



Implementation Plan for the Art In Public Places Program

2017-2022



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IMPLEMENTATION PLAN FOR THE ART IN PUBLIC PLACES PROGRAM 2017-2022

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PREFACE

This document is the five-year Implementation Plan for the Art in Public Places (AIPP) program. Much of what was learned over the past 30 years of implementing the program has been incorporated into this Implementation Plan to create a more comprehensive, yet still flexible, working document. Included in this plan are statements on Legislative Authorities, Administrative Structure, Unsolicited Proposals for Art Projects as well as a Site Selection and Selection Process, which reflect present program objectives, and the ongoing desire for community input and involvement.

Other AIPP program areas are Accession, Deaccession, Donations of Artwork, Financial Donations, Public Education, and Support for Collaborations and Public Private Partnerships to facilitate arts projects in Rockville, and arts related issues arising out of Ordinance #3-04 Publicly Accessible Art in Private Development.

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STATEMENT OF OBJECTIVES AND VALUES

The City of Rockville public policy is to nurture, inspire and expand its citizens' awareness and educational experience with the visual arts, to enhance the community's uniqueness in Montgomery County and the metropolitan Washington area, and to augment the local, regional and national perception of Rockville as a destination and as a leader in civic cultural achievements.

A prominent objective of the city's implementation of this policy is the transparent acquisition and/or commissioning of artwork of the highest quality for display in spaces accessible to the citizens where they live, work, and play.

Rockville community members and businesses have provided support to arts efforts for many years. The continued commitment to nurture and expand residents' experiences through visual, performing, and literary arts offerings has maintained many ongoing programs and supported the development of new ones.

It is also the goal of this AIPP plan to promote the general welfare by requiring and encouraging the use and incorporation of works of publicly accessible art in private development in order to preserve and enrich the character and environment of the community, improve the quality of life for those within the city, ameliorate the harshness of increased urbanization and foster the economic vitality of the community.

Currently, Rockville's visual arts offerings include permanent and temporary art projects through the AIPP program; the Glenview Mansion Art Gallery with juried exhibits; an ongoing relationship with the Rockville Art League; and a partnership with VisArts at Rockville, a non-profit regional art center.

Under the aegis of the city's Cultural Arts Commission (CAC), this implementation plan has been developed for the Art in Public Places program. Visual arts will remain a priority for art projects supported via the AIPP program with the objective of contributing to Rockville's image as an exciting and desirable place to live and work as well as to its cultural enrichment.

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LEGISLATIVE AUTHORITIES

The City of Rockville's Art in Public Places Implementation Plan derives its authority from:

- (1) "Incorporation of Works of Art in Public Architecture," Ordinance #30-78, adopted Sept. 18, 1978 and amended July 15, 2013.
- (2) "Art in Public Places" Ordinance #15-13, adopted July 29, 2013.
- (3) "Publicly Accessible Art in Private Development" Ordinance #3-04, adopted Feb. 9, 2004.

These authorities constitute the bulk of the funding sources for all activities covered under the Art in Public Places Implementation Plan. The Mayor and Council may initiate changes or consider extending or amending these authorities at the request of the Cultural Arts Commission.

SOURCES OF FUNDING

The amount of funding of the "Incorporation of Works of Art in Public Architecture (AIPA)" Ordinance and the "Art in Public Places (AIPP)" Ordinance are legislatively determined and approved annually by the Mayor and Council. These funding sources will not be used for purposes other than as defined in corresponding ordinances and governing policies.

The AIPP program is administered through a implementation plan that remains flexible regarding its funding ability to:

- Independently support a project through only AIPP funds (AIPP Ordinance #15-13).
- Work in conjunction with one percent in public architecture project funds (AIPA Ordinance #30-78).
- "Publicly Accessible Art in Private Development," Ordinance #3-04.
- Work in conjunction with other private funding sources (partnerships and/or donations).
- Implement a project through a straight private donation.

The Art in Public Places (AIPP) ordinance provides funding for specific projects based on the amount equal to one-tenth of one percent of the prior year's adopted General Fund budget to be transferred from the General Fund to the Art in Public Places program, subject to appropriation by the Mayor and Council. Final approval

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of all proposed projects and their funding level is made by the Mayor and Council one year at a time as a part of the city budget. Unawarded designated AIPP funding is carried over on a continuing basis from year to year subject to annual allocation.

The “Incorporation of Works of Art in Public Architecture” (AIPA) ordinance provides the vehicle and (at least a portion of) funding for a variety of projects. According to the language of the ordinance, general Capital Improvements Program (CIP) projects are selected to include art funding as follows:

“The construction projects appropriate to the One Percent Art in Public Architecture program are selected from capital projects to construct or remodel any building, park, bridge, parking facility, above-ground structure, or any portion thereof, to be located within the city limits. The city manager shall make determination as to the applicability and/or implementation of this ordinance to the specific CIP projects.”

As defined in the ordinance, AIPA artworks may include, but are not limited to: “paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas reliefs, tapestries, photographs, drawings, stained glass, fountains, or other artworks for exterior and interior sites. The term shall not include landscaping, or the choice or use of materials in the architecture.”

In an ongoing effort to standardize the annual process to incorporate one percent in public architecture (AIPA) projects into the CIP, the following processes are generally adhered to:

1. CIP projects that are appropriate as AIPA projects are recommended each year for inclusion in the new CIP by the Arts Division of the Recreation and Parks Department. The list of projects notes all previously approved AIPA projects and presents new projects for consideration.
2. This list of projects for the CIP is submitted to the city manager for review and approval to ensure that new projects comply with the AIPA ordinance.
3. The list of approved projects is presented to the Cultural Arts Commission for comment and/or recommendation.
4. The Budget Division in the Finance Department incorporates into the CIP notation of, and funding for, all newly-approved and restated AIPA projects for the CIP. Coordination with the Cultural Arts Commission will be noted for all art projects.
5. The Cultural Arts Commission may recommend to the Mayor and Council a dollar amount that is less than the one percent appropriation of the estimated total construction cost of the project and the remaining balance may be used

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on other art projects. If the one percent appropriation is unused on the determined project, the funds will be cumulative and made available for other art projects at a later date.

The “Publicly Accessible Art in Private Development” ordinance promotes the general welfare by requiring and encouraging the use and incorporation of works of publicly accessible art in private development in order to preserve and enrich the character and environment of the community, improve the quality of life for those who visit, live and/or work in the City, ameliorate the harshness of increased urbanization, and foster the economic vitality of the community.

ADMINISTRATIVE STRUCTURE

The AIPP program is administered through the Arts Division of the Recreation and Parks Department in conjunction with the Cultural Arts Commission.* Within the Arts Division, the arts programs supervisor administer the AIPP program under the direct supervision of the superintendent of recreation, director of recreation and parks, and city manager. The CAC, pursuant to the “Laws of Rockville,” is an 11-member appointed volunteer commission that serves as an advisory board to the Mayor and Council. The CAC assumes responsibilities as noted in the site selection and artist nomination selection processes, along with any general oversight issues/concerns involving the AIPP program as a whole or in part. The Mayor and Council approve all AIPP policy recommendations, spending authority, and final award of commissions.

** The city may retain an art consultant as needed.*

ART IN PUBLIC PLACES PROGRAM GOALS

Each individual art project budget, whether it be AIPP, AIPA, a private donation or any combination, will be determined based on the funding sources being used and the objectives of the project. All projects will have all-inclusive budgets for any awarded commission, with no in-kind supplemental funding by the city. The responsibility to complete the project within budget rests solely with the commissioned artist.

AIPP art project competitions will encourage both emerging and established artists to submit applications.

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It is the goal of the AIPP program, as well as the AIPA, that the artist work in a collaborative manner whenever possible with any designers or contractors working at the project site.

Safety should be an important consideration in the selection of all AIPP projects. Safety and preservation of the general welfare of the community will always be of utmost importance in any AIPP project and will be achieved through open communication among the artist, the city staff, and community representatives.

SITE SELECTION

The CAC may make additional site recommendations to the Mayor and Council as opportunities develop throughout the community. Approval from the Mayor and Council must be obtained for each potential project site. Consideration as to how the site is used, how often, and by whom will be important elements in the site selection.

Rockville has built a formidable reputation for its strength in the arts. Based on the past accomplishments of the AIPP program and other art programs in the community, the following list presents the areas of focus for the AIPP program. Areas of focus shall be:

Gateways - Pursuant to the adopted Culture and Entertainment Plan, the Mayor and Council has established the goal of making Rockville a cultural destination. The purpose of the plan is to make the community a premier destination, increase community pride and identity, preserve and enrich the character of the community, and improve the quality of life. The first priority is to fund and install significant works of art at major gateways into the city.

Metro Stations - Placement of art at the Rockville and Twinbrook Stations including their adjacent properties will be done in conjunction with Washington Metropolitan Area Transit Authority and the CSX Transportation.

Town Center - In consideration of the City's plan to revitalize Town Center, the Cultural Arts Commission (CAC) is an active and integral participant in private and public development. Key art sites within Town Center should continue to be established. The CAC desires and is available to serve in the advisory role for private and public projects in Town Center.

Parks - Neighborhood parks should remain a priority focus for art, especially the parks that are most frequently used and that offer good visibility and easy access.

Neighborhood Sites - Artwork should be placed at key locations within neighborhoods, for example, at crossroads, shopping areas, rotaries, entrances to subdivisions, etc.



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SELECTION PROCESS

In the selection process established for its AIPP program, the City of Rockville relies on citizen input and also benefits from outside professional advice given by art experts from the inception of any process. The city and the Artist Nomination Committee realizes that it is important that artists be encouraged to meet and interact with the community so that their work is not created in a vacuum, but is responsive to a particular neighborhood as well as to a specific site. By increasing community and business participation and interest, it is hoped that the works of art being installed and created for Rockville will, in the long term contribute to the general sense of belonging and pride Rockville's citizens have in their city. Both temporary and permanent art projects must facilitate a shared experience that reflects the diversity and vitality of Rockville.

The validity and success of the AIPP program is largely based on the nature and quality of the process and the people involved in the selection of commissioned works of art. In any of the selection processes outlined below, the city relies on the expertise of a panel combining both community representatives and art professionals.

- The community representatives' role is to provide knowledge about the attitudes, hopes, and concerns of Rockville residents.
- The art professionals' role is to provide art expertise and guidance in the related fields and public art.

Any one of three types of selection processes may be used based on a particular site or situation. Options include a Full and Open Competition; a Limited; Invitational Competition; or a Direct Invitation. The Arts Division staff makes a recommendation as to which selection process is most appropriate for a particular project. The CAC must review and concur with this recommendation.

Art Projects Selection Process Options:

It is important that the City of Rockville implement a fair, effective, efficient and transparent selection process. The following selection options serve as the basis for establishing guidelines for selection for any AIPP art project.

1. **FULL AND OPEN COMPETITION:** This is the most widely used and most equitable process. It solicits for artists' participation nationwide, with emphasis on regional and emerging artists.
 - a. An artist nomination committee is established and is typically composed of:
 - Three CAC (one of which will serve as chair/facilitator of the committee).
 - Two representatives of the neighborhood and/or user group site where the public art is to be located.

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- Two local/regional art professionals (i.e., museum curators, designers, artists)

A representative of the Mayor and Council is welcome to serve on this committee and/or to participate at any stage of the process. A CAC representative will serve as the chairperson /facilitator of the artist nomination committee. City staff provides administrative and advisory support to the committee. Meetings are open to the public.

- b. The artist nomination committee visits the selected sites and/or reviews scope of project and surrounding neighborhoods, evaluating the opportunities and limitations of each project site and developing guidelines as to possible locations/use for the artwork(s) within the site, possible materials, appropriate scale, etc. These guidelines must be kept flexible, so as to not limit possibilities and to promote the artist's creativity.
- c. From the information gathered at the site meeting, the staff prepares a "Call for Entries," which advertises the competition and invites artists to participate. Key elements for each "Call for Entries" include but are not limited to establishing: location, media, budget, calendar/schedule for project, scope/theme, administrative and insurance responsibilities and requested materials (i.e. CD for visual artists, video for performing, published works for literary, and written materials to establish previous experience) sent by the artists are received by staff and organized for presentation to the artist nomination committee at a second meeting.
- d. At this second meeting, to which all interested neighborhood residents/site-users are invited, the artist nomination committee reviews the requested materials submitted and selects finalists for the project. Each finalist is given an honorarium to prepare a proposal (to include the project's concept, design or scope of shared experience, maquettes if appropriate and a detailed budget) for an artwork for a particular site. Artists are encouraged to visit the site and are given the opportunity to meet with representatives of the artist nomination committee and the staff to gather as much information as possible for the project.
- e. At a third artist nomination committee meeting, each finalist makes a presentation of his or her proposal. The public also is invited to this meeting. The artist nomination committee has the opportunity to ask questions and to review, compare, and discuss the different aesthetic solutions presented by each artist.

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- f. The artist nomination committee then formulates a recommendation to be forwarded to the CAC.
 - g. The CAC, after review and discussion of the artist nomination committee's recommendation, formulates its own recommendation for the project. All recommendations are forwarded to the Mayor and Council for final action (e.g., approval and award of the project's commission).
 - h. Throughout the selection process of any AIPP project, all recommendations from each preceding review committee are documented and presented for consideration to the next reviewing group. It is essential that an understanding of the development of the project from its inception be a part of the ongoing selection process and final decision by the Mayor and Council. Each recommending body, however, functions independently, and, with its additional perspective, may positively or negatively respond to any or all recommendations presented for its consideration.
2. **LIMITED, INVITATIONAL COMPETITION:** In this process, a limited number of pre-selected artists (identified by the project's artist nomination committee or the CAC, with assistance from the art consultant) are selected through an interview process and invited to develop a proposal for a particular project. These artists are given an honorarium and all the necessary information, as in the "Full and Open Competition," as well as the opportunity to present a proposal to the committee. Steps "f" and "g", listed in the Full and Open Competition above remain the same for this competition.

Experience has proven that this particular process might be most appropriate for art projects calling for collaboration between an artist and an architect, engineer or landscape architect.

3. **DIRECT INVITATION:** In this process, if there is a consensus that one artist is particularly well qualified for a project, he or she might be invited directly to submit a proposal, thereby bypassing the competition process. This process would be recommended only if the project committee, art consultant (if relevant), staff, and the CAC concur and provide the needed consensus.

This process is rarely implemented and not favored, but does maintain flexibility for the AIPP program should an appropriate opportunity present itself.

For each of the selection processes outlined, the reviewing committee members have the opportunity to examine and discuss the merit of each proposal submitted

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by each artist.

The community representatives are especially encouraged to react to the different proposals and offer their particular experience as site users, and their own insight to the project. The AIPP program encourages citizen input at any level of evaluation/recommendation throughout the selection process.

Many criteria and considerations enter into the final recommendation, and each process allows for flexibility in its implementation. Selection process elements, such as additional communication efforts to the community or additional reviews of certain proposals, can be added at any time during review of the project. Similarly, additional clarification might be requested from the artist. These and other needs will be handled with guidance of staff and the Art Consultant if assigned to the project in a manner to encourage fairness to all participating artists.

SITE ENHANCEMENTS FOR VISUAL ARTS PROJECTS

It is the objective of all AIPA and AIPP projects that the commission budget is all-inclusive, covering all expenses related to design, fabrication, installation, and site enhancements. Most often site enhancements are originally established/provided by working in conjunction with the site's developers, landscape architects or others involved with the location for the publicly accessible work of art. However, it is recognized that after a project is completed, or as time passes and artwork sites naturally change, further attention to an artwork's environment may be determined desirable. Therefore, any additional landscaping, lighting, or other treatment for an area surrounding the art will be recommended as needed by the CAC, staff, and an art consultant (if assigned), and can be funded through the AIPP. Projects will be examined on an individual basis. (Also see Maintenance/Refurbishment Section below.)

Note: Since the AIPP program is responsible for maintenance of the city's public art collection, flexibility for use of AIPP maintenance funds is important to ensure the condition of the work of art, and its immediate environment.

ACCESSION

All works of art purchased, commissioned, or donated shall become the property of the city and a part of the city's public art collection, to be administered by the Arts Division, Recreation and Parks Department, in conjunction with the CAC. All the

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visual works of art in the collection shall be included in an inventory. This inventory will include at least:

- Artist name
- Title of the work
- Date of execution
- Location of artwork and year of installation
- Purchase price (except as to donated artworks)*
- A written description including content and context of the work (as described in the artist's proposal) and documentation produced at the time of commissioning
- Photographs of the work installed
- Dated record of the condition of work
- Artist's recommendations for maintenance and repairs
- Published material about the work

* A periodic appraisal of the value of artwork in the city for insurance and other purposes will be sought if deemed appropriate by staff.

MAINTENANCE/REFURBISHMENT

Funds for maintenance and refurbishment of AIPP artwork are paid from the AIPP Program within the operating budget. All AIPP commissions within the program are inclusive of all applicable costs relating to the planning, construction, installation, and two-year warranty on the artwork. A strong element of the selection process will be consideration of the durability, life expectancy, and safety issues surrounding the artwork. After expiration of the guaranteed period in the initial contract agreement with the artist if it is deemed necessary to repair or conserve a city-owned artwork, it will be the city's policy to contact the creating/designing artist first to provide the needed repair work.

As the City's collection grows larger and older, the percentage of the annual income needed to maintain and refurbish the artworks will increase. Without increases to the annual income as a whole, the funds available for new projects could decrease.

City staff and the Cultural Arts Commission recommend the need to assess the condition and conservation needs of the public art currently in the city's collection. The conservator will be expected to conduct a thorough on-site condition assessment of the city's public art collection; outline the condition of each work and provide treatment recommendations; list the works based on condition/treatment priority; and produce a budgetary cost estimate.

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DEACCESSION

The removal of an individual work of art from the City of Rockville Public Art collection may only be made after careful consideration of the factors results in a deaccession recommendation by the Cultural Arts Commission that is approved by the Mayor and Council.

The Visual Artists Rights Act, effective June 1, 1991, offers the artist a protection of his or her right of integrity and right of attribution and must be dealt with carefully in the contract.

It is the policy of the City of Rockville that works of art be recommended for removal and/or relocation only in unusual circumstances and only if reasonable cause has been established by one or more of the following:

- There is a safety hazard to the public in the artwork's present condition.
- The restoration of the work's structural or aesthetic integrity is technically not feasible, or the expense of restoring is disproportionate to the value of the work.
- The architectural support (building, wall, and patio) is to be destroyed.
- The use of this particular public space may have changed, and/or the work may have lost its contextual meaning.

NOTE: Aesthetic/artistic concerns are not a basis for deaccession.

If after careful consideration a work must be moved and/or modified, the artist must be notified and given the opportunity to be involved.

If a work of art needs to be permanently removed or destroyed, it should be offered to the artist first. Plans for removal should prioritize actions that reflect integrity for the work and respect for the artist. In the event that the artist has no interest in the work, any potential monetary gain from salvage of the work will accrue to the City of Rockville. Any financial costs incurred to implement removal and/or disposal of the work of art will be funded by the AIPP program.

PUBLIC OUTREACH

Rockville has succeeded in bringing to its community members a new awareness of art and the art world. These efforts must continue with a comprehensive, forward-looking public outreach policy as an important element in bringing the ben-

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efits and objectives of the AIPP program to every Rockville resident. The success of the AIPP program is dependent upon the support and participation of an informed community. The effort to inform the public and encourage citizen involvement has been a continuing one and is an essential element of the AIPP program.

Successful conventional methods of public education should continue to be employed to keep the AIPP arts program in the public awareness. These methods include but are not limited to: printed material such as “Rockville Reports” articles, use of the City of Rockville website www.rockvillemd.gov, Rockville Channel 11 coverage, social media and other media, as appropriate.

These traditional approaches, however, must be augmented by further public efforts to encourage participation and involvement of all community members, especially those most affected by each new AIPP installation. Actions to promote awareness and participation may include: posting an identification sign at the actual artwork site after award of the commission and before installation; distributing fliers to homes in the immediate area of the future artwork; actively involving representatives of neighborhood/user groups; and any number of other actions determined to be potentially supportive to an individual project.

Effort also must be expended to promote general public awareness of the overall AIPP program. This would most simply be done through the sponsorship of special activities surrounding an AIPP installation, which could take place in conjunction with special city events and be featured in area media. Involving the artists (along with their artwork) with the community is very beneficial. The more creatively the AIPP program can continue to involve AIPP artists with the community and highlight the accomplishments and success of the program, the broader the base of support it will obtain from all sectors of the community.

ART IN PUBLIC PLACES TEMPORARY EXHIBITS

It is the objective of this implementation plan to provide for at least an annual temporary arts event for the Rockville community.

Presentation of a symposium, series of demonstrations or other temporary visual event using a variety of locations are viable ideas. With appropriate planning by city staff and the CAC, a greater diversity of arts experiences may be provided for the Rockville community.

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UNSOLICITED PROPOSALS FOR ART PROJECTS

The City of Rockville prefers not to accept unsolicited proposals for art projects. However, all such unsolicited proposals received by the City will be reviewed by staff and presented to the Cultural Arts Commission for consideration. The CAC will develop a recommendation on each proposal to be forwarded to the Mayor and Council.

DONATIONS OF WORKS OF ART

Any proposed donation of work(s) of art to Rockville will be reviewed by staff and presented to the CAC. Criteria for acceptance will include, but not be limited by, quality, site availability, safety, and maintenance concerns. Not all art may be found to be appropriate. Each proposal shall be evaluated on its own merits. The CAC will develop a recommendation on each proposal to be forwarded to the Mayor and Council.

It is recognized that although the city is not actively pursuing gifts of art, it welcomes the opportunity to enrich the quality of the environment through the addition of works of art.

If a value is to be placed on donated art for tax purposes, the responsibility for establishing said value is with the donor.

FINANCIAL DONATIONS

The City of Rockville welcomes any monetary donation made to it for the purpose of supporting the Art in Public Places program or for any other one-time only special arts project. The objectives of the Friends of the Arts account is to solicit contributions from the community to use in support of new art programs and/or enhancements to existing arts programs as well as receive donations from developers for the art requirement of the “Publicly Accessible Art in Private Development” ordinance. All funds received from outside of city budgets will be handled through the Friends of the Arts account to ensure all monies are held and/or used only for the identified art project to which they were given. Donated funds will be appropriated and made available for use within the fiscal year per the established projects.

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PUBLIC - PRIVATE PARTNERSHIP

It is the policy of the city to increase the quality and quantity of art in the city through fostering and facilitating new arts initiatives, arts partnerships, and collaborations, among arts organizations, and the private business sector. The objective is to integrate art and arts-related amenities and offerings through the creative use of public and private resources for the mutual benefit of the private investor and the public.





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