

# Memorandum: Ordinances + Policies

## Memorandum

08.13.2012, 08.23.2012, 08.28.2012

### Public Art in Capital Projects Policy

At the Cary Town Council work session on April 17, 2012, Brown & Keener presented a summary of recommendations from the draft Public Art Master Plan prepared for the Town. In that session, the Council found consensus around several policies regarding the funding and provisions for public art. We have been asked to draft that policy on Public Art in Capital Projects.

The Town of Cary has consistently supported public art in municipal capital projects for over a decade. Since 2006, more than ten public art projects have been implemented through funding from the Town's Capital Improvement Budget, and another fourteen projects have been donated by Cary Visual Art (CVA) or accomplished by a partnership between CVA and the Town. These art projects have contributed to an improved quality of life, a shared sense of civic pride and an engaging social and aesthetic experience for both residents and visitors.

The town's Public Art Policy reaffirms the Cary's support for public art and offers guidelines for the Council and staff to review proposed public art projects. The policy lays out a streamlined process for municipal review and implementation of public art in capital projects.

### Draft Policy: Public Art in Capital Projects

This policy reflects the Town of Cary's support for public art in capital projects and offers a process for the identification, review and implementation of those projects.

1. The Town's Public Art Program bolsters the town's identity as a remarkable place to live, work and visit. Public art increases the awareness and enjoyment of the Town's diverse public realm, complementing substantial recent public and private investments in Cary's Downtown areas.
2. All capital construction projects are to be considered eligible for public art projects.
3. On a designated annual basis, the Parks, Recreation and Cultural Resources (PRCR), Engineering, Planning and Public Work Departments shall meet with Cultural Arts Division staff to discuss opportunities for public art in the capital budget as well as in the five-year horizon of the capital improvement plan. During these meetings, potential projects will be evaluated and recommendations for public art projects to be included in the PRCR capital budget shall be documented with estimated costs to cover each project in its entirety, from design to installation. The estimated cost of the public art project will be a net cost that excludes the base construction that would be necessary regardless of the art project.
4. Staff will review recommended public art projects annually during the capital budgeting process. Projects will be evaluated based upon the considerations below, and any other factors deemed important by staff and administration.
5. The Public Art Advisory Board will annually review and prioritize a list of potential public art projects to be included in the capital budgeting process.

Factors for Evaluating Public Art in Capital Projects:

- Consistency – with the objectives of the Cary Public Art Master Plan
  - Vitality – contributes to the revitalization of Downtown Cary
  - Visibility – by location and/ or proximity to high walk-by traffic volume
  - Identity – enhances gateways and contributes to place identity
  - Investment – complements public and private investment
  - Balance – brings balance and variety in location or project type to the collection
  - Ease – that the project can be incorporated into site
  - Opportunity – for unique function or relation to activities
  - Public use – accessible and visible to the public
6. The capital budget for approved public art projects shall include the net cost of all phases of the public art project, such as conceptual design, schematic design, design development, construction and installation. An additional 8-10% of the public art project budget shall be designated as contingency for the public art project. Any unused contingency shall be returned to the overall capital project budget.
  7. Upon the approval of a public art project, the PRCR Department through the Cultural Arts Division shall contract with an artist for the design and construction/ installation of the public art project. The Engineering or Public Works Departments shall contract with the capital project consultant (firm). All contracts should be first reviewed jointly by the Town Departments and Public Art Coordinator to assure that the consultant/contractors' obligations, project goals and schedules are well-coordinated and can be managed in a way that will result in a cooperative process.
  8. All public art projects shall include a maintenance plan prepared by the artist and submitted as part of the contractual requirements. The Town's Public Works Department is responsible for the maintenance of the public art projects in consultation with the Public Art Coordinator.
  9. The Town Council reserves the right not to approve particular art projects in any given year.