



Legislation Text

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Student Participation in Public Art (NB)

This item involves a referral to explore establishing a set aside for Art in Public Places funds for under 18 year old artists participating in the Art in Public Places (APPT) program.

This item was referred to the Recreation, Cultural Affairs and Public Works Committee at the December 6, 2012 City Commission meeting. Chapter 5.5 -Art in Public Places of Part II - Code of Ordinances (adopted Jan. 23, 1989) was carefully drafted after a review of percent for art ordinances across the nation. The results of this review then became the model for the City of Gainesville ordinance. The intent of the program is to attract professional artists or teams of artists of national caliber with extensive previous experience creating public art, a proven track record in meeting budget and timelines and the skills necessary for complex permanent public art installations, including but not limited to project planning and financial oversight, design and design team coordination, structural engineering and fabrication, site design and preparation, construction documentation permitting, as well as installation management. Artists selected to produce public art are also expected to exhibit significant awareness of local and national community history and/or issues that provide the framework relevant to public art projects.

Following submission of a response to a project's "Call to Artists Request for Qualifications" and if selected from the pool of national submissions of artists from across the U.S. (e.g. over 80 applied for the recent RTS project call and over 30 for the recent GPD project call), selected finalists then complete a fuller proposal for review by the Art in Places Trust. If awarded the commission, the artist(s) complete a 22-page contract which requires them to provide renderings of their work, budget, timelines, their corporate information, subcontractors (if applicable), warranties of title, quality and condition, proof of insurance, etc.

In order to meet the above mentioned criteria, the current "Call to Artists" used for Art in Public Places projects request artists to list: past experience on projects of similar budget and scope of the project call and public commissions similar in budget and scope; major public, private, corporate, or museum collections in which their work is featured; awards, grants, or fellowships; one-person or group exhibitions in which their work has been featured in the last 7 years; and a proposal and a PowerPoint presentation of images of past work. The Call also requires all artists to reside in the United States and be age 18 and over. Beyond a desire to attract skilled experienced professionals with a background in public art, these criteria also addressed the issue of the general inability of minors to enter into a legal contract. City legal counsel however has identified precedent for a minor or parent or guardian of the minor for selected artistic services.

In reviewing the inquiry at their January 8, 2013 meeting, the Art in Public Places Trust first cited the legal issue of contracting with a minor, but more importantly the intent for the permanent public art installations (permanent being required by the ordinance) funded through this program to be of the highest caliber possible and created by experienced artists with quality reputations in the art world. They discussed the challenges of the increasing cost of public art and limited funding available through the program. Finally, they reviewed opportunities already provided by the City for student artists to display their work. These include 3 exhibitions at the Thomas Center each year presented by the Alachua County Public Schools Visual Arts Program, as well

as the student art competition associated with the Hoggetowne Medieval Faire. At this meeting the Art in Public Places Trust reached consensus that it was not in favor of carving out a piece of the limited funding available for public art in the program for students under 18 years old; however, the Trust felt that a similar competition for temporary public art might be something to consider although the program would need to be legally viable, developed and funded.

At their February 6, 2013 meeting the Art in Public Places Trust again addressed the referral. The Trust remained resolved that the criteria for selection be maintained, that candidates be able to fulfill the requirements of the contract, and that funding remain intact per the existing ordinance with no set-aside for “under 18 year old” applicants. The Trust moved and approved that the requirement in project calls to artists that “applicants must be 18 years old and above” be removed from the project call language.

The Recreation, Cultural Affairs and Public Works Committee heard a recommendation from City staff at the February 25, 2013 meeting to remove the requirement for applicants to be 18 years old and above from the Call to Artists language. The Committee agreed with the staff recommendation and supported removing the referral from the referral list.

N/A

The Recreation, Cultural Affairs and Public Works Committee recommends that the City Commission: 1) approve the removal from project calls of the language regarding age restriction being 18 years old or above, and 2) remove this item from the referral list.