

# **City of Duluth**

## **Public Art Program: Funding, Goals and Implementation Guidelines**

### *Introduction*

The City of Duluth is considering the creation of the Duluth Public Arts Commission (DPAC). This document will address three important goals:

1. Promote the training, development and performance of performing arts
2. Maintain the City's existing public art collection
3. Commission, acquire and exhibit new public works of art.

This guideline document is one of several tools the City will use to create the DPAC, a Performing Art and Acquisition Fund (PAAF), and manage the program. The first significant task of the DPAC will be to create a public art master plan. The DPAC will support performing arts, promote public art projects, encourage developers to install public art and will also direct usage of the PAAF.

### *The Vision for Duluth's Public Art Program*

It is the intention of this program to preserve the City's heritage, enhance its character and identity, contribute to economic development and tourism, add beauty and interest to public spaces and architecture and increase opportunities for the public to experience, and participate in the arts. This will be done through the performance, acquisition and installation of world-class public art.

The DPAC will commission and exhibit public works of art that give a voice to Duluth's unique traditions of civic design, architecture and urbanism, and strengthen Duluth as a place to live and do business. Performing arts schools, workshops, exhibitions, training and performances will be encouraged, engaged and supported as well, to make Duluth a center for the development, experience and performance of the arts.

The DPAC is tasked with refining and advancing public art goals for the City, which creates opportunity for substantive public engagement and solicitation of opinion. In this capacity, it also holds responsibility for the ongoing education and outreach efforts for all approved public art, including their development and public communication about the public art and the artist(s).

Elected officials and staff of the City of Duluth will be involved in the planning of public art, as well as responsible for its care and maintenance once fabricated and installed. City officials will cooperate with the DPAC facilitating performing art activities and maintaining media for future viewing. The municipal support and engagement is necessary to the sustainability of the program and an important form of redress for residents and taxpayers concerned about particular works of art.

### Activity Goals:

#### Performing Art Goals:

- Partner with existing performing arts businesses, schools and performing art venues
- Work to expand and support high school and local college performing art education and performance

- Fund and supplement funds to provide educational spaces and equipment
- Market teachers, schools, mentors, performers and performing art venues
- Engage and partner with public and private organizations and businesses to create performing art events
- Establish opportunities for a broad range of performing arts ranging from street performance to formal indoor performance
- Create a performing arts incubator program to provide grants for startup institutions, performers and organizations
- Fund performing art demonstration projects, promotional events and educational projects
- Cause to be documented performances to be readily viewable to the general public via audio/visual and social media

#### Curatorial Goals:

- Interpret Duluth's civic and architectural traditions, and its historic charm, with a fresh eye and contemporary voice;
- Enrich the public environments, such as civic spaces and pedestrian streetscapes, that citizens, employees and visitors experience in Duluth;
- Extend the tradition of creating artistically designed public monuments at gateways throughout the City;
- Facilitate the introduction of artistically designed "civic infrastructure" that further defines with distinction the public realms of streets and squares;
- Promote the integration of works of art into the fine-grained details of public works and private development;
- Establish the City as a leader in the region's vibrant visual arts community and facilitate projects that are recognized nationally; and
- Reflect, with quality and sophistication, the international cultural and economic currents that are unique to Duluth.

#### Programmatic Goals:

- Organize significant permanent commissions in locations of high visibility and civic importance;
- Encourage developers to commission works of art that enhance the pedestrian experience of streets, sidewalks and public spaces;
- Create, when appropriate, new public art in new community facilities built and operated by the City;
- Build the necessary capacity and partnerships for mounting exhibitions and curating platforms for changing art in the pedestrian-centered downtown core;
- Establish a more predictable, dedicated stream of public art funding;
- Develop ongoing planning and creative relationships with County and City agencies and civic organizations that shape the public and private realm;
- Promote an appreciation, understanding and awareness of visual arts in the public environment.

#### *Creating the Duluth Public Art Commission*

The creation of the Commission is arguably the most important part of the program as well as the make-up of the commission.

- A nine (9) member board appointed by the Duluth City Council should govern the Commission.
- One (1) or two (2) ex-officio members will be City of Duluth Staff that can offer input and guidance on matters, but who are non-voting members of the Commission. The ex-officio members will be from one of

the following departments: City Manager, Marketing, Planning and Development, Finance, Public Works or Parks and Recreation.

- One member of the Commission will be a member of the Duluth City Council
- Four (4) members will be arts professionals (artist, performing artist, architect, landscape architect, curator, arts writer, arts educator, arts administrator or individual with an art degree)
- The balance will be citizens and business owners within the City of Duluth with no less than 5 of the members at any given time being residents of Duluth
- Each member will be appointed to a four (4) year term, staggered every two (2) years. The city council may at any time remove or replace a board member. For the initial appointment five (5) members will be appointed to a four (4) year term and four (4) members appointed to a two (2) year term to create the staggered terms.
- The Chairperson will be appointed by the Commission at the second public meeting and will be appointed by a majority vote and shall serve two years being eligible for reinstallation or removal as Chairperson by majority vote. The city council member shall chair the first meeting and the beginning of the second meeting presiding over the appointment of the Chairperson by nomination and simple majority vote. The city council member shall not vote unless necessary to break a tie. After the initial selection of a Chairperson the city council member shall not serve as the Chairperson.
- The board shall be subject to the same appointment and term limitations as are other standing boards in the City. The board shall ensure proper public notice of all board meetings and be subject to the open meeting and public records requirements.
- Creating a governing board with a majority of arts professionals is an important component of the art program because it needs to have authority to adjudicate the quality of artists and works of art that will be commissioned for the City.
- The DPAC will have formal and informal liaison relationships with the City Manager and City Council members. The Commission will hold periodic meetings at City Hall that shall be open to the public and subject to the public records act.

### *Performing Art and Acquisition Fund*

The PAAF will be a separate, dedicated, interest bearing and revolving account established in the City General Fund into which public art donations are deposited, transferred, and used for the acquisition, commissioning, performance, exhibition and conservation of public art, as recommended by the DPAC and approved by the City Manager. The PAAF can also receive donations from individuals, businesses, developers, foundations and others in support of the City's Public Art program.

#### *-Developer Contributions to the Art Acquisition Fund*

As part of the development process, all applicants with projects in excess of one million dollars shall be referred to DPAC for the purpose of educating the applicant on opportunities for contribution to the arts as articulated in the Duluth Public Arts Master Plan. Developer shall be encouraged by designated members of the DPAC to voluntarily contribute an art project or amount of money equal to the value of one percent (1%) of new, non-City initiated, construction or renovation projects excluding single-family home and projects that have their own master art plan.

This requirement to meet with the DPAC subcommittee applies to the construction or renovation of any profit or non-profit facilities, including, but not limited to, educational and/or medical facilities, non-city governmental operations that are not already obligated to participate in a public art program, commercial office

and/or retail uses, hotels, mixed use or multifamily developments and other new construction not specifically delineated in these guidelines.

The city planning department shall institute a process whereby prior to the issuance of any building permit the applicant must meet with the DPAC subcommittee. Donations shall not be required nor shall there be any bias for or against a developer based on their decision regarding whether or not they participate in the art program. The purpose of the meeting shall be for education and awareness of the impact of art on the community and the economy.

#### Uses of the Performing Art and Acquisition Fund

PAAF may be used for:

- Artist fees and artist travel related to the training, education and performance of art open to the general public
- Artist fees and artist travel and expenses that are related to the City's commission or purchase of a public art
- Purchase of equipment to be used in performing arts
- Leasing of equipment and space for education, practice and performance
- Studies and planning documents to further the arts
- Promotions and marketing of activities associated with educational activities and performances
- Fabrication, storage, and installation of a commissioned work of art
- Acquisition of existing works of art
- Decorative, ornamental or functional elements that are designed by an artist selected specifically for the project and through the processes established in the guidelines, but not by a member of the pre-existing design team working on the related capital project (if applicable)
- Fees associated with the lease of works of art for temporary display
- Required permits and insurance during the fabrication and installation of the public art per contract
- Project consultants and contracted services
- Curatorial services
- Public art planning services
- Documentation and interpretive plaques
- Publicity for public art projects
- Education and outreach, including symposia and special events
- Conservation and non-routine maintenance of works in the City of Duluth Public Art Collection
- Establishing a capital replacement fund to replace major pieces of performing arts equipment

PAAF may not be used for:

- Mass produced work, with the exception of limited editions controlled by the artist
- Professional graphics, unless designed or executed by an artist or used in the development of collateral material for the City of Duluth's Public Art Program
- Routine maintenance
- City of Duluth staff costs

#### Management of the Performing Art and Acquisition Fund

Each year, the City Manager or Designee will assist the Commission in preparing the Public Art Annual Report, which presents a detailed accounting of monies spent or earmarked for future expenditures in the PAAF. The Annual Report should include the public art projects, related community and educational programs, and art conservation projects that were completed in the previous year, that are ongoing, or that will be initiated during the coming fiscal year. This preliminary annual report document will be submitted to the Duluth City Council for review no later than April 15th. The final document will be submitted to the Duluth City Council on or about August 31 of each year.

Approved this 11th day of March, 2013.