

**A RESOLUTION DEFINING A PERCENT FOR PUBLIC ART PROGRAM AND THE GENERAL POLICIES OF THE PROGRAM (2002-03-04/R-8)**

WHEREAS, the Comprehensive Plan of the Town of Chapel Hill includes public art as part of the section on Community Character; and

WHEREAS, the Town Council has included a Percent for Public Art Program in the short-term implementation measures adopted on July 5, 2000; and

WHEREAS, the Public Arts Commission and its subgroups have been working with the Town staff to develop policies and procedures for a Percent for Public Art Program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby establishes a Percent for Public Art Program:

to help define the community's identity and sense of place,  
to promote social interaction and discourse,  
to bring the arts into everyday life and  
to memorialize the past while expressing shared values for the future.

BE IT FURTHER RESOLVED that the program shall be guided by the following policies:

1. Program Objective: To provide art accessible to the public and to the users of Town buildings and parks, for the improvement of the quality of life in Chapel Hill, and more specifically to:
  - help define the community's identity and sense of place,
  - promote social interaction and discourse,
  - bring the arts into everyday life and
  - memorialize the past while expressing shared values for the future.
2. Annual Public Art Plan: The Town Council shall meet at least annually to consider a Public Art Plan recommended by the Public Arts Commission. The recommended Public Art Plan shall include:
  - a. Those capital projects which should include 1% of their project budgets for public art
  - b. The distinction between those capital projects which should include public art on-site and which should contribute 1% of their budget to a pool of funds reserved for public art commission, acquisition, maintenance and conservation
  - c. General location(s) for the art not recommended for the site of a capital project.
  - d. The Town Council shall decide on which capital budgets shall include 1% for art and the general site(s) of the art, and shall appropriate funds. This set of decisions shall be known as the Public Art Plan for the given year.

3. Budget: 1% of the annual Capital Improvements Program shall be considered by the Council for reservation for public art. However, the base from which the 1% is calculated shall exclude grant funds for which the Town provides a local match, bond funds which do not allow such a use, and any other funds whose source would prevent their use for public art.

- a. The project budget shall include all costs *funded by the Town* for designing, building and equipping the facility, including site work but excluding the acquisition of land.
- b. The public art budget shall include all costs of artist selection; artist fee; fabrication; installation, including special plumbing, wiring or lighting; publicity; celebration; and any other cost related to the public art project.

4. Location:

- a. Location of artwork shall generally be on the site of the capital project unless specified otherwise in the adopted Public Art Plan. Specific location within the specified site shall be considered by the Public Arts Commission as part of the selection of the artwork and review of its design development .
- b. Consideration shall be given to the unique site, surrounding uses and development, function of the facility, users of the facility, style of the facility, visibility to the public, maintenance and security issues. Artwork should be selected and placed to enhance the project as a whole.

5. Selection of Artists and Art:

- a. The Public Arts Commission shall establish a process with written guidelines, available to the public, for the selection of artists and the review of the art proposed for acquisition. The process shall be open to the public and shall encourage participation by as wide a variety of citizens as possible.
- b. The Public Arts Commission shall appoint a committee to be chaired by a Commission member and to include at least one representative each of the Public Art Commission, Town Council, the designer of the capital project (if relevant), the host department, the public at large; and two art professionals.
- c. The committee shall make its recommendation to the full Public Arts Commission.
- d. The Public Arts Commission shall present to the Town Council the artist and his/her style, the type of artwork which would be expected to result from a commission; or the specific artwork it recommends be acquired; or the artwork which it recommends be maintained or conserved. The Town Council shall authorize a contract as recommended, with or without its own conditions, or shall request another recommendation from the Public Art Commission.

6. Execution of Artist's Commission:

- a. The artist's contract shall define a process for his/her design development.
- b. The artist's contract shall define the review points during the design development
- c. The artist shall be involved with the design development of the capital project if relevant and if the artist is chosen in time.
- d. The process shall include a means of involving the public, including a public forum to consider the design concept.
- e. It is possible that, after the Public Art Commission or its committee, Town staff and the public review the artist's design concept, the artist will be asked to modify the design concept before being authorized to begin fabrication.

7. Acceptance of Art: The Town Manager shall accept the artwork before the final payment is made to the artist.

8. Accounting: Funds appropriated for public art shall be placed in a project budget or multi-year account(s) specified for this purpose. Grants, gifts and other revenue the Town may receive for the selection, establishment, maintenance and deaccessioning of public art shall also be placed in this multi-year fund.

**This the 4<sup>th</sup> day of March, 2002.**