

RESOLUTION NO.: R-2014-040

Adopting a Public Art Receipt and Process to Procure Policy

WHEREAS, the Mayor and City Council have adopted a public art receipt and process to procure public art proposed by One Columbia, which is attached hereto; and,

WHEREAS, the Mayor and City Council desire to implement a program for public art to be placed along Main Street and other designated locations throughout the City; and,

WHEREAS, One Columbia has agreed to handle the process to implement the public art program and procure the public art utilizing the procedures proposed in the concept of public art proposed by One Columbia; and,

WHEREAS, the pieces of public art will be funded by private donations; and,

WHEREAS, the private donor will also provide an amount equal to twenty (20%) percent of the price to be paid for the public art for ongoing maintenance of public art; and,

WHEREAS, Greater Columbia Community Relations Council has agreed to accept the private donations and maintenance funds, commission the pieces of public art, donate the public art to the City of Columbia along with consent from the artist to donate the work of art to the City of Columbia, and pay over the maintenance fees to the City of Columbia on an interim basis; and,

WHEREAS, One Columbia is in the process of creating a 501(c)(3) organization to accept the private donations and maintenance funds, commission the pieces of public art, donate the public art to the City of Columbia along with consent from the artist to donate the work of art to the City of Columbia, and pay over the maintenance fees to the City of Columbia

WHEREAS, One Columbia will assume the role of Greater Columbia Community Relations Council at such time as the process of creating a 501(c)(3) organization is finalized; and,

WHEREAS, the public art and process to procure public art has been modified to provide that One Columbia will handle the procurement process for the donor of the public art as per the attached; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this 22nd day of April, 2014, that One Columbia is hereby authorized to implement a public art program to secure pieces of public

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art in keeping with the public art concept and process to procure public art as is amended and attached hereto; and,

BE IT FURTHER RESOLVED that after the public art is proposed by the artist, One Columbia shall provide such proposal to City staff prior to the public art being commissioned to determine if the public art will be compliant with the Americans with Disabilities Act and/or determine if a South Carolina Department of Transportation encroachment permit is required which City staff shall procure prior the public art being commissioned and/or installed; and,

BE IT FURTHER RESOLVED that Greater Columbia Community Relations Council is hereby authorized to accept the private donations and maintenance funds, commission the pieces of public art and donate the public art, along with consent from the artist to donate the artwork to the City of Columbia and pay over the maintenance fees to the City of Columbia; and,

BE IT FURTHER RESOLVED that the 501(c)(3) organization being created by One Columbia shall assume the role of Greater Columbia Community Relations Council at such time as the process of creating the 501(c)(3) organization is finalized.

Requested by:

One Columbia _____


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 4/22/2014
Final Reading: 4/22/2014

ORIGINAL
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Public Art in Columbia, SC

Why Public Art Matters

Cities gain value through public art – cultural, social, and economic value. It reflects and reveals our society, adds meaning and uniqueness to our communities. Public art humanizes and invigorates public spaces; it seeks to create and inspire relationships and communication.

The City of Columbia’s Strategic Plan (2012-2015) establishes quality of life as a key value, stating that “history, arts and culture of our community significantly add to the overall livability of our community.” The vitality of a community is directly linked to the quality of its built and natural environments and to a positive community identity. Public art and design elements that define public space enhance the visual quality of the community by providing color and character. Ordinary places and objects are transformed into something extraordinary by the hand of an artist.

American cities and towns aspire to be places where people want to live and want to visit. Having a particular community identity, especially in terms of what our towns look like, is becoming even more important in a world where everyplace tends to look like everyplace else.

The City of Columbia aspires to be a world class city. A bold program to escalate art is one of the most visible ways of delivering on that vision. The following process outlines One Columbia’s recommendations to Columbia City Council to establish a public art program. We urge that the Council conduct a thorough review of this draft process both internally and externally to ensure that the best interest of the city is served. Ultimately, the public (through the City) will own and be required to maintain these public works of art so vetting the process is essential for full support.

Definition of “Public Art”

“Artwork” includes, but is not limited to, painting, murals, inscriptions, stained glass, fiber work, statues, reliefs or other sculptures, monuments, fountains, arches, or other structures intended to define public space and enhance the visual quality of the community by providing color and character. Also included in this definition are installations that are technological in nature, carvings, frescoes, mosaics, mobiles, photographs, drawings, collages, prints, crafts – both decorative and utilitarian in clay, fiber, wood, metal, glass, plastics and other materials. Also included are landscape items, including the artistic placement of natural materials, and other functional art objects. Works of art may be securely fastened portable installations as well as permanent installations.

This definition shall not include: objects that are mass-produced from a standard design; decorative, ornamental or functional elements, which are designed by the building



architect; landscape architecture and landscape gardening except where these elements are an integral part of the artwork by the artist; directional elements such as super graphics, signage, or color coding except where these elements are integral parts of the original work of art; logos or corporate identity. Excluded from the above are auditory performances or pieces.

For purposes of this initiative, all art referenced is permanent and is located on public property.



Project Guidelines

This document outlines the framework for developing an organized and systematized process for defining, funding, acquiring, maintaining, and marketing public art throughout the City of Columbia.. Once this process has been vetted both internally and externally, One Columbia recommends that the City authorize a pilot public art process/project on Main Street. A considerable number of public ground locations on Main Street have already been defined by the City of Columbia After the pilot project on Main Street, the process will be thoroughly evaluated and modified if necessary. We recommend that the process be incorporated in city ordinances to insure that it will stand the test of time and future changes in city leadership.

Because public art has long term implications for the City of Columbia, One Columbia recommends that the City contract with a public art professional to oversee the process from the beginning. Such a professional will 1) ensure that the process from site selection, artist selection and art installation will be managed based on acceptable best practices; 2) will serve as the official contact for the City and City Council throughout the process; 3) will provide ongoing support for the committee, the selected artist and other stakeholders; and 4) evaluate the process and make recommendations on any modifications. The SC Arts Commission and the Cultural Council of Richland and Lexington Counties have professionals who can serve in this capacity.

Through One Columbia's Visual Art Forums, artists and citizens identified the selection process as highest priority so we have outlined steps to include members of the community, the donor, property owner, respected artists and others to describe projects and jury entries.

Selection Process

Step One: Site Selection: All sites for public art will be determined by the adjacent property owners, the appropriate staff of the City of Columbia and any other key stakeholders. Any restrictions on the artist and the art will be determined at that time. (example: the use of water, electricity and/or moving parts).

Step Two: Request for Qualifications. The City will publish and distribute the call for artists to submit 1) their professional background and experience in public art projects, 2) their skills in the medium specified and 3) photos of their past public art works. The artist will be evaluated on their individual background and experience, and the probability of the project's successful completion as proposed based on the merit of their past work. The qualifications will be reviewed by the selection committee to ensure that the artist's capabilities match those required by the project. The selection committee will recommend two-three artists to continue to the design step.



Step Three: Request for Proposals. Artists shall be selected on the basis of the appropriateness of their proposal to each particular project in terms of its scale, form, content and design with respect to architectural, historical, geographical and socio-cultural context of the site. This includes compliance with the attached General Design Guidelines. Ask artists qualified in step one will be invited to submit a full proposal. Components of the proposal are as follows:

- **Design:** The proposed project will be evaluated for its concept, vision, and craftsmanship.
- **Feasibility:** The selection committee will take into to account factors of timeline, soundness of materials, durability, notice of maintenance instructions, and public access.
- **Budget:** The proposal will be evaluated on the appropriateness of the values assigned to artist fee and materials in relation to the scope of the project.
- **Maintenance:** Once installed, art will be owned by the City of Columbia which will be responsible for its ongoing maintenance. Funding for maintenance can be supported by any of the funding vehicles listed below, but will be performed by the City of Columbia.

The **Selection Committee** will be appointed by Columbia City Council and its members will serve two-year terms, with the terms overlapping to preserve continuity. The Committee shall include:

- One or more local artist(s)
- One artist from outside the city of Columbia
- One or more art academic/professional
- One art enthusiast
- One architect
- One or more representative of a diverse cross-section of community leaders
- One representative of the City of Columbia
- One representative from the donor business or organization (veto right)¹

Additionally, one representative of City of Columbia Planning will participate as a non-voting advisor regarding materials and maintenance.

¹ The donor representative has the opportunity to remove submissions from the selection where that selection would be placed adjacent to business premises if he or she deems the materials or subject matter to conflict with the interests of the business.



Funding Options

There are many alternative methods of funding public art. Whether funded through private or public dollars, all public art will be owned by the City of Columbia.

- Private/Corporate purchase - projects are privately commissioned for placement on privately owned, public accessible spaces.
- Grants - Grants from federal and state agencies and certain foundations are available for public art and community design projects. The dollar levels available from these grants can do no more than help leverage other funds. Most grants require a 1 to 1 match.
- In-kind - In-kind donations of materials, labor and volunteer support help defray costs and can be cited as matching funds when applying for grants.
- Leveraged contributions - This involves the government setting aside money and private organizations matching it.
- Percent for Art (PFA) - A percentage of Capital Improvement Project Budget or Building permit fee set aside for public art.
- Private Development Initiatives –Incentives are offered to private developers to include public art in their development plans.

There are variations on the above models. Like all fundraising, the methods can be most imaginative.

General Design Guidelines:

1. Placement
 - a. Public art should always be visible from the public right-of-ways, and placed in well-illuminated locations
 - b. Location of installation shall conform to all applicable ADA accessibility/mobility requirements
 - c. All right-of-way installations shall meet the necessary requirements, and any additional, as directed under the encroachment ordinance process.
2. Mounting Requirements
 - a. Works shall be properly secured. For works in the right-of-way, this shall be as directed by Streets/Public Works Division.
 - b. Mounting/installation of a piece, modification of the exterior architecture, or other means of modification to a landmark building shall be subject to staff review of Design/Development Review Commission to ensure integrity of overall structure.
 - c. Illumination/light art shall be prohibited at locations as indicated by the Planning & Development Services department map indicating restricted use spaces.



- d. The City reserves the right to remove any installation that causes interference with vehicular or pedestrian traffic, or in the event of any emergency situation, or that interferes with any work that is to be performed upon the public sidewalk and/or right-of-way by, or on behalf of the City.

3. Maintenance/Durability

- a. Public art shall require a low-level of maintenance and the proposed maintenance provisions shall be adequate for the long-term integrity and enjoyment of the work.
 - i. Preferable materials for public art include materials able to sustain long-term exposure to the elements.
 - ii. When possible, art should be vandal and theft resistant.
 - iii. At a minimum, art should not damage the natural environment.
 - iv. Donors are invited to contribute a percentage of their gift to a maintenance fund managed by the City to ensure that their gift is protected for a period of time.
- b. Public art should be appropriate in terms of scale, material, form and content to immediate and adjacent buildings and architecture, landscaping or other setting so as to complement the site and its surroundings.



**Sample Call for Artists
Request for Proposals (RFP) for Untitled Site
Public Art Installation
Columbia, South Carolina**

The Project

The City Center Partnership (CCP) and One Columbia for Arts and History, in conjunction with the City of Columbia, are seeking an artist(s) to create a site-specific original public artwork for _____ space.

The artwork will be an integral part of the landscaping, streetscaping, and/or architecture of the site, considering its historical, geographical and social/cultural context. *See attached addendum for the definition of "public art".*

Project Funds

A maximum budget of \$ _____.00 will be granted for the artist(s) selected to realize their work. Any additional costs exceeding the agreed upon budget guidelines will fall to the responsibility of the artist.

The funds are made available through the generosity of _____. *(Other sources)* have donated funds to this project.

Project Intent

The vision for this project is to create enduring, original work of high quality and craftsmanship to enhance the vibrancy of our city. Proposals will be evaluated based on the following:

- **Site compatibility**
- **Artist qualifications and experience**
- **Design**
- **Feasibility**
- **Budget**
- **Maintainability**

Site Information

[information related to specific site entered here]

Eligibility



This invitation is open to all artists born, raised, or currently residing in South Carolina, to showcase the talents of our community. Applicants should have reviewable portfolios and would ideally have experience commensurate with this project's scope and budget. All forms, styles, and schools of taste, as well as temporary and permanent installations, shall be given equal consideration.

The Selection Committee shall consider all eligible artist proposals without discrimination based on race, gender, culture, or sexual orientation.

How to Apply

Artists interested in this project should submit the following:

- **Proposed Concept for the Artwork.** This proposal should include design drawings or sketches and a description of the project relating to materials, size, installation, and maintenance. *An approximate budget should also be included.*
- **Artist's Statement**, no longer than **250** words, describing the work.
- **Current Resume**
- At least **three professional references** familiar with your work. Please include complete contact information.
- **Work Samples**, submitted on a CD, in JPEG format _____ (specifics). You should number or title each JPEG and include a description sheet with your name and the titles, dates, media, and dimensions of the work(s).
- **Support Materials**, such as reviews, news articles, or web links.

Materials must be received by _____ (date and time).

Please send or deliver submissions to:

Final Artist Selection

The Selection Committee is comprised of local artists, one artist from outside the city of Columbia, art academics/professionals, art enthusiasts, art academics, one or more of a diverse cross-section of community leaders, a representative of the City of Columbia, and a representative from the donor business or organization. The jurors serve two year terms, with those terms overlapping to preserve continuity on the committee.



The Committee will review the submissions and select a proposal by _____ (date). The final selection will reflect the Project Intent as stated in this document. Applicants will be notified via _____ at that time. Installation will take place _____ (time).

Additional Information

1. **Rights of Ownership.** One Columbia for Arts and History is committed to an environment wherein artists thrive and receive the monetary benefits of, and recognition for, their creative endeavors. Therefore, the artist retains all intellectual property rights and interest in the artwork, except for rights of ownership and possession, which are passed to the City of Columbia for changes necessary to City-owned property, structures or buildings that house or incorporate public art. The City of Columbia further requires royalty-free use of the artwork for possible publication in print and electronic media for advertising or tourism-related purposes.
2. **Duplication.** The artist verifies the uniqueness of the work and agrees not to make an exact duplicate, except by written permission of the City, and grants the City the right to make two-dimensional reproductions for the purposes of promotion. Appropriate credit will be given to the artist on any such promotional material.
3. **Contract.** A contract will be agreed upon detailing commission amount, payment date, and responsible party. Schedules for installation of the artwork, maintenance responsibilities, signage, and contract enforcement will also be outlined. Although there will be a standard contract, the structure will allow flexibility to address the specifics of the project.



Compiled from:

Henry Roe, *Main Street Public Art Information, City of Columbia, S.C.*

City of San Diego Public Art Master Plan (2004)

<http://webcache.googleusercontent.com/search?q=cache:XzA-ZDsOrAEJ:columbusculturalplan.com/plan/pdf/SanDiego/SanDiego-PublicArt.pdf+&cd=3&hl=en&ct=clnk&gl=us>

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Art in Public Places, Bend OR: Mt Washington and Simpson Roundabout

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http://www.ncarts.org/freeform_scrn_template.cfm?ffscrn_id=41

Notes & Questions

- ❖ *Goal Measurement:* How many installations over a 5 year period?
- ❖ *Public funding sources:* What is available? Ex. Parks Department grant, Cultural trust grant, city allocations, etc.
- ❖ *Create inventory & locations of existing city-owned public art to develop Public Art guide brochure*
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