that addresses the elements below and can lead to a shared sense of success and an understanding of how to measure outcomes. This will become the Project Plan and may be updated as the project progresses.

a. Site Considerations: for this policy, the site is always located on city property and is accessible to the public. It may be indoors or outdoors. The questions below guide the project team to understand the parameters of the site when developing the artwork project scope.

Context

- What is the relationship of the site to the community?
- Who are the stakeholders and how should they be involved in the process?
- What do we know about the history, present conditions, and future of the site?
- Is there a particular legacy or are there stories to tell that might guide the thematic direction?
- How can the site be activated by art?
- Is the project part of a new building or renovation? Who are the designers involved? At what stage is the project? When will the artist be coming on board?

Artwork parameters

- How does the site inform the type of art that is best suited to it?
- Does the site present any obstacles to installation?
- What is the appropriate artwork lifespan in this location?
- Can the work easily be removed if necessary (for maintenance or if it is temporary)?
- What is the optimum scale of the artwork?

Site Parameters

- Is there sufficient public access, including parking?
- Is the site compliant under the Americans With Disabilities Act?
- Are utilities and water available if needed?
- What is under the surface of the site? Will it allow for the type of artwork desired?

- Is the site in a historic or other type of district? If so, will that create a need for additional review or permits and will the budget allow for this additional work?
- Is the site fully accessible? Who will be responsible for maintaining the site and the artwork?

b. Artist/Artwork Criteria: in addition to the Acquisition Criteria outlined in Section 3.3, specific project criteria are developed. The project team determines the range of art preferred as well as the scope of work, themes, or content. The eligibility criteria for artists may include their geographic location, level of professional experience, or track record.

c. Project Schedule: The project team forecasts a schedule allowing ample time for artist selection, design development, community engagement, design approval, fabrication, and installation. Align the artwork schedule with factors such as construction, funding constraints, events or activities in Kingston, NY.

4.2. Artist Selection Process

Commissioning an artist to create a new work of art be it a visual or multimedia artwork, a performance or a literary work is a creative activity and differs from procuring other services. The selection process provides the City of Kingston with the advice and expertise to identify the most suitable artist for the project. This process can be adjusted for purchasing artwork, and engaging artists from all disciplines including music, dance, literary arts. The first steps are to form an artist selection panel and create a call for artists and to based on the project plan.

a. Artist/Artwork Selection Panel: convened by ACA with guidance from PAC. Responsibilities are as follows.

- May contribute to and comment on the RFP/RFQ before distribution.
- Reviews the artist's applications based on the project goals and criteria and identifies finalists.
- Recommends the final artist(s) based on interviews or proposals to the Public Art Committee. This may include comments on the evolution of the design.
- Reserves the option to make no selection from submitted applications and to reopen the competition or propose other methods of selection.
- Individual panelists or the entire panel may continue as part of the design review.

b. Panel Composition: Voting members: the person chairing the meeting does not have a vote. It can be either ACA staff or a KAC/PAC member. We recommend the following configuration.

- 1 KAC or PAC member
- 1 Representative of the department that is responsible for the site
- 1 Community Representative who lives or works in the area
- 1 artist (who is not eligible to apply for the project)
- 1 art professional (curator, arts administrator, designer, or allied field)
- ACA staff is non-voting, should chair the meeting and is authorized to resolve a tie vote.

Advisors: are included in the panel process. Their point of view and expertise are vital for the review. They participate fully but do not vote.

- City departments with an interest in the project
- Representatives of organizations affected by the project (located nearby, working with adjacent communities)
- Architect, engineer, landscape architect responsible for the overall project.
- Others TBD

Notes

- Selection panels and artist applicant pools should be diverse in age, gender, sexual orientation, religion, race, and cultural heritage. Staff conducts outreach to varied communities about opportunities to serve on panels.
- To ensure that a broad spectrum of people can participate, panelists who are not city employees are compensated with an honorarium for their service. Those who are not compensated through their employment (artists, independent contractors, people who attend on their own time) are offered an honorarium. If arts professional panelists are brought in from out of town, they receive an honorarium and reimbursement for travel.
- It is not appropriate for a project funder to serve on a selection panel as a voting member, but they may attend as an advisor.
- Panelists sign a conflict of interest statement.
- Ideally the panel should review the call to artists prior to sending it. The panel can advise on whether to allow more than one proposal per artist.

Art Selection Panel Composition

Voting	Non Voting	Advisors
<ul style="list-style-type: none">1 KAC or PAC member1 Representative of the department that is responsible for the site1 Community representative who lives or works in the area1 Artist (who is not eligible to apply for the project)1 Art professional (curator, arts administrator, designer, or allied field)	<p>ACA staff is non-voting, chair the meeting and is authorized to resolve a tie vote.</p>	<p>They are included in the panel process. Their point of view and expertise are vital for the review. They participate fully but do not vote.</p> <p>City departments with an interest in the project</p> <p>Representatives of organizations affected by the project (located nearby, working with adjacent communities)</p> <p>Architect, engineer, landscape architect responsible for the overall project.</p> <p>Others TBD</p>

c. Call for Artists: Process: Each call is publicized widely and structured with one of the methods below. The call includes specific guidelines regarding the project budget, timeline, scope of work, and project parameters.

Following common practice for public art, artists are not required to pay an application fee.

The types of work samples required acknowledge the variety of artistic disciplines. This may include videos, audio and photographic documentation of performances, writing samples, as well as photographic documentation of visual artworks, artistic video or sound.

- **Call for Artists: Request for Qualifications (RFQ):** In this two-step process applicants present their qualifications and finalists are selected to either interview or present proposals to the selection panel. In the initial stage, no proposals are expected or accepted. Artists typically submit 10 work samples, a resume, and a brief statement about their approach to the project. The selection panel identifies 3-5 finalists who then receive more detailed information about the project, visit the site, and are paid a stipend to present their work to the panel as an interview or audition. This stipend is part of the project budget.

- **Call for Artists: Request for Proposals (RFP):** By this method, artists present renderings and a written description, along with work samples, and a bio/resume.

In general, artists should not be invited to submit proposals without financial compensation.

However, this process might be considered for projects with short timelines, where the site is easily described, and the requirements are straightforward. Or it might be appropriate when engaging emerging artists who do not have a track record with public art.

- **Call for Artists:** Identifying a pool of candidates: This is an efficient way to organize a call for artists when multiple projects are under consideration. An RFQ is distributed widely. A selection panel screens the applicants to identify ones that meet the criteria for future projects. The project team uses this pool to identify artists as needed.
- **Invitational Selection:** A group of artists is invited to submit their qualifications for a specific project and a panel selects from this group. Arts professionals and community stakeholders are invited to recommend candidates to submit their qualifications. The panel invites finalists to either interview with the panel or present proposals. This method is advisable for projects that require a quick turnaround or where established artists are desired.
- **Outreach to artists:** Allow enough time to publicize calls for art widely, with time for artists to respond. The places to post the call might vary based on any geographical restrictions but should always include arts organizations in the region. The document should be written clearly and presented with artists of different abilities in mind. Versions in languages commonly spoken in Kingston may be provided.
 - Artist information sessions may be conducted virtually and recorded for applicants to view. In-person sessions may also be offered. This is particularly important to support artists who are new to public art. Questions and answers are publicly posted on Engage Kingston.
 - Applications can be processed and shared through online portals such as CaFÉ, SlideRoom, or Submittable.com. These portals charge a fee but save staff time and are more efficient for panelist review. The portal is also useful in creating a database for Purchasing Department reports and for future outreach.

d. Outcome: once the selection panel makes a decision, it is shared first with the Public Art Committee for their review and then to the KAC and finally to the Mayor. ACA staff follows through on the following.

- Selected artist is notified.
- Finalists who were not selected are notified.
- All other applicants are notified (may be notified earlier).

4.3. Project Implementation

The process of developing a project once the artist has been selected is outlined in this section. It can be adapted for music, dance, literary arts. A kick-off meeting is conducted to discuss any comments or suggestions that were raised during the selection process. The artist meets with the relevant parties to develop or refine a proposal and respond to any questions and provides information needed to prepare a contract.

Contractual Agreements: the Corporation Counsel will develop a standard contract to be used for commissioned artwork. Some of the points to be addressed are as follows. Corporation Counsel reviews all documents. The Common Council approves all contracts. The Mayor signs off on all contracts.

- Design review and approval process
- Artist Rights: the Artist retains all rights under the Copyright Act of 1976, 17 U.S.C. § 101 et seq., as the sole author of the Artwork for the duration of the copyright.
- Budget: The artist prepares a budget that includes expenses required to design, fabricate, transport, and install or produce the artwork (see 1.4 Anticipate Project Expenses).
- Insurance requirements: the cost of insurance is a budget item and will come out of the overall commission budget.
- Exhibits include a scope of work with a description of artwork, fee and payment schedule aligned with approval benchmarks, and transfer of title.
- Usually, a contract is not signed by the parties until funds are available.

Additional information can be obtained at Americans for the Arts – Public Art Network

<https://www.americansforthearts.org/sites/default/files/ModelCommAgrmnt.pdf>

4.4. Design Development and Review

After an artist is selected, a contract is drafted and signed, and an initial payment made, the administrator confirms the schedule for design review for all internal stakeholders and for the public. The artist refines the initial proposal and begins to work on a conceptual design in consultation with the selection panel and project team. The artist is provided with all the necessary information promptly to create a fully informed design. Since this is a creative process, there may be elements of the project that develop during fabrication. This design phase can range from six weeks to one year, depending on the project's complexity and schedule, the amount of community engagement, design team participation, and research involved.

Concepts for music, dance and literary work would go through a parallel process of development and review. This outline can be adapted to those circumstances. These works would not necessarily become part of the Municipal Art Collection, but the documentation should be.

Most commissioned artwork goes through three phases of design.

- **Conceptual Design:** The artist presents initial ideas including form, materials, method, ideas behind the work, and any additional research that will be needed.
- **Preliminary Design:** The artist works with relevant city departments to ensure that the artwork will be feasible on the site, identify any alterations to the site that are necessary (and funds to cover said alterations), and conducts additional research or community engagement. This level of design may be used to finalize bids from fabricators and installers.
- **Final Design:** drawings, prototypes or templates that are used to produce the artwork. An independent New York State engineer may be required to review the drawings. The services of a conservator may be engaged to anticipate issues related to ongoing care. The cost of these professionals is usually borne by the artist and included in contract language as an allowable budget expense.
- **Design Approval:** For each design stage there are a series of meetings that engage the stakeholders in the review of the project. Stakeholders should have the ability to request revisions and even reject an artist's design (as a last resort).
 - Meeting 1: review by relevant city departments and ACA.
 - Meeting 2: review by PAC. Members of the public may be invited to this meeting.
 - The artist is given every opportunity to receive and respond to feedback.
 - Important questions to ask during the design review:
 - Does the project meet the original (or adapted) criteria?
 - Are the projected costs accurate and realistic?
 - Have written estimates been obtained from qualified technical support and fabrication contractors at final design?
 - Review criteria and schedule can be posted on Engage Kingston so that the public has access to information about the project as it evolves.

4.5. Project Fabrication and Installation

Upon approval of the final design, the artist fabricates or oversees the fabrication of the artwork as represented. Artists are encouraged to work with local fabricators when possible.

On an as-needed basis the artist provides progress reports, responds to requests for information, and participates in meetings to coordinate and oversee installation of the artwork. The artist is free to make design modifications as the work progresses, insofar as such modifications do not involve significant changes to the scope, design, size, or material of the artwork as detailed in the final design. At times significant changes may be required by the City based on changes to the overall project. In those cases, the artist is compensated for additional work. The artist shall present to the ACA for further review and approval any changes that may affect installation, scheduling, maintenance, or the concept of the artwork as represented in the final design.

The artist notifies the ACA in writing when fabrication of the artwork is completed and ready for delivery and installation. Representatives of ACA and PAC may review the artwork in person prior to delivery. The artist installs the artwork in accordance with the approved plan following safety and other guidelines. This may include obtaining permits.

The artist discusses signage with the ACA to provide information to interpret the artwork for the public on the sign and online..

4.6. Final Acceptance and Celebrating the Artwork

a. Final Acceptance: once the installation is complete and a Maintenance Manual has been submitted, the PAC, KAC and the Mayor signs off on it. This signals that the contract requirements are fulfilled and that the final payment is released.

In exceedingly rare cases artwork may fail to meet acceptable professional standards for the following reasons:

- Faults of design or workmanship pose a public health or life safety hazard or diminish the value of the work.
- The artwork is fraudulent, inauthentic or appears to be of inferior quality relative to the quality of other works in the Municipal Art Collection.
- The artwork is not the original work of fine art, such as a sculpture or painting. If the artwork is one of a multiple, it will be accepted only as an authorized limited edition. In the case of fine art prints and photographs, a limited edition is 200 or fewer.

b. Celebrating the Artwork: once it is complete ACA and the project team work with the Communications Department on a plan to announce the artwork.

- Press releases and social media may include interviews with the artists and other stakeholders.
 - Opening reception or other community event.
 - Include information about the artwork on Engage Kingston and through social media.
-

4.7. Assessing Outcomes

After the completion, the ACA and PAC assess the outcome of a project and use that information to adjust practices. Strategies may include the following.

- Conduct an exit interview or share a survey with the artist to evaluate the process and the project from their perspective.
 - Share a survey with key stakeholders, including selection panelists, to evaluate the process and the project.
 - Assemble press and social media regarding the project.
 - Track the number of applicants for projects over time.
 - Assess diversity of applicants, including race, religion, age, experience level, gender, sexual orientation, or other.
 - Compare these findings with the project criteria.
 - ACA can annually review these outcomes to assess any adjustments to the process.
-

Definitions

Accession

The act of adding an artwork to the permanent collection, or Municipal Art Collection. An accession is an object owned by the City. The act of accessioning is taking possession and title to the artwork, placing it in the collection, and making a record of it. It can be a work acquired by commission, purchase, or donation.

Acquisition

An asset or object purchased or obtained as a donation.

Allocation

The act of distributing by allotting or apportioning; distribution from a budget according to a plan.

Anti-racism

A belief or practice that recognizes pervasive racism in society, and actively combats racial prejudice and discrimination in order to promote racial justice and equality.*

Art Easement

The right to place public art on the property of another.

Art Integrated Into Design

Functional artwork created by artists that is part of a building, streetscape or other amenity

Artifact

An object made by a human being, typically an item of cultural or historical interest.

Artist

A practitioner in the arts generally recognized by peers and adjacent arts and cultural communities.

Artwork

All forms of art conceived in any discipline or medium, including visual, performance, literary, media, and temporary works.

Bequest

A gift or donation made through a will.

Bigoted ideology

A belief, opinion, or faction devoted to prejudice against a person or people based on their membership of a particular group.*

Built environment

Encompasses the buildings we live in, the distribution systems that provide us with water and electricity, and the roads, bridges, and transportation systems we use to get from place to place. It can be described as the human-made or modified structures that provide people with living, working, and recreational spaces.

Call For Artists or Call for Art

A Call for Artists or Call for Art is an opportunity notice that gives artists the information they need to know in order to apply to be considered for a new or existing artwork.

Capital Construction Budget

Funds budgeted for construction or acquisition of equipment.

Capital Construction Project

A new or renovated building, facility, street, park, open space that is paid for with funds from the capital budget.

Collections Management

The process of managing the information and disposition of all objects for which the City of Kingston has permanently or temporarily assumed responsibility. This includes developing, maintaining, and enforcing collections policies and procedures that address the care, handling, placement, and storage of artwork.

Commission

As a verb, to express the selection of an artist, artists or a team of art professionals to create a unique work of art; as a noun, to express a specific scope of service that results in a work of art.

Community

A group of connected people who live or work in a common neighborhood, or it might include those with a common profession, workplace, age, religion, heritage, or hobby, pastime or sport or other connection. It includes residents, visitors and the range of organizations and institutions that serve them such as schools, libraries, and faith-based groups.

Community engagement

Ways to engage communities to achieve sustainable outcomes, equitable decision-making processes, and deepen relationships and trust between government organizations and communities.

Conservation

The repair of damaged or deteriorating artwork in a way that maximizes endurance with as little change to the object as possible. Treatment performed by a conservator can typically be undone if necessary. As opposed to restoration which refers to treatment that returns the artwork to a known or assumed state, often by the addition of non-original material.

Curator

A fine arts professional who assists in the development of a public art project, primarily by locating an artist(s) suitable for a project, assisting the artist(s) in developing their concept, and assisting in the implementation of the project.

Deaccession

The formal removal of accessioned artwork from the permanent collection.

Deed of Gift

A formal, legal agreement that transfers ownership of and legal rights in the property to be donated.

Design Team

A group of design professionals (artists, architects, engineers, landscape architects, lighting designers, graphic designers, etc.) working together on a specific project.

Disposition

The ultimate method of disposal of a deaccessioned artwork. This can be done through sale, trade, donation, or destruction.

Diversity

The quality or state of having many different forms, types, ideas, etc.; the state of having people who are of different races, ages, who have different cultures, or who are from different geographical locations in a group.*

Donation

An artwork or sum of money given willingly and without compensation. For the purpose of this document “gift” is synonymous with donation.

Equity

Equity addresses the historic, institutional systems that create oppression based on identity. An intersectional approach may be used to transform historic power dynamics for accountable systemic change based on the principles of humanity, justice, and belonging.*

Inclusion

The active practice of sharing power with traditionally excluded individuals or groups in processes, activities, and decision or policy making.*

Interpretation

A purposeful approach to communication that facilitates meaningful, relevant, and inclusive experiences that deepen understanding, broaden perspectives, and inspire engagement with the world around us.

Inventory

As a verb, the process of checking the physical location of an artwork against the location record. Inventory is also a method of surveying the physical condition of artwork in the collection.

Loan

An artwork borrowed by the city of Kingston for exhibition purposes is an incoming loan. An artwork lent to another entity for exhibition in an approved public setting is an outgoing loan.

Maintenance

Regular routine inspection and care of an artwork carried out by a trained technician.

Manner of Disposition

The way that deaccessioned works are moved physically out of a collection.

Monument/memorial

A statue, building, or other structure erected to commemorate a famous or notable person or event; a structure intended to commemorate someone or something.

Municipal Art Collection

All accessioned works of art owned by or in the care of the City of Kingston.

Mural

A large-scale painting or other work of art executed directly on or attached to a wall.

Percent for Art

A percentage of capital construction costs for buildings, parks, streets and eligible projects mandated by a municipal ordinance to be set aside for art.

Permanent Artwork

Artwork that is part of the Municipal Art Collection with a defined term or the expectation of indefinite duration.

Portable Artwork

Artwork that can be easily transported or does not require a permanent or nearly permanent site. Paintings, works on paper, photographs and small sculptures are examples of portable artworks.

Project Plan

Developed at the start of a new project by the ACA in consultation with city departments and stakeholders to determine site considerations, selection methods, and artist scope.

Provenance

The history of ownership of an artwork.

Public Art

Original works of art that are accessible to the public and which may possess functional as well as aesthetic qualities, regardless of accession into the public art collection.

Public Artwork

Usually all forms of visual art conceived in any medium, material or combination thereof which are placed in areas accessible or visible to the public. Works may be permanent, temporary, or functional. Public art does not include any architectural or landscape design except when commissioned and designed by an artist.

Request For Proposals (RFP)

A process to invite artists to submit concepts of designs to produce public art based on a proposal. Those submitted applications are evaluated through the process outlined in Section 4.

Request For Qualifications (RFQ)

A process to invite artists to submit credentials that may include samples of previous work , a resume, a statement of interest about the project, and references. The submitted applications are evaluated through the process outlined in Section 4.

Restoration (see Conservation)

Rotation (of Artwork)

Moving artwork to multiple locations over a period of time for the purpose of exhibition.

Site-specific

Artwork specifically designed for and permanently installed in a particular location that is intrinsic to the artwork, the meaning of which is destroyed or demeaned by removal to a different location.

Selection Panel

A selection panel composed of various stakeholders is assembled to select an artist(s) or artwork(s) (see Section 4)

Smart Growth

Planned economic and community development that attempts to curb urban sprawl and worsening environmental conditions.

Social Spaces

A social space is a physical or virtual space where people gather and interact, for instance, town square or park.

Temporary Artwork

Artworks exhibited for a limited duration.

Work of Art

See Artwork.

* These terms have been included for discussion, they were taken from the RACC: Donation Guidelines and refer to terms used in their revised guidelines. To be determined if these are applicable to Kingston, or if there are other terminology that is part of city government.

Abbreviations

ACA	Department of Arts and Cultural Affairs
KAC	Kingston Arts Commission
MPAP	Municipal Public Art Policy
MAC	Municipal Art Collection
PAC	Public Art Committee (does not yet exist, but will be outlined in Section 2, Roles and Responsibilities)
PAPC	Public Art Policy Committee
RFP	Request For Proposals
RFQ	Request For Qualifications

Sources from Other Public Art Programs

[Asheville, NC Public Art Policy](#)

[Asheville, NC Public Art Plan](#)

[Buffalo \(NY\) Art Commission: Policy and Procedure for Placement of Public Art on City Property](#)

[Denver, CO Public Art Policy](#)

[GSA Fine Art Policies and Procedures 2017](#)

[Laramie Public Art Plan, Laramie, WY](#)

[MRM6 Museum Registration Methods, 6th edition. \(American Alliance of Museums\). John E. Simmons and Tony M. Kiser, eds. 2020.](#)

[Raleigh, NC Public Art Policy](#)

[Raleigh, NC Public Art Plan: <https://raleighnc.gov/arts/raleigh-public-art-strategic-plan>](#)

[Regional Arts & Culture Council: Donation Guidelines: City of Portland and Multnomah County, Revised 20](#)

[Reibel, Daniel B. Registration Methods for Small Museums. American Association for State and Local History Book Series. 5th Edition.](#)

[San Pedro Creek Public Art Plan, San Antonio, TX](#)

[University of Wyoming Public Art Plan](#)

Appendix

A. Action Plan

Once the Municipal Public Art Policy is approved by the Kingston Common Council there is likely to be interest in developing public art projects. The Mayor, the Department of Arts & Cultural Affairs, the Kingston Art Commission, and multiple City Departments have been engaged with creating this policy. It is important to keep the momentum going so that the initiatives can begin in September. Here is a flexible action outline that can be used to prioritize the work over the next three years.

Sep – Dec 2024

Action	Description	Parties Responsible	Policy Reference
1. Brief and engage City Departments and Commissions about the MPAP.	Present at Senior Directors Meeting. Conduct individual meetings with Department Heads and Commission Meetings	Mayor, ACA	
2. Present the MPAP to the public.	Hold public meetings, engage a listening tour, reach out to media outlets including Engage Kingston.	Mayor, ACA, KAC, Community Partners, Common Council	Section 1.5 Community Engagement in the Public Art Process
3. Issue RFP and contract with a registrar to create an inventory of the Municipal Art Collection.	Using the preliminary inventory to start, identify additional artwork, establish ownership, identify maintenance and conservation needs, recommend relocating. It is recommended that no donations of permanent artwork from the non-city entities be reviewed until the inventory is complete	ACA, KAC advises	Section 3.5 Collection Maintenance and Responsibilities

Sep – Dec 2024

Action	Description	Parties Responsible	Policy Reference
	and the policy is operational.		
4. Address loans that may arise, test the policy as a model for the future.		ACA, KAC advises, Mayor approves	3.4 Policy Review and Acceptance Process specific to loans

Year 2: Jan – Dec 2025

Action	Description	Parties Responsible	Policy Reference
5. Form and activate the Public Art Committee (PAC).	<p>Meet regularly to review, support the policy and ACA.</p> <p>Survey areas that are open for possible placement of new & relocation of existing artwork on Municipal Property.</p> <p>Examine models of community engagement plans in other cities.</p>	KAC and ACA, Mayor recommends and approvals	Section 2.2. Public Art Committee Composition and Duties
6. Develop and integrate public art into the ACA Annual Work Plan.	<p>Outline the goals and expectations for the year.</p> <p>Project plans will be developed for each initiative.</p>	PAC with ACA, KAC advises, Mayor approves	
7. Determine if departments have initiated or have plans to initiate arts or culture projects.		ACA	
8. Seek municipal funding to support the Department of Arts and Cultural Affairs and the work outlined in this policy		ACA, OGM, KAC advises	Statement of Purpose Funding
9. Research the feasibility of allocating a percentage from the City Capital Budget to art.		ACA, Comptroller, City Attorney	
10. Issue RFP and contract with a conservator to produce a Maintenance and Conservation Plan.	Base on the inventory work of registrar (point 3)	ACA, PAC, KAC advises	

Year 3 Jan – Dec 2026

Action	Description	Parties Responsible	Policy Reference
Update Annual Work Plan & Community Engagement Plan as part of ACA planning	Review the outcomes of the previous year. Outline goals and expectations for 2026.	ACA, PAC, KAC advises	
Identify potential projects and staffing needs and create concept papers, a document used for OGM to start the grant process.	Implement the Maintenance Plan and projects as funding permits.	Office of Grants Management with ACA as advised by the PAC, KAC with final approval by the Mayor	Section 1.2
Activate an online portal for artists, community members and organizations to propose self-funded temporary projects on city property.		ACA under the advisement of the PAC and KAC	Section 3.4
Appoint or renew PAC member as per rotation.	The first group of PAC members will be appointed for staggered terms to initiate the 3-year terms for each member	Mayor, ACA, KAC	Section 2.2 Public Art Committee
Review goals, policies, guidelines as they pertain to policy.	Update policy as needed	KAC	2.3 Kingston Arts Commission
Issue an RFP and contract with an appraiser to provide artwork values for the insurance company.		ACA with PAC, KAC advice and Mayor's approval	Section 3
Prepare to commission new work	Fine tune the process for future commissioning of new artwork.	ACA, PAC, KAC advises	Section 4. Procedure to Commission Public Art

These are examples of some of the plans that are indicated as part of the Action Plan. The ACA, PAC and KAC will be actively involved in these plans.

Work Plan and Community Engagement Plan

At the start of each year the ACA and PAC will review the ongoing projects and the new projects to be initiated during the year ahead. Concurrently the group will make a comprehensive Community Engagement Plan to understand where there might be overlapping between projects. Once the format is established, review the results from the previous year and the update for the year ahead.

Project Plans

For each public art project, the Project Team will prepare a Public Art Project Plan. This is a foundational document that guides the planning and execution of a project. With input from the project team, it outlines the basic framework: goals, location, timeline, and budget; the artist selection process and community engagement process; and a list of internal and external stakeholders. The goal is to provide a clear basis for managing the project, and for accountability and evaluation. While ACA has the lead responsibility for drafting and administering the Public Art Project Plan, the project team plays a very close contributing role. The PAC will review the plan at the start of the project. (See Section 4.1 Project Planning).

Conservation and Maintenance Plan

In Year 2 it is recommended that ACA commission a professional conservation assessment of the City's Public Art Collection, which includes prioritization and budget estimates. An updated plan should be developed every three to five years depending on the condition of the collection. The ACA works with Office of Grants Management to raise funds to implement the recommendations of the assessment for conservation and maintenance.

2. Forms

These are being formatted but the text can be found [here](#).

3. Research

Percent for Art: Benefits, Challenges, Examples

Many public and private entities (cities, counties, states, transportation authorities, universities, school systems, and other entities) require that a portion of construction costs for new and renovated capital construction projects be dedicated to acquiring public art. When possible, these funds can also be applied to maintaining the art collection. These are generally mandated through an ordinance for government entities. The earliest percent for art programs began in the 1960's starting with the City of Philadelphia and the Philadelphia Redevelopment Authority and have flourished throughout the United States and Canada. The structure of the ordinances has evolved over time to allow greater flexibility for how funds are identified and spent, but the principal is the same. While there are many models, ordinances must be written with the community and local laws in mind.

Basic Info

Depending on the jurisdiction the ordinance may pertain to government (city, county, state) property, redevelopment, city subsidized capital projects, or private development (sometimes in particular zones or areas).

- The capital projects may include buildings, parks, and open spaces such as streets.
- Allocations range from 0.5–2%. Spending caps may be specified for a single project or the total capital budget.
- Some allocations are deposited in a “public art fund” that is available for various projects: others may be tied to the specific capital projects.
- The percent for art concept reallocates capital funds toward this purpose and does not generally add new monies into the capital fund.

Benefits

- Reliable source of funding that is in proportion to the number of capital projects. For smaller cities, this may entail one project every few years.
- Visible sign of a city's commitment to arts and culture, particularly in communities where that is an important value.
- Educational opportunity for the public, particularly children who sometimes learn less about the arts in school.
- Flexibility is important.
 - Include a percentage of grant funds in addition to city capital funds.
 - Calculate the “percent for art” of the entire capital budget and allocate it to an art fund to be directed to specific projects.

- Provide the capability of pooling funds from small projects into a larger one.
- Allow percent for art funds to be spent on related costs such as conservation, maintenance, administration, education & outreach.
- Depending on a city's capital fund requirements funds can be spent on temporary as well as permanent artwork.
- Provide for community-initiated projects and partnerships.

Challenges

- Dedication to arts and culture in the community, effective advocacy, and broad-based support are required to pass a well-developed ordinance.
- Permanent artwork that is produced through percent for art can require a source of maintenance funds if the ordinance does not allow for maintenance.

Percent for Art: Examples from Other Programs

We researched the funding mechanisms and language for several public art programs. The information below provides potential strategies for funding public art and includes, where possible, the estimated number of projects executed per year. Our focus has been on municipal programs. For more information on public art in private development see [Public Art in Private Development](#) database.

There are some cities and counties that collect tourism or hotel/motel taxes and allocate some of that funding to cultural activities. Ulster County assesses a 4% tax on all types of accommodations including, hotel/motel/Air BNB (campgrounds are exempt under NYS law). So, this source is not applicable to Kingston.

For reference, the population of Kingston, NY is 23,916. Median income is \$35,534.

Asheville, NC

POPULATION: 94,067.

MEDIAN INCOME: \$29,465.

Source: [City of Asheville Updated Policy, 2014](#)

Asheville's City Manager has designated the Parks and Recreation Department to be responsible for the acquisition and maintenance of public art.

The Public Art Policy of the City of Asheville ("Policy") is to commission, acquire and maintain works of public art of the highest quality with public participation. This Policy shall include the acquisition and commission of new works of site-specific art in public buildings and public places as well as maintenance of the existing and future collection. The Policy encourages the selection of

artists at the beginning stages of capital project planning; the selection of artists who can work cooperatively as a member of a larger project team if necessary; as well as support collaboration among art, design and building disciplines. The City shall commit one percent (1.00%) of the value of eligible capital projects toward the implementation of said Policy, including and not limited to funding derived from Federal and State grants awarded to the City for the execution of a capital project or acquisition of a capital asset. The public art collection will be owned by the City of Asheville unless otherwise revised by the City Council.

Portland, ME

POPULATION: 68,313

MEDIAN INCOME: \$35,408

[Source: Portland Public Art Guidelines](#)

A key element of the City of Portland Public Art Program was the establishment of a percent-for-art ordinance. Under that ordinance, the city allocates ½ of 1% of the city's annual Capital Improvement Project (CIP) budget for the restoration or acquisition of permanent public art.

In 2021 the guidelines were revised to allow the Portland Public Art Committee (PPAC) to allocate a portion of its annual budget to be for **Community Art Works** to provide matching funds for 1-2 projects annually. All awards are contingent upon the availability funds from the Portland Public Art Committee budget and are subject to approval by the City Council. Grant applicants commit to contribute in-kind services or cash that is equal to, or greater than, the funding requested from the Portland Public Art Committee. Eligible in-kind contributions include, but are not limited to room rental, equipment, materials, donated services, volunteer participation, and staff costs. Applicants are encouraged to explore other sources of funds such as foundations and corporate resources. City Public Art funds will be made available only when the applicant has demonstrated that it has sufficient funds to complete the project. The design must be finalized and approved by the PPAC before the funds are released unless an alternate payment plan is approved in writing in advance.

Pawtucket, RI

POPULATION: 154,706,

MEDIAN INCOME: \$62,153

[Source: Pawtucket Article 23 Public Art Fund](#)

Pawtucket, RI recently passed a Percent for Art Law that includes a private developer requirement when a project is city subsidized. Of particular note, “no certificate of occupancy for any City-subsidized construction project shall be issued until the 1% of the construction costs is deposited

into the Public Art Fund... Any balance remaining in escrow after the art project is complete will revert to the Public Art Fund.”

Funding and allocation

1. City construction projects.
 - a. For all City construction projects that exceed a cost of \$500,000, the City should allocate an amount equal to 1% of the construction costs to be expended on works of art. The amount shall be capped at \$150,000 per project. This allocation shall be deposited into the Public Art Fund. The Public Arts Committee is to be notified of any eligible construction projects by the Department of Planning and Redevelopment.
 - b. Of the 1% appropriated for public art, 90% shall be deposited in the Art Acquisition Account of the Public Art Fund and 10% will be deposited in the Maintenance Account of the Public Art Fund used for maintenance of public art. This requirement shall not be applicable to projects financed by bond funds. For construction projects funded with bond funds, 100% of the 1% for art shall be applied to the acquisition of public art, and not to maintenance costs.
2. City-subsidized construction projects.
 - a. For City-subsidized construction projects that exceed a cost of \$1,000,000, the developers shall be required to submit an estimate of the construction costs of their projects to the Planning Department with a budget of no less than 1% to be expended on works of art by for-profit developers and 0.5% by nonprofit developers. The tax stabilization application shall require that the contribution for public art be included in the budget that is submitted for review. The funding for public art on for-profit projects will be capped at \$200,000 and on nonprofit projects at \$100,000. The money for these art expenditures shall be deposited into the Public Art Fund or the fund established for bond proceeds for art, as necessary.
 - b. All City-subsidized project developers may use their 1% or 0.5% either to purchase art for their projects, as reviewed and meeting the criteria of the Public Art Committee, or as a contribution to the Public Art Fund.
 - c. No certificate of occupancy for any City-subsidized construction project shall be issued until the 1% of the construction costs is deposited into the Public Art Fund. Developers of projects that receive a tax stabilization may apply to the Finance Committee for a one-year extension from the date that they receive their certificate of occupancy. If funds are not deposited in the Public Art Fund by the extended date, the tax stabilization will be null and void.

3. Disbursements.

- a. Art for subsidized projects. Subsidized developers who elect to utilize their deposit to the Public Art Fund for art on their property shall so notify the Public Art Committee. Funds received from the developer shall then be held in escrow, to be disbursed by the City Planning Department. Any balance remaining in escrow after the art project is complete will revert to the Public Art Fund.
- b. Public art. No call for public art by the Public Art Committee shall be made without prior authority of the City Council's Finance Committee for expenditure of funds from the Public Art Fund.

Ashland, OR

POPULATION: 21,607

MEDIAN INCOME: \$30,248

Source: [Public Art Master Plan for the City of Ashland, OR, 2007](#)

The City of Ashland, OR's public art program is housed within the Ashland Chamber of Commerce. The 2007 Public Art Master Plan provides language that is realistic about the ongoing funding challenges.

“Funding for public art should come from a variety of sources with at least one consistent and reliable annual source. Funds can be merged for a single project, or funds may be designated for a specific project. There was agreement that the City of Ashland should annually allocate funds towards public art but that additional funds should be sought in the form of citizen contributions and grants.”

“The Public Arts Commission identified a variety of methods for funds to be made available for the purpose of securing and maintaining public art. During citizen participation for public art master planning, participants acknowledged that these are fiscally tight times for the City but felt that the City should at a minimum provide support for the work of the PAC as well as some level of public funding, which they believed was critical to the success of securing funding from other sources. Previous research conducted by the Public Art Commission indicates that Oregon cities with Public Art programs are publicly funded in a variety of ways.

1. **Funding Strategies:** Success for any public art program is determined, in large part, to the reliability and depth of funding. In Ashland, funding for public art will be a blend of private and public funding systems. The mechanism to offer that sustained level of monetary resources will be a portfolio of sources which, in aggregate, will create viable and long-term resources to fund and proliferate public art in the Ashland community. Some of the sources

of funding for the Ashland Public Arts Commission may include: A percentage of the City's budget that is spent on construction and renovation of public facilities, parks, and selected capital improvement projects in the already "built environment" — streets, bridges, sidewalks, etc. It should also be considered in the price of purchased facilities and remodeling costs.

2. A line item in the City's budget approved by the City Council each year.
3. Initiatives to encourage private development projects to dedicate a percentage of overall budgets to public art.
4. Other contributions and gifts by corporations, foundations, or private individuals.

Fiscal Management: The Ashland Public Art Commission must have the authority to "pool" public art funds to ensure it is directed toward projects with greatest visibility, or to projects with the greatest need. The direction of funds toward specific projects will result in a program that truly addresses both public art and the larger goals of the community. The Public Art Commission will accept funding from the variety of sources listed above. The fiduciary responsibility of the fund will be held by the City of Ashland."

City of Victoria, BC, Canada

POPULATION 91,141

MEDIAN INCOME \$67,500.

Source: [Art in Places Policy, 2011.](#)

A 2011 Victoria, BC Art In Public Places report describes this annual funding formula, which is quite specific, and therefore helpful in terms of planning:

The City of Victoria, through the annual budget process, will allocate a total of \$150,000 to capital and maintenance for Art in Public Places. 10 percent of the annual contribution (\$15,000) will be committed to maintenance of existing works. The balance (\$135,000) will be used for the planning, design, fabrication, and installation of a minimum of one Art in Public Places project annually.

In the event of a civic construction project that would qualify for Art in Public Places funding, but which lies outside the usual scope and financial limits of the average annual Capital Plan, the City of Victoria will make an additional contribution to the Art in Public Places Reserve Fund of up to one percent of the City's contribution to total project construction costs. For this contribution to the Reserve Fund, total construction costs exclude equipment, land acquisition, design, and administrative (soft) costs. Qualification under this additional funding will be determined by City of

Victoria administration as informed by the project staff and the Art in Public Places Committee. The implementation procedures, guidelines, and financial contribution levels will be reviewed every five years by the inter-departmental staff team in consultation with the Art in Public Places Committee to ensure ongoing viability and relevancy.