CITY OF RALEIGH
NORTH CAROLINA

raleigh arts
COMMISSION

PUBLIC ART POLICY

Document Summary

In keeping with the evolution of public art as a crucial component in Raleigh's civic and cultural life, the City of Raleigh intends to integrate a wide range of artworks reflecting diverse artistic disciplines and points of view into public locations throughout the community. In support of these ambitions, this document outlines the policy which facilitates the development of public art throughout the City and should be utilized as a guide by all City departments while considering the placement of public art in the City of Raleigh. In support of successful implementation of this policy, City department heads should ensure that their employees are familiar with the procedures herein to the extent necessary for proper compliance and execution.

The following sections outline the intended purpose of the City's Public Art Policy, the acceptable criteria for potential project types and the process by which future public art projects are to be implemented and realized. Section 1 contains introductory public art information, the criteria for art selection, information on the City's development of a public art master plan and the identification and selection process of both art and artists. Fundamental to the public art process is Raleigh's public art program, which determines and implements the funding apparatus for current and future percent for art public art projects. Section 2 addresses key personnel and agencies and provides explanations for their roles as it relates to public art and the City's Municipal Art Collection.

Concurrent with the realization of new art projects under this program, the role of the existing Municipal Art Collection is discussed in Section 3, including its operations, collection care and management responsibilities (acquisitions, maintenance and placement). Deaccessioning of artworks already in the City's possession is explained in Section 4.

Summing up the document is a brief description of policy revision procedures as noted in Section 5 and a glossary of important definitions encompasses Section 6. The appendix contained in Section 7 details specifics of the public art program's project implementation process including artist selection, contractual agreements and project design. It also reproduces in their entirety the City of Raleigh ordinances which established the public art program in 2009.

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Public Art Ordinance

1 Public Art in Raleigh

The City of Raleigh recognizes the value of public art to its citizenry and to its visitors. Public art matters because it is an essential building block for the creation of engaging, imaginative spaces that enliven the public realm, foster shared community interactions, celebrate both our unique stories and collective history and inspire us to experience the world with new eyes and fresh perceptions. Ultimately, we envision a city which successfully transforms and engages civic spaces with public works of art that will uniquely identify Raleigh as a destination place. Significantly, public art also plays a key role in Raleigh's 30-year Comprehensive Plan, adopted by the City Council in 2009, which states that arts and culture are an integral part of the City's enduring spirit and vitality.

Joining the hundreds of public art programs across America, the City of Raleigh commenced an exciting new civic undertaking in 2009 with the creation of a public art program to enhance the City's vitality and civic life. The public art program incorporates the work and ideas of artists and designers into public settings while creating connections between artists, project partners and communities. Prior to this program's establishment, the City of Raleigh Arts Commission (CORAC) developed select public artworks funded primarily with private donations, including the popular Red Wolf Ramble project.

Towards this end, the City of Raleigh intends to integrate a wide range of artworks reflecting diverse artistic disciplines and points of view into public locations in the community. A primary goal of CORAC and the public art program is to raise the public's awareness about the impact of public art and its cultural and economic contributions which include sustaining jobs, promoting the City's identity and civic pride, attracting visitors, and developing vibrant, creative spaces.

In support of these ambitions, this policy aims to foster and facilitate the development of public art throughout the City, and should be used as a guiding document by all City departments when considering the placement of public art in the City of Raleigh.

1.1 Purpose

The purpose of this policy is to ensure the following are taken into account:

- Establishing a diverse collection of public artworks for the City of Raleigh and its citizens;
- Creating works of public art with the cooperation of the community for which it is intended;
- Involving local, regional and national artists of diverse backgrounds;
- Providing ongoing opportunities for artists to advance their art forms with temporary and permanent public artworks;
- Considering economic development and cultural tourism as factors when advocating for the advantages of public art;
- Fostering an understanding of public art and encouraging public dialogue;
- Incorporating art and design projects of the highest quality throughout the community, in essence creating a museum without walls and making art accessible to all;
- Providing a legacy of art and culture for future generations.

Amy Sawyer, *Bird's Eye View of Horseshoe Farm* (Art On The Move), 2011

1.2 Appropriation and Allocation of Half-Percent for Art (HPA) Funds

HPA funds are established by the City of Raleigh for the purposes of administering and implementing public art projects. This backing is used for the selection, acquisition, installation, administration and maintenance of artworks and art projects commissioned and/or purchased through the public art program. City Council appropriates the HPA capital to the public art fund concurrent with the appropriation to fund the related City construction project and financial resources are maintained in accordance with accepted governmental accounting procedures. All appropriations to and allocations from the public art fund occur in accordance with any legal restrictions associated with the source of financing.

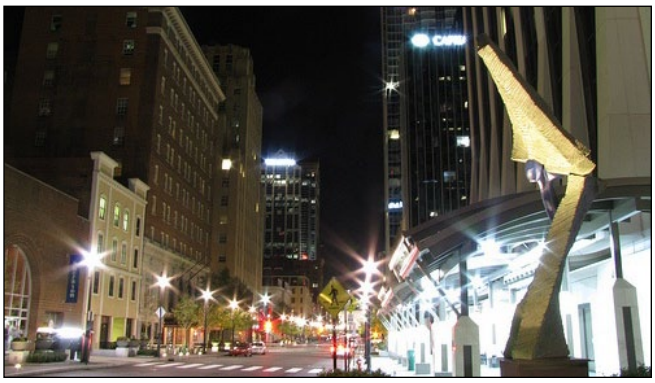
Capital Improvement Projects (CIP) that are required to be bid or otherwise contracted pursuant to the provisions of N.C.G.S. 143-129 and that provide significant general public access – public safety centers, senior centers, cultural arts venues, parks and recreation facilities, and such streetscape projects as gateway arteries and thoroughfares, for example – are eligible for funding. The amount of financing for a project is one-half of one percent of the estimated construction costs of the bid or other price obtained under the above-referenced statute. Land acquisition, professional services (architectural, engineering, surveying, etc.), furnishings and equipment and all other soft costs are not included in the amount subject to the one-half of one percent allocation.

The City Manager reviews all eligible projects approved as a part of the annual CIP and refers them to the Public Art and Design Board (PADB.) The PADB may request that the City Manager review the recommendation if it feels that an eligible project was not forwarded for review. The PADB collects all available information about the project including budget, site, schedule and constituent interests and then determines the desirability of a call for artists and the nature and geographical extent of that call based on the Public Art Master Plan.

Some projects otherwise eligible according to the provisions of Sec. 9-10007 may not necessarily be suitable for the installation of public art. If a project is deemed unsuitable for public art, the one-half percent of a project's estimated cost budget may be placed into a General Application Pool (GAP) account for the acquisition, administration and maintenance of public art. Money held in this account may be appropriated upon recommendation by the PADB. Money from this fund may be used to maintain art, acquire art for public projects that do not qualify under Sec. 9-10007, or to supplement the one-half percent amount for another eligible project. The fund may also be used for artist design services, maquettes, shipping or other expenses including administration of the program required to obtain and place the artwork. It is permissible to spend more than one-half percent of a particular project's cost on art for the project so long as the remainder of the cost is privately funded or paid for by an additional allocation upon recommendation by the PADB.

Once the funding amount is established for an HPA project or designated for GAP pooling, five percent of the project funds are allocated for administrative HPA expenses and ten percent of the project funds are allocated for maintenance HPA expenses.

Suzanne Kratzer, *Birds of a Feather* (Art On The Move), 2009



William Donnan, *Bow,* 2004

Jim Gallucci, *Immigrant Gate II,* 1997

1.3 The Half-Percent for Art Process

The City of Raleigh follows specific guidelines for the creation of public art including the formation of the artist selection panel, the process used by this panel for the selection of artists and artwork for specific sites, and the competed public art project's final acceptance into the City's Municipal Art Collection. See the appendix for further details.

1.4 Public Art Project Types

For the purposes of this document, works of public art may include, but need not be limited to the following examples:

- Sculpture: in the round, bas relief, mobiles, fountains, kinetic and electronic work in any approved material or combination of materials;
- Painting: all media, including oils and acrylics, that are portable or permanently affixed works such as murals;
- Graphic arts: printmaking, drawing and banners;
- Mosaics; including works executed in tile, glass, stone or other materials
- Crafts: in clay, fiber and textiles, wood, metal, plastics, stained glass and other materials, both functional and nonfunctional;
- Photography; both digital and traditional photographic print media
- Mixed media which may include any combination of two- and three-dimensional forms of media, including collage;
- Earth works, environmental installations and environmental art;
- Decorative, ornamental or functional elements designed by practicing artists or other persons submitting as artists, including but not limited to design professionals who are not participating members of the City's design team for the project;
- Light-based or luminal art: including experiential site specific or installation based work that explores optical phenomena, work comprised of transmitted light, artificial or natural light sources, projections or sculpture which incorporate light sources as major compositional and expressive elements
- Sound art: media with primarily aural based expressive elements which can include electronic, audio media, found or experimental sound sources
- Video and animation: including projected or displayed on a video monitor
- Portable art that may be displayed at locations other than its substantially permanent location or adjacent to the project site;
- Temporary performance or time-based art.

1.5 Criteria for Selection

The following questions may be used as criteria when conducting reviews of proposed artworks as a part of the selection panel process:

Aesthetic Quality and Artistic Merit

- What has the artist accomplished with the work and does it align with the proposed project goals?
- Does the work under consideration have artistic merit?
- Is the work relevant to the City of Raleigh, its values, culture and people, and does it contribute to the fabric of the City? Is the work an integral component of the overall project?
- Is the work of art appropriate for the community that it serves?

Placement / Siting

- What is the relationship of the work to the site? Is it appropriately scaled?
- Will the work help to anchor and activate the site and enhance the surrounding area?
- Will there be convenient public access to the site?
- Will additional parking or access accommodations be required?
- What are the utility requirements of the artwork?
- Does the artwork have a connection with the surrounding community?

Fabrication, Handling and Installation

- Are the projected costs accurate and realistic?
- Have written estimates been obtained from qualified technical support and fabrication contractors?
- Does a certain site present any special obstacles to installation?
- Can the work easily be removed if necessary?

Maintenance Requirements

- Is the work suitable for outdoor display or special indoor environments?
- Are the materials durable and will they last? Does the work have a limited lifespan due to built-in obsolescence or any inherent weakness?
- What are the existing or projected maintenance requirements of the work? Are they excessive or cost prohibitive? Are any unusual or ongoing costs likely?
- What are the artist's suggestions for protection of the work should it be subject to vandalism?

Liability and Safety

- Are any aspects of the work a potential safety hazard?
- Does the work meet building code requirements?
- Will fencing or other types of security measures be required?

Harry McDaniel, *Redbird,* 2007 (detail)

1.6 Criteria for Non-Acceptance

The artwork does not meet professional standards for acceptable public art practice if one or more of the following applies:

- 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 and/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 (in the case of a work of fine art such as a sculpture or painting). If the accepted artwork is a multiple, it will only be accepted as an authorized limited edition (200 or less in the case of fine art prints and photographs.)

1.7 Community Input

Community input is gathered on public art projects as a part of the overall conceptual design development of a construction project. There are numerous opportunities for public input, where discussions include location, safety, maintenance and community involvement strategies. The specific vehicles of communication include the solicitation of input and information sharing at existing neighborhood meetings as well as any of the following approaches:

- Reviewing existing plans, histories or public art plans for the site or area at public venues such as City commission and board meetings;
- Conducting surveys or interviews of nearby residents or site users;
- Hosting or facilitating internet discussions;
- Holding an event such as a public meeting, forum or design charrette / workshop;
- Gathering information at events or cultural gatherings.

1.8 Public Art Master Plan

Over the past twenty years, the City of Raleigh has witnessed enormous growth and the concurrent need to support and increase cultural opportunities, including permanent and temporary public art, for residents and visitors. In response to a City of Raleigh Arts Commission (CORAC) 2008 report outlining the critical goals and steps needed to develop a public art program, the Raleigh City Council passed the Half-Percent for Art (HPA) ordinance in 2009, officially establishing the City's first-ever public art program (see appendix for ordinance).

As discussed in the City of Raleigh's 2030 Comprehensive Plan, the CORAC looks forward to developing a Public Art Master Plan that will provide a detailed framework for public art stewardship in Raleigh while setting forth a series of policy measures and processes to enable the City to fulfill its public art objectives effectively and efficiently. The Public Art Master Plan:

- Advances goals for public art in the City of Raleigh;
- Identifies opportunities and needs for public art across the City;
- Develops a strategy for the equitable distribution of public art in public places;
- Defines maintenance requirements for public art;
- Identifies opportunities for collaboration with such entities as the North Carolina Department of Transportation to broaden the impact of public art;
- Reflects and documents community input obtained during the master planning process;
- Establishes the format and process of annual percent-for-art plans.

1.9 Public Art Project Selection Methods

One of the following selection methods may be used to select artist or artist teams for eligible public art projects:

- Open Invitational/Open Entry: Open to all qualified artists without restriction; some competitions may also be open to other design professionals. The commission is advertised and project guidelines are published. All professional artists may participate with possible limitations based upon geographical or other eligibility criteria. No fees will be charged to artists submitting materials and applications for consideration. Upon review of materials, a single artist may be selected, or a limited number of finalists may be paid an honorarium to prepare a specific site proposal and/or attend an interview with the selection panel.
- Limited Invitational/Focused Invitational: A selected group of artists is invited to enter a competition or are pre-selected as candidates for a particular project or site. Artists are considered for a commission by invitation only. Names of artists to be invited to apply are generated by Commission staff, members of the selection panel and the respective boards. Of those considered, a finalist may be asked to submit a proposal in the form of a drawing or maquette and/or attend an interview with the selection panel. This method is generally used when a certain type of artwork or certain qualifications and experience are required (for example, sculpture competitions, site-specific works, works requiring design team expertise, etc.).
- Direct Selection, Direct Purchase or Direct Commission: A specific artist or artwork is selected outright for a direct commission or purchase.

1.10 Art in Private Development

While municipal public art programs have become increasingly common throughout the nation, also on the rise is the level of commitment by private developers who are becoming key stakeholders in the enhancement of cities through public art. Though the City of Raleigh does not currently have a formal policy regarding art in private development, the 2030 Comprehensive Plan states that public art should be incorporated into both public and private development. Specifically:

> *Action AC 1.2: Develop a public art master plan that reflects a coordinated vision to bring privately-funded art to the public realm. The plan should highlight significant places in the City and include an inventory of possible future sites for public art.*
>
> *Action AC 1.4: Explore innovative public and private funding opportunities for public art.*

Accordingly, the City of Raleigh encourages creative public/private partnerships that seek to enhance the profile of art in the City, support the City's mission and Public Art Policy, and contribute to creating a culturally vibrant and aesthetically beautiful destination.

Roger Halligan
Open Circle, 2008

William Richardson
Square Root of Two, 2008

Cardinal Gibbons High School Art Students
Awakening, Red Wolf Ramble, 2007

2 Roles and Responsibilities

The following roles and responsibilities for each group or individual pertain to their connection to this Public Art Policy. Each of the following have reviewed the City of Raleigh's resolution pertaining to ethical responsibilities (Resolution No. 1988-955A) and are expected to abide by its terms and provisions, thereby ensuring that representatives from each agency operate within acceptable standards of conduct.

2.1 Raleigh City Council

The City Council periodically reviews Raleigh's Public Art Policy and related documents to assess compliance by City departments. The City Council appropriates HPA funding for the public art fund.

2.2 The City of Raleigh Arts Commission (CORAC)

The CORAC, comprised of individuals appointed by the Raleigh City Council, was established and is governed by the bylaws adopted by the City Council in 1977. The CORAC approves works of art before they are acquired for or transferred, sold or deaccessioned from the City of Raleigh's Municipal Art Collection. CORAC also advocate for public art in Raleigh, as well as review public art projects not generated by HPA funds. Duties include but are not limited to the following:

- Establishing and approving curatorial and programmatic goals, policies and guidelines as they pertain to artwork acquired on behalf of the City of Raleigh;
- Reviewing the accession, documentation, installation, care and deaccession of all donations of artwork accepted on behalf of the City of Raleigh into the Municipal Art Collection;
- Reviewing the cleaning, repair and overall care of artwork in the Municipal Art Collection at the recommendation of the Public Art Coordinator and in compliance with currently accepted standards of care;
- Reviewing the approval, budget, planning and implementation of City of Raleigh temporary public art projects that are not under the auspices of the PADB.

2.3 The Public Art and Design Board (PADB)

The PADB, comprised of individuals appointed by the Chair of the CORAC, was established and is governed by the bylaws adopted by the Raleigh City Council in 2009. The PADB is authorized by the CORAC to review and approve matters related to the Half-Percent for Art (HPA) public art program.

The PADB, in consultation with the Public Art Coordinator, the CORAC staff and other City staff, works to determine and recommend the nature and placement of HPA public art projects. Duties include but are not limited to the following:

- Coordinating the development of this Public Art Policy with the CORAC;
- Reviewing and approving all issues related to HPA public art projects, artist selection, design concepts and all other related aspects of the public art program;
- Convening monthly or as needed to review issues related to HPA selection panel recommendations, artist selections, project budgets and other program and project-related issues;
- Retaining the final authority for matters related to HPA public art projects; the PADB may elect to reject or reevaluate any related decisions, selections or recommendations and may recommend and authorize changes to the public art project in the best interest of the community, artists and more. The PADB reserves the right to reject selection panel recommendations and/or recommend modifications or changes.

2.4 Executive Director, City of Raleigh Arts Commission

The Executive Director is responsible for supervising the work of the Public Art Coordinator in order to develop a vision for the curatorial and programmatic goals of the public art program, and for ensuring that these are in concert with the broader mission and goals of the CORAC and the City of Raleigh.

2.5 Public Art Coordinator, City of Raleigh Arts Commission

The Public Art Coordinator works with the Executive Director, the CORAC, and the PADB to facilitate the vision for the curatorial and programmatic goals of the public art program and to ensure that these are in concert with the broader mission and goals of the CORAC and the City of Raleigh. The Public Art Coordinator is responsible for the overall management of art projects from inception to completion. The Coordinator's responsibilities include but are not limited to the following:

- Working with site agencies and project teams when artwork is under consideration for a specific site to follow public art project guidelines, criteria and budgets for each project and facilitating inter-agency communication and interaction throughout the life of the project;
- Providing project management services as necessary throughout all phases of public art projects and providing periodic reports to the PADB and the CORAC;
- Soliciting comments and managing the public input process on public art projects in partnership with the site's project manager;
- Soliciting review comments and/or approvals for proposed artworks from site agencies and other City departments as necessary regarding accessibility, safety, liability, feasibility and maintenance issues;
- Reviewing and evaluating art works acquired for the Municipal Art Collection and developing broad curatorial and collections care policy for the Collection as a whole;
- Overseeing the proper documentation, inventory and management of the Municipal Art Collection and consulting with professional conservators when appropriate regarding possible conservation and maintenance issues.

2.6 Site Agencies / City Departments

Site agencies are the City departments conducting Capital Improvement Program (CIP) projects that are generating HPA funds, and are the potential recipients of artworks commissioned as a result of the HPA project. Site agencies are also City departments where artwork, whether from the Municipal Art Collection or on loan from outside sources, has been sited permanently or temporarily and as such are also accountable to the City's Public Art Policy. This policy applies to City departments that display artwork using City funds to exhibit in interior and/or exterior public spaces owned, leased and operated by the City and for privately funded works of art on City easements.

Within each site agency, the director or an authorized representative works with the Public Art Coordinator regarding artwork sited at their agency. The site agency's responsibilities include but are not limited to the following:

- Meeting with the Public Art Coordinator to discuss art projects, and providing information and coordinating with the Public Art Coordinator to identify existing artwork donated to the site agency's jurisdiction for inclusion in the City's Municipal Art Collection;
- Ensuring that budgetary allocations for public art as provided through the department's construction budget are transferred and designated for use;
- Providing information for CIP projects regarding eligibility including construction timelines and design drawings as requested and assigning an agency representative as liaison and attending those meetings relative to the public art project;
- Working with the Public Art Coordinator to ensure that the installation and maintenance of artworks in the Municipal Art Collection is conducted in accordance with nationally accepted standards.

The following are City department exceptions:

- Artwork donated or loaned directly to City employees or elected City officials for display in personal City offices;
- Artwork loaned to the Pullen Arts Center or Sertoma Arts Center due to their visual arts-specific mission;
- Artwork that uses temporary non-invasive support such as easels for exhibition purposes.

Note that the City does not accept responsibility for insurance or maintenance of any artworks identified in the above exceptions.

2.7 Artist Selection Panel

For public art projects, Artist Selection Panels (ASP) are convened to review, interpret and provide recommendations for qualified artists and art proposals, based upon criteria provided at the inception of the public art selection process. Duties include but are not limited to the following:

- Reviewing and narrowing the artist application pool based on the project's goals and the site criteria provided;
- Reviewing and narrowing the finalists through proposals or interviews;
- Reserving the option to make no selection from submitted applications and to reopen the competition or propose other methods of selection;
- Providing recommendations for projects and the final concept design.

The involvement of the ASP may continue as the "client group" for the project after the artist/project is selected.

Carl Billingsley
Hedron, 2008

Jan Chenoweth
Basket in Open Space, 2008

3 Municipal Art Collection

The City of Raleigh has many works of art acquired that are on view in public spaces, including parks, municipal buildings and city offices. The artwork, acquired over the years by different City departments, has until now been placed under various departmental management for care and maintenance. With this Public Art Policy, the City of Raleigh declares that there is one Municipal Art Collection for the City of Raleigh, and that there is now one authority, the City of Raleigh Arts Commission (CORAC), for the acquisition and maintenance of the Municipal Art Collection. The full documentation of the Municipal Art Collection will eventually facilitate opportunities for public access to the Collection's rich history. City departments are advised to follow the procedures outlined in this policy for artwork review and acceptance.

It should be noted that in order to fully support the care and management of Raleigh's Municipal Art Collection, consideration must be given to providing funding and staffing at a level consistent with national standards for proper collections management.

Criteria from the City's Public Art Policy are used when considering acquisitions for the Collection and are approved by the CORAC. The CORAC also makes recommendations for any artwork in the Municipal Art Collection under consideration for deaccessioning.

3.1 Acquisition Types

Artwork considered for acquisition, whether by the CORAC or by City departments, must have a direct connection to the arts programming and objectives of the City of Raleigh. The CORAC approves all artwork designated for Raleigh's Municipal Art Collection, including quality, placement and use. The CORAC takes into account the extent to which the acquisition meets accepted criteria and objectives as discussed in the Public Art Policy, and any other factors that may influence acceptance or rejection of an acquisition. A chief consideration is whether the work can be sited rather than stored. City departments are required, when considering any of the acquisition types below, to direct their consideration for approval to the CORAC.

Gifts

- Generally the Municipal Art Collection consists of artwork acquired through donations from area residents, including gifts offered to the City by way of the Mayor or a City Councilor. A wide range of artworks may be acquired, with no limits on form or size provided they meet the established criteria.

Purchases of Artwork

- The City may purchase artwork for the Collection. The artwork is subject to the process and criteria in place for acceptance by the CORAC. The purchased artwork becomes a part of the Municipal Art Collection.

Monuments & Memorials

- The CORAC can consider requests for monuments/memorials that are artworks, and work closely with the affected City departments on their acceptance, approval, placement, siting and location. Donors of the proposed artworks typically pay the costs for the artworks' design, manufacturing, and installation. Simple memorial requests are referred to the appropriate City Department.

Citizen-Initiated Artwork

- The CORAC reviews all requests for citizen-initiated artwork-related projects. Citizens who wish to site privately-funded artwork on public land or rights-of-way (e.g. murals) must comply with the guidelines and processes currently in place.

Additional Requirements for Proposals of Large-Scale Citizen-Initiated Artworks

- Proposals for large-scale artworks or public monuments (projects requiring project team input regarding design, construction, fabrication, installation and placement), and/or having benefactors contributing $10,000 or more to the artwork, require careful consideration and may require several meetings and significant public comment before a final decision can be made. The projects are referred to the PADB. All costs associated with the proposed artwork are the responsibility of the presenter. Projects with high visibility and/or significant financial contributions may require additional approval by City Council.

Loans

- Artwork loans of less than one year are at the discretion of City departments, in conformance with the criteria established in this Public Art Policy.
- Due to the long-term impact of artwork on display on City property, artwork loans of more than one year are reviewed by the Public Art Coordinator. The Public Art Coordinator works closely with the Department Director or designee affected to ensure an inclusive and collaborative process.

3.2 Acquisition Review and Acceptance Process

- The potential donor meets with the CORAC staff to review the appropriateness of the acquisition. The proposed acquisition must be of appropriate theme, character, and design for public display and be consistent with Public Art Policy criteria.
- Acquisitions are to be of the highest quality design, materials and construction. Generally, acquisitions should take into consideration durability and relatively low maintenance. The artwork should retain its intended appearance and function over a substantial period of time.
- The donor provides support materials and forms as directed by the CORAC staff.
- Generally, the CORAC formally reviews and gives approval to the acquisition at its next regularly scheduled meeting or as scheduled by the Public Art Coordinator.
- Once approved by the CORAC, the donor provides signed documentation, depending upon the type of acquisition, to the Public Art Coordinator, formally transferring ownership of the artwork to the Municipal Art Collection.
- The CORAC staff works closely with site agencies to determine a suitable location for the artwork. Once a site has been identified and the artwork placed, signage properly crediting the donor is placed next to the artwork.

3.3 Collections Maintenance and Responsibilities

City of Raleigh Arts Commission Responsibilities

- The CORAC staff retains a physical inventory of all artworks in the Municipal Art Collection which is conducted annually with findings reported to the City's Risk Management department. The inventory record tracks object movement and is updated as needed. As the Collection grows, management and maintenance costs increase accordingly.
- An inventory of artworks held in the Collection is continuously maintained and includes estimated valuations of objects in the Collection. New donations to the Collection require an appraisal at the time of the gift, typically provided and paid for by the donor. Valuations of artworks are established principally for insurance purposes.
- The Public Art Coordinator oversees the assessment, treatment, maintenance and relocation of artwork. The cleaning and repair of artworks in the Municipal Art Collection are under the direction of the Public Art Coordinator, who complies with currently accepted standards of care and conservation.

- If treatment is required and approved, the Public Art Coordinator, in collaboration with site agencies, coordinates repairs with the involvement of other art conservators or independent contractors as needed. Reasonable efforts are made to notify artists of repairs made to their works.

Site Agency/City Department Responsibilities

- Site agency representatives work with the CORAC staff to identify art currently under their purview and assist with the proper documentation and cataloguing of artworks in the CORAC's inventory. Ongoing annual inventories following the initial site cataloguing are conducted by the CORAC staff with the cooperation of site agencies.
- Site agencies only undertake cleaning and repairs as specified by the Public Art Coordinator. Site agencies must not remove, alter or relocate artwork in the City's Municipal Art Collection and are responsible for keeping the area surrounding the artwork clean and groomed. They are also responsible for protecting the artwork from damage caused by maintenance equipment such as mowers, watering systems and furniture placement.
- When needed, site agency staff members, including service technicians and landscaping employees conducting routine maintenance of any kind on artwork, are trained by the CORAC staff, artists or professional conservators. The Public Art Coordinator determines if a trained specialist is required and under what conditions non-specialist labor may be used.
- Site agencies report any graffiti, damage or vandalism of artwork within the City's Collection to the Public Art Coordinator. The CORAC staff reports the incident to the police, corrects the damage within 48 hours and prepares an annual report for the site agencies detailing damage to artworks.
- When needed, agreements for treatment and maintenance are developed for artworks. These agreements ensure the integrity of the work and stipulate the roles of each responsible agency in staffing, funding and maintenance for the lifespan of the artworks. These agreements include directions to the site agency for routine maintenance and cleaning, including frequency and type of work to be performed.
- The site agency may make agreements with other appropriate parties for maintenance of artworks. These parties may include other governmental agencies, City departments or private contractors, and are subject to the approval of the Public Art Coordinator.

3.4 Maintenance Procedures

Objects in the Municipal Art Collection require a wide range of care under the oversight of the CORAC staff. The Public Art Coordinator creates an annual maintenance plan and long-term forecast reports to determine current and future Collection needs. When available, funding is allocated by the CORAC for framing, documenting and routine maintenance of artworks in the Municipal Art Collection. Secure storage is provided for artwork not on display. Limited funding is allocated for maintenance of artworks created through the public art program. The CORAC staff works closely with site agencies to determine funding for special conservation or restoration projects outside the scope of routine maintenance.

A centralized computerized collections management system is used to inventory, photograph, document and track all artworks in the Municipal Art Collection. All documentation, both written and visual, is maintained in an easily retrievable format. Exhibited artworks are labeled with the title, artist and date of the work at a minimum. At the discretion of the Public Art Coordinator, artworks may be temporarily placed in storage or loaned to other institutions such as nonprofit galleries and museums.

Susan Harbage Page and Juan Logan, with Peter Egan, *Horizon Line,* 2009

3.5 Placement of Works of Art

Works of art that are part of the Municipal Art Collection may be moved throughout City facilities at the discretion of Arts Commission staff, taking into account requests from the various departments. As mentioned in section 3.2, Commission staff works closely with City departments to ensure consensus and open communication for determining site locations for artwork. While it is intended that a site-specific artwork remain in the location for which it was created, the CORAC staff reserves the right to move a piece if circumstances dictate. The CORAC staff may consider re-siting site-specific artwork for one or more of the following reasons:

- The condition or security of the artwork 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.

3.6 Municipal Loan Program

Certain objects from the Municipal Art Collection designated for particular public access and enjoyment may be borrowed by City officials and staff, and installed in approved public buildings and other public venues. In general, more significant artworks are installed in key public spaces. The focus of display is on matching artworks to appropriate spaces in terms of scale, visibility and profile.

Security arrangements are based on the value and significance of the artworks and in relation to where they are exhibited or displayed. Works in the Collection can be borrowed by completing check-out procedures as directed by the CORAC staff. The CORAC staff reserves the right at any time to remove artwork deemed at risk, without advance notice to the borrower. The CORAC staff reserves the right to consider loans on a case-by-case basis and has the authority to approve or reject loan requests.

4 Deaccessioning Policy and Procedures

Deaccessioning is the process of removing artwork from the Municipal Art Collection. These policies recognize that over time there may be reasons to deaccession such artworks. Deaccessioning is considered only after careful and impartial evaluation of artworks within the context of the Collection. At the beginning of the process, the CORAC staff should make reasonable efforts to notify any living artist whose work is being considered for deaccession. Decisions related to deaccessioning are made by the CORAC as determined below:

- The CORAC may, from time to time, deem it necessary to deaccession objects for the betterment of the Collection. In considering an object or groups of objects for deaccessioning, CORAC must always be aware of its role as trustee of collections for the benefit of the public;
- Generally, objects are acquired for perpetuity and not with the thought of disposal. At issue is the CORAC's responsibility to the community, its donors and the public;
- Objects in the Collection should be retained permanently if they continue to be useful to the purposes and activities of the CORAC and its collections, if they continue to contribute to the integrity of the collections, and if they can be properly stored, preserved, used and exhibited.

4.1 Criteria for Deaccessioning

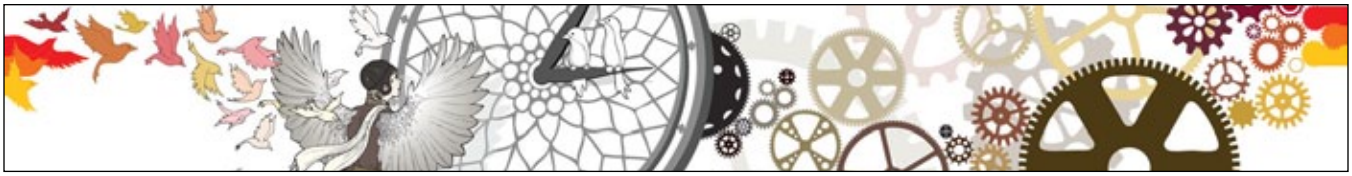
Objects may be deaccessioned when the above conditions no longer exist, or if such action would ultimately improve or refine the Collection. Reasons for deaccessioning may include but are not limited to situations where:

- The disposition of the site has changed, the artwork is no longer appropriate, nor can it be reasonably protected and/or maintained;
- The artwork's annual maintenance cost is deemed excessive;
- The artwork has been damaged beyond reasonable repair;
- The artwork requires extensive conservation/restoration work that is cost-prohibitive;
- The artwork is deemed inappropriate or requires removal because of new developments in the direction of the Collection;
- The artwork was commissioned or accepted with the provision and/or understanding that it was to have a limited lifecycle or installation period.

4.2 Procedure for Deaccessioning

Upon recommendation that an artwork be deaccessioned from the Municipal Art Collection, a formal, written proposal is provided to the CORAC. Each object being considered for deaccessioning must meet certain criteria as supported by the written recommendation of the Public Art Coordinator. Such recommendations must be based upon one or more of the deaccessioning criteria as listed. Requests for deaccession are endorsed and presented by the CORAC Executive Director and substantiated by information provided by the Public Art Coordinator. After receiving the recommendation, the CORAC may approve the deaccession of the artwork with a two-thirds majority vote required for deaccessioning approval.

Ian Sands, *Zonkey Street* (Art On The Move), 2011



Jenn Hales, *Gears* (Art On The Move), 2011

4.3 Manner of Disposition

The manner of disposition should be in the best interest of the City of Raleigh, the public its programs serve, and the public trust it represents. Disposition should occur as follows:

- Unless the CORAC specifically determines an alternative means of disposition, all dispositions are by sale with the primary objective of obtaining the best possible price for the object. Sales of artworks are allowed through public auction, art gallery or dealer resale, or direct bidding by individuals. Trade through artist, gallery, museum or other institution for one or more other artwork(s) of comparable value by the same artist is acceptable.
- Artworks that were commissioned or accepted into the Collection as site-specific works can be destroyed in lieu of being reinstalled at an alternative site or being offered for sale. This process is known as decommissioning of artwork rather than deaccessioning. Generally, site-specific works are created for a specific location and are not appropriate for re-siting.
- In rare instances, the CORAC staff may recommend the re-installation of the artwork if its integrity and original intent and/or purpose can be preserved. When possible, this is done with the cooperation and supervision of the artist or his/her estate. Didactic signage is installed at the site, explaining that the work has been re-sited and providing information related to the original site, commission and intention.
- Consideration may be given to placing objects in another institution where they may serve a similar purpose to that for which they were originally acquired.
- Regarding either sale or trade of artworks, the CORAC staff offers the right of first refusal to the artist, if still alive, and/or the original donor, if the artwork was a gift to the City. In the case of artworks by a living artist, consideration may be given to an exchange where appropriate.
- Absent mandatory donor restrictions or requirements, the CORAC staff, officers, board members and their immediate family members (spouses and minor children and other family members who live at home) and other members of their immediate households and controlled entities may not be the purchasers or recipients of deaccessioned objects.

4.4 Use of Net Proceeds from Deaccessioning

Net proceeds derived from the sale of deaccessioned objects (i.e. the proceeds of the disposition less all related expenses) must not be used as operating funds. Such net proceeds are designated “for acquisition only” and must be used only for the growth or care of the Collection, consistent with acquisition procedures. When a deaccessioned object enters the Collection as a gift, the donor of that object is fully credited, in documentary files, future publications and on identifying labels, for the artwork purchased with proceeds from the sale. The purchased artwork, so credited, is labeled and identified as a “gift of (name of original donor) by exchange.”

4.5 Records

The conditions and circumstances of the deaccession are entered and retained permanently as part of the Collection’s records. In addition, where possible, a file on the object is retained, including object and donor history, photographs, conservation/restoration records, appraisals and/or other relevant records.

5 Policy Revisions

Recommendations for changes to these policies can be made at any time and may be submitted by staff members, committee members, board members or citizens. Material changes are considered by the Public Art Coordinator with approval by the CORAC or the PADB as relevant, with oversight provided by the CORAC's supervisory agency, the City of Raleigh's Parks and Recreation Department.

6 Definitions

Acquisition: The inclusion of an artwork in a permanent art collection acquired through a commission, purchase, gift or other means.

Accession: The formal process used to accept an artwork into the Municipal Art Collection and record an item as a collection object.

Artist: Individual artist, team of individual artists, or artist team leader of individuals from other disciplines whose body of work and professional activities demonstrate serious ongoing commitment to the fine arts.

Artist Fees: The portion of the project budget reserved for payment to the artist for his/her creative services for design, fabrication and project management services. Fees do not include other labor, materials, travel and per diem allowances for out-of-town artists.

Artist Selection Panel (ASP): An ad hoc panel whose charge is to review potential candidates and/or art proposals and make recommendations to the PADB for the selection of artists and/or art proposals.

Artwork or Work of Art: A tangible creation by an artist.

Capital Improvement Program (CIP): The Capital Improvement Program (CIP) is a ten year, two phase plan adopted by City Council that serves as a statement of City policy regarding the timing, location, and funding of major public facilities in the City of Raleigh.

City: The City of Raleigh.

City of Raleigh Arts Commission (CORAC): Charter-mandated commission governed by 12 members appointed by City Council. The official advisory body and advocate for the arts to the Raleigh City Council. The make-up, function, powers and duties of the CORAC are defined in Raleigh City Charter Section 22 and further defined in Ordinance 1977-563. The CORAC is a part of Raleigh's Parks and Recreation Department.

Deaccession: The process of removing an object permanently from a collection, usually through sale or exchange or any other transactions by which title of outgoing artworks are transferred from the collection to another institution or individual. Under certain conditions, it may also include disposal by intentional destruction.

Donor: The individual, corporation or other entity offering a donation to the City.

General Application Pool (GAP): A collection of monies from HPA-eligible projects that the PADB deems inappropriate for the inclusion of public art, but that may be used to support the City's public art program.

Half-Percent for Art (HPA): An eligible CIP project that will allocate half-percent of its 'hard construction costs' to support the City's public art program.

Loaned Artwork: Artwork given for use over a period of time, to be returned to the owner at the end of the use period.

Monuments: Structures, sculptures or other objects erected to commemorate a person or an event.

Municipal Art Collection: The Municipal Art Collection is comprised of all artworks owned by the City that have been accessioned by the CORAC on behalf of the City and County and are under the CORAC's jurisdiction.
Plaque: Identification signage affixed on or near an artwork to identify the title, artist, media, etc.

Public Art: Artworks purchased or commissioned with funds generated by the HPA ordinance. The artworks are created, usually by artists and/or design team collaborations, for public places and public experiences.

Public Art and Design Board (PADB): Ordinance-mandated board of seven members appointed by the Chair of the CORAC to review and approve matters related to the HPA public art program.

Public Art Program: The CORAC program that administers the purchase and/or commissioning of artworks acquired as a result of the HPA ordinance.

Public Art Coordinator: The Public Art Coordinator is the CORAC's staff member assigned to manage public art projects for the public art program and to oversee the City's Municipal Art Collection and Block Gallery exhibitions.

Percent for Art: A method of financing public art programs by ordinance, requiring that a percentage of capital project budgets be appropriated for artworks.

Project Team (or Design Team): Professionals including architects, engineers, City staff and landscape architects engaged in the collaborative design of CIP projects.

Site: Real property or land that is owned, leased or operated by the City of Raleigh.

Site Agency: The City department conducting the CIP that generates public art funds, and the recipient of the art enrichment purchased or commissioned by the CORAC.

7 Appendix

HPA Public Art Program Process

7.1 General Artist Selection Panel (ASP) Guidelines

Once the PADB determines an HPA project is appropriate for public art, it appoints an Artist Selection Panel (ASP), one member of which must be a member of the PADB, to serve in selecting the artist and art for the project. (Prior to the appointment of the ASP, the PADB establishes written criteria to use in selecting art for public placement.) The ASP may range in size from three to seven members, depending upon the scope and type of method used for the public art project. The other members may be artists, arts professionals, design professionals, neighborhood representatives and/or representatives of the department or agency in whose facility or on whose property the proposed work will be integrated. The site's project manager and design professional are core members of the public art project team. Either the project manager or design professional will be a voting member of the ASP. For all other large-scale public art projects, the Department Director or designee and citizen's board representative are core members of the project's design team and are also voting members of the ASP. Panelists are not required to be members of the CORAC. The department or agency representative is named by the Department Director.

Panels are authorized by and report directly to the PADB with membership on a selection panel per the recommendation of the Public Art Coordinator, the PADB chair and the panel's chair. Panel chairs are appointed by the PADB chair and report the final slate of members to the PADB for approval. The ASP interviews and selects an artist for the project and forwards that recommendation to the PADB, which approves or disapproves the recommendation. If the recommendation is approved, it is reported to the CORAC and the City Council. Since panels can at times convene over a long period of time, the PADB chair appoints new members to fill any vacancies left in the event a panelist resigns or can no longer serve.

7.2 Artist Selection Panel (ASP) Process

The selection panel serves as the preliminary review, advisory and recommending body for each HPA project. The ASP chair is assisted by the Public Art Coordinator in presiding over selection panel meetings and overseeing the artist selection process for the project. While some panels meet throughout the duration of the project from conception to completion, others disband after the artist is selected in which case the balance of the process is reviewed and monitored by the PADB. Staff and the PADB have the authority to determine these parameters. The ASP reviews are scheduled in advance whenever possible and open to observers who wish to attend. The ASP chair or Public Art Coordinator issues instructions to panelists and advisors detailing the duties and responsibilities relating to the project.

Panelists should verify that they have no conflict of interest relative to the project. If a consensus cannot be reached by the selection panel, a vote is taken with the majority carrying the decision. Panelists each have one vote and no panelist has the right of veto. The ASP has the option of making no selection in which case a new selection process may be initiated. The PADB may also elect to recommend an existing artist candidate, open a new competition, pursue a direct selection, commission an alternative artist or abandon the project. In such an event, the PADB determines whether to continue or disband the project's designated selection panel.

The ASP recommends an artist finalist which is presented to the PADB by the selection panel chair. The PADB has the final authority as to approval of the artist candidate and can accept or reject the panel's recommendation.

7.3 Contractual Agreements

Upon final approval of the artist by the PADB, the Public Art Coordinator negotiates with the artist using the City contract developed specifically for this purpose.

7.4 Public Art Design Development and Review

Throughout the public art design process, the artist, the Public Art Coordinator, the PADB and the ASP are guided by the following process:

- After selection but prior to the public art design development, the artist meets with the project team and the ASP or the PADB to discuss the scope of the project and community input to date;
- The artist conducts information gathering and research, solicits community input if appropriate and begins developing preliminary designs;
- The ASP or the PADB responds to the artist's draft designs and provides feedback;
- After the artist has created a fully developed design for the artwork, it may be shared with the broader community;
- The design is reviewed by relevant experts and technicians (art conservators, engineers, police, Committee on People with Disabilities, etc.) as needed and identified by the Public Art Coordinator or other project team members;
- The artist's final design is brought before the PADB prior to the execution of any agreements for fabrication of the design. The PADB is the final authority in the design review stage;
- The Public Art Coordinator may hold a final meeting of the ASP to obtain feedback on the process and interview members about lessons learned.

7.5 Project Completion

At the completion of each project, the following procedures are followed to facilitate the transfer of project responsibility from the HPA public art program into the Municipal Art Collection:

- Within 15 days following the completion of the artwork installation, the artist provides a transfer of title document;
- As a condition of final payment to the artist, the artist must complete a Conservation Record form documenting fabrication methods, artistic intent, and routine and cyclical maintenance requirements;
- Upon project completion, the PADB recommends final acceptance of the artwork into the Municipal Art Collection.

Public Art Ordinance

RALEIGH CITY CODE
PART 9 – PARKS, RECREATION AND CULTURAL AFFAIRS
CHAPTER 10 – ARTS COMMISSION

Article B. Public Art
(CONSOLIDATED VERSION AS OF OCTOBER 4, 2011)

Sec. 9-10006.
PUBLIC ART AND DESIGN BOARD.
The Chair of the Arts Commission shall, within thirty days of the enactment of this ordinance, appoint a Public Art and Design Board. The membership of the Board shall be seven (7) members. The members of the Board may be residents or nonresidents of the City and shall be appointed by the Arts Commission Chair. Subsequent members shall be appointed by the Chair of the Arts Commission and serve according to the time and term limits of Part One, Chapter 4 of the Raleigh City Code. The Public Art and Design Board shall develop a public art policy establishing guidelines for the Public Art Program and will forward the same to the City Council for approval. The City Manager shall review all eligible projects approved as a part of the annual Capital Improvement Program (CIP) and refer them to the Public Art and Design Board. The Public Art and Design Board may request the City Manager to review his recommendation if it feels that an eligible project was not forwarded for review. The Public Art and Design Board shall collect all available information about the project including budget, site, schedule and constituent interests. The Public Art and Design Board shall then determine the desirability of a call for artists and the nature and geographical extent of that call. Once the Public Art and Design Board has determined a project is appropriate for public art it shall appoint an Artist Selection Panel (ASP) ranging in size from three (3) to seven (7) members to serve in selecting art for the project. Before the appointment of the first ASP the Arts Commission shall establish written criteria to use in selecting art for public placement. At least one member of the ASP must be a member of the Public Art and Design Board. The other members may be an artist, an arts professional, a design professional, and a representative of the department or agency in whose building or on whose property the proposed work will be located. The members are not required to be members of the Arts Commission. The department or agency representative will be named by the City Manager. The ASP shall interview and select an artist for the project and forward that recommendation to the Public Art and Design Board which will approve or disapprove the recommendation. If the recommendation is approved it will be forwarded to the City Council as information. The City Manager will then negotiate a contract between the City and the artist.

Sec. 9-10007.
ELIGIBLE PROJECTS.
CIP projects which are required to be bid or otherwise contracted for pursuant to the provisions of N.C.G.S. 143-129 and provide significant general public access such as public safety centers, senior centers, parks and recreation buildings and community centers and streetscape projects as examples shall be eligible for funding. Streetscape projects shall include, but not be limited to, all roadway improvements for all Gateway arteries and thoroughfares. Streetscape projects shall not include general roadway landscape improvements, small intersection improvement projects, or traffic calming projects. The amount of funding for a project shall be one-half (1/2) of one (1) percent of the estimated construction costs of the bid or other price obtained under the above referenced statute. Land acquisition, professional services (architectural, engineering, surveying, etc.), furnishings and equipment and all other soft costs are not to be included in the amount subject to the one-half (1/2) of one (1) percent allocation.

Sec. 9-10008.
FUND MANAGEMENT.
It is recognized that all projects otherwise eligible according to the provisions of §9-10007 are not necessarily suitable for the installation of public art. If it is determined that a project is not suitable for public art the one-half percent of its cost will be placed into an account for the maintenance and acquisition of public art. Money held in this account may only be appropriated upon recommendation from the Public Art and Design Board. Money from this fund may be used to maintain art, acquire art for public projects that do not qualify under §9-10007 or to supplement the one-half percent amount for an eligible project. The fund may be used for artist design services, acquisition of art, maquettes, shipping or other expenses, including administration of the program, required to obtain and place the art. It is permissible to spend more than one-half percent of the project cost on art for the project so long as the remainder of the cost is privately funded or paid for by an additional appropriation upon recommendation by the Public Art and Design Board.

Sec. 9-10009.
PROJECT COORDINATION.
It is understood that coordination between the Public Art Program and City construction management is vital to achieve timely completion of CIP projects. In order to achieve this cooperation the chair of the ASP for a particular project shall make every effort to expedite the public art side of a project and the City construction management staff and arts staff shall cooperate fully with the project ASP. The City shall include in any professional service RFP or RFQ language that indicates one or more artists may be included on the design team and will be selected by an independent process. The project architect shall be informed during negotiations for the architect's professional services of the requirement for artist involvement in the process which may include the artist on the project design team. Any unresolved conflict shall be decided directly by the City Council.

Sec. 9-10010.
FORM AND MEDIUM.
Any art acquired pursuant to this policy shall be designed and created by visual artists. In addition to the traditional forms of art such as sculpture, painting, fresco, glass, mosaic and others the public art requirement may also be met by incorporating artistic elements into the overall architectural design if created by a visual artist. Any art installed pursuant to this program shall become and remain the property of the City of Raleigh.

Sec. 9-10011.
ADMINISTRATIVE ACTION.
Within sixty (60) days after the passage of this ordinance the City Manager shall cause to be created an administrative process to guide the various City contracting departments as to how each is to interact in the percent for public art process.

Established by Ordinance No. 2009 – 563 adopted March 17, 2009 and effective July 1, 2009
Amended by Ordinance No. 2009 – 643 adopted and effective September 1, 2009
Amended by Ordinance No. 2011 – 874 adopted May 3, 2011 and effective July 1, 2011
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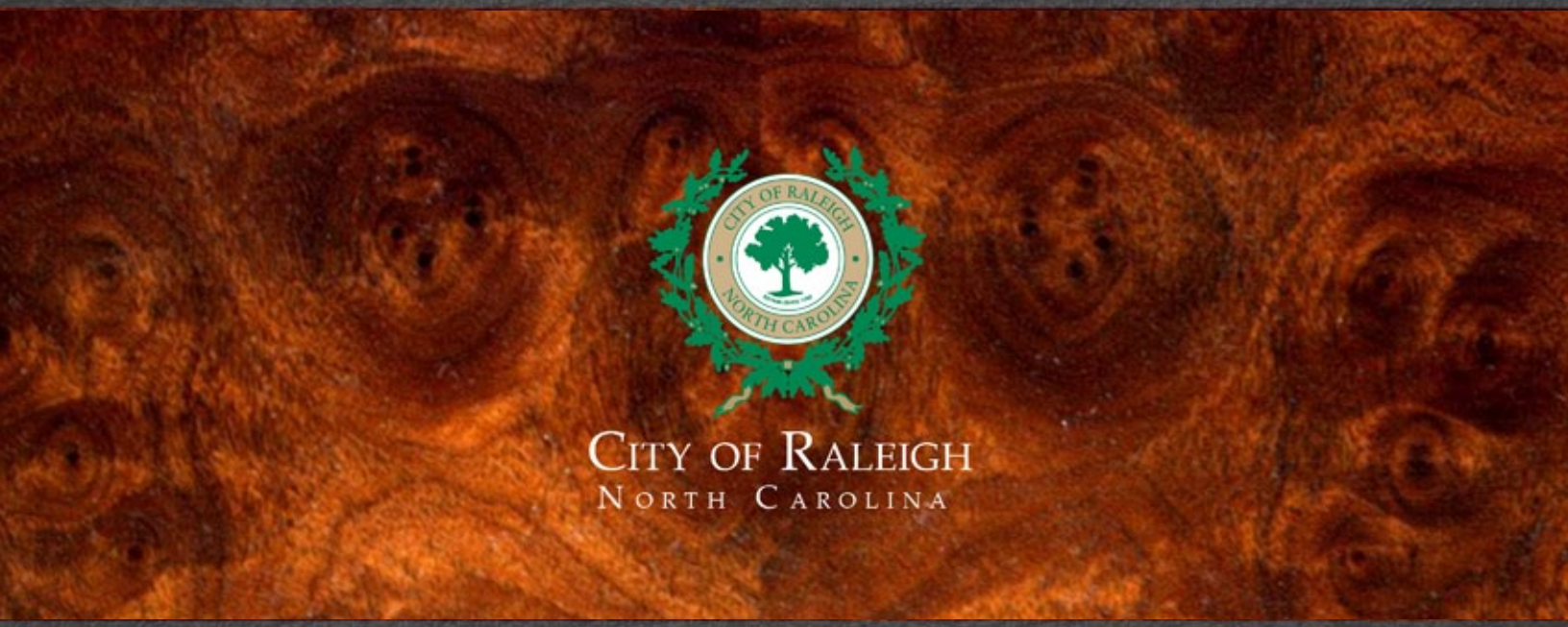
Front cover artwork, clockwise from upper left:
Jim Galluci, *Light Towers,* 2009
Dale Eldred, *Time/Light Tower,* 1991
Thomas Sayre with Ned Kahn, *Shimmer Wall,* 2009
Adam Walls, *Toy Defense,* 2004

October 2011



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