



PUBLIC ART MASTER PLAN

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SECTION ONE -- EXECUTIVE SUMMARY

This is a particularly opportune moment for the City of Fort Worth to undertake the development of a comprehensive public art program. It coincides with a period of active urban growth and development and builds on a series of community-generated plans. The vision section of the *Comprehensive Plan* describes a community where the arts are integrated into visually distinct thriving neighborhoods. The recent adoption of the public art ordinance provides a remarkable tool for the accomplishment of that vision.

The City developed the public art master plan to establish goals and a framework for the rational development of a public art program in the City of Fort Worth. The plan is the culmination of a study undertaken by Cusick Consulting and associates for the Fort Worth Art Commission (FWAC). It incorporates conclusions drawn from research, interviews, site visits, focus groups and public meetings.

The City's public art ordinance specifies that day-to-day administration of the program will be provided by an appropriate entity selected by the City Council through a contract for services. Currently that entity is the Arts Council of Fort Worth and Tarrant County, Inc.¹. In future years, City Council may elect to continue that relationship or select another entity to administer the program. Certain recommendations in this plan were developed for the Arts Council to address the opportunities that arise from that organization's unique relationship to the arts community, as well as its mandate to enhance the cultural life of the entire region. While these recommendations may no longer be applicable in future years, they are included in order to frame ways in which the City's public art investment can be leveraged to provide additional benefits to the Greater Fort Worth area through multi-agency projects and public/private partnerships.

¹ Throughout the plan this entity is referred to as the administrative authority.

In order for Fort Worth to obtain the maximum benefit from the public art ordinance, public art should be fully integrated into the implementation phases of key planning and development initiatives such as the Trinity River Vision,² the central city revitalization strategy, and the development of regional transit.³ This report discusses the means of accomplishing this as well as the support structure needed to grow a public art program.

The following recommendations were crafted to address the priorities and issues identified in planning documents and by policy-makers and community members during the planning process. In addition, they reflect current standards and best practices in the field of public art and urban planning.

The recommendations are:

- 1. Build on the legacy of existing public art.**
- 2. Make public art inclusive of all cultures and histories.**
- 3. Integrate public art into each of the City's key development initiatives and community sectors.**
- 4. Use public art to reinforce people's connection to nature.**
- 5. Involve the community in the process of public art.**
- 6. Over the next five years, develop a complete and multi-faceted public art program.**

² A master plan for the Trinity River and its major tributaries in the Fort Worth area. The plan covers environmental quality, conservation, recreation facilities, trail developments, reforestation, beautification, as well as linkages to neighborhoods, Downtown, and other special districts. The plan also addresses how adjoining land uses, transportation facilities, and other adjoining and crossing facilities can best complement and benefit from the greenways. www.trinityrivervision.org

³ The City of Fort Worth Comprehensive Plan outlines strategies for the revitalization of the central city including: developing compact, pedestrian-friendly mixed use growth centers; revitalizing distressed commercial corridors by developing mixed use villages in those corridors; and developing a light rail transit system that connects the growth centers and villages along commercial corridors. Currently there are five priority commercial corridors – West 7th Street, Camp Bowie Boulevard, Hemphill Street, East Lancaster Avenue and East Rosedale Street and ten 'urban villages' or mixed used activity centers along the commercial corridors.

- 7. Create an administrative and financial structure to facilitate multi-agency public art partnerships.**
- 8. Adopt public art policies and procedures.**
- 9. Adopt a first year project list.**
- 10. Develop a community awareness program.**
- 11. Survey and maintain existing artworks in the City's collection.**
- 12. Advocate to regional policy makers the benefits of public art.**
- 13. Foster the adoption of a public art policy as an integral component of the Trinity River Vision.**
- 14. Include public art in private development.**
- 15. Serve as a regional public art resource and clearinghouse.**

SECTION TWO – THE PLANNING PROCESS

Introduction

Public art programs contribute directly to economic vitality through the enhancement of the physical environment, increased property values and cultural tourism as well as through more indirect methods such as an enhanced sense of ownership of public facilities and an accompanying decrease in vandalism. These programs involve artists not only in the creation of unique works of art for a community, but in the design of the built environment and in the delivery of public services.

Public art enhances public facilities and spaces by engaging artists in civic development. Artists can create signature works that serve as public landmarks and they can create place-making artworks that range from decorative to functional, such as benches, light fixtures, tree guards, bus shelters or decorative flooring. Every new bridge or overpass, every new park, building or sidewalk presents an opportunity to make the region more appealing. Millions of dollars are spent every year constructing roads, building public facilities and otherwise extending, improving and maintaining infrastructure. Public art programs leverage those funds by enabling the expansion of the region's cultural infrastructure at the same time.

In October 2001, the City of Fort Worth created landmark legislation to set aside two percent (2%) of capital construction costs for the creation of public art. The ordinance also established the Fort Worth Art Commission to advise City Council on matters of public art and the development of the Fort Worth Public Art Program.⁴ The Arts Council of Fort Worth & Tarrant County, Inc., (the Arts Council) currently manages the public art program under contract with the City of Fort Worth.

⁴ See appendix four for the complete text of the ordinance.

Following adoption of this ordinance, the City Council appointed the members of the Commission. The FWAC conducted a national search and hired Cusick Consulting and associates to develop the public art master plan. Since November 2002, consultants Jessica Cusick and Barbara Goldstein have worked to develop that plan.

The Process

Fort Worth's public art plan was developed using an inclusive, community-based process. The consultants visited Fort Worth to study existing public artworks and possible artwork opportunities. They reviewed planning and budget documents⁵, interviewed elected officials, neighborhood representatives, community leaders and artists, as well as staff from a number of City departments and other government entities including the Fort Worth Transportation Authority ("the T") and the Tarrant Regional Water District.⁶ They also made visual presentations and conducted a series of public hearings.

The planning process was guided by the FWAC.⁷ The draft plan was posted on the Arts Council's website for review and comment, and presented to Fort Worth City Council for final approval and adoption.

Community Input and Concerns

The following are some of the key points that emerged from the consultants' research and discussions:

- Downtown is the civic heart of the community and its importance can be reinforced through public art. Public art can enhance major new developments, both public and private, in the downtown core.

- Besides Downtown, the Historic Stockyards and the Cultural District are two other important locations for public art.

⁵ These include: the City of Fort Worth Comprehensive Plan and the Trinity River Vision Plan, among others.

⁶ See appendix one for a list of participants.

⁷ See appendix one for a list of members.

- Public art should also occur throughout the city, in all of its districts and neighborhoods, reinforcing the unique strength and character of neighborhoods as mentioned in the *2002 Fort Worth Comprehensive Plan*.
- The public art program should celebrate the rich ethnic, aesthetic, and cultural diversity of Fort Worth.
- The public art program should feature the work of local artists as well as artists of national or international prominence.
- The public art program should build on the city's current tourism motto, "Cowboys and Culture" by creating new cultural activities for visitors, such as public art tours and artworks that enhance tourist destinations.
- Public art should help connect people with nature, particularly in conjunction with projects like the proposed Town Lake and others contained in the *Trinity River Vision* master plan.
- Public art can reinforce Fort Worth's legacy of trails by developing trailside projects that illuminate the region's geology, geography, and cultural history.

SECTION THREE – A VISION FOR FORT WORTH

History

For many years Fort Worth’s public places have been enhanced with sculpture and other works of art. While most of this art is publicly accessible, much of it is part of private developments or the result of the generosity of one of the city’s many patrons. Until recently there was no systematic way to include art in projects initiated by the City or other government agencies. The new Fort Worth public art ordinance establishes a mechanism to include public art in broader city development efforts, and sets an example for other governmental entities such as the Fort Worth Transportation Authority.

Fort Worth has an exemplary history of placing art in prominent public locations. The Cultural District features a large number of remarkable works located throughout the grounds of the various museums, ranging from traditional ornament and murals on historic buildings to Richard Serra’s, *Vortex*, installed for the 2002 opening of the new Modern Art Museum. The City of Fort Worth has a large art collection located in the Sculpture Garden at the Fort Worth Botanic Garden.⁸ Downtown boasts numerous historic and contemporary sculptures as well as murals in the Sundance Square area including contemporary works by several notable local artists inside the restaurant called, 8.0. In 2001, two public art projects were commissioned at the Intermodal Transportation Center - a carved brick relief sculpture featuring the history of Fort Worth’s African American community by Paula Blincoe Collins and Joan Zalenski’s *The Game of Artful Pondering*, a whimsical plaza patterned after a game board.

The Fort Worth Sculpture Symposia in 1999 and 2001, sponsored by the Arts Council, generated a great deal of interest and dialogue about in public art throughout the community, as well as a series of temporary installations of public sculpture. Because the art was intended to be

⁸ See the Arts and Culture section of the Fort Worth Comprehensive Plan.

temporary, it also raised questions about how to include property-owners in the placement of works and how to establish guidelines for temporary placement.

The Percent for Art Ordinance

At the end of the 1990s, civic leaders in Fort Worth, aware of the numerous benefits of public art, began to express interest in developing a public art program for the City. The tremendous public outcry following the removal and sale of Alexander Calder's *Eagle*⁹ was a contributing factor, as was the interest generated by the Fort Worth Sculpture Symposia and the accompanying temporary installations. In addition, the community was engaged in the development of the *Arts and Cultural Plan for Greater Fort Worth*¹⁰ under the leadership of the Arts Council. The creation of new arts opportunities and the desire to see public art in all of the city's neighborhoods was one of the priorities to emerge from the planning process.

In October 2001, City Council adopted an ordinance establishing the City's public art program.

Goals of the Program

The specific goals of the City of Fort Worth's public art program, as stated in the ordinance, are:

- To create an enhanced visual environment for Fort Worth residents,
- To commemorate the city's rich cultural and ethnic diversity,
- To integrate the design work of artists into the development of the City's capital infrastructure improvements; and,
- To promote tourism and economic vitality in the city through the artistic design of public spaces.

⁹ Mark Thistlethwaite, "The Flight of Calder's Eagle: Private Interests vs. Public Perceptions in Fort Worth." College Art Association, 2002.

¹⁰ The plan was completed in May 2002 and many of the recommendations have been incorporated into the Comprehensive Plan. Copies are available from the Arts Council.

RECOMMENDATIONS

Given the stated goals of the program, as well as the issues and concerns expressed by the participants in the planning process, what will shape Fort Worth's public art initiatives into the program the community has envisioned? The following recommendations grow from the objectives articulated during the planning process:

- **Build on the legacy of existing public art.** Survey existing artworks in the public realm and create opportunities for people to learn about them through documentation and tours.
- **Make public art inclusive of all cultures and histories.** Fort Worth is a city with a remarkable history and a wealth of diverse races and cultures. Public art can illuminate the stories and legacies of this heritage and promote greater understanding among people. Streetscapes and squares can act as a canvas to illustrate the city's timeline and reveal multiple histories. By drawing on the full range of ethnic and cultural resources available, Fort Worth can encourage innovative approaches to public art and support a wide variety of project types.
- **Integrate public art into each of the City's key development initiatives and community sectors.** Locate art throughout the city, in all the neighborhoods and urban villages. Integrate artists into the planning and design process at the earliest possible opportunity
- **Use public art to reinforce people's connection to nature.** Bring people closer to nature, through projects that enhance parks, trails, the Trinity River and open space.
- **Involve the community in the process of public art.** Public art should evolve from a shared vision. Good results emerge from a process that builds consensus among a broad group of people.

SECTION FOUR -- FUTURE PROJECTS

Public art is most resonant when it grows from a community's values. Keeping this in mind, Fort Worth's future public art program should evolve from the recommendations articulated in Section Three. The initiation of a few successful projects that reflect these recommendations will be critical in achieving early acceptance of public art.

It is essential that Fort Worth launch its program by selecting initial public art projects that are integrated into significant, community-supported initiatives. Some of these projects, involving one City agency and a single, clearly defined funding source, may be relatively easy to implement. Others, involving multiple, cross-jurisdictional agencies, may take longer to realize. The key to success will lie in developing projects where public art contributes to the defined project goals and where it can be integrated into the design concept. The annual work plan process will assist in defining these projects.

Developing an Annual Work Plan

The public art ordinance calls for the adoption by City Council of an annual work plan and budget. The plan will be developed by the FWAC in conjunction with staff from the administrative authority, the City Manager or designee, and city public art liaisons, with input from community groups. In developing the plan, the FWAC will need to strive to balance the broad variety of community needs and opportunities, and make certain that each year the plan includes projects in the four categories described below.

To build citywide support for the City's public art program, we recommend that the FWAC adopt a four-pronged approach to project development:

1. **Initiate high profile, signature projects in three districts – Downtown, the Cultural District and the Historic Stockyards.** These projects

- should draw upon artists of national or regional prominence, and strive to establish high artistic standards.
2. **Create carefully chosen projects that help stitch communities together.** Select an experienced design team artist to lead these projects. Charge this artist with developing an art plan that creates opportunities that can be implemented by other artists over time.
 3. **Stimulate small-scale projects within neighborhoods and urban villages.** Projects that are integrated into City construction bond projects or initiated through a community nomination process.
 4. **Create an interactive education and outreach program.** One that will teach residents, policy-makers and artists about the value of public art in the community.

This balanced approach to the early years of the program will insure that public art is visible on a variety of scales and can be experienced by residents, business people and visitors alike.

Financial Management Systems

At the inception of Fort Worth's public art program the primary source of funding is the two percent (2%) for art from City capital construction projects. The ordinance that created this fund anticipates that it will be tracked by source. Projects that are directly related to City capital construction must be handled through City contracts. While the administrative authority can be designated to manage the artists' contracts in consultation with City departments, the artists' contracts will be with the City.

There will also be a range of activities and projects that are not directly related to specific capital construction projects. These should be undertaken by the FWAC in conjunction with the administrative

authority. The authority should develop its own financial management system for these activities and projects.

We recommend that the City, the FWAC and the administrative authority adopt the following approach:

- Develop an annual plan for the City two percent for art dollars that establishes which funds will remain in the City's public art account and which will be transferred to the administrative authority.
- Create an annual administrative authority public art budget, in consultation with the City Manager or designee, that designates funds for education and outreach, conservation, artist design fees, temporary artwork projects, community projects, purchase projects and administration.
- Use the financial plan and the administrative authority public art budget to establish an annual contract between the City and administrative authority.
- Prepare an annual report to City Council explaining how the City's prior year funds were expended.

Drafts of the above shall be presented to the FWAC for review and recommendation to City Council.

In addition to the City's two percent, there will be projects and funds that derive from other sources, such as multi-agency projects and projects for other agencies or private entities. The following strategy is recommended in year one:

- Develop a model inter-local agreement for public art projects that will involve more than one government entity (e.g. Hyde Park, Trinity River Vision.)
- Establish trust fund accounts containing pooled funds for multi-agency public art projects, with the administrative authority as executor.
- Create a fee structure for consulting/subcontracting to private developers and other agencies.

Staffing Structure

The following outlines the projected initial staffing requirements for the implementation of the public art program.

- **Program Director:** 1.0 FTE - Job description includes strategic planning, negotiations, budgets, partnership building, staff development and oversight.
- **Project Manager:** 1.0 FTE - Job description includes oversight of site-integrated, community and temporary public art projects.
- **Administrative support:** 0.5 FTE - Year One, full time thereafter.
- **Contract employees:** To be hired as needed to assist with portable works purchases and curatorial work, conservation, marketing, education and outreach programs

FUTURE PROJECTS LIST

1. Signature Projects

There are already a number of important projects downtown, in the Cultural District and in the Historic Stockyards where the City's two percent for art can have a significant impact. In order of feasibility and priority these are:

Convention Center

The FWAC has initiated a major public art project at the newly expanded Convention Center. This project, with \$500,000 art investment, is designed to create sophisticated and enduring artworks that recognize Fort Worth's unique cultural heritage. Developed as an invitational competition, this project will result in artist proposals in July 2003 with artworks completed and installed within a year.

Budget: \$500,000

Phase Two, Convention Center Hotel

In the event that the City of Fort Worth proceeds with a public-private partnership for the convention center hotel, there will be

further opportunities to visually link this complex to the civic center and the rest of downtown.

Budget: To Be Determined

Hyde Park

This project will re-route Ninth Street and link federal and city buildings, creating a grand civic and transit plaza for the Fort Worth Transportation Authority. A lead design firm will be selected in May 2003, and it is recommended that an artist be selected shortly thereafter through a request for qualifications (RFQ) to local artists. The selected artist will participate on the design team to propose ways ideas to integrate art into the park and the transportation interchange. One of the wayfinding kiosks could be located here. If so, the artist for this project should coordinate with the artist for the wayfinding project. The T should be asked to participate in funding this public art project.

Budget: \$ 100,000 – \$150,000

Wayfinding Systems

The City was awarded a \$570,000 Congestion Mitigation Air Quality (CMAC) grant from the Federal Highway Administration to develop a signage and information system, including interactive kiosks that will direct visitors to destinations in Downtown, the Cultural District and the Historic Stockyards. Including an artist on the design team for these systems will enhance the visual impact of these systems and allow for the transformation of the kiosks into landmarks. A regional artist should be selected through an RFQ process.

Budget: \$30,000 for design

The Lancaster Corridor

The Lancaster Corridor is a six-block streetscape improvement project at the south side of downtown. While many of the individual elements including lights and street furniture have been designed or

selected, the boulevard terminates in a dramatic space, West Park, where earthworks art or major sculpture could form a visual terminus for the street. The artist for this project should be selected via a two-phase process. An RFQ should be distributed nationally to artists, and then a small group of finalists should be invited to develop proposals for the site.

Budget: \$350,000 – \$450,000

North Main Street

While tourists and Fort Worth residents tend to associate the Historic Stockyards District with cowboys of the American West, the history of this area reaches back to the original Mexican vaqueros' presence. With the development of North Main and the Mercado project, there is a unique opportunity to employ public art to celebrate the multi-cultural history of the Historic Stockyards district through the creation of unique artist designed streetscape elements. These might include such items as text or images inlaid in the sidewalks, sculptural components, enhancements to the light fixtures, a series of narrative panels featuring stories from the area, etc. A team of two or three local artists should be selected through a request for proposals to develop a palette of enhancements that can be implemented in an incremental fashion as development proceeds. Local businesses and merchants should be invited to participate in the project by funding specific enhancements.

Budget: \$ 125,000 - \$500,000

Cultural District Gateway

As the Cultural District grows and matures with the expansion of the Modern Art Museum, the addition of the Cowgirl Hall of Fame, the presence of the Amon Carter and Kimbell Art Museums, and the creation of the Fort Worth Community Arts Center, it attracts new and more diverse audiences. To celebrate this growth, the City should commission a major “gateway” sculpture for placement at the intersection of University, Seventh and Camp Bowie to mark the

entrance to the Cultural District from downtown. An RFQ should be distributed nationally to artists, and then a small group of finalists should be invited to develop proposals for the site.

Budget: \$350,000 - \$500,000

2. Projects that Stitch Communities Together

Trinity River Vision

This master plan for the Trinity River and major tributaries in Greater Fort Worth is a community supported, multi-agency effort led by Streams and Valleys, Inc. Since the river weaves through many of Fort Worth's communities incorporating an urban waterfront, trails and the new town lake, it is a primary venue for public art. A lead artist should be selected through a nationally distributed RFQ. The selected artist will to work with the Trinity River Vision team on the development of a framework for formal, interpretive and environmental public artworks at critical points throughout the system along the trail, in essence a public art master plan for the overall project. These artworks can involve both national and local artists and can take place on a variety of scales

Budget: \$450,000 - \$1,000,000.

Libraries and Community Centers

Until the City's bond program is introduced and approved; it is impossible to recommend which specific projects should include public art. However, it is recommended that first consideration be given to parks and libraries that have a regional draw and that planning for site-integrated art begin at the earliest opportunity.

Budget: varies

Streets and Highways

Major thoroughfares are a key location for public art, enhancing a primary aspect of Fort Worth's visual landscape. Integrating art into the design of the Southwest Parkway (SH121T) to mitigate its impact and make it more beautiful should be a high priority. The

City should work with the Texas Department of Transportation (TxDOT) to identify enhancement opportunities, such as overpasses, retaining walls, sound walls, etc., and artists should be selected for these individual opportunities.

Budget: \$500,000 - \$1,000,000

3. Small Scale Projects in Neighborhoods and Urban Villages

Neighborhood Projects

The Fort Worth Art Commission should include an average of three neighborhoods per year in the annual public art work plan, projects that enhance the identity of the area. Initially the emphasis should be on the urban villages identified in the Comprehensive Plan. The choice of specific projects should be based on the City's capital improvement plan and discussions with the Planning Department and City Council members. Artists for these projects should be selected through either an RFQ or an RFP process depending on the nature of the underlying CIP project and timeline. Early neighborhood projects should focus on places where several neighborhoods come together, like Bluebonnet Circle, and other unique locations that are visual gateways to areas of Fort Worth.

Budget: \$ 50,000 - \$100,000 per project

Community-Generated Projects

A special public art neighborhood fund should be established using the current Parks Department grant program as a model. This will allow community groups to generate projects of neighborhood significance. The administrative authority will provide technical assistance to grantees.

Budget: up to \$25,000 per project

4. Outreach and Education

One of the essential elements in building a public art program for Fort Worth will be education on every level – for the general public, for policy-makers, for artists and other arts professionals. This will be one of the primary tasks for FWAC in the first five years and can,

in some ways, through artful presentation, represent the value of projects to come.

Community Education:

Power Point Presentation

Develop a presentation illustrating the Public Art Master Plan to set out the goals of the program and give examples of projects that have achieved these goals in other places. Include standard questions in this slide show to stimulate audience discussion. Bring it to neighborhood groups, to City Departments, and to community leaders. Give a broad definition of public art and ask people to identify what they consider to be public art in their own communities.

Maps

Based on surveys and on neighborhood meetings, create a series of public art guide maps on Fort Worth's public art. Begin with the Cultural District and Downtown, and include all levels of visual art amenities. Invite the public to participate in suggesting artworks to include so that both high and low art, outsider art, the quirky and the historic are recognized as part of the visual landscape. Involve the newspaper in this effort; lead public art tours and general discussion on how art can enhance neighborhoods.

Tours

Using maps as a basis, create public art tours led by artists/historians that bring people to different communities at a specific time once or twice a year.

Children's Programs

Create a program that involves kids and parents in thinking about what constitutes visual landmarks and public art. This might take the form of a public art "treasure hunt," temporary public artworks at schools or community centers, a collaboration with the school district on a specific aspect of the curriculum that could be taught through public art, etc.

Bi-lingual Opportunities

Versions of the maps, tours and other select programs should be made available in both English and Spanish.

Public Lectures

Create a periodic lecture series at the Fort Worth Community Arts Center where artists who are finalists for projects are invited to present their work.

Training for Arts Professionals:

Temporary Works

The creation of temporary works of art offers an excellent training opportunity for artists new to public art. The transformation of the old Modern Art Museum into the Fort Worth Community Arts Center will bring an entirely new audience into the Cultural District. This change should be celebrated through the commissioning of changing temporary sculptural works at the entrance to the Center. The FWAC should select a theme, commission works on that theme by local artists, invite a few significant artists from outside Fort Worth to participate, and hold a public forum.

The 'Business of Public Art' Program

Develop a training series with the assistance and feedback of local artists. Consider using a small neighborhood project as a training opportunity and an incentive for artists to participate in the process.

Mentorship Program

Create a pool of public art mentors - people with specific technical skills who can assist beginning public artists. Consider hiring a local artist to serve as an expert assistant to an experienced national artist throughout the duration of the project. The artist would receive a stipend to participate in meetings, assist in matters of local knowledge and become familiar with the design team process.

City Staff Development:

Departmental Public Art Liaisons

Establish liaisons in each affected City department; convene quarterly meetings of the liaisons to discuss the public art program.

Visit significant project sites

Meet with City staff and discuss how art might contribute to project goals.

Private Sector Partnership Development:

Brochure and Web Page

Market public art to the private sector, educate developers about public art options and opportunities, and provide them with technical assistance.

Developer Workshops

Promote the development of public art in private development through informal meetings or workshops.

Technical Training

Train arts consultants who will work with private developers.

RECOMMENDATIONS

Over the next five years, develop a complete and multi-faceted public art program

Build a public art program that features a variety of project types, training opportunities and partnerships with public sector and private sector partners.

Create an administrative and financial structure to facilitate multi-agency public art partnerships

Adopt a flexible structure that will enable the administrative authority to manage projects and provide technical assistance for public sector and private sector partners.

Adopt public art policies and procedures

Adopt procedures that apply to City of Fort Worth projects. As additional partnerships develop, consider expanding these policies.

Adopt a first year project list

Submit the first year project list in this report for review and approval of City Council.

Develop a community awareness program

Over the next five years, develop a comprehensive education and outreach program that will foster community involvement in and knowledge of public art in the Fort Worth region.

Survey and maintain existing artworks in the City's collection Create a comprehensive survey of artworks in the City's collection. Develop criteria to clarify which works currently included in the City's inventory constitute public art per the ordinance. Establish prioritized major and routine maintenance program for these artworks.

SECTION FIVE – IMPLEMENTATION MILESTONES

This master plan is intended to serve as a roadmap for the development of public art in Fort Worth. Listed below are possible milestones for the first five years, to be undertaken primarily by the administrative authority in consultation with the FWAC. Only the first year has been developed in detail. The intention is to create a multi-faceted program, one that builds on its successes and grows as resources and partnerships are cultivated. This is perforce an organic process and will not necessarily comply with a specific list of milestones. It will be particularly important to select the initial projects carefully, planning for early success.

Year One

- Hire Program Director and Project Manager
- Designate a public art liaison for each City department.
- Develop FY03/04 work plan and budget based on the recommendations included in the public art master plan.
- Review the plan with the FWAC and hold public hearings.
Post the annual work plan on the City's web site
- Present work plan to City Council, report to City Council on projects initiated and or completed during the prior fiscal year.
- Finalize application process for community-generated projects in conjunction with applicable City departments.
Notify neighborhood groups.
- Initiate meetings with department representatives and stakeholder groups for first quarter projects to develop specific scopes of work, recommendations for panel representation, and panel orientation materials.
- Develop a list of approved panelists.
- Manage art-related projects for the Convention Center, Cultural District, Hyde Park, North Main Street and the

wayfinding system. Issue calls to artists, conduct artist selection process, and develop artist contracts.

- Continue discussions about public art opportunities in partnerships with other local governments and agencies.
- Present bi-annual update to City Council.
- Establish a pre-qualified list of artists for future projects.
- Initiate the discussions on including public art in Trinity River Vision and the Southwest Parkway.
- Develop an inventory of the City's public art collection; adopt a conservation plan and initiate first conservation project.
- Develop an ad-hoc business advisory committee and an artist advisory board. Conduct discussions on the development of training and education programs for artists and private sector developers.
- Meet with City departments to review the CIP calendar for the coming fiscal year
- Report to City Council on first year accomplishments and solicit recommendations for future projects.
- Conduct FWAC retreat to brainstorm project ideas, debrief on projects completed to date, develop proposals for coming fiscal year.
- Begin work on the Trinity River Vision art plan.

Year Two

- Develop annual public art work plan and budget.
- Launch the public art maps and lecture series.
- Initiate Mayor's annual public art award.
- Complete initial community art projects, issue second call for projects.
- Begin training programs for artists/ art consultants, technical assistance for private developers.

- Install first temporary projects at the FW Community Arts Center.
- Complete public art projects at the Convention Center.
- Begin work on the SW Parkway artist plan.
- Initiate two urban village projects.

Years Three and Four

- Continue to develop and implement annual public art work plan each year. Assess process and refine as needed.
- Implement public art programs for Trinity River Vision, Southwest Parkway.
- Initiate portable work collection.

Year Five

- Work with the FWAC to initiate an assessment of the program and develop public art priorities for the next five years. (The process for developing the plan is detailed in the Administrative Policies and Procedures included as an appendix to this document.)

SECTION SIX – ADDITIONAL PUBLIC ART OPPORTUNITIES

The primary focus of this plan is the implementation of the City’s public art ordinance. However, other governmental entities and private sector concerns play a role in developing public art in a community. The City should encourage through education, partnership and public policy a wider use of public art in the community by all sectors.

Public Sector

During the course of the planning process, the consultants had a chance to discuss diverse public art opportunities with representatives of a number of the key public agencies that are shaping the physical environment of the region. These include the Tarrant Regional Water District, The Fort Worth Transportation Authority, and Tarrant County. Partially as a result of these meetings, the Fort Worth Transportation Authority recently adopted a public art policy for new construction projects.

Private Sector

The consultants also had the opportunity to meet with representatives of various major new building projects, such as Radio Shack, to discuss the potential for public art to enhance their projects. Although several developers of high-end retail and office complexes in the Fort Worth area have chosen to include public art in their projects because of the distinct image and character the art provides; it has yet to become the norm. Nationally, a number of cities have adopted public art guidelines for private sector projects in order to enhance the quality of the built environment, to provide increased support for cultural activities and to expand access to the arts for their residents. These programs range from the voluntary participation of developers to the establishment of an ‘arts development fee’ based on a percentage of construction costs¹¹.

RECOMMENDATIONS

¹¹ The King County Arts Commission recently completed a study of fifty such programs, which details their policy. It is available at www.metrokc.gov/exec/culture/aboutpublicart/.

Advocate with policy makers about the benefits of public art Continue meeting with policy makers at the T, Tarrant County, the Water District and TxDOT, encouraging them to initiate pilot public art projects and to consider the adoption of percent for art policy.

Foster the adoption of a public art policy as an integral component of the Trinity River Vision

The multi-jurisdictional entity that will be created to implement the Trinity River Vision should be encouraged to adopt a public art policy allocating two percent (2%) for art for the entire project.

Include public art in private development

Encourage the inclusion of public art in private development by marketing its benefits to developers and encouraging the City of Fort Worth to require public art in all projects that include tax abatement programs.

Serve as a regional public art resource and clearinghouse Develop tools and services that will assist in advocating for public art as well as providing information and assistance to public agencies and private developers seeking to include public art in their projects.

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Barbara Goldstein

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OVERVIEW OF THE PUBLIC ART PROCESS**ANNUAL WORK PLAN**

Each year the schedule for the creation of the annual work plan is developed to allow for close coordination with the regular City planning and budget process. The Public Art Program Director (Director) manages the process for the Fort Worth Art Commission (FWAC) and the City.

The FWAC holds a planning meeting to review the status of current projects, discusses potential new projects, and solicits public input (public hearing).

The Director meets with community groups, the City Manager or designee, city department heads and public art liaisons to discuss potential projects for inclusion in the public art work plan. The Director and FWAC Chair meet with City Council Members to discuss projects in their districts.

Based on the input gathered, the Director prepares a draft work plan. The work plan lists all ongoing projects, describes new ones to be initiated that year (including location, budget, artist selection methods, and goals,) and any other public art activities to be undertaken by the program, such as conservation projects, education initiatives, etc. The plan and budget also includes an allocation for community-generated projects.

The draft is circulated to the Mayor and City Council, the City Manager or designee, and public art liaisons for review and comment and posted on the City's website for public input. The Director compiles the comments and presents the draft plan to the FWAC for action.

Once approved by the FWAC, the work plan is presented to the City Manager and to City Council for review and approval either as a separate item or as part of the overall budget process.

FUNDING

Annually, the Director meets with the Budget Department to review the existing balance in the public art fund and to identify probable additions for the upcoming fiscal year.

The FWAC, through adoption of the annual work plan, allocates public art funds to desired projects. City Council, through approval of the annual plan and budget, has final approval of the use and allocation of public art funds.

PROJECT INITIATION

The Director initiates the artist selection process for projects included in the annual work plan. This is coordinated with the timeline for the underlying CIP project (if applicable). The Director briefs the Council Member in whose District the project will be located and requests that a Community Representative be appointed to serve on the artist selection panel. The overall approach to the project and the artist selection process is finalized.

ARTIST SELECTION

Artists commissioned by the City are selected through one of the following methods: a Request for Qualifications (RFQ) or Request for Proposals (RFP) process, an Invitational Competition, or from a Pre-qualified List. (Each of these methods is detailed in the Administrative Policies and Procedures.) The process will vary depending upon the nature of the project as well as specific project requirements and goals. The FWAC is committed to ensuring that artists are selected in a well-documented and accountable fashion, are well matched to the project and that the process is flexible and responsive to the project needs.

ARTIST SELECTION (2)

An artist selection panel is convened for most projects. Panels will generally have seven (7) voting members and include:

- The lead project designer (architect, building designer).
- A member of the Art Commission or designee.

In addition, the following groups may have representation on panels:

- One or more practicing artist(s).
- Other arts-related professional(s) or knowledgeable individual(s).
- Community representatives with a relationship to the proposed project, appointed by the Council Member in whose District the project will be located.
- Council Member in whose District the project will be located

Non-voting advisors may include:

- Staff representatives from affected departments
- Member(s) of citizen advisory groups

ARTIST SELECTION (3)

The artist selection panel's recommendation is forwarded to the FWAC. If the Commission disagrees with a panel's recommendation it can direct staff to reconvene the panel and present specific concerns for consideration.

ARTIST SELECTION (4)

The FWAC may approve the recommendation and forwards the recommended artist's contract to the City for approval.

DESIGN REVIEW

PRELIMINARY DESIGN APPROVAL

If the artist was selected based on a proposal, the artist’s preliminary design is reviewed as part of the initial contract approval. If not, the preliminary design is presented to the FWAC for review. The representatives of the affected groups and departments that participated in the artist selection process attend the meeting and participate in the review.

FINAL DESIGN APPROVAL (1)

The final design is presented for input to any Boards or Commissions that may have jurisdiction over the site or facility, as well as to the appropriate City Council Member. If any issues emerge from the presentation, the Director works with the artist and the design team to address the concerns.

FINAL DESIGN APPROVAL (2)

The artist’s final design is presented to the FWAC for review. The Director presents any issues that emerged during the review process along with the recommended solutions. The representatives of the affected groups and departments that participated in the artist selection process are again invited to attend the meeting and participate in the review.

FINAL DESIGN APPROVAL (3)

Upon approval by the FWAC, projects will be forwarded to the City for final approval.

COLLECTION MANAGEMENT

The works of art created or purchased for the City's public art collection represent a significant asset that must be appropriately managed. The acquisition and display of works of art entail a commitment to care for and maintain the work in a manner that adheres to the standards and practices of the art world. Some of these are codified in law, such as the Federal Visual Artists' Rights Act of 1990 (VARA). Others are based on policy decisions adopted by City Council or the FWAC. Because of this commitment and the ensuing obligations, gifts of art are carefully considered prior to acceptance, professional standards are applied in handling, maintaining or restoring all of the art in the collection, and a strict process is adhered to prior to relocating or disposing of any work in the collection.

CITY OF FORT WORTH – ADMINISTRATIVE POLICIES AND PROCEDURES**I. ROLES AND RESPONSIBILITIES****A. CITY COUNCIL**

- Annually appropriate an amount equal to two percent (2%) of Capital Improvement Project funding for the funding of public art.
- Review and approve the Public Art Master Plan.
- Review and approve the annual public art work plan, budget and any amendments thereto.
- Review and approve appointments to the Fort Worth Art Commission.
- Provide input for public art projects located in their District.
- Appoint a community representative to serve as a voting member of the artist selection panel for public art projects located in their District.
- Serve as a voting member of the artist selection panel for public art projects located in their District, if desired.
- Participate in design review for public art projects located in their District, if desired.

B. FORT WORTH ART COMMISSION (FWAC)

- Advise and recommend to the City Council on the development of administrative policies and procedures for the public art program, and any future revisions to said policies.
- Monitor the overall public art program, to ensure its implementation in accordance with the adopted administrative policies and procedures.
- Recommend an annual public art work plan to the City Council.
- Develop with program staff, the objectives and parameters of each project including but not limited to the site, medium/media, scope of the project, method of artist selection and recommend composition of artist-selection panels.

- Recommend potential artist-selection panelists (with the exception of the appropriate City Council Member and their appointed community representative). When feasible, review artist-selection panel members prior to seating of artist-selection panels.
- Elect one member to serve as voting panelist for each artist-selection panel. This responsibility will be rotated among the members.
- Review and recommend to the City contracting with artists recommended by artist selection panels.
- Review and approve preliminary and recommend final designs of public art projects.
- Ensure equal access to all qualified artists for project consideration.
- Review and recommend to the City, all proposals for artwork to be placed or erected on property of the City, or to become property of the City by purchase, gift or otherwise.
- Other responsibilities as requested by City Council.

C. ADMINISTRATIVE AUTHORITY

- Under contract with the City, administer all aspects of the public art program and its projects from inception to completion; including the artist selection process, project planning, development and implementation, coordination with departments, selected contracts, budgets, approvals, community education and participation, documentation, registration and installation.
- Develop and implement the annual public art work plan in coordination with the FWAC and City Council, City Manager or designee and appropriate city departments and representatives.
- Develop and maintain a list of potential panelists and a pre-qualified list of artists for public art projects.
- With the public art liaisons develop project parameters and budget for each project and facilitate inter-departmental communication and interaction throughout the project.
- Develop on-going maintenance programs for public art collection.
- Convene and facilitate public meetings as appropriate and necessary for the implementation of the program and/or specific projects.

- Mount exhibitions of projects proposals for signature projects that will have city wide impact.
- Prepare and distribute publicity concerning the program and specific projects.
- Document and archive, as necessary, the program and specific projects, including but not limited to contracts, photographs, construction drawings, maintenance manuals, and meetings.

II. IMPLEMENTATION OF THE PUBLIC ART PROGRAM

A. LONG-RANGE PLAN

The public art master plan will serve as the initial long-range plan for the public art program. However, once the City adopts a new bond initiative, a multi-year plan will need to be developed, taking into account the priorities established in the master plan as well as the specific CIP projects to be undertaken by the City. The long range plan will identify CIP projects with an arts component that will be undertaken over the duration of the bond program and will allow the public art program to be closely coordinated with the City's long range objectives for physical infrastructure improvements. The plan will be developed by the Public Art Director (Director) working with City Council, City Manager or designee, department heads, the public art liaisons, and the FWAC. It will establish general parameters for the public art projects to be undertaken. The long-range plan will be presented to City Council for review and approval either as a part of the overall Capital Improvement Program plan and budget or as a separate item.

Thereafter the long-range plan will be updated annually to address any new projects or allocations.

B. DEVELOPMENT OF THE PUBLIC ART WORK PLAN AND BUDGET

The Director will prepare a comprehensive annual work plan that will list all ongoing projects, new projects to be initiated that year, and any other public art activities to be undertaken by the program, such as education projects, conservation projects, new acquisitions for the portable works

collection, etc. The annual work plan will specify additional details regarding the projects, including the site, the budget (including funding sources) and scope of the project, the method of artist selection, and contracting method. Also included in the annual work plan will be an allocation of funds for community generated public art projects.

The work plan will be prepared with input from City Council, community groups, and representatives from all affected city departments. Once prepared, the work plan will be presented to the City Manager's Office, posted on the city's website for public comment and then presented to the FWAC for review and approval. Review and approval by City Council will take place as part of the overall budget approval process, or separately as appropriate.

C. INTER-DEPARTMENTAL COORDINATION

In order to maximize the benefits to the City the public art program needs to be fully integrated into the City's planning and design processes. The overall effectiveness of the program will be enhanced if all City departments routinely share the following types of information with the Director:

- Any planning studies or policy recommendations that affect public spaces with existing art.
- Any planning studies or policy recommendations that may establish new municipal facilities or public spaces.
- Any grant applications to funding sources for which public art might be an eligible component, such as federal transportation enhancement monies.

The administrative authority will serve as a "clearinghouse" for art related information and can also provide assistance with the following:

- The identification of projects that would be enhanced through artist involvement.
- The range of artist selection processes.
- Community initiated public art projects.

- Art project management.

III. ARTIST SELECTION GUIDELINES

To ensure that artists commissioned under the City's public art program produce work of the highest quality and public benefit, the FWAC has adopted the following artist selection guidelines.

A. PUBLIC PROCESS

Artists commissioned by the City will generally be selected through a public process overseen by the administrative authority.

B. ARTIST SELECTION PANELS

1. Panel Composition:

An artist selection panel will be formed for most projects. Panels will generally have seven (7) voting members and must include a majority of individuals who have a background or professional expertise in visual art and design. The number of panelists will be proportionate to the dollar value and complexity of the project, i.e. a smaller five-member panel may be appropriate for smaller projects and larger, high profile projects may require a nine-member panel.

Panels will include at a minimum the following:

- The lead project designer.
- A representative from the FWAC.

In addition, the following groups may have representation on panels:

- One or more practicing artist(s).
- Other arts-related professional(s) or knowledgeable individual(s) including curators, art historians, architects, designers, writers and critics, arts administrators, arts activists and arts patrons.
- Community representative(s) with a relationship to the proposed project, appointed by the City Council Member in whose District the project will be located.
- City Council Member in whose District the project will be located.

Non-voting advisors may include:

- City staff representative(s) from affected departments.
- Member(s) of City Boards and Commissions¹.

¹ Groups that have oversight or ownership of the site or facility, such as a city appointed advisory group, or a Commission.

2. Panel Formation:

The Director and the members of FWAC will periodically solicit recommendations for qualified people interested in serving as panelists. Annually, the FWAC will approve a list of potential panelists for staff to use in composing panels.

The Director will invite people to serve on specific project panels with the goal of shaping a group that balances knowledge in art and design, the project's objectives and community concerns. The panels will meet the composition guidelines outlined above.

3. Conflict of Interest:

Panelists must declare any conflict of interest and recuse themselves if a conflict of interest arises. Conflicts of interest are defined as financial or family relationships to the artist(s) being considered for commissions.

Anyone in a position to receive financial gain from the selection of artists will be ineligible to serve on a selection panel.

In addition, artists or members of their immediate family who serve on the FWAC will not be eligible for commissions or to receive any direct financial benefit from the program during their tenure. This restriction shall extend for the period of one-year following the end of service and indefinitely for projects that were developed or acted upon during the artist's tenure on the Commission.

4. Professional Service Compensation:

Many of the panelists will serve on the artist selection panel in a professional capacity and may be paid for their time through their jobs. This includes city staff, project consultants, etc. The others, such as artists or community representatives may receive nominal compensation for their time and services. The compensation will be based on a schedule developed by the Director for the FWAC and will be updated periodically.

C. PANEL PROCEDURES

The Director will facilitate all artist selection panels, and the FWAC representative will act as the panel chair. The FWAC representative(s) for the panel will be designated at a regularly scheduled meeting of the Commission. If more than one Commissioner is selected for a panel, the motion will specify which shall serve as the chair of that particular panel.

Prior to the panel's first meeting, staff will send each panelist a project description, copies of the materials submitted by the project applicants, as well as written instructions outlining duties and responsibilities.

1. Criteria

Panelists will use the following general criteria in evaluating artists:

- Ability to respond to the specific contextual issues and considerations of a particular project, its community and users.
- Ability to successfully manage all aspects of the project including budgets, committees, sub-contractors, installers and other construction and administrative logistics.
- Credentials, including experience, training, and critical or other professional recognition.
- Quality of the work as demonstrated through the examples submitted for the panel's consideration.

If an artist is presenting a specific proposal, the following additional criteria may apply:

- Evaluation of the proposed materials and their appropriateness to the project, including issues of aesthetics, durability, ease of maintenance, protections against theft or vandalism, etc.
- Analysis of the artist's proposed method of installation and an evaluation of the safety and structural factors involved.
- Evaluation of the proposed budget.
- Evaluation of future maintenance requirements.

2. Procedures

Panels will meet in open session, however, the chair may choose to go into closed session for the purpose of discussion. Panelists will use consensus in their decision-making unless a failure to reach a decision requires a formal vote, determined by a simple majority. If voting is required, a secret ballot may be employed.

Panelists may elect not to recommend any applicants for the project, in which case staff will recommend another round of artist selection or an alternative process to the FWAC.

D. ARTIST SELECTION METHODS

During the development of the annual work plan, the Director will make a recommendation regarding the appropriate method to be used to select artists for each project and any artist eligibility requirements.

1. Artist Eligibility

Specific artist eligibility requirements may be established for certain projects. For example, some projects may be restricted to artists living in the City of Fort Worth and/or Tarrant County, others may be open to artists from Texas, and still others may be open nationally or internationally. This may be due to the scale or budget of the project; for example it would be unrealistic to incur travel costs on a small budget project. Or it may have to do with the FWAC's objectives for a specific project, as stated in the annual work plan. For example, a project may be deemed an excellent opportunity for new or emerging local artists.

In order to ensure that the City builds a diverse collection, one that is representative of the wealth of aesthetic and cultural options present in contemporary society, artists will not be eligible for consideration for new projects if they are currently engaged in a City project. Normally, artists will be eligible to receive no more than two public art commissions from the City in a three-year period. This will only apply

to projects where the artist is the primary recipient of a commission and not a member of an artist team.

2. General Procedures and Selection Options

For each new project, The Director will work with the City Council Member in whose District the project will be located, department and community representatives as appropriate to identify goals for the art, as well as potential issues and concerns that might impact artist selection.

Whenever feasible staff will hold one or more application workshops to encourage the participation of local artists.

The Director may pre-screen applicants to verify that any minimum qualifications that may have been established for the project have been met. These qualifications will vary by project and will be confirmed by the FWAC when the panel for the project is established.

Depending on the nature of the project, the timeline and budget, one of the artist selection methods detailed below will be implemented.

a. Request for Qualifications (RFQ):

This approach is particularly appropriate when selecting artists for a design team and in cases where the project site has yet to be built or is undergoing major changes. The City may issue an RFQ notifying artists of a specific public art project. In some cases, due to scheduling issues, the City may issue an RFQ for multiple projects at the same time.

The panel's preliminary round of selection will be based upon submittals of credentials and past work. Generally, a short list of finalists will be invited to interview and one artist and an alternate will be selected.

Alternatively, each of the finalists may be commissioned to develop a preliminary design, which will be evaluated during

an interview. If a design is requested, per national standards the artists will receive a fee to compensate for time and services.²

b. Request for Proposals (RFP):

An RFP process is appropriate for existing sites or in the case of smaller budget projects for which entry-level artists are being targeted. The City may issue an RFP requesting conceptual proposals and detailing the proposal requirements. The respondents' submittals will provide panelists with an understanding of the artists' thought process or approach. The panel may choose to invite several finalists to interview prior to final selection. Artists responding to an RFP will not be compensated unless a group of finalists are selected to develop a preliminary design.

c. Invitational Competition:

This process is particularly appropriate in the case of complex projects where a limited number of artists may be capable of successfully competing. It is also appropriate in a case where there are schedule restrictions or other specific limitations, or when work in a specific medium or craft tradition (such as Native American carving) is desired.

Based upon the project requirements the panel will invite a limited number of artists to submit qualifications or a preliminary design. This may also be conducted in two stages, with the first phase based on qualifications and the second based on a preliminary design. Artists selected to develop preliminary designs will be compensated.³

² Artists will generally receive a proposal fee equal to one percent of the project budget, with a minimum of \$500 and a maximum of \$5,000.

³ See previous footnote.

d. Pre-Qualified List:

The FWAC may also choose to develop a pre-qualified list from which to select artists for projects with limited lead times or where the City requires design teams to include an artist as a team member. To establish a list, the City will issue an RFQ asking artists to submit a letter of interest, a resume, twenty slides of previous commissions along with a detailed slide list and a completed application form. A panel of art professionals will be appointed to review the applicants' submittals.

The pre-qualified list should be updated at least every three years. The list should include budgetary categories for established as well as emerging artists and should be open to local, regional and national artists.

e. Professional Services Team:

In some instances the City may wish to select an artist as part of a professional services team. The City will then add language to the Request for Qualifications specifying that all teams responding to the RFQ must include a professional artist from the City's pre-qualified list. If, because of special circumstances such as a prior working relationship, the team wishes to include an artist who is not on the pre-qualified list, the team may submit the artist's qualifications to FWAC at a scheduled meeting for review.

In all cases where a project includes an artist or an art component, the sponsoring city department will include the public art program director in the review and selection process.

f. Direct Selection:

Occasionally the circumstances of a project may be such that the FWAC deems that only one artist is appropriate for the project. In those cases, upon a unanimous vote of the members of the FWAC, an artist may be selected for a project without going through any of the processes outlined above. Since this approach bypasses the public involvement critical to most successful public art it will be used only on limited occasions.

3. Artist Approval

Regardless of the selection method, the panel will forward its final recommendation to the FWAC⁴. The FWAC will forward the recommendation to the City for approval. If the FWAC disagrees with a panel recommendation it will direct staff to reconvene the panel and present specific concerns for consideration.

While contracting authority ultimately rests with City Council, it shall be Council policy to rely on the FWAC in matters of art and aesthetics as they relate to public art. Council established the FWAC to ensure that the City's public art program is overseen by a body representative of the community and inclusive of a number of diverse professionals with expertise in the field of art and design. While taste in art is subjective, the Commission shall have the responsibility of ensuring that the City's collection is of the highest quality and inclusive of a broad and comprehensive range of styles and content.

IV. PROJECT REVIEW AND APPROVALS

It is the goal of the City to develop art projects of the highest caliber that meet the diverse needs of the residents of Fort Worth. The public art review and approval process is designed to provide for substantial input

⁴ With the exception of artists from the pre-qualified list who have been included as design team members. In this case the FWAC will simply be notified of the selection of the entire design team as an information item at the next regularly scheduled meeting.

and participation by representatives from affected departments and/or sponsoring entity, in order to ensure that each project accommodates the complex requirements of the public place in which it is sited.

The following factors should be taken into account in reviewing proposals for new works:

- Artworks should have reasonable maintenance requirements that are compatible with routine city maintenance procedures.
- Artworks will be designed in consideration of public safety.
- The design of artworks will take into consideration issues associated with public spaces such as security, theft, vandalism, etc.
- The design of artworks will take into account the specific needs and use patterns of the public space in which they will be located, for example in parks artworks will not block critical view corridors or impede public usage of key open space.

A. PRELIMINARY DESIGN

If the artist is selected on the basis of a proposal, the preliminary design is reviewed as part of the initial artist selection process.

If not, the artist and/or design team will present the preliminary design for the art component(s) to the FWAC for review and comment. The representatives of the city department(s) that participated in the artist selection process along with the Project Manager, as well as City Council Member in whose District the project will be located and their appointed community representative, will be invited to attend the FWAC meeting and participate in the review.

After comments are received, project staff will work with the artist and/or design team to refine the design. If the artist is not in agreement with the recommendations, the Director will mediate discussions to arrive at a consensus among all parties.

B. FINAL DESIGN

The artist's or design team's final design will be presented to the FWAC for review. The representatives of the client department(s) in the artist selection process and the Project Manager, as well as City Council Member in whose District the project will be located and their appointed community representative, will again be invited to attend the FWAC meeting and participate in the review.

After a recommendation by the FWAC, the final design will be presented for input to stakeholder groups that have an active interest in the site or facility. If any issues emerge from the presentations, the Director will address the concerns and any potential solutions developed with the artist or design team during a second presentation of the final design to the FWAC.

If applicable, the project will then be forwarded to any additional applicable review bodies, such as the Planning Commission or City Council, as appropriate.

C. ALTERATIONS DURING FABRICATION/INSTALLATION

Some changes to the final design may become necessary during the fabrication or installation phases of the project. This can be due to changes in the availability of materials, changes to the underlying facility, etc. The artist's contract should contain language specifying that no change to the approved final design may take place without written authorization by the City's designated Project Manager. If the Project Manager and the Director judge the changes to be substantive, then a special meeting of the FWAC may be convened to review and approve the recommended changes. The Director and the Project Manager will ensure that the appropriate City Council Member, their appointed community representative and stakeholder groups are notified of any such meetings.

V. COLLECTION MANAGEMENT PROCEDURES

A. GIFTS AND LOANS

Works of art will occasionally be offered as gifts or long-term loans to the City of Fort Worth through the City Council, the FWAC, and other city departments. This policy establishes a standard measure for reviewing proposed gifts and loans. The intent of the policy is to ensure that only works of the highest standard of excellence are accepted for the City's collection.

Review Process

1. Application

All applicants will submit the materials listed below to the FWAC at least six months prior to the anticipated installation date of the project. The application, including copies of all visual materials, will become the property of the City upon submission.

All persons wishing to gift or loan works of art to the City shall submit the materials listed below:

- Completed application form
- Photographs, drawings, models, or designs of proposed artwork
- Description and samples (if available) of materials and colors
- Appraised value of the work by professional art appraiser (if the work is existing)
- Preferred location⁵
- Installation schedule
- Maintenance manual and schedule prepared by professional conservator
- Costs associated with the acceptance of the work by City
- Resume and examples of artist's previous work
- Proof of insurance sufficient to meet the requirements of the City's Risk Manager, if applicable

⁵ It shall be the City's policy not to accept any artwork gifts or donations that require placement in a specific location.

- Building permits, if applicable
- Any other issue pertaining to the acceptance of the artwork

2. Technical Criteria

The acquisition of an artwork by the City means a commitment to its preservation, protection, and display for the public benefit. All materials used in the creation of the work must be durable and appropriate for a public, non-archival setting. The work must be suitable for display in the proposed setting and must not have a limited life span due to either built-in obsolescence or inherent weakness, with the exception of temporary projects or short-term loans.

The Director and, when necessary, professional consultants, will review the materials submitted by the applicant to determine the technical feasibility and needs of the work. A written report will be presented to the FWAC addressing the following issues, among others:

- Technical feasibility
- Costs associated with project
- Maintenance needs
- Durability and anticipated life span of the work
- Safety hazards and potential for vandalism
- Donor's conditions

3. Review Panel Process

The FWAC will annually appoint three to five arts professionals to serve as an ad-hoc review panel. When artworks are proposed for donation this panel will prepare a written evaluation and recommendation based on the following criteria:

- Artistic quality
- Site
- Context within the City collection
- Professional credentials of the artist

4. Approval by the FWAC

Staff will transmit the application to the FWAC at one of its regularly scheduled meetings. At this time, staff will present its report on the technical aspects of the work and a representative from the Review Panel will present their recommendation to the Commission. The Commission will vote to accept or decline the artwork. The Commission will issue a conditional letter of acceptance to the applicant, subject to site approval by appropriate City department as applicable.

5. Approval by other City Boards and Commissions

It is the responsibility of the applicant to submit the project for review and approval by any other Boards and Commissions deemed necessary for final approval. This will take place subsequent to preliminary approval of the work by the FWAC.

6. Final Acceptance

Upon the recommendation of the FWAC, final acceptance of gifts and loans will be made by the City Council and acknowledged through a written statement.

Final acceptance of gifts will require:

- An executed contract transferring title of the artwork and clearly defining the rights and responsibilities of all parties.
- Complete records of accession including, but not limited to, a signed deed of gift, acknowledgment of receipt, registration information, location card, exhibition record, photographs or slides, and independent appraisal.
- Verification that the work is unique and an edition of one (unless stated to the contrary in the agreement and accepted by the City).
- The establishment of an endowment fund if the City's existing maintenance budget is not sufficient or if the potential maintenance is deemed excessive.

- In general, works of art will be acquired without legal restrictions as to future use and disposition, except with respect to State or Federal laws on preservation, copyright, and/or resale of works of art.

Final acceptance of loans will require:

- An executed contract clearly defining the terms and conditions of the loan and the rights and responsibilities of all parties.

Exceptions

The following will be exempt from the formal review and acceptance procedure:

- Gifts of state presented to the City by foreign governments or by other political jurisdictions of the United States that may be accepted by City Council or the City Manager on behalf of the City. The FWAC and the appropriate City department will determine permanent placement of any such artworks jointly. If not provided by the donor, maintenance of the art will be the responsibility of the host City department with assistance from the FWAC and/or the Director.
- Art or exhibitions loaned for display on public property for 90 days or less. Review and approval in these instances will be the responsibility of the public art director in conjunction with the department with jurisdiction over the site of the display or exhibition.
- Artworks displayed in private offices or in non-public areas of City facilities that are not owned by the City.

B. COLLECTION MAINTENANCE

Periodic Review and Assessment of the Collection:

Periodically, or at least once in every ten year period, the City's Art Collection will be evaluated for the purposes of collection management and in order to assess the collection's future.

The Director will establish a review process meeting the following objectives:

- Assessing the condition and needs for restoration or repair of works in the collection.
- Evaluating the value, whether monetary or artistic, of the collection.

Routine Care and Maintenance

The City of Fort Worth assumes the responsibility for the ongoing conservation of artworks in its collection. The Director will oversee the maintenance and conservation of artworks in the City's collection. The user department will pay for routine maintenance costs (such as cleaning or changing the light bulbs). Conservation costs will be paid for out of the public art fund.

1. Artist or Donor Responsibilities

When the City acquires an artwork, whether by commission or donation, the artist or donor shall have certain responsibilities including, but not limited to, the following:

- Within the terms of the contract acquiring any specific artwork, the artist or donor will guarantee and maintain the work of art against all defects of material or workmanship for a period of one-year following installation or acquisition.
- Within the terms of the contract, the artist or donor will provide the FWAC with detailed instructions regarding routine maintenance of the artwork including a maintenance manual and maintenance schedule.
- Within the terms of the contract, all repairs and restorations that are made during the lifetime of the artist will have the mutual agreement of the City and the artist where feasible. To the extent practical, the artist will be given the opportunity to accomplish such repairs.

2. City Responsibilities

- a. Administrative Authority (Director)
 - Establishing guidelines and schedules for routine maintenance such as cleaning, changing the light bulbs, etc.

- Advising the artist or donor about the removal of artwork from a site for which it was selected or from public display.
- Advising the artist or donor when artworks require extraordinary maintenance or repairs.
- Periodically, or at least every ten years, inspecting and preparing a report on each work of art in the City Collection which will include the following:
 1. Present location of the artwork.
 2. Present condition of the artwork.
 3. Recommendation regarding needed maintenance or repairs.
 4. Recommendations regarding potential deaccessioning.
 5. The FWAC will review the comprehensive condition report every year as part of the development of the annual work plan and will recommend specific conservation projects for inclusion in the plan and budget.

b. City Departments

Routine maintenance including regular cleaning of artwork. Such work will be completed in accordance with maintenance schedules and guidelines prepared by the Director.

Transportation

City departments will not move any artwork from the site at which it was installed, nor remove any artwork from display, without the prior authorization of the FWAC.

The administrative authority is responsible for arranging the logistics of artwork moves. Depending upon the impetus of the move, payment for moving artwork may be borne by the Public Art Program or by the department requesting the move. Professional care will be taken in moving and transporting all City owned artwork. Whenever feasible such relocation will be contracted to or supervised by the artist or a professional art handler.

C. DEACCESSIONING

Deaccessioning⁶ is the process by which the FWAC decides that an object may be removed from the City's collection. It is the primary responsibility of the FWAC to preserve and protect the collections under its management for the people of Fort Worth. The City shall dispose of works of art in its collections only in the public interest and as a means of improving the overall quality of the collection. Since the City through a thorough review process acquires artworks by impartial peer panels, based on the quality of the artwork and the value of the work to the collection as a whole, deaccessioning should be considered only after five years following acceptance. The need for relocation or the temporary removal from public display does not automatically necessitate deaccession.

Deaccessioning should be cautiously applied only after careful and impartial evaluation of the artwork to avoid the influence of fluctuations of taste and the premature removal of an artwork from the collection. Prior to the deaccession of any work, the FWAC must weigh carefully the interests of the public, the intent in the broadest sense of the donor (if any), and the interests of the scholarly and the cultural communities.

All proceeds from any sale or auction of a work of art will be used for the exclusive purpose of acquiring one or more other works of art for the same public structure or purpose for which the original work of art was acquired. If that is not possible, then the proceeds shall be used to acquire a work of art at another City facility.

⁶ The term *deaccession* is used by museums and libraries to indicate the removal of an item from the collection, and has by extension, become the term used in all policy documents relating to this issue.

REMOVAL OF AN ARTWORK FROM PUBLIC DISPLAY**1. Causes for Review**

While the intent of acquisition of artwork is for permanent public display, circumstances and/or conditions may arise that make it prudent for FWAC, on behalf of the public interest, to remove an artwork from public display. In general, it shall be the policy of the FWAC not to remove an artwork from display or relocate it prior to it having been in place for at least five years, unless public safety or other technical circumstances are involved.

One or more of the following conditions must apply in order for an artwork to be considered for permanent removal or deaccession:

- The work presents a threat to public safety.
- The condition or security of the work cannot be guaranteed, or the City cannot properly care for or store the work.
- The work requires excessive or unreasonable maintenance.
- The work has serious or dangerous faults in design or workmanship.
- The condition of the work requires restoration in gross excess of its monetary value, or is in such a deteriorated state that restoration would prove either unfeasible, impractical or would render the work essentially false.
- The work is of poor quality or is judged to have little aesthetic and/or historical or cultural value.
- A similar but superior example exists in the collection.
- The work is a forgery.
- No suitable site for the work is available.
- Significant adverse public reaction is documented over an extended period of time (5 years or more).
- The work can be sold to finance, or can be traded for, a work of greater importance by the same artist.
- A written request from the artist has been received to remove the work from public display.
- The work is not, or is rarely, displayed.

2. Review Process

Prior to deaccessioning an artwork, the FWAC must observe the following procedures.

- a. Prepare a report that indicates:
 - Acquisition method and purchase price.
 - Any restrictions that may apply to the specific work based on contract review.
 - An analysis of the reasons for deaccessioning.
 - Alternatives to deaccessioning.
 - Suggested methods of deaccession.
 - Appraised value of the work by two independent consultants, if obtainable.
 - Documentation of correspondence, press or other evidence of public debate documenting extended adverse public reaction.
- b. Discuss with the artist or donor the circumstances prompting the review.
- c. Discuss the circumstances with the affected city department and document **their** input.
- d. Make all reasonable efforts to ascertain that the City is legally free to dispose of the work in question.
- e. Staff may seek additional information regarding the work from the artist, art galleries, curators, appraisers or other professionals

The report shall then be presented to the FWAC for action at a regular public meeting.

3. Deaccession Process

- a. Upon a recommendation of deaccession, city staff will work with the FWAC to determine the manner of disposition. Every effort will be made to ensure that this process is fair and open. Sale at public auction is strongly encouraged. Whenever works are deaccessioned by means other than public auction, staff will

- secure no fewer than two independent estimates of fair market value.
- b. When possible, artworks proposed for deaccession will be traded with the artist for more appropriate works.
 - c. Artworks may not be given or sold privately to City employees, officers, volunteers or members of commissions, committees, boards, affiliate groups or their representatives unless they are sold at public auction and with appropriate disclosures.
 - d. Consideration should be given to placing the art objects, through gift, exchange or sale, in another tax-exempt public institution wherein they may serve the purpose for which the Commission initially acquired them. The FWAC may exchange a work of art on such terms as the Commission, by a 2/3 vote of the members, determines appropriate.
 - e. A work of art may be sold privately under the following circumstances:
 - If the work is offered at public auction and no bids are received, or if the bids are rejected. A work of art on which bids have been rejected shall not thereafter be sold through private sale for less than the amount of the highest bid received.
 - If the FWAC determines, by a 2/3 vote of the members, that the work may be sold on terms more advantageous to the City if sold through private sale.
 - If the artist of the work chooses to purchase it at the original purchase price.
 - f. An adequate record of the conditions and circumstances under which objects are deaccessioned and disposed of should be made and retained as part of the records of the City's Collection.
 - g. When a gift is deaccessioned, the donor's name should be recognized in the label copy for the object or objects acquired in its place.

- h. All recommendations for deaccession are subject to appeal to the City Council. All appeals must be made in writing to the City Clerk within ten days of the decision by the FWAC.

ORDINANCE

The City of Fort Worth's Public Art Program was established on October 2, 2001, with City Council passage of Ordinance #14794 (text attached). It has since been made a part of the Fort Worth Code of Ordinances, Chapter 2, Title III. Boards and Commissions, Division 2. Art Commission and Public Art Program, Sections 2-56 through 2-61.