



Public Art Advisory Board Work Session

Agenda

May 23, 2022 @ 9:00 am

Commission Chambers - City Hall
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

-
1. Call to Order
 2. Discussion Item(s)
 - a. Public Art Funding 90 min.
 3. Adjournment



item type Discussion Item(s)	meeting date May 23, 2022
prepared by Meghan McNeil	approved by
board approval	
strategic objective	

subject

Public Art Funding

motion / recommendation

Discussion on ideas for public art funding.

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Board Member Ideas for Use of Public Art Funds 03.22.pdf](#)

ATTACHMENTS:

[Board Member Ideas for Use of Public Art Funds 04.05.22.pdf](#)

ATTACHMENTS:

[MAINTENANCE SCHEDULE FOR SCULPTURES 2021.pdf](#)

ATTACHMENTS:

[ART FEE ORDINANCE with EDITS.pdf](#)

ATTACHMENTS:

[Dedicated Funding for Public Art in Florida.Recommendation.pdf](#)

Board Member Ideas for Use of Public Art Funds – April 2022

Danielle DeGuglimo

- Maintaining existing collection, updating framing, weatherproofing, solar lighting etc.
- New public art at places such as progress point, old library building re-use, entrance corridors into city limits.
- Calls for artists, stipends and artist fees.
- New varieties of public art like, murals, video projections, painted intersections, light-based, city alley enhancement and activation, mosaics, etc.
- Digitize annual sidewalk art festival posters, best of show winners for online/ app use.
- Distribution of print media, press releases to promote awareness and significance.
- Download able WP public Art App, include maps and walking tour, audio and artist profiles.
- Updating city website about WPPAAB and its accomplishment, and strategic plan, including visuals.
- Dedication ceremonies and public events, public artist lectures.
- Art on the Green and exhibitions of that scale

I am afraid this list may be too long, I would summarize the fund examples into three important ideas:

1. The maintenance and enhancement of the current public art inventory.
2. The realization of new and exciting forms of Public Art.
3. The cataloging and marketing of WPPA to convey value and significance to the public.

Sara Segal

- Expand capacity of advisory board through paid collaboration with experts/professionals (curator for new library/events center, wizards of latest tech/digital tools, data research and application/best practices).
- Increase potential budget for landmark acquisitions; elevate the excellence, scale/scope and impact of art presented, including performance art, collaboration with other arts organizations, development of media tools to extend reach and community engagement over time.

- Develop streamlined tools/best practices to leverage data on WP public art (identify areas of ongoing/long-range opportunity, guide creation of new programs/policy).
- See Bloomberg advocacy: <https://www.bloomberg.org/blog/arts-data-in-the-public-sector-a-new-guide-for-cities-to-leverage-data-about-arts-culture/>.
- Increase use of high tech tools and art media:
- digitize 2-D and 3-D art works such as sidewalk art fest posters to broaden use and visibility, online access, promotion beyond WP; digital art works and art projections; WP public art app, including self-guided walking tour, education/info on individual works, links to public art resources.
- Develop a program to lend art to WP businesses or locations where it remains in public view, not storage.

Board Member Ideas for Use of Public Art Funds – April 2022

REVISED version after work session on 04.05.22

- Maintaining existing collection, updating framing, weatherproofing, solar lighting etc.
 - o What was the cost in the past?
 - o Albin Polasek's cost for maintaining bronze sculptures?
- Acquisition of new public art at strategic locations
 - o Progress Point, East Morse Blvd. near Scenic Boat Tour, golf courses, old library building re-use, entrance corridors into city limits, etc.
 - o New varieties of public art including, murals, video projections, painted intersections, light-based, city alley enhancement and activation, mosaics, etc.
 - o Increase potential budget for landmark acquisitions; elevate the excellence, scale/scope and impact of art presented, including performance art, collaboration with other arts organizations, development of media tools to extend reach and community engagement over time.
- Calls for artists, stipends, commissioning work and artist fees.
- Promote awareness and significance of public art.
 - o Digital
 - WP public art app, QR code, include maps & walking tour, audio & artist profiles.
 - Updating city website about WP PAAB and its accomplishment, and strategic plan, including visuals.
 - Expand capacity of advisory board through paid collaboration with experts/professionals (curator for new library/events center, wizards of latest tech/digital tools, data research and application/best practices).
 - Develop streamlined tools/best practices to leverage data on WP public art (*identify areas of ongoing/long-range opportunity, guide creation of new programs/policy*).
 - Increase use of high-tech tools and art media.
 - digitize 2-D and 3-D art works such as sidewalk art fest posters to broaden use and visibility, online access, promotion beyond WP; digital art works and art projections; WP public art app, including self-guided walking tour, education/info on individual works, links to public art resources.
- Celebration of new art installations; dedication ceremonies and public events
 - o [public artist lectures-educate?]
- Art on the Green and exhibitions of that scale?
- See Bloomberg advocacy: <https://www.bloomberg.org/blog/arts-data-in-the-public-sector-a-new-guide-for-cities-to-leverage-data-about-arts-culture/>.

PUBLIC ART SCULPTURE MAINTENANCE SCHEDULE

<u>SCULPTURE</u>	<u>OWNER</u>	<u>DIMENSIONS</u>	<u>LOCATION</u>	<u>IMAGE</u>	<u>MAINTENANCE</u>	
1. MOTHER CRYING OVER THE WORLD	Albin Polasek	H-14" W-9" D-13"	Library & Events Center (specific location TBD)		Every 3 years	
2. VICTORY OF MORAL LAW	Albin Polasek	H-28.5" W-18.5" D-9.5"	Library & Events Center (specific location TBD)		Every 3 years	
3. MAN CARVING HIS OWN DESTINY	Albin Polasek	H-47" W-25" D-20"	Library & Events Center (specific location TBD)		Annually	\$250/yr
4. MOLECULAR DOG	City of Winter Park		Shady Park, 721 W. New England Avenue		Annually	\$750 (first time: \$1600)
5. EMILY FOUNTAIN	City of Winter Park		Central Park, 251 S. Park Avenue		Annually	\$750
6. FOREST IDYL	Albin Polasek		Winter Park City Hall, 401 S. Park Avenue		Annually	\$250
7. GIRL WITH DOVES	City of Winter Park		Library & Events Center (specific location TBD)		Annually	\$350

8. TREE WHISPERERS

City of Winter Park

Eight (8) photographic panels

Central Park next to Train Station



Annual checkup

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING THE CITY CODE TO ADOPT A NEW CHAPTER 5 PUBLIC ART PROGRAM; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park deems it necessary for the purpose of enhancing the health, safety and general welfare of the City of Winter Park to enact a Public Art Program together with implementing regulations and the establishment of fees, as set forth in this Ordinance.

WHEREAS, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida;

NOW THEREFORE, BE IT ENACTED by the City Commission of the City of Winter Park, Florida, after due notice and public hearing, that:

SECTION 1. Adoption of Chapter 5 Public Art Program. The City Commission hereby adopts as an addition to the Code of Ordinances, a new Chapter 5 Public Art Program, to read as follows:

- **Chapter 5 - PUBLIC ART PROGRAM**
- **Sec. 501. - Short title; intent.**

(a) This chapter shall be known and cited as the "public art program."

(b) It is the intent and purpose of this chapter to further the commitment of the City of Winter Park to the aesthetic enrichment of the community through the creation of works of art so that citizens and visitors to the City of Winter Park are afforded an opportunity to enjoy and appreciate works of art. The requirements of this chapter shall be construed to promote the aesthetic values of the entire community and to encourage the preservation and protection of works of art.

- **Sec. 502. - Definitions.**

For the purposes of this section, the following words and phrases shall have the following meanings:

(1) *Artist or professional artist* means a practitioner in the visual arts, generally recognized by critics and peers as a professional of serious intent and ability. Indications of a person's status as a professional artist include, but are not limited to, income realized through the sole commission of artwork, frequent or consistent art exhibitions, placement of artwork in public institutions or museums, receipt of honors and awards, and training in the arts. An individual not meeting this definition may be otherwise approved as an artist or professional artist by the city commission consistent with the public art guidelines.

(2) *Art, artwork or works of art* means tangible creations by artists exhibiting the highest quality of skill and aesthetic principles and includes all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, paintings, sculptures, engravings, carvings, frescos, stained glass, mosaics, mobiles, tapestries, murals, photographs, video projections, digital images, bas-relief, high relief, fountains, kinetics, collages, drawings, monuments erected to commemorate a person or an event, functional furnishings, such as artist designed seating and pavers, architectural elements designed by an artist, and artist designed landforms or landscape elements. The following shall not be considered artwork or works of art for purposes of this chapter unless otherwise approved by the city commission as identified in the public art guidelines:

(a) Reproductions or unlimited copies of original artwork.

(b) Art objects which are mass produced.

(c) Works that are decorative, ornamental, or functional elements of the architecture or landscape design, except when commissioned from an artist as an integral aspect of a structure or site.

(3) *Development or redevelopment* means any construction, or redevelopment of any private or public building within the limits of the city.

(4) *Public art fund* means a separate, interest bearing account set up by the city to receive monies for the public art program.

(5) *Remodeling* means expenditures who valuation on the building permit application is greater than fifty (50%) of the value of the improvements on the latest Orange County property tax rolls that include but are not limited to changes to the facade of a building, or changes to the interior of a building, increases or decreases in the floor area of a building or changes to exterior improvements

- **Sec. 503. - Art fee for development and redevelopment.**

(a) All development, redevelopment, or remodeling greater than ten thousand (10,000) square feet in gross floor area which are in non-residential zoning districts, or in mixed use zoning districts or in multi-family zoning districts (but limited to those encompassing more than two units) as of the effective date of this section, shall participate in the public art program. When construction is phased, or in separate buildings on the same development site and constructed as part of a unified project, the aggregate gross square footage of the entire project or development shall be added together to determine whether the ten thousand (10,000) square foot threshold is reached.

(b) Owners have the choice of participating in the public art program as follows:

(1) The owner of a development may pay an amount established from time to time as part of the city fee schedule adopted by the city commission per square foot of the gross floor area, as an art fee to the city's public art fund, prior to the issuance of a building permit. Owners who are remodeling or converting may pay an amount established from time to time by resolution adopted by the city commission per square foot of the gross floor area being remodeled or converted as an art fee to the city's public art fund prior to the issuance of a building permit; or

(2) The owner of a development may provide artwork on the development site in value equal to or greater than an amount established from time to time as part of the city fee schedule ~~by resolution~~ adopted by the city commission per square foot of the gross floor area for the development. Owners who are remodeling or converting may provide artwork on the development site in value equal to or greater than an amount established from time to time by resolution adopted by the city commission per square foot of the gross floor area being remodeled or converted as an art fee to the city's public art fund prior to the issuance of a building permit.

a. The owner shall provide documentation to the city that the art fee has been deposited into an escrow account for said purpose prior to the issuance of a building permit.

b. Prior to placement on the development site, the artwork must be approved by the city and conform to adopted public art

guidelines. The guidelines include a requirement that the artwork be accessible and readily visible to the public based on location

of artwork and normal traffic of vehicles/pedestrians in the proposed location.

c. A minimum of seventy-five (75) percent of the total value of the art requirement shall be placed in areas that are clearly visible from the public street, sidewalk or public space.

d. The owner shall be given up to six (6) months after issuance of the building permit to obtain approval of the proposed artwork from the city, unless the city grants an extension for good cause as determined in their sole discretion. If no such approval is obtained within the time period, the city shall require transfer of aforementioned funds to the public art fund.

e. The owner shall be given up to six (6) months after the issuance of a certificate of occupancy to install artwork, as approved by the city in accordance with adopted public art program guidelines unless the city grants an extension for good cause as determined in their sole discretion. If no installation occurs within the time period, said funds shall be transferred to the public art fund.

- **Sec. 504. - Public art fund.**

1) There is hereby created a public art fund administered by the city which shall consist of all contributions received from art fees for development and redevelopment greater than ten thousand (10,000) square feet in gross floor area from public and private development, cash grants and donations to the city for public art projects from governmental or private resources, and all other funds allocated by the city through the budgetary process for the provision of public art.

(2) The public art fund shall be used solely for expenses associated with the research, selection, commissioning, acquisition, loan, transportation, curating, installation, maintenance, public education, promotion, administration, removal and insurance of the works of art or in relation thereto. The city staff can authorize expenditures of twenty thousand dollars (\$20,000.00) or less in furtherance of the public art program. All

expenditures in excess of twenty thousand dollars (\$20,000.00) must have prior approval from the city commission.

- **Sec. 505. - Ownership of artwork.**

Unless otherwise expressly agreed to in writing by the city, ownership of all art acquired through expending funds in the public art fund shall be vested in the city, which shall obtain title to each work of art.

- **Sec. 506. - Public art program guidelines.**

The city shall prepare, and from time to time revise, public art program guidelines and make the same available to the public, which shall provide guidance for program organization; organizational governance and staffing responsibilities; procedures for project planning; artist selection; art selection criteria; art placement criteria; donations; loans and memorials; collection management; and, administration of the public art fund.

- **Sec. 507. - Public art master plan.**

The city shall prepare, and, from time to time, revise a public art master plan that identifies locations for public artworks and establishes a priority order.

SECTION 2. Codification. Section 1 of this Ordinance shall be incorporated into the City of Winter Park Code of Ordinances.

SECTION 3. Severability. The divisions, sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection, section, or division of this Ordinance shall be declared invalid, unconstitutional or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, sections, and divisions of this Ordinance. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 4. Conflicts. In the event of a conflict between this Ordinance and any other ordinance of the City of Winter Park, this Ordinance shall control to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and in accordance with Florida law.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held in City Hall, Winter Park, on this ____ day of _____ 2022.

By: _____
Mayor Phil Anderson

ATTEST:

By: _____
Rene Cranis, City Clerk

Proposal to City Commission for a Public Art Dedicated Funding Source

DRAFT

JURISDICTION	POPULATION	ALLOCATION	DETAILS	LINKS
Coral Springs	133,759	Public Art Fund: \$0.51/sq. ft. – new construction \$0.25/sq. ft. – remodel/convert Owner commissioned onsite: \$0.66/sq. ft. – new construction \$0..33/sq. ft. – remodel/convert	The city’s artwork collection includes permanently sited and integrated works which are commissioned through a public process. The city stewards and maintains the artwork through an ongoing program of coordinated conservation activities, which include inspections, major restorative work and routine maintenance. <i>(No tax dollars go toward purchasing public art in Coral Springs. All financing comes from a fee charged to developers who have projects larger than 12,500 square feet. Developers may contribute to the Public Art Fund or purchase an artwork to display on their property in accordance with Chapter 6 of the city’s Land Development Code.</i>	Coral Springs Public Art
Delray Beach	69,451	1.5% - construction of capital projects	In 2005, the Delray Beach City Commission adopted a public art ordinance, establishing the Public Art Advisory Program and setting aside 1.5% of Delray Beach capital construction projects over \$200,000 for public art. Projects include temporary, permanent, and educational site-specific installations in two and three dimensions from individuals or collaborators.	City of Delray Beach Public Art Advisory Board
Fort Myers	87,103	1.5% - construction/renovation -encouraged	The Public Art program seeks the establishment of fine art in public places. The committee oversees the commissioning, review, installation and maintenance of public art within the city. Municipal and private developers or owners who apply to the city for building permits to construct or reconstruct a structure with building permit values of \$250,000 or more shall be encouraged to contribute 1.5% of construction or reconstruction costs not to exceed \$150,000 to the provision of fine art to be enjoyed by the public in conjunction with such projects. The encouraged public art fee will apply to commercial construction, municipal construction, single family residential with 25 lots or more, multifamily residential of 50 units or more, and alterations/reconstruction that exceeds 50% of the building value. In lieu of acquisition and installation of public art on the development site an incentive will be provided through the reduction off the contribution to 1% to private developers or owners who provide a public art in lieu contribution to the public art fund.	City of Fort Myers Public Art
Jacksonville	911,507	1% - construction of public facilities of which: 80% for art 10% for maintenance 10% for admin/community education	In 1997, the City of Jacksonville increased their investment in the arts by allocating a “percent-for-art” in eligible city construction projects in an effort to add to the city’s public art collection. The ordinance designated an Art in Public Places (APP) program, which would be administered on behalf of the city by the Cultural Council of Greater Jacksonville. APP, which oversees the selection, installation, maintenance and conservation, has acquired over 115 public artworks and memorials.	Cultural Council of Greater Jacksonville

JURISDICTION	POPULATION	ALLOCATION	DETAILS	LINKS
Naples	22,088	\$1 per sq. ft. - new, non-residential projects	- New, non-residential projects - Mixed use projects to the extent that non-residential square footage is included. - Parking structures and other accessory uses serving an on site residential use shall not be included. shall provide one of the following: a. Pay the established fee into the public art fund. (non-refundable) b. Obtain approval to acquire and install artwork on site for the proposed project. Artwork can be either an existing piece or a commissioned piece that is of equal or greater value than the established fee. Under this option the established fee will be held in escrow and reimbursed according to the conditions contained herein.	Naples Public Art
Orange County	1,393,452	1% construction/renovation of government buildings	Orange County's ordinance says there shall be an "appropriate amount" spent on public art for new or renovated government buildings – public space. As a matter of practice, it is understood that 1% of the construction/renovation costs will be allocated to public art.	Orange County Public Art
Port Saint Lucie	201,846	1% - all new construction projects	This means that all new construction projects (excluding single family homes) must install a piece of public art as part of their project that is equal to 1% of the total cost of development up to \$100,000 or pay an "in lieu of" fee to the city.	Port St. Lucie Public Art Master Plan
Sarasota	58,285	.5% - construction/renovation	New construction or improvements that exceed \$1 million to a multi-family, mixed use or commercial building or non-residential portion of a mixed-use building shall be required to make a public art contribution. <u>Exemptions:</u> buildings or portions of buildings that include attainable housing units as defined by the City Commission and individual condominium units shall not be required to conform to these requirements. Artwork can be purchased or commissioned.	City of Sarasota Public Art
Tampa	399,700	1% - municipal construction projects	All appropriations for municipal construction projects shall include an amount of not less than one (1) percent of the construction cost of a municipal building project as bid, contracted and accepted by the city, but not to exceed the sum of two hundred thousand dollars (\$200,000.00) for any single municipal building project; provided that the Public Arts committee may recommend to the mayor an increased expenditure for those projects of exceptional size or unique function, however, in no event shall the appropriation exceed one (1) percent. The Public Art Committee shall recommend to the mayor the amount of monies to be allocated for selection, commissioning, acquisition, and installation of individual works of art to be incorporated as a part of the municipal construction project for which the monies were appropriated. Monies appropriated pursuant to this section as part of one (1) such project but not spent in connection with the project may be utilized to supplement other appropriations for the acquisition of works of art or to place works of art in, on or near either city facilities which have already been constructed or city properties.	City of Tampa Public Art

JURISDICTION	POPULATION	ALLOCATION	DETAILS	LINKS
Volusia County	563,284	.5 to 1% - construction/renovation county buildings	Thanks to Volusia County's ambitious Art in Public Places program, the creations of 76 artists from across the nation adorn the walls and courtyards of 16 county facilities. The Volusia County Council established the program in 1990 to establish funding for procurement of art in county-owned and operated buildings. Since then, 0.5 to 1 percent of the construction price for all new, expanded and renovated publicly accessible county buildings has been set aside for the acquisition of artwork for permanent display. More than \$1 million has been appropriated to purchase more than 200 pieces of art that represent a wide range of media including acrylic, oil, watercolor, aluminum, bronze, marble, clay, fiber, wood and photography.	Volusia County Art in Public Places
West Palm Beach	111,955	1% - public and private construction – mandated Nonprofits and affordable housing are exempt.	ArtLife program mandates that funds totaling 1% of public and private development projects throughout the city be set aside for the inclusion of art. No tax dollars fund the program. The program grew out of the Art in Public Places (AiPP) program established in 1985 and the amended AiPP ordinance of 2014. In 2015 the first Public Art Master Plan was adopted by City Commission. The program is inspired by the belief that West Palm Beach residents live, work, and play in spaces in which art is a daily experience and a common source of inspiration. They take pride in how their surroundings reflect the spirit of living in West Palm Beach, a spirit shared with families, friends, neighbors, co-workers, and visitors. A committee has been a part of the program since its inception; members are appointed by the Mayor. The City currently has 53 works on temporary or permanent display. In addition, approximately one dozen privately-owned works of art push the combined total to well over 60 sites. The City of West Palm Beach is considered the cultural capitol of Palm Beach County.	West Palm Beach Art Life

RECOMMENDATION: *The Public Art Advisory Board proposes that the City of Winter Park establish **(NUMBERS?)** to support the procurement, conservation and exhibition of works of art. This proposal will put the city on par with other Florida cities that have been outlined above, as well as many others across the state and country.*

- Winter Park is the City of Arts and Culture. However, the city does not have a dedicated funding source to support public art.
- Arts are recognized as a strong contributor to a city’s quality of life.
- Studies have also shown that arts serve as a strong economic driver as outlined in the *Arts & Economic Prosperity 5 Study – The economic impact of nonprofit arts & cultural organizations*.
 - [Full report](#)
 - [Summary](#)
 - [Quick Look](#)
- Hundreds of cities across the United States and hundreds more internationally, have adopted public art programs to enhance their appearance, create a “sense of place,” and contribute to the overall viability, livability, and personality of their communities.
- Implementing a dedicated funding source in support of public art will help Winter Park preserve and enhance its charm for residents and guests alike.