

ART IN PUBLIC PLACES MASTER PLAN



MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS

REVISED APRIL 2015

ART IN PUBLIC PLACES MASTER PLAN

Table of Contents

I. Introduction	3
A. Goals of the Program	3
B. Definitions.....	3
II. Public Art Advisory Board	4
III. Art in Public Places Fund.....	5
A. Eligible Projects	5
B. Use of Funds	5
IV. Program Administration	6
A. General Procedures	6
B. Specific Project Procedures	8
C. Selection Procedures	8
D. Selection Criteria for Arts Works.....	8
E. Project Implementation.....	9
F. Artists' Responsibilities	9
G. Ownership and Maintenance.....	9
V. Loan/Donations.....	9
VI. Private Sector Development of Art in Public Places	10

I. Introduction

Martin County adopted the Arts in Public Places Ordinance on June 24, 1997. This ordinance was amended in 2000, 2002, 2011, and 2014. The ordinance requires that this Master Plan set forth the procedures by which Martin County will develop art in public places.

A. Goals of the Program

The mission of the Art in Public Places Program is to enhance the quality of the visual environment in the Martin County community, both natural and constructed; and in so doing:

1. To promote the spiritual, intellectual, and aesthetic enrichment of the community through public art;
2. To select a diversity of public art for Martin County, Florida;
3. To select works of art which have aesthetic and technical merit and are appropriate in context to the location;
4. To select artists who are professionally and technically competent;
5. To disperse public art throughout Martin County, Florida in such a manner that it is visible and accessible to the greatest number of people.

B. Definitions

For the purpose of this chapter, the terms listed below shall have the following definitions:

Architectural enhancement is the architectural embellishment of a building, the placement of works of art in the interior or exterior spaces of the building, or special landscape treatments such as parks, plazas, or atriums. Architectural enhancement may be an integral part of the building, situated within or outside the building, may be located in or near government facilities which have already been constructed, or may be located in other public places where numbers of people may experience them.

Public Art Advisory Board is the Board created by Chapter 13, General Ordinances, Martin County Code.

Art in Public Places Master Plan is a plan containing written guidelines and procedures to govern the manner and the method of selection of proposed sites, works of art, as well as architectural enhancements and special landscape treatments; the process for participation and coordination with local education institutions and students; and the process for developing a five-year plan for program development funding, implementation and placement of public art. The plan will also provide for a comprehensive program for art in public places which shall include the display of loaned art in appropriate public buildings. The plan shall be developed by the Department of Administration in consultation with the Education Foundation of Martin County, the Arts Council of Martin County, as well as other arts organizations and the Public Art Advisory Board, subject to approval by the Board of County Commissioners before its utilization by the Public Art Advisory Board and implementation by County personnel.

Art in Public Places Five Year Plan is a plan developed by the Department of Administration, in consultation with the Education Foundation of Martin County, the Arts Council of Martin County, as well as other local arts organizations, in accordance with the Public Art Master Plan, reviewed by the Public Art Advisory Board and subject to review and approval by the Board of County Commissioners. Such plan shall set forth a plan for the program development, participation and coordination with local education institutions and students, implementation, funding and placement of public art. This plan may be revised from time to time as may be necessary in order to accommodate grants or other non-County funding sources or other changes which the Board of County Commissioners deems necessary to further the goals of Art in Public Places. The plan shall be reviewed annually by the Public Art Advisory Board and the Board of County Commissioners and updated as required. Updates and revisions to the plan are subject to Board of County Commissioners approval.

Public Capital Facility is any capital improvement paid for wholly or in part by Martin County or paid for with monies granted to Martin County by other governmental agencies; limited to any project to construct or remodel a building, regional parks in excess of 50 acres which have not been purchased for passive recreational use, parking facility, or any portion thereof within the County limits of Martin County, Florida.

Public Places are County owned parks and buildings with high visibility and/or heavy pedestrian traffic that are open to the public.

Special Landscape Treatment is landscaping that goes beyond the requirements of Martin County Code of Laws Section 23-49, et seq. ("Martin County Landscape Ordinance") in order to create a park-like setting or plaza.

Works of Art are tangible objects produced according to aesthetic principles, including paintings, sculpture, engravings, carvings, frescos, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, and drawings.

II. Public Art Advisory Board: creation, composition, responsibility

A Public Art Advisory Board facilitated by the County's Department of Administration is hereby created and shall have the duty and responsibility to review the Public Art Master Plan and the Art in Public Places Five-Year Plan for review and approval by the Board of County Commissioners and to hold public meetings to solicit public comment for specific public art projects contained in the Art in Public Places Five-Year Plan.

The Public Art Advisory Board shall be comprised of the following:

1. One member shall be an architect or interior designer,
2. One member shall be a landscape architect or land use planner,
3. One member shall be a professional in the field of art,
4. One member shall be an art educator, or an architectural historian,
5. One member shall be nominated by the County's designated arts agency.
6. The remaining members shall be citizens with knowledge of and appreciation for the visual arts.

The architect or other design professional for a specific County project may advise the County during the selection process as it relates to the project.

Except as otherwise limited by the Public Art Master Plan, this chapter, or other law, rule, regulation or ordinance, the Public Art Advisory Board may adopt written policies and procedures to assist it in the performance of its duties.

III. Art in Public Places Fund

The County has established a fund designated as the “Art in Public Places Fund,” in accordance with Chapter 13 General Ordinances, Martin County Code. All funds set aside for each eligible public capital facility project, together with such other funds as the Board of County Commissioners shall appropriate for works of art and funds donated by the general public for works of art shall be deposited into this fund. Interest accrued to the funds shall be allocated in accordance with the provisions of Chapter 13 General Ordinances, Martin County Code and the Public Art Master Plan.

These funds shall be expended by the Board of County Commissioners for public capital facility projects as proscribed by the guidelines. Any funds not expended by the end of any fiscal year shall be carried over to the next fiscal year. Any funds carried over five (5) years and still unexpended at the expiration of such period, shall be transferred to the General Fund for general art purposes only; provided that funds derived from revenue or general obligation bond issues or from the utility revenues or other special purpose funds or funds dedicated pursuant to the terms of a bond or other debt obligation resolution shall revert to the bond, fund, or project from which appropriated at the expiration of said five (5) year period.

A. Eligible Projects

All estimates for the construction and/or renovation of public facilities and all requests for appropriations for such eligible public capital facility projects shall include an amount for Art in Public Places, equal to one percent (1%) of the total estimated cost of each public capital facility. The one percent amount shall be calculated on the total cost of the construction, excluding the first \$5,000.00. This one-percent-of cost is to be spent on architectural enhancement of the public capital facility from the budget of which the one percent is drawn except if the project falls under the exclusions which follows:

Exclusions

The requirement that one percent of the public capital facility’s construction budget shall be encumbered shall only apply if such expenditure is legally permissible for that project and under the specific project funding sources. If the source of funding or other appropriate law with respect to any particular project precludes art as an object of expenditure of funds, the amount of funds so restricted shall be excluded from the aforesaid calculation.

B. Use of Funds

The one percent of the eligible cost is to be spent on architectural enhancement of the public capital facility from the budget of which the one percent is drawn; including any costs specified in subsection IV.A.2.

1. For Public Art Fund Administration costs, signage, dedication costs, insurance costs, or for repair and maintenance of any works of art acquired under this article; or
2. To supplement other funds set aside for the acquisition of works of art for other public works projects or to place works of art in, on, or near Martin County facilities which have already been constructed. Provided that funds set aside from any bond issue or any special purpose funds or funds dedicated pursuant to the terms of a bond or other debt obligation resolution which are not used for the public works project for which they were set aside shall revert to the bond fund or project from which they were set aside; or
3. When funds have accrued from a specific public capital facility project which do not lend themselves to the visual arts or for which there is no major public benefit, the Public Art Advisory Board shall, in accordance with the Public Art Master Plan, recommend the use of those funds for architectural enhancements for other sites to the Board of County Commissioners for approval; or funds may be retained for maintenance or conservation of existing projects.
4. The location of architectural enhancement paid for out of project funds at the site other than the specific project site shall require a prior finding by the Board of County Commissioners that the location of the architectural enhancement at the original project site is inappropriate for that particular project, that it serves a public purpose to locate such art objects or improvements elsewhere, and that it is an appropriate use of those particular funds.

IV. Program Administration

A. General Procedures

1. Each Department of County Government responsible for the management of an eligible project will ensure inclusion of one percent of the eligible cost in the public capital facility project budget for the development of works of art, architectural enhancement, and special landscape treatment for the project in accordance with Chapter 13 General Ordinances, Martin County Code. The Office of Budget and Management, during its Budget review, will ensure the inclusion of such amounts for every qualifying project.
2. Each Department of County Government responsible for the management of an eligible project shall ensure that Chapter 13 General Ordinances, Martin County Code is referenced in the Request for Proposals or other appropriate documents and that the requirements of Chapter 13 General Ordinances, Martin County Code are discussed with all architectural/engineering firms that have been ranked for

consideration for the project design work pursuant to the selection procedures set forth by the County. All contracts for architectural design or renovation of County facilities shall contain a reference to Chapter 13 General Ordinances, Martin County Code; and shall include the concepts found in IV.A.5. If specific services are required to support the Arts in Public Places Program, the services will be funded by the Art in Public Places Fund.

3. Prior to the initial stages of project development, the Department managing the specific project shall inform the Department of Administration of the project, the budget for public art, and the timeframe of the project. The Department managing the project shall include, within the scope of services of the architect or other design professional, a meeting with the Public Arts Coordinator through the Department of Administration.
4. The Public Arts Coordinator, through the Department of Administration, shall hold public meetings through a venue provided by the Public Art Advisory Board for specific project discussions to develop recommendations regarding the type and placement of art to be acquired for the specific project and the procedures to be followed for the acquisition of the work.
 - A. The Department of Administration shall notice the Arts Council Stuart/Martin County and other arts organizations in Martin County about the public meetings to enable greater participation by these organizations regarding pending public art projects.
5. Early in the design of the project, the architect or other design professional retained for that project shall coordinate with the Public Arts Coordinator, the selected artist and the County Project Manager for the applicable project to develop a plan for adding works of art, architectural enhancements, or special landscape treatments to the projects.
 - A. Concurrently, the Public Arts Coordinator shall meet with representatives of the Education Foundation of Martin County and other educational entities to determine if the project under consideration is suitable for an education component. If a positive determination is made planning for that component shall commence in such a manner as to successfully integrate that component into the project.
6. The staff of each public capital facility or public place that will be the location of public art shall be consulted by the Public Arts Coordinator about safety issues related to architectural enhancement. The public facility architect or other design professional and the County Engineer shall also be consulted by the Public Arts Coordinator about such safety issues.
7. The architect or other design professional for a specific County project may advise the Public Arts Coordinator during the selection process as it relates to the project.

8. Once the Public Arts Coordinator has studied the specific project needs, the Public Arts Coordinator shall recommend to the Board of County Commissioners those works of art, architectural enhancements, or special landscape treatments that is deemed appropriate to the project in accordance with the Public Art Master Plan.
9. The Board of County Commissioners shall, in its discretion, accept or reject the recommendations of the Public Art Advisory Board and Public Arts Coordinator. If such recommendations are rejected; the Board of County Commissioners may request the Public Arts Coordinator promptly submit alternative recommendations.

B. Specific Project Procedures

1. One County employee whose job tasks include custody of art in the specific project shall be appointed by the County Administrator for that project, to provide input on safety and also to provide input on the architectural character and interior design of the specific project.
2. The architect or other design professional for a specific County project may consult with the Public Arts Coordinator on matters related to the project.

C. Selection Procedure

1. All Art in Public Places projects are open to professional artists.
2. In order to ensure competition, the Board of County Commissioners by and through the Department of Administration, shall publicize all County projects through the Arts Council of Stuart/Martin placement of the Call with the State of Florida, Division of Cultural Affairs' "Call to Artists," use of the Internet, or other method deemed appropriate. Such notices shall specify the locations of the architectural enhancement, the criteria by which such architectural enhancements will be evaluated, deadlines for submission, and cost range. At a minimum, adequate notice shall be published in a newspaper of general circulation for a reasonable time prior to the time set for the submission of responses.
3. The Public Arts Coordinator reviews all proposals and recommends to the Board of County Commissioners the type of work to be commissioned or bought. Prior to making a recommendation, the Public Art Advisory Board shall provide a public venue to gather input regarding all eligible submissions.

D. Selection Criteria for Sites and Public Art

In the selection process, the Public Art Advisory Board shall consider the following criteria:

1. Architectural enhancements shall be located in areas where residents and visitors live, work, or congregate and shall be highly visible and accessible;

2. The appropriateness of the work to the site, permanence of the work relative to environmental conditions, maintenance requirements and costs, and the enduring nature of the artistic statement;
3. The sensitivity of the work to the aesthetic and cultural traditions and the history of Martin County, Florida and also to the surrounding neighborhood's character.

E. Project Implementation

Following Board of County Commissioners approval of the selection process for each specific project, the Public Arts Coordinator, working with staff, shall prepare the appropriate selection materials for dissemination. After the Board of County Commissioners approves the specific work to be acquired, staff, with the assistance of the County Legal Department, prepares and negotiates the contract between the artist and the County. The project manager for the specific project shall ensure that the artist is fully integrated into the design and construction phases of the project, as needed. Renovation work done to existing buildings shall be coordinated with the Public Arts Coordinator to ensure that appropriate work is selected for the building.

F. Artists' Responsibilities

The artist will be responsible for the art work until installation of the art work is complete and the final payment is approved by the Public Arts Coordinator. The artist shall supply a complete description of the work of art which would include composition materials. The artist shall recommend a maintenance plan to be followed to preserve the work of art.

G. Ownership and Maintenance

Unless otherwise provided, ownership of all works of art and architectural enhancements acquired by Martin County under this Program shall be vested in Martin County, including copyrights, patents, and other reproduction rights. The Board of County Commissioners shall be responsible for managing the reproduction rights of each acquisition. Custody, supervision, maintenance, and preservation of the works of art is the charge of the Board of County Commissioners and shall be carried out by qualified art professionals with appropriate collaboration with the Public Arts Coordinator or an appointee.

V. Loans/Donations

Architectural enhancements donated or loaned to the County shall be accepted for installation only if reviewed following a public meeting by the Public Art Advisory Board. This provision does not apply to architectural enhancements donated or loaned to the County before the effective date of Chapter 13 General Ordinances, Martin County Code. This provision shall not preclude existing facility arrangements for the use of loaned materials for rotating shows.

The custodians of architectural enhancements in public capital facilities shall assume responsibility to determine the location of donated or loaned architectural enhancements should such a change be required after the art works original placement.

VI. Private Sector Development of Art in Public Places

Private development is not bound by the provisions of Chapter 13 General Ordinances, Martin County Code. However, the Board of County Commissioners encourages the provision of art in the public spaces of private development. The Public Art Advisory Board shall provide a venue and be available to meet with any individual or entity seeking to provide or promote arts in public places.