



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL – WORK SESSION

Troutdale City Hall - Council Chambers
219 E. Historic Columbia River Hwy. (Lower Level, Rear Entrance)
Troutdale, OR 97060-2078

Tuesday, November 25, 2014

Immediately Following the Regular City Council Meeting

Mayor

Doug Daoust

City Council

Norm Thomas

Glenn White

David Ripma

Rich Allen

Eric Anderson

John L. Wilson

City Manager

Craig Ward

City Attorney

David J. Ross

1. Roll Call
2. A discussion on the Mayor's Arts Initiative
3. Adjourn

Mayor Daoust

Doug Daoust, Mayor

Dated: 11/18/14

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy., Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page www.troutdaleoregon.gov or call Debbie Stickney, City Recorder at 503-674-7237.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Debbie Stickney, City Recorder 503-674-7237.

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RESOLUTION NO. 1559

A RESOLUTION ESTABLISHING A PUBLIC ART ACQUISITION POLICY

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City of Troutdale seeks to enhance public spaces with art works which enrich the City's image and which encourage an appreciation of its history and cultures.
2. The City of Troutdale believes that such art works contribute to the quality of life enjoyed by residents and visitors.
3. The City of Troutdale wishes to acquire such art works through a selection process which involves the participation of local citizens, represents the City's cultural diversity and is appropriate to specific public sites.
4. The City of Troutdale recognizes the need to establish a consistent policy for the selection and acquisition of art works which may be donated or purchased through external or special funding.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

The following shall constitute the Public Art Acquisition Policy for the City of Troutdale.

Goals

- Encourage the acquisition of public art works which enhance and are appropriate to and consistent with specific public sites in the City, which are high artistic quality and which contribute to the City's image, history and culture.
- Facilitate the acceptance of completed art works that may be offered as donations to the City, by considering the availability of appropriate sites as well as selection criteria and procedures.
- Encourage philanthropic giving and fund-raising for commissioned art works for specific sites.
- Establish general selection procedures which describe selection committee participation, management and approval processes, which shall be further defined on a case-by-case basis to insure appropriateness to specific sites.
- Anticipate opportunities for public art acquisition by reviewing proposed public construction, renovation and land development in terms of potential integration of design and materials with solicited works of art.
- Maintain an ongoing inventory of art works in the City and their locations.

Public Art Sites

- Interior spaces in publicly owned buildings which are accessible to the general public, such as foyers, corridors and meeting rooms.
- Exterior spaces adjacent to or applied to the surface of publicly owned buildings, or public areas such as parks, greenways, streets, courtyards and plazas.

Public Art Works

- Art works accepted by and owned by the City.
- Such art works may be in any media or combination of media determined to be suitably durable and safe, which are appropriate to the site, and which meet the artistic criteria of specific selection committees.
- Art works may include utilitarian functions such as doors, portals, or benches, or surface treatments such as murals; objects or forms attached to walls; or designs in floor or in ceilings.

Mobility and De-accession of Public Art Works

- Art works acquired by the City may be moved to a different location through the established procedures for determining the appropriateness of art works to specific sites.
- Art works no longer deemed appropriate to specific sites and for which no alternative site has been determined may be de-accessed and sold, donated, or removed by resurfacing, subject to the following procedure:
 - Before an art work is de-accessed, it must be held by the City for one year from the date it is declared to be de-accessed in order to allow sufficient time to fully assess its need and usefulness as a city-owned public art work.
 - If the art work was donated to the City, in full or in part, by the artist, then the donating artist shall have first right of refusal in purchasing the art work for the cost of the piece when it was donated to the City.

Proposed Acquisition

- A proposal for public art acquisition may include acquisition of already completed art works, funding for the determination and completion of art works from a specific artist, or requests to produce art works through a competitive call for artists.
- Proposals shall be referred to the Troutdale Parks Advisory Committee (PAC) for consideration and for recommended action to the City Council.

Selection Procedures

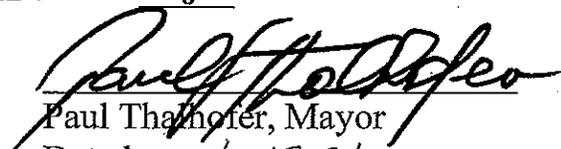
- A selection committee of five to seven persons shall be designated by the PAC on an ad hoc basis as proposals are received. Committee members shall include representatives from the PAC, artists or art professionals appropriate to the proposed acquisition, and other interested persons.
- The selection committee may utilize non-voting technical consultants as indicated by a specific proposed acquisition.
- A chairperson shall be designated.

Acquisition Process

1. The process begins with a proposal for public art acquisition by the City. A proposal can be a request to acquire a specific completed art work, an offer to donate specific art work, or an invitation to artists for art work.

2. The proposal for public art acquisition is referred to the PAC for review and recommendation.
3. The PAC determines if the proposal has sufficient merit to warrant its evaluation by a selection committee, using Public Art Acquisition Policy goals as criteria.
4. If the PAC determines the proposal has merit, it specifies a site or potential sites and designates a selection committee appropriate to the proposal.
5. The selection committee reviews the proposal and determines what evaluation needs to be made in order to recommend action.
6. The selection committee evaluation shall include, but is not limited to, a review of the artists' recent works, works offered, and proposed works; contextual suitability; consistency with this acquisition policy; quality of materials; and installation and maintenance requirements.
7. If the proposal is full funding for a proposed acquisition, a call for artists and invitation to artists to participate shall be developed and publicized.
8. If the proposal is acquisition of an already completed art work or art work being donated to the City, in full or in part, it may bypass a call for artists.
9. The selection of artists under a call for artists shall be unbiased and promote artistic excellence and cultural diversity.
10. The selection committee shall submit a recommendation regarding the proposed acquisition to the PAC for approval, modification or disapproval.
11. If the selection committee recommends approval or modification of a proposal, the PAC shall forward the recommendation to the City Council for consideration.
12. If the selection committee recommends disapproval, the PAC may ask the selection committee to reevaluate the proposal or may designate a different selection committee to conduct the evaluation.
13. If the PAC accepts the selection committee's recommendation for disapproval of a public art proposal submitted in response to a call for artists, no further action on the proposal is taken.
14. If the PAC accepts the selection committee's recommendation for disapproval of a public art proposal involving acquisition of a specific completed art work or the donation of a specific art work, the PAC's decision may be appealed to the City Council. If it is not appealed to the Council, no further action on the proposal is taken.
15. If the City Council approves a proposal recommended or appealed to them, the art work acquired or produced becomes the City's property and shall be maintained by the City until de-accessed.

YEAS:	<u>6</u>
NAYS:	<u>0</u>
ABSTAINED:	<u>0</u>


 Paul Thanofer, Mayor
 Dated: 6-13-01

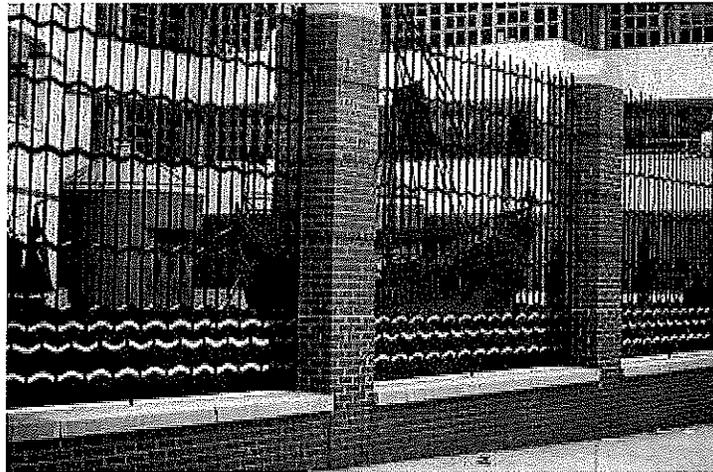

 Debbie Stickney, City Recorder

Adopted: 6-12-01



MORE ARTICLES TYPE

Funding Sources for Public Art



Securing adequate funding is the cornerstone of any public art program. Aside from donations from private individuals and corporations, there are a number of approaches through which to garner financial support for art. These ways can be broken into four broad tracts: public/private sector endeavors; percent- and non-percent-for-art programs; developer participation; and local funding sources. To go directly to any section, click on the links below.

- [Public/Private Sector Collaborations](#)
- [Percent- and Non-Percent-for-Art Programs](#)
- [Soliciting Participation from Developers](#)
- [Alternate Funding Sources](#)

PUBLIC/PRIVATE SECTOR COLLABORATIONS

On the non-development side, opportunities for public art could be nurtured as part of the ongoing, existing local programs. A city or business could partner with these organizations to involve artists in:

- Designing gardens and plantings;
- Creating destinations in green spaces, along paths and at nodes, anchoring spaces for rest, recreation, play, and gathering;
- Installing art exhibits in vacant storefronts to improve a building's — and neighborhood's — overall image;
- Encouraging local museums to loan out works of public art for temporary placement throughout the downtown; and
- Hosting exhibits in publicly accessible places, including municipal, state, and federal buildings.

PERCENT- AND NON-PERCENT-FOR-ART PROGRAMS

PERCENT-FOR-ART ORDINANCES

Passing percent-for-art legislation encumbers a percentage (usually .5 to 2) of CIP (publicly funded capital improvement projects) per year for the commissioning of public artworks, which will usually be sited in, on, or adjacent to the building or project being constructed. Percent-for-art ordinances guarantee a funding stream for public art projects regardless of what happens to city budgets or arts funding. The policy also guarantees that public art projects will be planned each year, as long as CIPs are underway and municipal construction continues.

Benefits of a percent-for-art ordinance:

- It can provide a mechanism for obtaining funds from a broad range of city agencies and departments;
- It can offer legal recourse (if funding for percent projects becomes a legally binding requirement) to obtain funds for public art from non-compliant city agencies;

- It can provide an opportunity to work with and introduce public art to many city agencies, in many different types of projects, and in many locations city-wide; and
- In some cases, such as Atlanta, it allows for the siting of art in adjacent or nearby communities to offset the negative impacts of a project, or to place public art in more diverse areas of a city.

Even when a percent-for-art ordinance is in place, however, additional funds for art projects may be required: Despite 2% for art public funding, “money is always a problem,” says Linda Bloom, administrator of Sacramento, CA’s Art in Public Places program. Currently, the organization is looking to forge private partnerships and use private money for artwork on the city’s light rail system.

NON-PERCENT-FOR-ART SOURCES

Several examples of well-known, successful, non-percent-for-art-funded programs exist in the following cities:

Houston, TX: The Cultural Arts Council of Houston also receives a percentage on the hotel/motel tax for art. In addition, the Council contracts with a variety of city agencies, as well as with Harris County.

New Orleans, LA: The Arts Council of New Orleans funds public-art projects through a joint partnership between public/private sectors in order to create more stable funding basis. City of New Orleans, local and state governmental agencies, as well as other non-profit arts organizations, are funding sources for the public-art program.

Phoenix, AZ: Phoenix’s public-art program is funded through the city’s general-purpose funds, public-art funds, state lottery revenue, and regional and federal grants.

San Antonio, TX: The San Antonio Design Enhancement Program (DEP) is operated through the city’s Public Works Department’s City Architects’ Office. The DEP program is maintained by art allowances and budgets that are identified and developed by each project-design team.

San Diego, CA: The public art program in San Diego is a department of the San Diego Commission for Arts and Culture. Administrative costs are covered by a portion of the city's Transient Occupancy or Hotel/Motel Room Tax, which helps to fund the operating and personnel expenses of nearly 90 arts and cultural organizations.

SOLICITING PARTICIPATION BY DEVELOPERS

Even if a city does not have a percent-for-art ordinance in place, nor a significant number of city-funded CIP projects (both of which would guarantee a certain number of public art projects per year), it may still be possible to get funding from capital projects for public art, by working with the private sector.

In cities around the country, private developers are realizing that commissioning works of art for their projects benefits more than their bottom line. They can:

- Improve employee and tenant working environments;
- Create a unique look or landmark feature for the project;
- Demonstrate a larger civic commitment; and
- Translate into higher rents and a more desirable office location.

For city agencies, expenditures on public art projects can:

- Highlight and publicize agency initiatives, missions and objectives;
- Communicate important information or instructions to the public (public service messages such as the importance of recycling are natural subjects for public art works);
- Contribute to the community's acceptance of a plant or facility in which they are to be sited; and
- Increase the public's recognition of the important work provided by that agency or city department.

The first step to soliciting developer participation is to take stock of the public and private investment occurring in your city. For example, in 2002 in Mobile, AL, nearly \$400 million in public and private investment was underway. Private projects included the \$165 million RSA Tower; a newly constructed \$75 million Mobile Register Building; and a \$1.2 million Larkin Music Center. Public sector funded projects included the \$90 million GSA Federal Courthouse (with its own 1% for art budget); a \$9 million Social Security building; a \$16 million federal government rehabilitation of a train station as a multi-modal transportation/retail center; and the Mobile Landing/Alabama State Docks expansion and waterfront park project, which had a budget of \$40 million.

In cases such as this, public-art program staff or committee members should solicit private developers regarding introducing works of public art into their projects. This should be done in as timely a manner as possible – the earlier art is introduced into project plans, the better. There are a number of ways of encouraging the development community in funding public art projects:

1. **Include art in the incentive package given to developers.** For example, developers are often requested or required by cities to provide parking, a certain number or amount of coverage by street trees, curbs and sidewalks, etc. Public Art could be added to this list, or developers given the opportunity to include public art in a project as a way of meeting the requirement for providing these kinds of on-site amenities. Fees paid by developers, or requirements that developers provide more affordable housing or a park as part of a project, also could be set aside to fund works of public art. In Portland, OR, public art is acceptable as an alternative to meeting the city's requirements for ground floor windows (no blank walls at street level).
 2. In instances where a Nexus or Environmental Impact Study has been ordered to determine the potential negative impacts of a project, **a percentage of the fees paid by a developer as part of this mitigation could be set aside for a public art project**, where the art would be considered a mitigation tool.
-
1. **Have the “plaza bonuses,”** or floor-area ratio bonuses, given to developers who set aside a certain amount of ground floor as public space, **also be awarded for including public art.** In Portland, OR, development projects where one percent of total construction costs are committed to public art receive a floor-area ratio bonus of 1:1. All or at least 25% of these funds are deposited in the Public Art Trust Fund for use on

projects in other sites around the city. The City of Tampa, FL, encourages “any private developer/owner who applies to the city for building permits to construct or reconstruct a commercial or municipal structure to commit one percent of construction costs up to \$200,000 to the provision of fine art in conjunction with such commercial structure” or to elect instead to donate to the city an amount equivalent to the one percent. In addition, every building or construction permit pulled for the construction or reconstruction of a commercial or municipal structure is reported to the public art committee.

No matter how the developers are encouraged to fund art, they are responsible for maintaining and conserving works once they have been commissioned. Developers need their own advisors or consultants and/or a public art review panel should be convened on private projects to ensure quality and that the artwork(s) commissioned complies with the overall goals of the public art policy and public art vision of the city.

ALTERNATE SOURCES OF FUNDING

Funding for public art has come from:

- TIF (Tax increment financing) of vacant buildings for use by artists for housing and studios (Memphis, TN);
- Foundation grants, including those from National Endowment for the Arts (NEA) and National Endowment for the Humanities (NEH);
- Neighborhood appeals;
- Parking meter revenue;
- Hotel/motel taxes (Transient Occupancy Tax);
- Sales tax revenue,
- Proceeds from the sale of city land;
- Funds pooled with the county;
- State and city governments;
- Historical societies and commissions;

- Local companies (including locally based branches of national corporations);
- Utilities;
- Arts councils and advisory boards;
- Museums; and
- Art centers

Potential strategies to raise funds for a public-art policy could be to:

- **Tie funding of public art to a possible (foundation) endowment** for the care and management of downtown parks and public spaces. The endowment could pay for art selection, commissioning, and maintenance.
- **Tax large-scale events and festivals** to pay for art. For example, a Motel/Hotel tax can be dedicated to public art during the event. This funding can be put toward art projects that would occur before and after the event.
- See if your project would make you eligible for a **state tax credit for historic renovation**
- Have City Council members **fund public art projects in communities** within their districts.
- Use the **public art policy as a marketing tool** to funders.
- **Have a 501(c)(3) administer the public art program**, so that donated monies could be used tax-free and would represent taxable deductions for donors.

ADMINISTERING THE MONEY

A Public Art Trust Fund can be set up as a discreet fund of a Public Art Program. Public art program staff would deposit all funds earmarked for public art projects — be they from public or private sources, or donated or bequeathed to the city for works of art — into this Fund. Each project can be assigned to a separate account within the trust, or at least a specific project number used for tracking payments and disbursements. Additional funds can

be deposited into the Public Art Trust Fund for a project’s contingency or for use on other types of public art projects, both new and existing. The Public Art Program would contract with artists and pay them from this Public Art Trust Fund, which would follow standard accounting procedures and practices.

(Images, from top to bottom: A seafaring take on a wrought iron fence, P.S. 123 in New York; patchwork banners in Santa Monica, CA; Seyed Alavi suggests a different viewpoint in an underpass in Los Angeles; a public art exhibition at the Paine Webber gallery in Manhattan; a sculpture of Mayor James Curley in his namesake park in Boston.)

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Author: Project for Public Spaces

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