



ART IN PUBLIC PLACES PLAN **APPENDIX**

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Table Of Content



*Appendix A:
Engagement Report* 04

14 *Appendix B:
Administrative Guide*

*Appendix C:
Art in Public Places Policy* 18

36 *Appendix D:
Developer Guidelines*

*Appendix E:
Action Plan Spreadsheet* 50

Appendix A: Engagement Report



Assets & Opportunities

Through our initial visits and discussions, we have identified the following assets and opportunities that are key elements to focus on for implementing an enhanced public art program in Port St. Lucie.

Assets

- A strong public art funding mechanism
- An established Public Art Advisory Board
- Developers who understand the benefits of public art and who have chosen to go beyond the required percent for public art in their own projects
- Large amounts of new development which yield funds for public art and also present opportunities to integrate public art directly into new development projects

Opportunities

- Lack of public understanding of the funding mechanism
- Existing built environment that often lacks a sense of place
- Lack of centralized 'downtown' area and a desire in the community for a sense of place
- Relatively undefined identity

Desired Outcomes Report

Our public outreach through surveys, focus groups, and one-on-one conversations has given us clear insight into the desires of the community as they relate to public art. The information below is a condensed and distilled summary of the outcomes desired by stakeholders and the public.

Key Topics to be Addressed by the Public Art Master Plan

- Ways that public art can help fill the void of an established 'Downtown' in Port St. Lucie
- Creating a visually appealing and beautiful public environment
- Celebrating the natural beauty of Port St. Lucie and encouraging interaction and education of that environment
- Creating opportunities for local artists and young people in the community
- Enhancing the identity of Port St. Lucie

Vision for Public Art in Port St. Lucie

In Port St. Lucie public art serves the community by creating remarkable, engaging public spaces.

Guiding Principles of Public Art in Port St. Lucie

- The people of Port St. Lucie desire a future where public art:
- Creates a strong sense of place that allows for community interaction
- Ensures diversity and accessibility in A City for All Ages
- Compliments and draws attention to the natural environment
- Engages people with a sense of playfulness and whimsy

An Operationalized Public Art Program

- Key to making the Vision for Public Art a reality in Port St. Lucie there is a desire to have strong and transparent governance for the public art program. In order to make this a reality the following policies should be adopted by the Public Art Advisory Board:
- Acquisition Policy
 - Process for commissioning artworks
 - Threshold for forming a selection panel
- Collection Management Policy
- Maintenance Policy
- Mural Policy
- Donation Policy
- Emergency Preparedness Policy

Key Location Types for Public Art

Several location types rose to the top for the public and stakeholders as key places for public art in the city:

- Parks, trails, and open space
- Gateways (places where you enter the city)
- Within Streetscapes or Medians
- Major intersections
- Neighborhood Entrances

Future Creative Space Needs

Many stakeholders and members of the public identified a deficiency of creative space in Port St. Lucie. There is a desire for an arts centered space within the community that serves as a hub for artists and creatives. Though this is not expressly within the bounds of the Public Art Master Plan, it is recommended that future studies be performed if funding allows and that creative funding models such as a public private partnership be explored.

Opportunities for programming within a future creative space:

- Art classes
- Artists Studio Space
- Flex space for event rental
- Gallery Space
- Makerspace

Survey

Summary Report

Q1 The first thing that comes to mind when I think of Port St. Lucie is... &

Q2 What makes Port St. Lucie special? (these responses were combined due to the similarity of responses)

| Pro | Con |
|--------------------------------------|-------------|
| A City for All Ages | Boring |
| Accessible | Monotonous |
| Affordable | No Downtown |
| Balanced | Taxes |
| Baseball | |
| Bedroom Community | |
| Blue Skies | |
| Botanical (Garden) | |
| Clean & Beautiful | |
| Diversity | |
| Easy Living | |
| Family (Town) (Vibe) | |
| Fish | |
| Flora | |
| Florida - Old & New | |
| Friendly | |
| Green | |
| Home (70 people) | |
| Nature | |
| Neighborhoods | |
| North Fork of St. Lucie River | |
| Palm Trees | |
| Paradise | |
| Peaceful (low key slice of paradise) | |
| Potential (Growing) (Booming) | |
| Quiet | |
| Safe | |
| Sandhill Cranes | |
| Small Town Feel | |
| Step Back in Time | |
| Sunshine | |

Q3 Where do people gather in Port St. Lucie?

| |
|-------------------------------------------|
| |
| Airoso Community Center |
| Any of the Fountains |
| Ball Fields |
| Ballpark |
| Bars |
| Becker Road |
| Botanical Garden |
| City Hall |
| Civic Center (Mid-Florida Event Center) |
| Clinton Park |
| Coffee Shop |
| Community Clubhouse |
| Crosstown Parkway Bridge |
| Events |
| Festivals |
| Gardens |
| Golf |
| Grocery Store |
| Hillmoor Woodstork Trail |
| Home |
| House of Worship |
| Jessica Clinton Park |
| Library |
| Local Breweries |
| Lyngate |
| Mall |
| McCarty Ranch Preserve |
| McChesney Park |
| Mets Stadium/Clover Park/First Data Field |
| Parks |
| Play fountains |
| Restaurants |
| River |
| Riverwalk |
| Saint Lucie West |
| Savannah Preserve |
| The Arboretum |
| Tradition |
| Veterans Memorial Pkwy |
| Veterans Park |
| Vine & Barley |
| Vitalia Clubhouse |
| Westmoreland Park |
| Whispering Pines Park |

Q4 What do you think the role of public art is in Port St. Lucie?

1. Draw attention to the natural environment - 56.81%
2. Bring a sense of whimsy and delight to everyday spaces - 53.52%
3. Provide opportunities for people to experience art that enriches their lives - 48.98%
4. Support the growth of the local arts community - 48.83%
5. Nurture art in our youth - 35.84%
6. Help build and reinforce the city's identity - 33.80%
7. Welcome people to Port St. Lucie - 33.18%
8. Promote pride - 29.42%
9. Celebrate diversity and inclusion - 29.26%
10. Anchor community gathering places - 25.98%
11. Celebrate the history of Port St. Lucie - 24.88%
12. Create community interaction and strengthen social networks and connections - 20.66%
13. Help build and reinforce distinct neighborhood identities - 20.50%
14. Position Port St. Lucie as an arts destination - 19.41%
15. Enhance the identity of community institutions and civic buildings - 17.84%
16. Encourage economic development - 17.53%
17. Support tourism - 16.43%
18. Open up conversations about issues facing the community - 6.89%

Q5 What specific locations would you like to see public art in Port St. Lucie?

| |
|-----------------------------------------------------------------------|
| |
| Administration/Police Buildings |
| Airoso & Floresta |
| Airoso & PSL Blvd |
| Airoso & St James |
| Airoso Median |
| Along the east side of Veterans Memorial Pkwy approaching Lyngate Dr. |
| Along the North Fork of the St. Lucie River |
| Along US 1 |
| Area adjacent to City Hall |
| Area adjacent to the Civic Center |
| Arosa & St. Lucie Blvd |
| Bayshore & NW Floresta area |
| Bayshore & Prima vista |
| Bayshore & PSL Blvd |
| Becker & Gilson, at the Welcome to PSL monument |
| Becker Road |
| Becker Road & PSL Blvd |
| Becker Road & Savona |
| Botanical Garden |
| Cashmere & SLW Blvd. by the lake. |
| Cashmere/Torino area |
| City Hall |
| Civic Center |
| Club Med |
| Community Center on Airoso |

| |
|-------------------------------------------|
| Crosstown |
| Crosstown & Bayshore |
| Crosstown Parkway |
| Darwin |
| East of Bayshore |
| East Port St Lucie |
| Empty Buildings |
| Entrance to PSL near I-95 Exit 121 |
| Fairgrounds |
| Fire Dept |
| Floresta |
| Floresta & PSL Blvd |
| Floresta Gardens |
| Future Tradition park |
| Gateway E. Torino/ Midway Rd |
| Gatlin Boulevard |
| Green River Parkway |
| Hillmoor Woodstork Trail |
| I-95 & US 1 |
| I-95 & West Port St Lucie |
| I-95 Exits |
| In the 2 roundabouts at City Hall complex |
| Intersection PSL Blvd & Veterans Memorial |
| Jessica Clinton Park |
| Lake Harvey |
| Landing at Tradition |
| Lennard Road |
| Libraries |
| Lyngate Dog Park |
| Mets Stadium/Clover Park/First Data Field |
| Neighborhoods |
| Northport Area |
| Oak Hammock |
| Oxbow Preserve |
| Paula Lewis Library |
| Peacock Park |
| Pga Verano area |
| Port Saint Lucie Blvd. |
| Prima Vista Blvd |
| River Walk Area Bridge over PSL Blvd |
| Riverfront Park/new boardwalk |
| Rivergate park |
| Roundabouts |
| Sandhill Crossing |
| Sandpiper park |
| Savannas Recreation Park |
| Southbend Boulevard & Becker Rd. |
| Southern Grove Area |
| Sportsman Park Area |
| Spruce Bluff Preserve |
| SW Tradition Pkwy & SW Village Pkwy |
| Torino area |

Q6 What types of locations would you like to see more public art in Port St. Lucie? (check all that apply)

1. Parks and open space - 81.66%
2. Gateways (places where you enter the city) - 67.80%
3. Within Streetscapes or Medians - 55.93%
4. Major intersections - 51.00%
5. Neighborhood Entrances - 50.54%
6. Outside Government Buildings - 41.76%
7. Port St. Lucie Libraries - 38.52%
8. Schools - 37.13%
9. Transit/Bus Shelters - 28.20%
10. Local Businesses - 21.42%
11. New Development - 20.49%
12. Inside Government Buildings - 19.88%
13. Other - 10.32%
14. I would not like to see more public art in Port St. Lucie - 7.86%

Q7 What types of Public Art speak to you? (check all that apply)

1. Art about nature, environment, and sustainability - 82.15%
2. Whimsical - 54.77%
3. Historical - 51.85%
4. Interactive - 41.54%
5. Street art - 39.85%
6. Abstract - 35.38%
7. Kinetic - 27.54%
8. Culturally specific art forms - 25.54%
9. Art that addresses social issues - 18.92%
10. Other (please specify) - 12.31%

Q8 Do you live, work, and/or visit Port St. Lucie?

- Live - 65.59%
- Live & Work - 30.40%
- Visit - 2.47%
- Work - 1.54%

Q9 What is your age?

- Under 18 - 0.46%
- 18 - 24 - 1.08%
- 25 - 44 - 30.71%
- 45 - 64 - 37.65%
- 65 - 84 - 29.32%
- 85+ - 0.77%

Q10 How many people are in your household?

- 1 - 11.76%
- 2 - 45.05%
- 3 - 16.87%
- 4 - 13.31%
- 5+ - 13.00%

Q11 What is your age?

- American Indian or Alaska Native - 1.10%
- Asian - 2.35%
- Black or African American - 6.59%
- Bi-racial or Multi-racial - 9.89%
- White - 86.81%
- Native Hawaiian or Other Pacific Islander - 1.41%

Q12 General Comments

Due to the large number of General Comments the team has reviewed each comment and categorize them into four categories: Supportive, Advice, Negative, Non-Public Art (detailed below)

| | | |
|------------------------|--------------|--------------------------------------------------------------------------------------------------------|
| Supportive | 109 Comments | In support of public art including additional public art in the city |
| Advice | 101 Comments | Advice or recommendation for public art in Port St. Lucie |
| Negative | 31 Comment | Comment is negative towards public art primarily related to the taxes or the expenditure of city funds |
| Non-Public Art Comment | 23 Comments | Comment is not related to public art or the public art program |

Appendix B: Administrative Guide

The Administrative Guide (“Guide”) outlines the roles and responsibilities of citizens, City staff and elected officials in the development, funding and implementation of the City of Port St. Lucie Art in Public Places Program (“Art in Public Places Program”). The Plan provides guidelines and requirements for the development of a Public Art Work Plan annually, the funding and acquisition of public art, the selection of artists and artwork, the implementation and conservation of the Port St. Lucie Public Art Collection. It is intended to ensure that the City of Port St. Lucie Art in Public Places Program is implemented in a fair and consistent manner that enables a community-oriented, artistically creative process and promotes the cultural, aesthetic and economic vitality of Port St. Lucie.

The Art in Public Places Program will be led by the City of Port St. Lucie and administered through Planning and Zoning in partnership with other departments and outside community groups. The Mayor and City Council will retain ultimate responsibility for the program. Day-to-day responsibility for the program will reside with the Public Art Manager, appointed by the Mayor. The Manager will be a city staff member and have an oversight role of all public art projects that are executed within the city. The Manager will collaborate with city staff or outside contractors in order to execute projects, particularly within the Recreation and Parks, Transportation, and Communications Departments.

Port St. Lucie City Council & Mayor

The Port St. Lucie City Council has adopted an ordinance establishing the Port St. Lucie Public Art Program. As the community’s elected officials, the Mayor and Council members are ultimately responsible for the outcomes of the Public Art Program.

The Port St. Lucie City Council has the following responsibilities:

- Review and approve the annual Public Art Work Plan as prepared by the Public Art Advisory Board, including annual appropriations for public art.
- Confirm Mayoral appointments to the Public Art Advisory Board.
- Give final approval to public art selections, placement, and funding.

Public Art Advisory Board

The Mayor, with consent of Port St. Lucie City Council, appoints the Public Art Advisory Board (The Board). This group is a seven (7) member body with two (2) additional alternates.

The Board includes:

- A representative of the St. Lucie County Chamber of Commerce.
- A representative of the Treasure Coast Builders' Association
- Whenever possible, the remaining members should be representative of one (1) or more of the following classifications:
 - Architect, or interior designer;
 - Landscape architect or land use planner;
 - Professional in the field of art;
 - Art or architectural historian;
 - Art educator;
 - Artist.

The Public Art Advisory Board has the following responsibilities:

1. Act principally in an advisory capacity to Port St. Lucie staff and the City in any matter pertaining to public art.
2. Present an annual report of Commission activities.
3. Advise and make recommendations to the City pertaining to, among other things, policies and procedures as identified in the Administrative Guide; artist selection juries and process; commission and placement of artworks; and maintenance and removal of artworks.

Public Art Manager

The City Manager has designated one Planning and Zoning staff member to oversee citywide public art activities and implement the Art in Public Places Program. As the public art fund grows, the Public Art Manager will see an increase in the time and work needed to implement the Art in Public Places Program. Additional staff resources or outside consultants may be required in order to assist in implementing projects, particularly those of larger scale. Responsibilities include:

1. Work with various departments to develop potential projects for inclusion in the annual work plan.
2. Coordination with the yearly Strategic Plan.
3. Present an annual work plan to City Council.
4. Coordinate with Public Art Advisory Board to ascertain advice on any matter pertaining to public art including:
 - annual work plan
 - artist selection juries and process;
 - purchase of artworks;
 - commission and placement of artworks; and
 - public art programming;
5. Present an annual report of public art activities.
6. Coordinate the hiring of an outside consultant or agency to administer public art projects as needed.
7. Ensure various city departments are following the City's Public Art Policy.

City Staff

City staff members, particularly department heads, should look for opportunities to include public art in capital improvement projects (CIP) throughout the city, particularly in locations identified as priorities in this plan. Overall public art responsibilities include:

1. Explore opportunities to include public art in existing CIP projects.
2. Coordinate with the Public Art Manager for inclusion of projects within the annual work plan and report.

What is a Public Art Work Plan?

The Public Art Work Plan is an annual document that outlines what projects will be initiated in the coming fiscal year, as well as projects that will be in process during that fiscal year. The Public Art Manager will develop the Plan in consultation with staff, City Council and Mayor, and will submit it to the Mayor and City Council as part of the annual budget for its review and approval.

The following steps will be taken to develop the Public Art Work Plan:

1. Work with City Departments to determine availability of funds for the upcoming year.
2. Identify projects to be paid for by identified funding including acquisition and maintenance.
3. Develop a draft Public Art Work Plan that will include locations, goals, and budgets for public art projects and programs for staff review.
4. Present the Plan to City Council as part of the City budget approval.
5. Integrate feedback from City Council to determine the final Work Plan.

Appendix C: Port St. Lucie Art in Public Places Policy

Introduction

In order to establish a strong Art in Public Places Program, the City of Port St. Lucie will adopt this overall policy which includes: Use of Funds; Acquisition; Collection Management; Donation; and Maintenance.

Vision for Public Art in Port St. Lucie

In Port St. Lucie public art serves the community by creating remarkable, engaging public spaces.

Guiding Principles of Public Art in Port St. Lucie

- The people of Port St. Lucie desire a future where public art:
- Creates a strong sense of place that allows for community interaction
- Ensures diversity and accessibility in A City for All Ages
- Compliments and draws attention to the natural environment
- Engages people with a sense of playfulness and whimsy

DEFINITIONS

For the purposes of this policy, the following terms, phrases, words and their derivation shall have the meaning given herein:

Artist means a practitioner of the creative arts, generally recognized as such by critics and peers, with a body of work including commissions, exhibitions, sales, publications, and collections. For the purposes of this document, “artist” shall not include persons primarily working in the professional fields of architecture, engineering, design or landscaping.

Art in Public Places Master Plan or Plan when used herein shall mean the Art in Public Places Master Plan of the City of Port St. Lucie, Florida, as it exists or may be amended. The Plan shall provide a process for the systematic selection of pieces of art and locations of art to be included in public spaces.

Public Art Manager or Manager when used herein shall mean the Art in Public Places Program Manager as determined by the City of Port St. Lucie.

Art in Public Places Program when used herein shall mean the Art in Public Places Program of the City of Port St. Lucie, Florida.

City when used herein shall mean the City of Port St. Lucie, Florida.

Public Art, Art or Artwork when used herein shall mean public art, art, artwork or work of art means an original physical work created or produced by an Artist. Artwork may be free-standing or integrated with the work of other design professionals into a building or site. Artwork may be new or may be an existing work of art. Artwork may include, but is not limited to:

- Sculpture: Free-standing, wall supported or suspended; kinetic, electronic; in any material or combination of materials.
- Murals or portable paintings: in any material or variety of materials.
- Fiber works, neon, glass, mosaics, photographs, prints, calligraphy, earthworks, any combination of forms of media, including light, sound, literary elements, film, holographic

images, and video systems; hybrids of any media and new genres.

- Furnishings or fixtures, including, but not limited to gates, railings, lighting, street lights, signage, seating, if created by artists as unique elements or limited editions.
- Artistic or aesthetic elements of the overall architecture or landscape design if created by a professional artist or a design team that includes a professional visual artist. Such design elements may include pools, paths, benches, planters, and fixtures and vegetative materials where designed by a professional visual artist and/or are an integral part of the artwork by the artist.
- Temporary artwork or installation that serve the purpose of providing community and educational outreach.

The following are, per the Ordinance, not considered artwork for the purposes of Art in Public Places funding:

- Art objects which are mass produced or are of standard manufacture, such as playground equipment, fountains, statutory elements, signage, maps, corporate logos or other functional elements, unless incorporated into an artwork by an artist commissioned for that purpose.
- Reproductions, by mechanical or other means, of original artwork, except in the case of limited editions controlled by the artist, cast sculpture, film, video, photography, printmaking, or other media arts.
- Decorative, ornamental, architectural, or functional elements which are designed by the building architect as opposed to elements created by an artist commissioned for that purpose.
- Services or utilities necessary to operate and maintain an artwork over time.

Public Space when used herein shall mean any area or property (public or private) which is accessible or visible to the general public a minimum of 8 hours per business day.

Publicly Owned Land when used herein shall mean any land open to the public and managed by the City of Port St. Lucie, Florida.

Port St. Lucie Art in Public Places Collection when used herein shall mean all works of art owned by the City of Port St. Lucie, Florida.

Use of Funds

Funding for the Port St. Lucie Art in Public Places Program may come from Port St. Lucie' Capital Improvement Project Budget or through other sources as deemed appropriate by the City, as well as from grants and/or contributions from private entities, other public agencies, or philanthropic sources.

Uses of Funds

The public art funds may be spent for:

- Calls for Entry, RFQ's/RFP's, concept designs, maquettes, juror stipends, and other costs related to competitions and commissions
- Artist fees including travel stipends and expenses related to travel;
- Artwork fabrication and installation;
- Acquisition of existing works of art;
- Relocation of existing or commissioned works of art;
- Required permits and insurance during the fabrication and installation of the artwork;
- Informational/promotional materials and public events directly related to the artwork;
- Artwork appraisal;
- Art related community events;
- Staffing and services of an Arts Administrator;
- Curators and contracted services.

The public art funds may not be spent 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.
- Decorative, ornamental or functional elements that are designed by a project's architect or other designer.
- Routine maintenance exceeding more than 10% of the annual budget.
- Purchase of existing works of art outside of the selection process.

Acquisition

This policy establishes the practices for acquiring artworks. The policy creates a thorough and transparent process for acquiring artwork and favors open ended selection processes in order to ensure artistic excellence in the City's Art in Public Places Collection.

Process for Selecting an Artist or Artist Team

Selecting the artist is one of the most important steps in commissioning public art. An open, equitable, competitive process that inspires the artist and engages the community can be an enriching experience and lead to more creative and exciting public art.

Goals of the Selection Process

- To satisfy the goals of the project site through an appropriate artist selection.
- To further the mission and goals of the Art in Public Places Program.
- To select an artist or artists whose existing public artworks or past collaborative design efforts have demonstrated a level of quality and integrity.
- To identify an approach to public art that is suitable to the goals and demands of the particular project.
- To select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
- To select an artist or artists who can work successfully as members of an overall project design team.
- To ensure that the selection process represents and considers the interests of all parties concerned, including the public.
- To ensure, on average, the demographics of the artists and selection committees are reflective of Port St. Lucie's population.

Artist Selection Methods for Commissioning New Artwork

Open Competition

In an Open Competition, any artist may submit their qualifications or proposal, subject to any requirements established by the Artist Selection Committee. The Requests for Qualifications (RFQs) or Requests for Proposals (RFPs) should be sufficiently detailed to permit artists to determine whether their art is appropriate for consideration. Open Competition allows for the broadest range of possibilities for a site and brings in new, otherwise unknown, and emerging artists.

Limited or Invitational Competition

In a Limited Competition, or Invitational, several pre-selected artists are invited by the Artist Selection Committee to submit their qualifications and/or proposals. This method may be appropriate when the City is looking for a small group of experienced artists, when there is a limited time frame, or if the project requirements are so specialized that only a limited number of already identified artists would be eligible. It is possible that this list of artists would come from a pre-qualified list.

Direct Selection

On occasion, artists may be chosen directly by the Artist Selection Committee. Direct selection may be useful on projects

where an urgent timeline, low budget, or where very specific project requirements exist. It is possible that this artist would come from a pre-qualified list. Approval of the Mayor and the City Manager must be secured to utilize this selection method.

Direct Purchase

Some projects require the purchase of a specific artwork due to the exacting nature of the project or a very limited project timeline. In this case, the work must be “one-of-a-kind” and not mass-produced or off the shelf. It is possible that this artwork would come from an artist on a pre-qualified list. Approval of City Council and the City Manager must be secured to utilize this selection method.

Pre-Qualified Artist Lists

The City may decide to develop a pre-qualified pool of artists from which it can choose artists for Limited Competition, Direct Selection and Direct Purchase. This pool would be developed based on a comprehensive review of artist qualifications. This list could be updated annually or bi-annually, depending on the frequency of new projects.

Artist Selection Methods for Commissioning Existing Artwork

Competitions

In competitions, the City may put out an open call to artists for a possible inclusion in an exhibition at a predetermined site. The competition, which may or may not take the form of a temporary exhibit may feature existing artworks. Each selected artist may receive a stipend and understand the City may purchase one or more pieces of artwork at the conclusion of the exhibit to be placed in public locations around Port St. Lucie.

Artist Selection Process

Once an Artist Selection method is determined, a selection process will be established. A jury of recognized experts will make recommendations for selected artists to create site-specific artwork or will make recommendations for selected artwork to be exhibited.

If the budget for a single piece of artwork is \$50,000.00 or more, a selection panel must be formed.

ARTIST SELECTION PROCESS

Purpose and Responsibilities

The artist selection process will interpret and review artist’s proposals based on the selection criteria.

The goals of the selection process are as follows:

- To satisfy the goals of a specific project or site through an appropriate artist selection.
- To further the mission and goals of the Art in Public Places Program.
- To select an artist or artists whose existing public artworks or past collaborative design efforts have demonstrated a level of quality and integrity.
- To identify an approach to public art that is suitable to the goals and demands of the particular project.
- To select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
- To select an artist or artists who can work successfully as members of an overall project design team.

- To ensure that the selection process represents and considers the interests of all parties concerned, including the public, the arts community and the City department(s) involved.

ARTIST SELECTION COMMITTEE

Membership of Selection Committees

Membership will be recommended by the Manager and approved by the Public Art Advisory Board. The members of the selection panel (panelists) will be representative of the community demographic and will consist of at least five but no more than nine members from the list below:

- Members of Public Art Advisory Board;
- Artist or arts administrator;
- Design professionals
- City of Port St. Lucie' project manager who may appoint the project architect or project landscape architect in their stead; and
- A member of the project steering committee if one has been appointed

Conflict of Interest

Committee members will declare any and all conflicts of interest for all projects and artwork under consideration at the beginning of their meetings. A conflict of interest exists if a committee member, an organization the committee member is associated with as a staff or board member, or a committee member's family member, has the potential to gain financially from the project under consideration by the Committee. In order to promote public confidence in this process, a committee member may also declare a conflict if they think there may be a perception that they have a conflict. If a committee member has a conflict, he/she must not participate in the Committee's discussion or decision regarding the project. They must also refrain from discussion about the project and from influencing fellow committee members.

Procedures

During an artist selection process, committee members will not submit applications for the placement of their own artwork and/or projects. City Staff and Committee Members are able to invite artists to participate but must refrain from giving advice to applicants or answering their questions and direct such questions to the Manager during the selection process. The City must solicit public comment for all pieces of public art being commissioned or purchased in excess of \$50,000.00. An opportunity for public comment must be given before a formal vote. The formal vote must be recorded in keeping with the City of Port St. Lucie public record requirements.

Project Implementation Process for Site- Specific Artworks

Upon the decision of the Artist Selection Committee, the Manager will prepare a contract that includes the scope of work, fee, schedule, and relevant terms and conditions.

The City will follow the process for contracting required by City Charter and other applicable laws. For some projects, the contract with the artist may be phased to include two scopes of work with separate pay schedules and deliverables. The first phase would include all design documentation, including final design, stamped engineering drawings, installation details, and a revised fabrication budget and timeline. The second phase would include all costs related to fabrication and installation.

The Manager will ensure all documents are signed and insurance coverage secured before issuing a notice to proceed and will

be responsible for coordinating the work of the artist to ensure the successful integration of the artwork into the project. The Manager will organize a meeting with all integral staff to review roles, responsibilities and schedule.

If specified in the contract, the artist will develop design development drawings for review and approval from the City before proceeding with fabrication. The Manager will schedule meetings with the appropriate offices to review and approve the plans.

If the artist proposes any significant design changes, the Manager will secure the recommendation for approval from Public Art Advisory Board and the appropriate departments of the City before approving said changes in writing, per the terms and conditions of the contract.

If the parties are unable to reach an agreement, the City Attorney will act as arbiter. If the change will affect the budget, scope or schedule, the Manager will initiate a contract modification, if funds are available to do so.

The Manager will be responsible for overseeing the installation of the artwork. The Manager will be responsible for ensuring that all the necessary requirements have been completed prior to interim and final invoice payments to the artist.

Maintenance Plan

Understanding maintenance and care of public art begins before an artwork is created. During the design phase or when a donation is initiated, the City, artist, or sponsor will review and analyze their design proposal and advise on maintenance and operations of the artwork. A conservator should be commissioned to give a report on the artwork.

On behalf of the City, the artist, sponsor, or the appropriate party will submit a Maintenance Plan to the City of Port St. Lucie, who will review and then catalogue any tasks associated with maintenance of the artwork.

The Maintenance Plan will enable the City to:

- Evaluate the quality and sustainability of the proposed or existing public artwork;
- Establish maintenance requirements, assign schedules, and identify potential costs; and
- Determine if the City of Port St. Lucie should accept or decline the design proposal and/or public artwork.

To produce the Maintenance Plan, the artist should examine and render an opinion on the following:

- Durability;
- Type and integrity of materials;
- Construction/fabrication technique;
- Internal supports, anchoring and joining, and footings;
- Landscaping;
- Vulnerable and delicate elements;
- Drainage of artwork;
- Potentially dangerous elements;
- Security;
- Location;
- Environment;
- Whether the design encourages/discourages interaction; and
- Effects of skateboarding, graffiti, and any other potentially damaging activities.

The Maintenance Plan will include:

- A record of the artist's intentions for the work of art;
- Recommendations to mitigate potential problems discovered during the examination;
- Notes about how the artist would like the work of art to age;
- An itemization of long-range considerations and care, highlighting maintenance and the anticipated needs for periodic conservation treatment or repairs; and
- Identification of the lifespan of the artwork and a prognosis of its durability in consideration of that lifespan.

Lifespan of Artwork

This lifespan will be selected from one of four categories:

- *Temporary*: 0-2 years
- *Short Term*: 2-10 years
- *Medium-Term*: 10- 25 years
- *Long-Term*: 25+ years

The artwork may also be identified as site-integrated, or part of the site and/or the architecture, as appropriate and will fall into the Long-Term lifespan category above.

Collection Management

The City of Port St. Lucie acquires artworks by commission and donation. Processes for these acquisitions are dictated by the Art in Public Places Ordinance and by the Acquisition and Donation Policies. Artworks acquired through these processes are considered to have been accessioned into the City's Permanent Collection and must be cared for in accordance with the Policy and Procedure for Maintenance and the Collection Management Policy. Artworks in the City's possession that were acquired outside of or before these policies may not be accessioned pieces of the Permanent Collection and thus may not be subject to the Artwork Collection Management Policy. The Collection Management Policy is intended to maintain the value of the City's Permanent Collection and guard against the arbitrary disposal of any of its pieces.

OBJECTIVES

- Maintain a collection management program that results in a high-quality, City-owned public art collection;
- Eliminate artworks that are unsafe, not repairable, or no longer meet the needs of City of Port St. Lucie;
- Respect the creative rights of artists; and
- Support an efficient workload for staff.

DEFINITIONS

Deaccession means a procedure for the withdrawal of an artwork from the Permanent Collection and the determination of its future disposition.

Relocation means a procedure for the movement of an artwork from one location to another.

Life Spans

- Temporary: 0-2 years
- Short Term: 2-10 years
- Medium-Term 10- 25 years
- Long-Term 25+ years

GENERAL POLICIES

Removal from Public Display

City Council must approve the permanent removal of artwork upon the advice of staff based on the deaccession criteria below.

If the artwork is removed from public display, the City of Port St. Lucie may consider the following options:

- Relocation: If City Staff decides that an artwork must be removed from its original site, and if its condition is such that it can be re-installed, the City will attempt to identify another appropriate site. If the artwork was designed for a specific site, the City will attempt to relocate the work to a new site consistent with the artist's intention. If possible, the artist's assistance will be requested to help make this determination.
- Store artwork until a new site has been identified or the City decides to deaccession the artwork.

- Sell or trade the artwork after deaccession.

Provision for Emergency Removal

In the event that the structural integrity or condition of an artwork is such that the artwork presents an imminent threat to public safety, the City may authorize immediate removal without the artist's consent, and have the artwork placed in temporary storage. The artist must be notified of this action within 30 days. The City will then consider options for repair, reinstallation, maintenance provisions or deaccessioning. In the event that the artwork cannot be removed without being altered, modified, or destroyed, and if the Artist's agreement with the City has not been waived under the Visual Artists' Protection Act, the City must attempt to gain written permission before proceeding. In the event that this cannot be accomplished before action is required in order to protect the public health and safety, the City shall proceed according to the advice of the City Attorney.

Criteria for Deaccession

The City may consider the deaccessioning of artwork for one or more of the following reasons in the event that it cannot be re-sited:

1. An artwork is not, or is only rarely, on display because of lack of a suitable site.
2. The condition or security of the artwork cannot be reasonably guaranteed.
3. The artwork has been damaged or has deteriorated and repair is impractical or unfeasible.
4. The artwork endangers public safety.
5. In the case of site specific artwork, the artwork's relationship to the site is altered because of changes to the site.
6. The artwork has been determined to be incompatible within the context of the collection.
7. The City of Port St. Lucie wishes to replace the artwork with work of more significance by the same artist.
8. The artwork requires excessive maintenance or has faults of design or workmanship.
9. Written request from the artist.
10. The artwork has become publicly associated with racism, sexism, homophobia, xenophobia, acts of assault or violence, or other offensive themes particularly aimed at minorities or underrepresented people.

Integrity of Artworks

The Port St. Lucie Art in Public Places Program will seek to ensure the ongoing integrity of the artwork and the sites for which they were created, to the greatest extent feasible, in accordance with the artist's original intentions, and consistent with the rights afforded by the 1990 Visual Artists Rights Act.

Access to Artworks

The City will seek to assure continuing access to artwork by the public, although the City may limit availability due to circumstances such as funding, public safety, display space, and deaccession processes.

Life Spans

Life spans that have been assigned to the work during the commissioning process will be taken into consideration as part of requests for deaccession or removal. For artworks that have not been assigned a life span, the Manager may engage experts to assist in assigning the artwork a life span, based on the life expectancy of the artwork's materials and fabrication methods.

APPLICATION PROCESS

Preliminary Request

Permanent artworks must be in place for at least five years before deaccession or relocation requests will be considered, unless matters of public safety necessitate the removal. Deaccession or relocation requests may be submitted by one of the following:

- Neighborhood organization or Homeowners Association;
- Resident;
- City Department;
- Independent Board or Commission of the City; and
- City Council Member.

DEACCESSION AND REMOVAL FORM

The Manager will provide applicants with an application form that will serve as the applicant's formal request for consideration by the City.

REVIEW PROCESS

The Manager will review requests and make a decision regarding deaccession or relocation.

Public Meeting

The City will hold at least one public meeting for the purpose of gathering community feedback on a proposed deaccession or removal. The City may also decide to hold additional public meetings or gather community input through other methods. The City may seek additional information regarding the work from the artists, galleries, curators, appraisers or other professionals prior to making a recommendation.

Artist Involvement

If deaccession or removal is recommended, the artist (if available) will be contacted and invited to provide input to the City. The artist's contract, along with any other agreements or pertinent documents will be reviewed and sent to the City Attorney's Office for final approval.

Recommendation

The Manager will prepare a report that includes the opinion of the City Attorney on any legal restrictions that may apply to the specific artwork. City staff's recommendation may include dismissing the request and/or modifying, relocating, selling, donating, disposing, or storing the artwork.

The Manager will provide all relevant correspondence including, but not limited to:

1. Artist's name, biographical information, samples of past artwork, and resume.
2. A written description and images of the Artwork.
3. Artist's statement about the Artwork named in Deaccession or Relocation Request (if possible)
4. A description of the selection process and all related costs that was implemented at the time the Artwork was selected.
5. A formal appraisal of the Artwork (if possible)
6. Information regarding the origin, history, and past ownership of the Artwork
7. Information about the condition of the Artwork and the estimated cost of its conservation.
8. Information and images of the Artwork's site
9. Any information gained from the public meeting held about the deaccession and removal of the work.
10. Feedback from the Director of the City Department

- responsible for operating and maintaining the Artwork.
11. Detailed budget for all aspects of conservation, maintenance, repair, installation, operation, insurance, storage, and City Staff support.
 12. The Artist's contract with the City.

City staff can recommend one or more of the following methods for an artwork's deaccession:

1. Sale or Exchange - sale shall be in compliance with the State of Florida and City of Port St. Lucie laws and policies governing sale of municipal property.
 - Artist, or estate of the artist, will be given the first option to purchase or exchange the artwork(s).
 - Sale may be through auction, gallery resale, direct bidding by individuals, or other forms of sale in compliance with the State of Florida and City of Port St. Lucie law and policies governing surplus property.
 - Exchange may be through an artist, gallery, museum or other institutions for one or more artwork(s) of comparable value by the same artist.
 - No works of art shall be traded or given to Public Art Advisory Board Members or City of Port St. Lucie Staff.
 - Proceeds from the sale of artwork shall be placed in a City of Port St. Lucie account designated for public art purposes. Any pre-existing contractual agreements between the artist and the City regarding resale shall be honored. An exception to these provisions may be required if the artwork was originally purchased with funds that carried with them some restriction, for example, bond funds for street and sidewalk improvements, in which case the proceeds shall be placed in an account designated for art allowed under similar restriction(s).
2. Destruction of Artwork – if artwork is deteriorated or damaged beyond repair or deemed to be of negligible value.
3. If the City of Port St. Lucie is unable to dispose of the artwork in a manner outlined above, the Public Art Manager may recommend the donation of the artwork to a non-profit organization or another method.

COSTS

If deaccession or relocation accommodates the applicant's interests or project, they may be required to cover the costs of deaccession or relocation at no cost to the City.

CONFLICT OF INTEREST

No works of art shall be given or otherwise transferred publicly or privately, to officers, directors, or employees or staff of the City of Port St. Lucie, or their immediate families or representatives of the City of Port St. Lucie.

COMPLIANCE WITH APPLICABLE POLICIES AND REGULATIONS

Deaccession and relocation of artwork will be done in a manner that complies with all other applicable City of Port St. Lucie, state of Florida, and federal procedures, policies and regulations.

EXISTING PUBLIC ART PIECES AT TIME OF POLICY ADOPTION

Existing public art pieces on City-owned property should be evaluated using the deaccession criteria to ensure that it is appropriate for the City to continue to own and maintain the piece. If it does not meet the deaccession criteria, then the piece will be accessioned into the Port St. Lucie Public Art Collection.

Donation Procedures

Requests to donate artwork to the City may be considered on a case-by-case basis. Requests for consideration shall be made through the Public Art Advisory Board.

DONATION REQUIREMENTS

The City will consider donations on the following basis:

- The donation contributes to and enhances the City's public art collection;
- The donation meets a high standard of quality and is appropriate and meaningful to the community;
- The donation follows required City procedures including the submission of a Donation Proposal and a Maintenance Plan. Donation Proposal requirements are included in this policy. The requirements for the Maintenance Plan can be found in the Port St. Lucie Art in Public Places Program Policy and Procedure for Maintenance Policy;
- The donation proposal includes a plan to fund and deliver ongoing operations and maintenance – or the resolution accepting the public art must identify how maintenance will be funded; and
- The donation proposal is reviewed and endorsed by Public Art Advisory Board and approved by the City of Port St. Lucie.

The City will not accept a donation of artwork until all funds for development, fabrication, siting, and installation have been secured. The City will consider the following types of donation proposals for artworks for City-owned property:

- An already completed work of art; or
- A commissioned artwork by a specific artist or artists to be created especially for a City-owned property.

DONATION PROPOSAL PROCEDURES AND REVIEW PROCESS

Formal requests to donate artwork to the City of Port St. Lucie are made through the Public Art Advisory Board.

The donor shall complete an Art Donation Agreement Application (donor form), and submit the form to the Manager. Following a positive initial review by staff which evaluates the donation request to determine the appropriateness of the donation as measured by approval criteria will provide a written recommendation to the City. The City will then determine whether the donation is in the City's best interest and is consistent with the City's goals and applicable City laws, policies, ordinances and resolutions. The City will notify the donor, in writing, identifying and final conditions if approval is granted. The City will create and affix the donation plaque in accordance with the City's Gifting Policy.

OWNERSHIP

Once a gift is accepted by the City, the City shall be the sole owner of the donated item and will have the right, in its sole and absolute discretion, to deaccession of any donated item without providing notice to or obtaining the consent of the donor.

CRITERIA FOR EVALUATION

Elements will include, but will not be limited to, the following:

1. City-owned Property – Donated public artwork must be located on City-owned or City-managed property;
2. Relevance and Site Context – Works of art must be

appropriate for the proposed location and its surroundings, and/or complement the architecture, topography, history, and social dynamic of the location in which it is placed;

3. Artist and Artwork Quality – The artist demonstrates the ability and potential to execute the proposed artwork, based on previous artistic achievement and experience. Duplication of work will also be considered. The artwork must enhance the City’s public art collection;
4. Physical Durability – The artwork will be assessed for long-term durability against theft, vandalism, and weather;
5. Public Safety and Liability – The artwork will be assessed for any public safety concerns, as well as for any potential liabilities for the City;
6. Sustainability – Consideration will be given to the environmental impact and sustainability of the proposed artwork, including its operations and maintenance requirements/costs; and
7. Legal – Proposed terms of donation, legal title, copyright authenticity, artist's right to reproduce, liability, and other issues as deemed appropriate will be considered.

Memorial Gifts

Memorial gifts will have an additional review process, which will include, but will not be limited to, the following:

8. Timeframe – The person or historic event being memorialized must be deemed significant enough to merit such an honor. If the artwork is portraying a person in their likeness, the person so honored will have been deceased for a minimum of five years prior to consideration. The City reserves the right to remove memorials at any time should the City deem it necessary;
9. Community Value and Timelessness – The art selected represents broad community values and timeless qualities that will be meaningful to future generations; and
10. Location – The location under consideration is an appropriate setting for the memorial; in general, there should be some specific geographic justification for the memorial being located in a specific site.

Art on Loan or Temporary Display on City-owned Property

Art on loan or art on temporary display on City-owned property must meet the Donation Requirements above, follow the Donation Proposal Procedures 1-9 above, and must be reviewed using step 1 of the Donation Proposal Review Process. Art on loan or art on temporary display on City-owned property must not be accessioned or added to the City’s inventory list and master database.

ACCEPTANCE AND ACCESSION OF THE ARTWORK

If the proposal is accepted by the City of Port St. Lucie, a formal agreement will be negotiated outlining the responsibilities of each party (the City, the sponsor(s), the artist, and outside contractors, where applicable).

The agreement will address project funding, insurance, siting, installation, operations and maintenance, project supervision, vandalism, the right of removal or transfer, public safety, and other issues as necessary.

The City of Port St. Lucie will be the owner of the artwork and reserves the right to remove or alter the work to ensure public safety or because of any other City concerns. The City upholds copyright law and the Visual Artists Rights Act of 1990. Any changes will be made in consultation with the artist and sponsor(s) when possible, or notification will be provided.

The completed and installed artwork will be accessioned and added to the City's inventory list and master database with all accompanying documentation.

REMOVAL, RELOCATION OR DEACCESSION OF THE ARTWORK

In accepting a donation of artwork, the City of Port St. Lucie will not be bound by any agreement with the donor that restricts the City's ability to act in the best interest of the City of Port St. Lucie. Nothing in the acceptance of a donation of artwork shall prevent the City from approving subsequent removal, relocation or deaccessioning of such donations if it serves the City's best interest to do so. The City will deaccession and dispose of works of artwork in its collection in accordance with the Collection Management Policy.

Maintenance

The Port St. Lucie Art in Public Places Maintenance Program uses the Art in Public Places Acquisition Account.

The Art in Public Places Maintenance Program will be administered by the City of Port St. Lucie with advice from Public Art Advisory Board and other outside partners through yearly evaluation and planning for maintenance of the existing collection.

The Program addresses:

- Accessioning and inventorying the City's collection of public art;
- Conducting a semiannual Survey and Condition Assessments of all work in the collection;
- Preparing a biennial Art in Public Places Maintenance Plan; and
- Overseeing routine maintenance and special conservation treatment of the City's public art collection.

Every five years, the City of Port St. Lucie will conduct an assessment of the condition of all public art with a qualified professional conservator and develop a prioritized list of works in need of conservation or maintenance. This list will be the basis of the biennial Art in Public Places Maintenance Plan.

Under this plan, trained contractors may carry out routine maintenance. For work in need of a higher level of maintenance, specialized care, or conservation treatment, the Program will utilize the maintenance funds available held in the Art in Public Places Acquisition Fund.

PROCEDURES PRIOR TO THE PUBLIC ART MAINTENANCE PROGRAM

Maintenance Plan

As described in the Acquisition Policy, all acquired artworks must have a maintenance plan developed.

Utilization of the Maintenance Plan

The Maintenance Plan will be used to:

- Advise Public Art Advisory Board, City Department Directors, and others who must review and approve design proposals or accept or decline donated public artwork;
- Troubleshoot the production of construction drawings, the fabrication of the artwork, and the preparation of the site;
- Follow-up on the artist's recommendations; and
- Refer to during the post-fabrication/installation inspection to prepare a final report and a punch-list to complete the project.

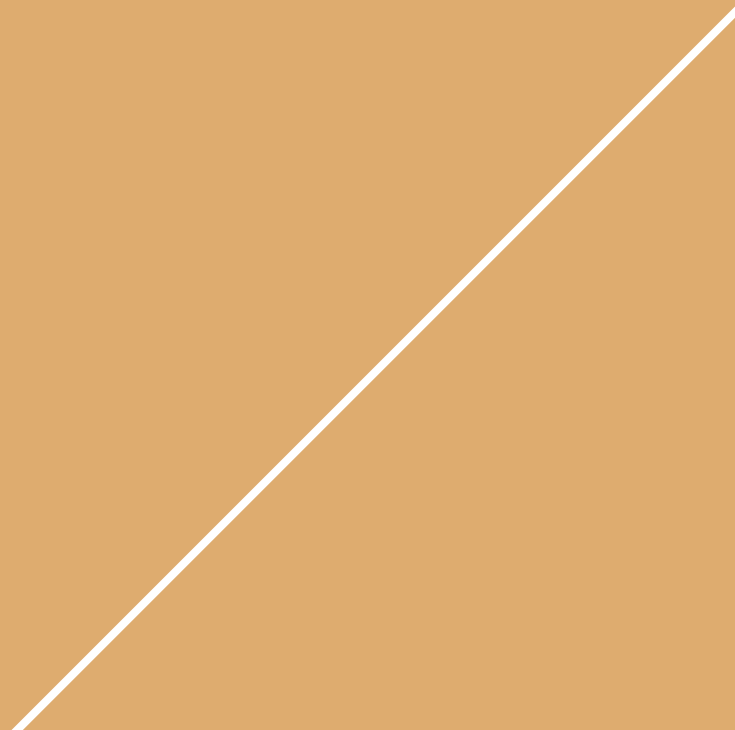
The City of Port St. Lucie, professional conservators, and artists will strive to address the recommendations in the Maintenance Plan without unduly interfering with the aesthetic intent of the proposed public art.

Post Fabrication/Installation Inspection

The Post-Fabrication/Installation Inspection conducted by staff will be based upon and follow-up on the Maintenance Plan that was carried out during the design phase. It will include the following:

- Ensure that recommendations made in the Maintenance Plan and during fabrication were followed;
- Confirm that the artwork is executed as proposed and agreed upon;
- Confirm that there are no missing or incomplete elements;
- Establish that materials quality and stability are acceptable;
- Establish that fabrication quality and stability are acceptable;
- Confirm that installation is stable and secure;
- Confirm that stainless steel is fully and properly “passivated”;
- Confirm that, if required, protective coatings have been applied;
- Ensure that warranties for electronic and other media are submitted as necessary;
- Identify any remaining vulnerabilities;
- Confirm no new damage resulting from installation process;
- Ensure that the maintenance and operations plan is accurate; amend as needed; and
- Confirm that the plaque/public notice meets program guidelines and is properly installed.

Appendix D: Developer Guidelines



The Port St. Lucie Developer Guidelines are intended to provide developers with a comprehensive understanding of the power of public art as well as the process to place public art on their property.

Developers throughout the country are finding that they can benefit in concrete ways from engaging artists and commissioning public art for their developments.

Public art has the following power:

Public Art Creates a Unique Brand

Public Art can set the tone for your project and set it apart from other developments throughout the city.

Public Art Creates Community Trust

An investment in public art is an investment in public trust.

Public Art Attracts Businesses

Public art is a unique amenity that helps developments attract and retain tenants and customers for your development.

Public Art Creates Pride in Residents

A public art project instills pride in the tenants of the development and accomplishes recognition from local media and attention from your peers.

What Is Public Art?

Public art is a dynamic field, with new approaches and ideas emerging day by day. However, for the purpose of achieving Port St. Lucie's goals for public art, you should consider several key aspects of "what makes public art":

- Public art is created by professional artists, which means someone who has a track record of exhibitions or has commissioned visual or public art.
- Architects, landscape architects and other design professionals are not considered professional artists under this definition, unless they otherwise meet the criteria above.
- Public art is located in a place that is generally accessible to the public, without having to pay. Public art is site-specific, created through a process that considers the social and physical context of the place where it is located, or is acquired with a specific location in mind.

What Is NOT Public Art?

The following are not considered public art:

- Reproductions or copies of original artwork, unless part of an artist-sanctioned limited edition.
- Artworks that are decorative objects, unless created by an artist, or are mass-produced.
- Features that are decorative, ornamental or functional elements of the architecture or landscape design, unless they have been commissioned from a professional artist as an integral aspect of a structure or site.
- Features that involve commercial expression related to the business or development where the artwork is located, or that otherwise would be considered a sign under the Port St. Lucie zoning code.

PLANNING FOR YOUR PROJECT

Your project and your artwork will become an important part of Port St. Lucie' landscape and the neighborhood where it is located. Each development project and site is unique. Early in your project planning, you should set clear goals for your project, and determine an approach to public art that both enhances the development project and supports the community's broader goals.

Setting Goals

Every successful public art project starts with a clearly-articulated set of goals that serve as guidance for decisions made along the way. The goals can address how the artwork should relate to the site, what kind of artist would be best, and how the community should be involved. These goals are shaped by the values of the development company, the needs of the project, the official plans for the area where the project is located and input from the surrounding community.

Looking at Plans

The City of Port St. Lucie has approved many plans that set out the community's expectations for new development. These not only establish the framework for what you are going to develop, but can also help you set your goals for public art and identify specific opportunities on your site.

Looking at the Context (Physical, Social, Cultural)

The goals and opportunities you identify for your project should take into account the wider context. This can be learned from both site observation and engagement with community leaders and stakeholders. The physical context focuses on the way the site is seen and accessed from surrounding areas. The social context includes the social and economic makeup of the surrounding community, including its assets and challenges. The cultural context includes an understanding of the community's history, its current makeup and its cultural infrastructure. Find out about local artists, special civic or cultural events, cultural facilities and organizations in the area, and other organizations that can help foster connections between artists and the community.

Looking at Your Site

The opportunities you identify for public art should take into account how the development will be seen and how it will be used.

What to Look For

- Site lines to the development site and within the development site.
- Major entries, circulation routes and gathering areas.
- Locations where an artistic concept can be coordinated with architectural and site designs.
- Areas that are physically or visually accessible to the public, including people of different ages and backgrounds.

What to Avoid

Certain areas and project features are generally not conducive to public art, such as:

- Areas cut off from general public access and pedestrian activity.
- Areas where an artwork will be difficult to maintain.
- Areas that are primarily used for servicing or storage.
- Features that are related to the project's branding.

How Do I Know How Much to Budget?

Setting the right budget is one of the most important decisions in developing a successful public art project. The overall project budget should encompass the cost of the artwork (design, fabrication, installation, and anticipated maintenance) as well as other costs, outlined below.

To get to an appropriate budget for the artwork itself, the best method is to look at budgets for recent art projects of a similar scale, with similar materials, and/or with a similar artistic approach. This can easily be done with the assistance of an experienced public art consultant or curator.

What Is Included in the Artist's Budget?

The artist's budget generally encompasses all phases of design, fabrication and installation. The artist will develop a budget breakdown as part of their design development process. The budget's breakdown between design, fabrication and installation will depend on many factors, including the design's complexity, the medium, the project's scale and the demands of the site.

Artist design fees generally range from 10 to 20 percent of the overall project budget, but can be more if the design is particularly complex, requiring computer modeling or complex engineering, if the timeline is tight, or if the artist is in high demand. The artist may also budget time for themselves or their studio to manage the project, to fabricate all or part of the work and to participate in installation.

Some artists fabricate their own work, and others work with outside fabricators. In most cases, the artist will work with a fabricator of their choosing and hold the contract with the fabricator. The fabricator's cost estimate is incorporated into the budget breakdown that the artist develops.

Most artists typically hold the contract for installation as well. In some cases, it may be easier for you to hold that contract, especially if some or all of that work is happening in coordination with other contractors on the site. The artist or their representative should always be present for installation.

What Other Costs Should You Budget For?

There are some additional costs you should be prepared for that are typically handled outside of the artist's budget.

Site Preparation

You may need to set aside funding to prepare the site for the artist to bring in their work. For murals, this might include cleaning and priming the surface (or repair and tuck-pointing an existing masonry surface). For sculpture or other installations, this may mean grading or foundation work, bringing electrical or other utilities to the site, and more. There may be instances where you want the artist to take responsibility for some elements of site preparation. These conversations should happen as the artist is developing their design and budget and should be memorialized in a contract or letter of agreement.

Coordination with Your Design Team

If you are commissioning an artist to create an artwork as part of new construction or renovation, you will likely need the artist to coordinate their work with members of your design team. The design team's role may include participating in artist selection, sharing architectural drawings, plans and project briefs with the artist, participating in work sessions with the artist during the

design development process, reviewing and providing aesthetic and technical feedback on artist designs, and incorporating elements of the artist's work, as needed, into architectural plans and bid documents. These expectations should be communicated up front to the design team and an appropriate budget should be set aside to compensate the design team for their time.

Signage

Set aside funds for a durable plaque or sign to be placed near the artwork. It should indicate, at a minimum, the artist, title, year, media and who commissioned the artwork.

Communications and Dedication

Budget time and funds for preparing press releases, marketing materials and, if desired, a dedication and/or celebration for the work.

Maintenance and Conservation

Public art requires both regular maintenance and occasional conservation. While these costs may not be part of your overall project budget, you should anticipate these annual budget items.

Contingency

Every budget should start with a contingency. Depending on your and the artist's uncertainties about different budget items, a contingency should start between five and twenty percent of your overall project budget. You can narrow your contingency as the project evolves and your costs become clearer.

Creating a Schedule

Your schedule will depend on a variety of factors, particularly the nature and complexity of your project and the degree of integration into the design and construction. Overall, you should be sure to allocate sufficient time for:

- Finding an appropriate artist. This includes the time you will need to research artists, collect and review their qualifications and interview candidates. Be aware that the artists you are interested in might have other commitments that prevent them from starting right away. Building in buffer time for getting the artist on board will allow some flexibility for scheduling your kickoff.
- Finalizing the contract. Expect that this will take twice as long as you would expect.
- Design development. There are typically several steps in the design development process (see below). Depending on the nature and complexity of the project, the artist may need four to eight weeks for developing an initial concept design and then up to four months to prepare design documents, especially if there is complex engineering involved.
- Fabrication and installation. This also depends on the nature of the project. For a small mural, an artist may require a few weeks to mobilize and paint. For a complex sculpture or integrated installation, this stage could be a minimum of six months to a year.

HIRING AN ARTIST FOR YOUR DEVELOPMENT

Who's an Artist?

A professional artist is considered to be:

At least 18 years of age with a minimum of two years of commissioned public art or visual art exhibition history, not including work created during or for undergraduate education. Architects, landscape architects and other design professionals are not considered professional artists, unless they meet the criteria.

Sources for Artist Recommendations

Your public art consultant or the Port St. Lucie Public Art Advisory Board will be your most important resource in identifying an appropriate artist. These professionals will have vast knowledge of artists who could be appropriate for your project, research capabilities, and networks and connections that will help you get a response from artists you are interested in. There are also public networks for distributing calls to artists, which are listed at the end of this section.

Selection Process

The Selection Team

An important first step in selecting an artist is deciding who will facilitate your process and who will be involved in decision-making. Your public art consultant will play a key role in facilitating the section by ensuring appropriate information is collected from artists and facilitating your team's review of artist qualifications, its selection of candidates, and its review of artist proposals.

Usually a selection panel is created to advise the sponsor or owner of the project. The panel would have a representative of the sponsor, as well as one or more members of the design team, one or more community stakeholders, and independent arts professionals. This group will advise on both the selection of the artist and the review of the concept design. You may also want to pull in an engineer, a conservator or individuals with other types of technical expertise for reviews of the artist's designs.

Qualifications

The next step is to solicit qualifications from artists. Typically, artists are asked to provide images of completed projects (their portfolio) with an annotated description of each project including the location, media, dimensions, client and budget; a resume; references; and a letter of interest. Upon review of qualifications, you may know which artist you want to work with, or you may decide you want to interview and/or solicit proposals from more than one artist.

Interview

Once you have narrowed your list down to one or more candidates, you may want to interview these candidates in-person or over the phone to discuss how they would approach your project, where they get their inspiration, how they work with a client and design team, their research and community engagement process, etc.

Competitive Proposal

In addition to the interview, you may decide that you want one or more artists to develop specific concepts for your consideration prior to selecting them as the artist for the project. If this is the case, artists should be offered a stipend to cover the

time spent developing the proposal and any expenses incurred, such as travel. Many experienced artists will not prepare proposals without being compensated, as crafting a proposal is a core aspect of the services an artist provides.

For the proposal phase, you should develop a brief letter of agreement with the artists. According to copyright law, the artists will own the concepts they develop, and you will not be able to give the concept to another artist or a fabricator to execute, unless you obtain the artist's permission.

Artist Contracts

Once you have selected an artist for the project, you will need to draft and negotiate a contract to confirm your agreement with the artist or their studio. The contract should outline the various rights and responsibilities of each party. The contract typically includes:

- Budget, timeline, fee and payment schedule
- Design review, revision and approval process
- Responsibility for design, fabrication and installation of the artwork
- Responsibility for improvements to the site where the artwork will be located, including foundations, structural support, lighting, landscaping and signage
- Responsibility for permits and approvals
- Warranties made by the artist regarding the artwork's originality, soundness and durability
- Insurance requirements for design, fabrication, transportation, installation and warranty phases
- Artist moral rights, copyright, rights of reproduction and licensing
- Protocols for involving artist(s) in conservation, repair, relocation, de-accession and changes to the site

Intellectual Property and Moral Rights

When you commission an artist to create an artwork, you should be aware that the artist will own the copyright to the work and also have moral rights in the work, according to federal law. Artworks are generally not considered to be works for hire.

Copyright is a property right that allows the artist (or the person or entity to whom he or she transfers the copyright) to prevent unauthorized copying, publishing or other use of his or her copyrighted work. According to copyright law, the creator automatically retains the copyright of the completed artwork and of any designs developed during the design development process. Many experienced artists will not enter into a contract that requires them to give up their copyright. Developers experienced with commissioning public art do not want to be responsible for enforcing copyrights.

Moral rights provide for the proper attribution and integrity of an artwork, in order to protect the reputation of the artist. Generally, if you wish to alter or relocate an artwork you have commissioned, you must obtain the artist's permission in writing. Moral rights exist for as long as the artist is alive.

If you would like to use images of the artwork in the marketing of your project, you should negotiate those permissions and terms when you are negotiating your contract with the artist.

Warranties

There are two types of warranties that a public art contract generally outlines. A warranty of title recognizes that the artist is responsible for assuring that the work is original and does not infringe any copyright.

A warranty of quality and condition outlines the artist's responsibility for fabricating the artwork in quality materials, in accordance with professional standards and with a sensitivity to the nature and long-term behavior of materials and methods used and the conditions of the installation site (including weather, temperature, type and density of audience and other environmental and architectural features). The artist's warranties relating to the condition and quality of the work are generally limited to a year. If there are elements of the artwork covered by a manufacturer's warranty, the owner should work with the artist to get the longest possible warranty on covered items.

Insurance

If the artist is going to be working on your site or driving a vehicle in the course of their work, you may want to request they provide you with a certificate for commercial general liability insurance and that the artist's subcontractors have named the artist as additional insured. Artists typically are not able to acquire professional liability insurance because "artist" is not a licensed profession. If the artist is working with an architect, engineer or similarly licensed professional, you may want to request that those professionals provide an endorsement on their insurance.

Project Documentation and Maintenance Protocols

It is customary for a contract to require an artist to provide project documentation and maintenance protocols as a deliverable. This would include:

- an inventory of materials used in the artwork, the sources of the materials and any product information available from the manufacturer;
- contact information for fabricators and other subcontractors who may have worked on the project;
- instructions from the artist about how to clean and perform routine maintenance on the artwork; and
- a report from a conservator on how to perform preventative maintenance and flagging potential conservation issues.

DEVELOPING THE PROJECT

The design phase of the project development process for public art projects is in many ways similar to an architectural design process, with concept, schematic and final design documentation phases.

Concept Design

In the concept design phase, the artist develops and presents to the selection team a physical rendering of the artwork (drawings, digital renderings, models, etc., depending on the working method of the artist), a list of the materials, a narrative description of the work, specifics on siting, a description of special considerations regarding site work and installation, a preliminary budget breakdown and a preliminary schedule. The artist may want to conduct site visits, meet with the design team, meet with project stakeholders and/or engage in other research to help inform their concept design.

Schematic Design

Once you have signed off on the concept design, there may be a need to develop the design further in a schematic design phase. In this phase, the artist provides more specific information regarding siting, fabrication methods, materials, budget, timeline, project coordination and approvals.

Final Design Documentation

The final design phase includes structural drawings detailing every physical feature of the construction of the artwork and its integration with the site. Where appropriate, the artist should be responsible for having a qualified, licensed engineer provide certification that the artwork will be of adequate structural integrity and provide signed and stamped drawings. In some cases, the owner may request the artist also present the final design to a qualified conservator to make recommendations on the maintenance and conservation of the work. In addition, the final design documentation should include an updated narrative description of the artwork, a final budget and a final timeline for fabrication and installation.

Fabrication and Installation

Once you have accepted the final design documentation, you should give the artist notice to proceed with fabrication. Regular check-ins, photographic documentation and physical site visits will help ensure that the fabrication is on schedule and in substantial conformity with the approved design.

In most cases the artist is contractually responsible for the installation. The installation should be closely coordinated with the owner to ensure that the site is ready to accept the work, that there is appropriate room to stage the installation, that all permits have been pulled, that proper equipment and workers are available, and other relevant details are in order.

Working with the Community

At the outset of your project, it is a good idea to map out goals and strategies for working with the community where your development is located. The community is likely to take a great interest in your public art project. Some developers find that including public art in their projects is a way of creating additional community goodwill.

At a minimum, it is a good idea to keep your neighbors informed about your plans. Consider announcing the artist selection and artist concept as you would other important milestones in your project.

Some developers see public art as a way to highlight, celebrate or reflect on something unique about the site and/or the surrounding community. Consider asking your artist to meet with community leaders as a way of collecting information that would inform their project.

Depending on the circumstances, you may consider engaging the community more directly. Some developers have worked with artists and arts organizations that are experienced at participatory practices, such as community paint days or workshops.

Your public art consultant or Public Art Advisory Board can help you map out goals and a strategy for working with the community.

Marketing and Communications

At the outset of your project, it is a good idea to map your goals and strategies for communications about your public art project.

You may consider a range of goals, from attracting positive attention to your project to ensuring that the community resource you are providing can be enjoyed by as many people in the community as possible. To accomplish this, you may consider a range of strategies, from press releases to presentations at community meetings, from signage on site to online resources. Your public art consultant can help you map out goals and appropriate strategies for marketing and communications.

COMPLETION OF PROJECT

Congratulations! Your project is complete!

Close out of Project

There are a few final things to do to ensure the artwork remains a valuable part of your development project and is enjoyed by the community for years to come.

Transfer of Title

The title to the artwork generally passes to the owner upon final acceptance of the artwork. This step should be outlined in the contract. You may also want to consider a “Transfer of Title” exhibit in the contract signed by both the owner and the artist once the work has been completed and accepted by the owner.

Project Documentation and Maintenance Protocols

The artist should provide the project documentation and maintenance protocols described in the section on Artist Contracts in Section 3.

Dedication and Celebration

A dedication is a great way to acknowledge the artist and all the people who helped make the project possible, as well as to get broader attention for the project. Dedications can be small, invitation-only celebrations or larger community events, depending on your goals and budget.

Maintenance and Conservation

Once you have accepted the artwork, you are the owner of the artwork and are responsible for both its maintenance and conservation.

Maintenance is the routine care and repair of works of public art that does not require specialized expertise (e.g. dusting, washing, changing light bulbs, lubrication of moving parts, etc.). Property maintenance staff should be informed, and if necessary, trained on any special requirements for maintenance, and materials needed for maintenance should be kept in stock.

Conservation is the regularly scheduled examination, documentation, treatment and preventative care of an artwork conducted by a professional art conservator. The owner should have the work inspected by a professional conservator every two years, or as recommended by the artist, to document and treat any conservation needs. Maintenance and conservation should be guided by the instructions provided by the artist.

RESOURCES

Application Checklist and Information Initial Review

Applicants must meet with City staff and submit Public Art Application materials for initial review by Public Art Advisory Board.

Applicants must submit the following materials electronically one week prior to the meeting to ____ via email at _____.

1. A written summary of the project: This should include the approximate art budget, the art selection plan and consultant, timeline for the project, and an overview of the development.
2. PDF files of the overall site and existing drawings.
3. A PDF of the PowerPoint presentation of the project that will be given at the meeting.
4. Name and contact information for the person who will be presenting the project to Public Art Advisory Board.

What You Can Expect:

Items 1-3 will be distributed to Public Art Advisory Board in advance of the meeting. You will have 15 minutes to present the project to Public Art Advisory Board. The Board will then have the opportunity to ask questions and make recommendations regarding the possible placement of artworks, types of artwork or artists that may be appropriate to the site, and point out areas of concern. Preliminary review is not an action item with an approval, but an opportunity for you to get input that will help make the final artwork more successful.

Next Steps:

Once you have completed the selection process for an artist and proposal, then you must return to Public Art Advisory Board for final approval before fabrication can begin on the artwork. It is highly recommended that your art consultant stay in close contact with the Public Art Manager or that you hire staff to manage the process for you.

Public Art Advisory Board Application Checklist and Information Final Review

Applicants must have met with the Art in Public Places Program Manager, submitted a Public Art Assessment Application Form, and completed an initial review by Public Art Advisory Board prior to submitting application materials for final review by Public Art Advisory Board.

Applicants must submit the following materials electronically one week prior to the meeting to _____ via email at _____.

1. A written summary of the art selection process (how the artwork(s)/artist were selected).
2. Samples of the artist's previous work and a resume.
3. Description of the proposed artwork, including dimensions, materials, method of construction.
4. Detailed drawings or photographs of the proposed artwork, including a rendering in-situ.
5. A rendering showing the artwork, along with the locations for any lighting, the identification plaque, and other elements included in the proposal associated with the art installation.

6. A detailed timeline and itemized budget, including installation, artist fees, art consultant fees.
A statement on the maintenance requirements for the artwork(s).

What you can expect:

Items 1-7 will be distributed to Public Art Advisory Board in advance of the meeting. You will have 20 minutes to present the art plan. The Board will then have the opportunity to ask questions and make recommendations regarding the artwork and point out areas of concern. Final review is an action item requiring the approval of Public Art Advisory Board prior to the issuance of a building permit.

Next Steps:

Once you have the final approval of Public Art Advisory Board, you may secure your building permit. Prior to the issuance of your Certificate of Occupancy, the Art in Public Places Program Manager must confirm that the artwork was installed as approved by Public Art Advisory Board, including an identification plaque for the piece.

General Resources

Americans for the Arts, Public Art Network
<https://www.americansforthearts.org/by-program/networks-and-councils/public-art-network>

Distributing a Call to Artists

Public Art Network, Artist Selection Process Resource Guide (2013)

Public Art Network, Call for Artists Resource Guide (2004)

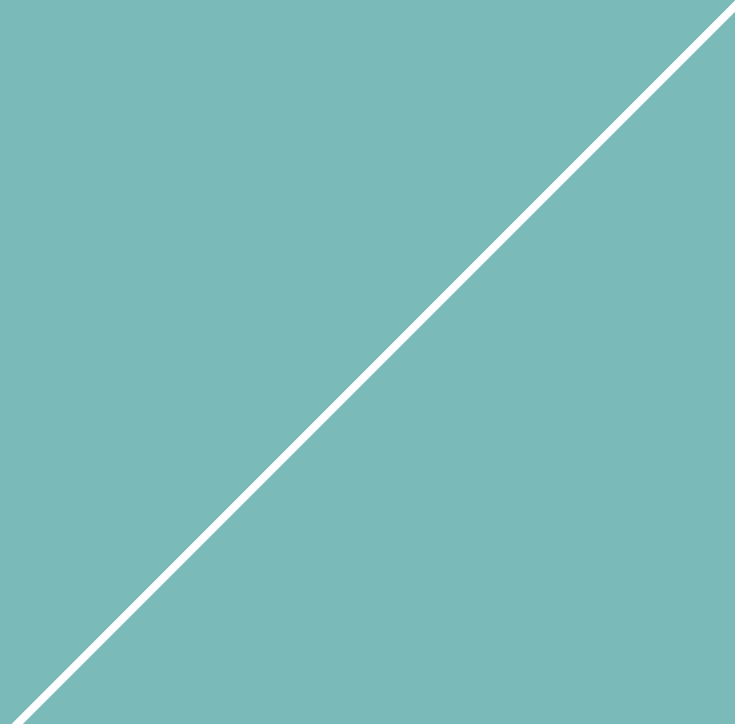
Public Art Network, Best Practices for Public Art Projects (2016)

Publicartist.org

CodaWorx.com

Public Art Network Listserv with Americans for the Arts

Appendix E: Action Plan Spreadsheet



Year 1

| Action | Cost | Responsible Party | Note |
|-----------------------------------------------------------------------------|------------------|-------------------------------------------------|---------------------------------------|
| Adopt the Art in Public Places Master Plan | n/a | City Council & Mayor | |
| Adopt Vision, Guiding Principles & Policies | n/a | Public Art Advisory Board (PAAB) | |
| Develop Initial Art in Public Places Work Plan | n/a | PAAB | To be done yearly |
| Begin Implementation of the Port St. Lucie Botanical Garden Public Art Plan | \$5,000-\$15,000 | PAAB, Botanical Garden | |
| Begin Detailed Planning for The Port District Art Trail | n/a | PAAB, Community Development, Parks & Recreation | |
| Begin Planning for a Neighborhood Based Project with N.I.C.E. | | PAAB, N.I.C.E. | Example project: Neighborhood Symbols |
| Continue Utility Box Program | | PAAB, N.I.C.E. | |

Years 2 - 5

| Action | Cost | Responsible Party | Note |
|--------------------------------------------------------------------------------|---------------------------------|-------------------------------------------------|---------------------------------------|
| Develop Yearly Art in Public Places Work Plan | n/a | PAAB | To be done yearly |
| Continue Implementation of the Port St. Lucie Botanical Garden Public Art Plan | \$5,000-\$15,000 per year | PAAB, Botanical Garden | |
| Begin Planning and Implementation of a Functional Public Art Program | \$10,000 - \$20,000 per project | Public Art Advisory Board (PAAB) | |
| Begin Initial Implementation of the The Port District Art Trail | \$300,000 - \$500,000 | PAAB, Botanical Garden | Includes Veterans Memorial Public Art |
| Implement Environmental Public Art Program | \$50,000 per year | PAAB, Community Development, Parks & Recreation | Example project: Sandhill Celebration |
| Plan and Implement the City Flag project | \$50,000 | PAAB, City Council & Mayor | |
| Plan and Begin Implementation of Public Art Splash Pads | \$100,000 per project | PAAB, Parks & Recreation | |
| Plan and Implement City Landmark Public Art Project | \$200,000 | PAAB | Example Project: PSL |
| Conduct a Feasibility Study for an Arts Center | \$50,000 | City Council & Mayor | |

Years 5 - 10

| Action | Cost | Responsible Party | Note |
|--------------------------------------------------------------------------------|---------------------------------|-------------------------------------------------|---------------------------------------|
| Develop Yearly Art in Public Places Work Plan | n/a | PAAB | To be done yearly |
| Complete Implementation of the Port St. Lucie Botanical Garden Public Art Plan | \$5,000-\$15,000 per year | PAAB, Botanical Garden | |
| Continue Implementation of a Functional Public Art Program | \$10,000 - \$20,000 per project | Public Art Advisory Board (PAAB) | |
| Continue Implementation of the The Port District Art Trail | \$300,000 - \$500,000 | PAAB, Botanical Garden | Includes Veterans Memorial Public Art |
| Continue Implementation of Environmental Public Art Program | \$50,000 per year | PAAB, Community Development, Parks & Recreation | Example project: Sandhill Celebration |
| Continue Implementation of Public Art Splash Pads | \$100,000 per project | PAAB, Parks & Recreation | |
| Implement Feasibility Study for an Arts Center | | City Council & Mayor | |