AUSTIN ART IN PUBLIC PLACES

Austin Art in Public Places

Artist Resource Guide 2014

City of Austin
Economic Development Department ▪ Cultural Arts Division
www.austincreates.com

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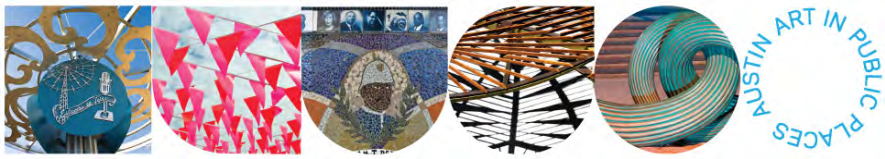

Art in Public Places (AIPP) is a program of the Cultural Arts Division which is part of the Economic Development Department within the City of Austin.

The Cultural Arts Division (CAD) of the Economic Development Department provides leadership and management for the City's cultural arts programs and for the economic development of arts and cultural industries.

Art in Public Places Program (AIPP)

The People's Gallery

Cultural Arts Funding Program

Creative Development, including:

- Film, TV and Video
- Digital Media and Gaming
- Austin's New Year
- Faces of Austin, a short film program showcasing Austin filmmakers
- Cultural Heritage and Tourism
- Take it to the Next Level Training for Creative Industries

Art in Public Places Program
Cultural Arts Division Economic Development
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www.austincreates.com

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Dear Future AIPP Commissioned Artist,

You see public art popping up all around town and perhaps you wonder how it got there, who chose it, and how you can get involved. This resource guide will help make AIPP's public art process more transparent. While this handbook is geared towards the City of Austin's AIPP program, its contents may also provide some insight into the many other public art programs throughout the United States.

It is my hope that this resource guide will engage the new or emerging artist who aspires to break from traditional studio practice and begin creating their art in the public realm. Not all artists desire to make the transition from studio to public art, but those who are ready, can discover the exciting, and sometimes frustrating challenges of creating artwork for a diverse audience. Artists are challenged to critically think about their work, to play with scale, experiment with materials, and to look at their work in a whole new context.

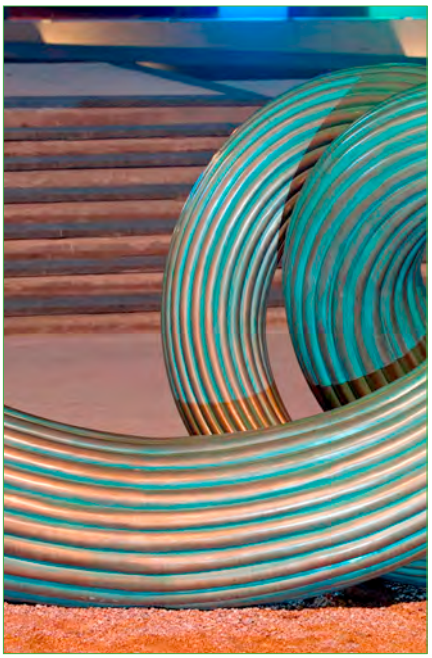
This handbook is also intended to guide individual artists and organizations who are interested in proposing a public art project to the City of Austin. The City of Austin Artwork Donation and Loan Policy allows for artwork that is not funded by the percent-for-art process to be accepted by the City.

Some artists are reluctant to make art outside of the studio, perhaps because of the time required to apply, or due to a lack of understanding of the public art process. Some may fear that artistic integrity would be lost in creating public works which require community collaboration. Nothing could be further from the truth. Creating public art challenges artists to think of their work in a new context and enables them to realize ideas on a grand scale.

Participating in the public art process allows you as an artist to contribute to the city's natural and urban landscape by participating in the creation of the built environment. It also provides greater visibility for your work. Austin's public art program has exciting projects through upcoming bond elections, and now is the time to get involved! We look forward to your participation.

All the best with your public art endeavors,

Meghan Wells
Art in Public Places Administrator



Rhytons (detail) by Cliff Garten, 2012, ZACH Theatre campus; photo by Jeremy Green

TABLE OF CONTENTS

Introduction	7
How do I begin?	9
The nature and types of public art	11
How Austin procures public art	14
The selection process	16
Putting together a submission package	18
The public art commission process	21
Public art budget form	28
Project development charts	29
City of Austin insurance requirements	32
People in public art	34
Artist communication chart	37
Additional resources for public artists	38
Other public art opportunities	42
Glossary of terms and acronyms	46

Appendix I – Art in Public Places Ordinance

Appendix II – Art in Public Places Guidelines

Appendix III - Austin Artwork Donation and Loan Policy

Appendix IV – Permitting Booklet for Artists

ARTIST RESOURCE GUIDE

A Guide to Austin's Art in Public Places Program

INTRODUCTION

The City of Austin Art in Public Places (AIPP) program offers local and national artists, both established and emerging, an opportunity to contribute to our ever-evolving cityscape. The program provides unique works of art for publically funded facilities and has been an integral part of Austin's transformation into a top cultural and artistic destination in Texas and beyond. For three decades, AIPP artists have successfully completed projects that have become cornerstones of community identity.

Public art is an investment in the City's energy and vitality. It contributes to the City in a variety of ways: it enhances the aesthetics of the City, it promotes dialogue within communities, and it generally serves as a reflection of the City's values, collective memory, and diversification. It also provides jobs for artists and other creative professionals, including architects, landscape architects, engineers, fabricators, and art conservators.

Uprooted Dreams (detail) by Margarita Cabrera, 2012, Mexican American Cultural Center; photo by Philip Rogers

ABOUT THE ART IN PUBLIC PLACES PROGRAM

The City of Austin was the first municipality in Texas to make a commitment to include works of art in construction projects when it established the Art in Public Places program in 1985. By ordinance, 1% of construction budgets was allocated to commission or purchase artwork for public sites, such as the airport, convention center, libraries, parks, police stations, and recreation centers. In October 2002, the ordinance was amended to increase public art allocations to 2% and to include streetscapes, street improvement projects, and bridges, a change that supported greater visibility of art in the urban environment. (See Appendix I to review the AIPP Ordinance.)

The City currently boasts over 180 public artworks in over 60 facilities, ranging from outdoor sculptures to architectural detailing, and the collection continues to grow! To see the complete list of artwork in the City of Austin's public art collection, visit www.austintexas.gov/department/art-in-public-places.com and click on "Search AIPP Collection."

GOALS OF AUSTIN'S ART IN PUBLIC PLACES PROGRAM

- Expand Austin citizens' experience with visual art and increase understanding of their communities and lives
- Stimulate the City's vitality and economy and enhance Austin as a regional arts leader
- Steward funds for art and art projects of redeeming quality that advance public understanding of visual art and enhance the aesthetic quality of public places

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(Attn) Art in Public Places Program
P.O. Box 1088
Austin, TX 78767

Stem Rack (detail) by Ann Armstrong, 2012, 111 Congress Avenue; photo by the artist

HOW DO I BEGIN?

TO DO LIST
- o Check out AIPP webpage
- o Sign up for AIPP newsletter
- o 'Like' AIPP on Facebook
- o Browse the AIPP collection
- o Attend AIPP Panel meeting
- o Subscribe to CAD newsletter

1. Browse the AIPP Website

Look through the AIPP collection and search for current artist opportunities at visit www.austintexas.gov/department/art-in-public-places.com. Also, while you are there, subscribe to the AIPP monthly e-newsletter to learn of upcoming opportunities, public programs/events, and news on current projects. Specify if you are interested in Calls to Artists or Special Events as well, to be among the first to hear of those opportunities.

Search the archives of the AIPP Newsletter to see what has been happening: http://tinyurl.com/AIPPNewsletterArchive

2. Search the AIPP collection

The City of Austin has more than 180 commissioned artworks worth over six million dollars. You can find out which city parks, streetscapes, and facilities have public art and who made them.

3. Plan to attend an Art in Public Places Panel Meeting

The Art in Public Places Panel meets monthly to review current public art projects. Meetings are usually held at 6 p.m. on the first Monday of the month and are open to the public. A calendar of AIPP Panel meeting dates are listed on the Art in Public Places website.

4. Like us on Facebook

AIPP's Facebook page is the quickest and easiest way for an artist to learn of upcoming opportunities, hear about public programs, and get news on current projects. We post shots of artists working on and installing AIPP projects, notices of events, and open calls to artists.

5. Apply to be on a Selection Panel for a public art project

The AIPP Panel appoints a Selection Panel (jury) for each new public art project. Each jury is made up of artists and visual art/design professionals and is aided by project and community advisors. Serving as a Selection Panelist allows you to engage in the public art process in an important and lasting way, as the Panel recommends which artists are selected. If you would like to participate in this process, please review our forms, which are available online at www.austintexas.gov/department/aipp-policies.

6. Subscribe to Cultural Arts Division newsletter
The Cultural Arts Division (CAD) newsletter is also chock-full of excellent cultural events, arts projects, and links from local, statewide, and national sources.

THE NATURE AND TYPES OF PUBLIC ART

Public art differs from studio art (or art exhibited in galleries or museums) in several ways. Unlike art created in the studio, public art involves stakeholders or the community in its creation. It takes into consideration the specifics of the site, with an acute awareness of the site's physical and social contexts. While a public artist is always encouraged to create a work that is reflective of his or her voice, the intent and the needs of the community at large must be considered as well.

Discrete Object

The traditional approach of placing stand-alone sculptures, murals, or other artworks in public buildings, plazas, or parks, as a means to beautify and humanize the environment or to memorialize people or events.

Photo at right: *Your Essential Magnificence* by James Talbot, 2010, west side of South Congress at Live Oak; photo by Philip Rogers

Temporary Installations

Temporary installations are non-permanent artworks that may respond to a specific physical or social environment. Temporary projects can involve either a single artist or multiple artists responding to the same subject matter.

Photo at right: *Below* by Jacob Villanueva and Jeff Clarke, 2013, Boggy Creek Park temporary art installation, TEMPO; photo by Philip Rogers

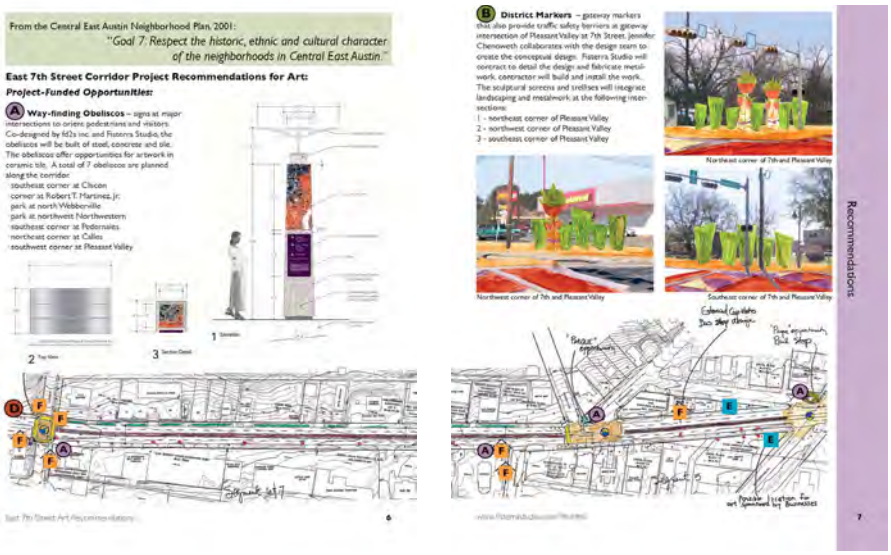
Integration of Public Art and Architecture

Artists work on design teams with architects, engineers, landscape architects, and other professionals to create public projects that aspire to the highest aesthetic innovation. This approach may result in artist-designed functional elements, such as flooring, or lighting, which are integrated into the project.

Seeding Time by Nobuho Nagasawa, 2001, City Hall Plaza; photo by Philip Rogers

Master Planning

Artists work with design professionals, policy makers, and community groups to identify opportunities for the integration of public art into urban projects such as neighborhood redevelopment districts, parks, and civic plazas.



From the Central East Austin Neighborhood Plan, 2001:
"Goal 7: Respect the historic, ethnic and cultural character of the neighborhoods in Central East Austin."

East 7th Street Corridor Project Recommendations for Art:

Project-Funded Opportunities:

A Way-finding Obeliscos – signs at major intersections to orient pedestrians and visitors. Co-designed by fd2s inc. and Fisterra Studio, the obeliscos will be built of steel, concrete and tile. The obeliscos offer opportunities for artwork in ceramic tile. A total of 7 obeliscos are planned along the corridor:
- southeast corner at Chicon
- corner at Robert T. Martinez, Jr.
- park at north Webberville
- park at northwest Northwestern
- southeast corner at Pedernales
- northeast corner at Calles
- southwest corner at Pleasant Valley

B District Markers – gateway markers that also provide traffic safety barriers at gateway intersection of Pleasant Valley at 7th Street. Jennifer Chenoweth collaborates with the design team to create the conceptual design. Fisterra Studio will contract to detail the design and fabricate metal-work. contractor will build and install the work. The sculptural screens and trellises will integrate landscaping and metalwork at the following inter-sections:
1 - northeast corner of Pleasant Valley
2 - northwest corner of Pleasant Valley
3 - southeast corner of Pleasant Valley

Northeast corner of 7th and Pleasant Valley

Northwest corner of 7th and Pleasant Valley

Southeast corner of 7th and Pleasant Valley

Recommendations

Right: images from *Recommendations for Public Art for the East 7th Street Corridor Project* by design team artist Jennifer Chenoweth, 2004

Open Room Austin by Rosario Marquardt and Roberto Behar, 2010, Sand Beach Park; photo by Philip Rogers

Urban Design/Place Making

Artwork in this category are projects that enhance a cityscape by creating a sense of place or improving the design qualities of public infrastructure.

Examples of such artist designed projects include freeway enhancements, bridges, plazas and parks.

Above: Community members creating contemporary *alebrijes* in the tradition of Oaxacan wood carving for *Uprooted Dreams* by Margarita Cabrera, 2012.

Right: Artist Margarita Cabrera is preparing work space for community members.

Public Art and Community/ Social Practice

Artists work in communities to create public art projects that respond to the reality and integrity of those communities. (For example, artists may work in social institutions, homeless shelters, senior centers or community centers.)

¡Estamos en Tejas! (detail) by Connie Arismendi, 2008, Roy Montelongo Scenic Overlook, near Canterbury St. and Pleasant Valley Rd.

HOW THE CITY OF AUSTIN PROCURES PUBLIC ART

There are public art opportunities in the City of Austin for traditional percent-for-art commissions and for donations of artwork to the city. The options below refer to public art on City-owned property.

Percent-for-art projects

Obtaining a public art commission with the City of Austin can be a great accomplishment for any artist who has decided to enter the realm of public art. With the number of projects averaging 8–10 per year and with so many talented artists applying, percent-for-art projects are competitive. The AIPP program announces upcoming public art projects based on an annual number of the City's eligible Capital Improvement Projects (CIP). The AIPP program receives 2% of the funding from eligible CIP projects to use for obtaining unique artwork. Artists who compete for public art projects have the potential to create work for highly visible locations, including

- new and remodeled City facilities, such as libraries, public safety facilities, recreation centers, senior centers, and water and wastewater facilities;
- parks, open green spaces, and pocket parks; and
- downtown streetscapes, trails, bridges, and other transportation infrastructures.

Donations

If you have an idea for a privately funded public artwork, the Art in Public Places program provides the opportunity to propose a work through the City's artwork donation process. All proposals for artwork donations, both permanent and temporary, are subject to review and approval through the City of Austin Artwork Donation and Loan Policy.
(See www.austintexas.gov/department/aipp-policies.)

In order to go forward, the artwork proposal must be thoroughly reviewed and approved by the City department that oversees the proposed site for the artwork, by the Austin Arts Commission, and, if appropriate, other relevant stakeholders. The City must be assured that the artwork is structurally engineered, will not cause permanent damage to City property, requires no excessive maintenance, and poses no safety hazards to the general public.The criteria by which artworks are reviewed is given in the policy.

Arboreal Passage (detail) by Colin McIntyre, 2012, Austin Nature and Science Center; photo by Philip Rogers

Artists are encouraged to seek community and financial support for their project. It is good to seek preliminary support through organizations such as neighborhood groups and user groups of the proposed site. If proposing for a park, then consider the visitors to the park and how the work may enhance or deter its use. Since public art can be a substantial financial commitment, artists are also encouraged to seek sponsorship through partnerships with corporations or non-profit organizations. Artists might also consider writing a grant or applying for a cultural contract through the City of Austin to fund a public art idea.

Please note that artwork donations for Town Lake Park and the Ann and Roy G.Butler Hike and Bike Trail are subject to specific criteria. Refer to page 9 of the City of Austin Artwork Donation and Loan Policy for further information.

Temporary Artworks

Artists who are interested in temporarily displaying their artwork on City property must also adhere to the Artwork Donation and Loan Policy referred to above. Although only temporarily on display, the artwork must undergo the same scrutiny as a permanent artwork in order to receive approval. Donations are also required to go through the City permit review process.

When funds are available, AIPP also commissions temporary artworks for parkland locations through the TEMPO program. (See www.austintexas.gov/tempo.)

Artist Jessica Braun installing *Festoon* at Plaza Saltillo in 2013 as part of TEMPO, AIPP's temporary art program; photo by Philip Rogers

THE SELECTION PROCESS

How is an Artist Chosen?

Artists will be selected on the basis of their appropriateness for the particular project as indicated by their resume, the merit of their past work, and their potential design approach. An artist's willingness to fully participate in a collaborative process is also considered a criterion for selection.

Not all projects are appropriate for every artist. AIPP receives many applications for each project, but only one artist or artist team can be selected. Explore the criteria for each project and apply for those that are an appropriate fit for the type of work you do. If you are not chosen for one project, apply for another! Each project and selection panel is unique. Feel free to contact the AIPP project manager for feedback on submissions that were not chosen.

Below are various ways that the City of Austin may choose to select artwork:

I. Open Competition

In an Open Competition, a call is issued and anyone interested in applying for the project may do so as long as they meet specified AIPP guidelines, including residency requirements. Artists may be asked to submit images of their past work, a resume, and a letter of interest related to the specific project or a proposal for the project under review. The two types of Open Competition calls are:

- Request for Qualifications (RFQ)
  An RFQ provides artists with a detailed overview of the public art project, including budget, a description of

the site, project goals, and application requirements. A specific proposal is not required in an RFQ.

▪ Request for Proposals (RFP)
An RFP is more detailed than an RFQ. Whereas an RFQ asks only that the artist supply credentials, an RFP also requires a preliminary proposal for the project. This proposal customarily includes sketches, concept(s), budget, materials to be used, and time frame. If an artist is selected for the project, the initial RFP proposal will then be fully developed into a design, incorporating all the necessary logistics and details of the project, often in coordination with a project team.

II. Limited Entry Competition

In this case, the jury invites a limited number of artists to participate in the selection process. The invited (or sometimes nominated) artists may be asked to submit images of past work or proposals based on the project prospectus. The names of the artists invited to participate shall be publicly announced upon receipt of written acceptance of the invitation.

III. Direct Selection

In certain instances, an artist or an artwork may be directly selected for a project by the AIPP Panel, foregoing all regular selection processes. An artist is invited to participate in the project and may be asked to develop a proposal for the project. On occasion, several artists are asked to work together as a team.

IV. Direct Purchase of an Existing Artwork

Occasionally a completed work of art may be purchased by the City. This allows for more traditional studio arts to be included in the City's public art collection. No more than ten percent of the cost of the work may go to the artist dealer or agent.

Cardinal Points East 7th Street Obelisco by Susan Wallace, 2011, at Webberville Road

Big Chiller Blues by Ann M. Adams, 2005, Austin Convention Center parking garage at 5th and Sabine Streets

PUTTING TOGETHER A SUBMISSION PACKAGE

AIPP program calls are listed on the City of Austin website (www.austincreates.com) as well as on PublicArtist.org, the online application system used by AIPP. Artists must apply through this online system, and can do so without cost. Public Artist provides technical assistance during business hours Monday – Friday at 210-701-0775. Note that PublicArtist.org also lists public art opportunities from other programs.

This is typically what you will be required to submit when applying for a commission:

- Letter of Interest: illustrates your desire to participate in the project, and may briefly detail your idea and approach to the specific project;

- Resume: include public and private art commissions, exhibitions, collaborations, and other experience;

- Images: generally 10–20 digital images submitted according to application instruction, including title of work, location, creation date, medium, dimensions, and budget; and

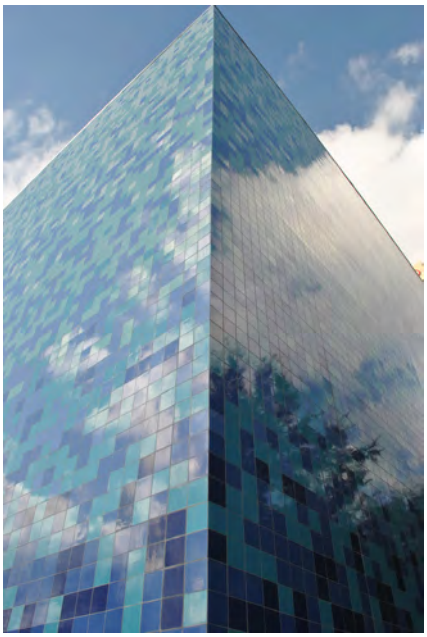
- Professional References: The names and contact information of individuals who are familiar with your ability to communicate, your professionalism, your experience working within time and budget constraints, and your knowledge of materials, among other things.

When putting together your submission package, it is important to keep a few things in mind:

Communicate clearly!

Your letter of interest should identify your key strengths, and cite examples of past public work, successful

collaborations, and the unique qualities and interests you bring to the project. Be sure to directly address any specific questions posed by the RFQ/RFP.



Big Chiller Blues (detail) by Ann M. Adams, 2005, Austin Convention Center

Choose your images carefully!

The Selection Panel will carefully review images of your past work. Make sure that the images you submit are of the highest quality and meet the technical submission requirements. If you do not know how to take professional-quality images or how to transfer them to the preferred digital format, then get assistance! It's better to hire a professional or learn to do this very well yourself, rather than risk losing commissions due to low-quality images.

- It is critical that your images portray your work in the best possible light, and include detail shots when appropriate.

- Images that depict how the artwork interacts or engages with the surrounding space (be it an outdoor public piece or an interior installation piece) help the Selection Panel understand your work.

Through your images and descriptions, strive to express the full context (meaning, content, and relevance) of your body of work. Select carefully in order to convey the cohesiveness of your artistic vision, allowing the Selection Panel to understand your unique point of view.

When choosing images for a basic RFQ, or when providing sketches and materials for an RFP, remember to provide images that convey an overall concept. While it is tempting to do so, it is not advisable to combine multiple photos and text on one image.

Confabulating Orbits by Ben M. Livington, 1996, Austin Convention Center

After you submit your application

After the Call to Artists is closed, a Selection Panel will convene to review all the applications. You will be notified by email whether you have been selected. If you receive a "no" keep applying for other commissions. Each selection panel is unique.

Before you submit your next application

Feel free to stop by our monthly Open Office Hours to discuss general advice. While we cannot advise on strategies for applying to specific calls, we can certainly help you consider how you might be successful in a more general, "best-practices" way.

Open Office Hours are currently set for the second Friday of the month from 2 p.m. to 4 p.m. (please call 512-974-7700 to confirm before you come over). Parking is available in the Austin Convention Center parking garage at 2nd and Brazos – enter from Brazos between Cesar Chavez and 2nd Streets. AIPP will validate your parking.

Elevated Prairie (detail) by the artist team of Andrea Legge, Deborah Eve Lewis and R. Murray Legge, 2004, Central/East Austin Police/Forensics Lab

THE PUBLIC ART COMMISSION PROCESS

You have been selected for a public art project! What should you expect?

Contract

You will first meet with your AIPP project manager, who will oversee your contract with the City, to begin contract negotiations. Depending on the contract and the budget, this process may take a month or longer. If the budget amount for your project is over the City's administrative authority (generally in the range of $55,000) then City Council will need to grant authorization for AIPP to negotiate a contract with you, which may take an additional month. Each City contract requires signatures from the City Manager or designee, the City's legal department, and the artist(s).

While you are waiting for the contract to be completed, please register online as a vendor with the City of Austin vendor system. This must be completed prior to finalization of your contract. (https://www.ci.austin.tx.us/financeonline/vendor_connection/index.cfm)

Kick-Off

After finalizing the contract, you will be invited to meet with the project team, which includes City staff, project consultants (e.g., architect, landscape architect, or engineer), and community representatives (stakeholders). There may be involvement by some of the City's boards and commissions, neighborhood groups, and/or special interest groups, who will need to be updated throughout the project.

Prior to beginning the design phase, you will also need to work with your AIPP project manager to develop and agree upon a schedule for your work.

Doctor Pangloss by the artists David Heymann and Sandra Fiedorek, 1999, Household Hazardous Waste Facility

Design

Next you will begin to design. Depending on the project, this will require interaction with project consultants in order to best integrate your work at the site. Your AIPP project manager will be your direct communication link to all project advisors, consultants, and stakeholders.

- From time to time, artists may work directly with project consultants. However, it is important that your AIPP project manager be the liaison for all communications, since these are a matter of public record. Copy your AIPP project manager on all emails sent to project advisors, consultants, and stakeholders.
- Think of your AIPP project manager as your advocate throughout the public art process with whom you maintain regular communication.

Design Criteria

Unlike the studio artist, the public artist has an expanded set of design criteria, including issues pertaining to public health, safety, and accessibility. A successful public art design will generally reflect a deep understanding of the following elements:

- Site Conditions: Overview of any existing or planned constraints or opportunities at the site, as they relate to the proposed project, such as building design, site layout, traffic patterns, landscaping, or other specific elements

- Community Involvement: Plans for any input or participation by the community
  Public participation can be useful in developing community support for or gathering feedback on a project. Examples of methods of community participation include workshops or public meetings to present design concepts.

- Maintenance: Maintenance is a critical aspect of preserving the integrity of a work of art for future audiences after the commission has been completed.

The AIPP Panel carefully reviews proposed maintenance requirements during the design process to ensure that the City will be able to commit the resources necessary to maintain the work according to the artist's intention. Artists are required to provide information on all processes and materials when consulting with AIPP's contracted professional art conservator regarding maintenance issues. Selection Panels and the AIPP Panel also consider the susceptibility of proposed projects to acts of vandalism.

- Safety and Liability: Safety and liability are also significant factors that must be considered when designing public art. A work with public access cannot pose a safety or liability hazard of any kind and must meet the legally required accessibility standards.

- Permitting: All projects on public property are subject to permitting requirements, and the public artist often is required to obtain permits, such as excavation, building, or electrical permits, among others. The City of Austin waives most permit fees for the commissioned artist.

- Lighting/Electrical: A description of any lighting or use of existing lighting or electrical connection, to be included in the project

- Fabrication: A detailed description of the methods of fabrication as well as any uncommon or unusual details regarding your approach to creating the work

- Installation: If the work will not be fabricated directly on-site, share details regarding the installation procedure

  Installation includes the construction of any required footings or foundation, lighting, site work, transportation of the work to the site (flatbed truck or other), and final placement of the work (crane, traffic control, etc.)

Commissioned artist Judd Graham holds a study of his artwork, created before final design review. All sketches, studies, maquettes, and models created in the process of design are part of the deliverables due to the City of Austin as part of the commission.

Design Reviews

A review of your project will take place at the mid-point by the AIPP Panel so that they may provide feedback on your direction. After this mid-point presentation or mid-design review, you will likely further develop your design, in collaboration with advisors and stakeholders.

Your design will be reviewed many times, including by the contracted conservator, the project team, AIPP staff, and the relevant City department(s) for integrity of materials and fabrication methods, maintenance requirements, public health and safety, and ability to meet established project goals.

After these reviews are completed, you will present your final design to the AIPP Panel for approval. By contract, your final design deliverables will include

- **Narrative:** A short paragraph that describes what you are proposing for the project. Examples may include a description of a sculptural form, your guiding concept, a method of public participation, or how your proposal responds to the specific site and meets project goals.

- **Design:** Renderings that will allow the public to understand what you are proposing. As the design progresses you will need to produce scaled drawings detailing your design.

- **Engineered Drawings:** For most projects, you will need scaled drawings that carefully detail the structural safety of the artwork and the foundation or mounting method; these drawings will be detailed and stamped by an engineer.

- **Budget:** Total budget summary, including a list of anticipated costs based on written quotes from vendors and sub-contractors for the construction of the work. The budget should include materials, construction labor costs, and insurance costs. (See Sample Budget Form at the end of this section.)

- **Materials:** Description of the materials to be used in the work including structural elements, manufacturers' Material Safety Data Sheets, and durability information.

- **Schedule:** An estimated timeline for fabrication of the entire project from start to finish.

- **Permits:** Understand which permits will be required for completion of the project.

Ann Armstrong in the process of fabricating *Stem Rack*

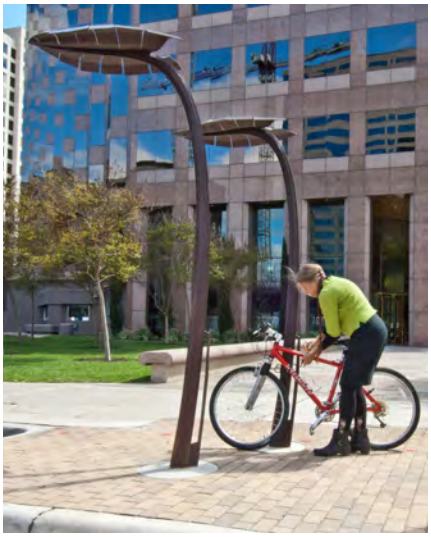
Approval

The Art in Public Places Panel reviews the final design and budget and, if no revisions are required, makes a recommendation to the Austin Arts Commission for approval.

Notice to Proceed Fabrication

Once your final design is approved by the Austin Arts Commission, depending on the project schedule, there may be a wait time prior to fabrication. You may begin making your artwork once you have received written Notice to Proceed from your AIPP project manager. If your budget is substantial, your contract has been divided into a design contract and a commission contract. The latter will need to be signed prior to commencement of fabrication.

You will need to coordinate with City staff to determine the project construction schedule and the optimum time for artwork installation.



Stem Rack bike rack sculpture by Ann Armstrong, 2012, 111 Congress Avenue

Progress Status

The project team needs to be informed regarding the progress of fabrication. Your payment schedule is tied to milestones. In order to get timely payments, you need to keep your project manager up to date, which may include studio visits or site visits from time to time to check on your progress.

Artists working in the right-of-way are required by the City of Austin to surround their work site with traffic barricades to keep passersby safe.

Above: *Fractal Tree* by artist Paul Sorey, 2013, donated to the City of Austin through the Artwork Donation and Loan Policy (see Appendix III)

Design Revisions after Final Design Approval

If there are changes made to the design during fabrication, you need to consult with your project manager about these changes when they occur and provide documentation afterward in the form of as-built drawings.

Insurance

During the course of your commission, you will be required to carry insurance such as Commercial General Liability, Auto Liability, and Worker's Compensation. (See section on City of Austin insurance requirements.)

Installation

A pre-installation meeting is required to coordinate your work and schedule with the general contractor and/or the City department in charge of the site. During this meeting, you will review all required safety regulations for the site, the installation schedule, and the status of permits required for the project. Installation may begin after your AIPP project manager gives you written Notice to Proceed.

It is a good idea to **confirm site measurements and conditions prior to installation**. This is your responsibility as the artist. If conditions are not as expected, inform your project manager as soon as possible.

Project Close-out and Celebration

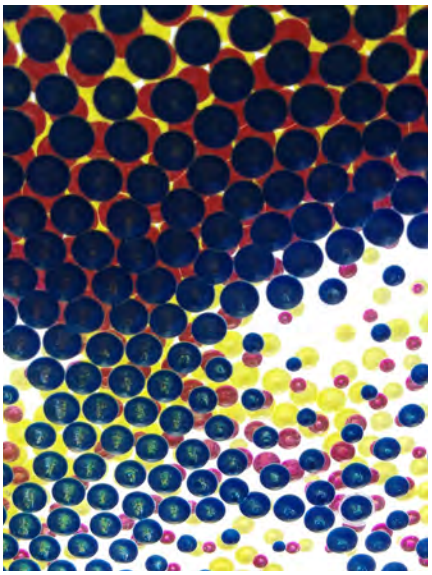
You will work with your AIPP project manager to complete any close-out documents, after which the City will take ownership of your work. AIPP will accession the artwork into the City's permanent art collection and have the work professionally photographed. There is usually a public dedication ceremony held for City construction projects, which includes a celebration of the completed artwork. The artist is invited to be present and is occasionally asked to speak.

Congratulations – you have completed your work!

It is true that public art takes time. The parameters of the project and the construction schedule will determine your public art project timeline. Some projects move relatively quickly, taking a year from the time an artist is contracted to installation of the completed work. Some projects take several years, depending on the progress of the sponsoring project. Your project manager can help you understand what to expect.

CNC machine fabricating *Texas Slam: A Portrait of Morris Williams Jr.* by Ansen Seale

Texas Slam: A Portrait of Morris Williams Jr. by Ansen Seale, 2013, Morris Williams Municipal Golf Course



Texas Slam: A Portrait of Morris Williams Jr. (detail) by Ansen Seale

Public Art Budget Form

Artists are asked to complete a budget and attach a signed receipt of estimate complete with per unit cost for all items designated with an asterisk (*). Below is a budget form given to artists to help them consider all costs and prepare for their project expenses:

TRAVEL (Non-local residents only)

Airfare _____

Car rental _____

Per diem expenses at $___/day _____

Mileage at $_____ per mile _____

STUDIO OVERHEAD

Studio rental, other expenses
Phone and fax charges, supplies,
detailed below.

_____ _____

_____ _____

INSURANCE

Auto Liability _____

General Liability for Artists
and subcontractors _____

Workers' Compensation,
Employers' Liability _____

PROFESSIONAL SERVICES

If applicable, drawings must be signed
and sealed by a professional registered
to practice in the State of Texas.

Architect (CAD/services)* _____

Structural Engineer* _____

Electrical Engineer* _____

Other* _____

Registered Accessibility Specialist _____

FABRICATION COSTS

Please attach a complete list of materials,
cut-sheets and individual estimates
(incl. per unit costs) with this form.

Materials * (Total) _____

Labor (Total) _____

TRANSPORTATION

Materials to fabrication site* _____

Finished work to installation site* _____

Other*

_____ _____

SITE PREPARATION

Landscaping, irrigation* _____

Removal* _____

Electrical modification* _____

Test drilling* _____

Water Work/Mechanical Devices* _____

INSTALLATION COSTS

Costs must include allowance for after
hours installation, if applicable. Please
attach a list of equipment and individual
estimates with this form.

Labor _____

Scaffolding* _____

Equipment* _____

Off-duty police _____

Traffic barriers* _____

Storage facility rental* _____

City permits _____

Fireproofing* _____

Other* _____

LIGHTING

Designers* _____

Fixtures* _____

Bulbs* _____

OTHER COSTS RELATED TO PROJECT*

Photo/Video Documentation _____

Other

_____ _____

_____ _____

CONTINGENCY _____

(typically 5 % of the project budget)

ARTIST'S FEE _____

(typically 15 - 20 % of the project budget)

GRAND TOTAL $_____

Art in Public Places Project Development Process

Selection

I. Vote

Citizens vote in bond election to provide building, street, or park.

Annual CIP (Capital Improvement Project) budget is approved by City Council.

II. Funding

City department in charge of the project informs AIPP of an eligible project. AIPP receives 2% of the eligible budget for art.

III. Staff research

Staff asks about the department's needs and opportunities for art.

Staff researches and identifies advisors, reviewing potential
- locations
- media, and
- program needs

Staff drafts a project outline to include approach to project, project goals, budget for the art, and selection process for artist/artwork.

IV. Approvals

AIPP Panel, made up of seven citizen volunteer arts and design professionals, reviews and approves the project outline and selection process.

Austin Arts Commission, made up of citizen volunteers appointed by the City Council, reviews & approves the selection process.

V. Selection

AIPP project manager
- finalizes Call to Artists with City department
- releases the call
- processes artist applications.
- contracts with approved arts professionals for Selection Panel
- facilitates selection process
- presents Selection Panel recommendations to AIPP Panel

AIPP Panel reviews and approves Selection Panel recommendation for the artist to be commissioned.

Austin Arts Commission reviews and approves Selection Panel recommendation for the artist.

Art in Public Places Project Development Process

Design

I. Funding

If project budget is over administrative limit, then staff gets permission from Council to negotiate contract with the selected artist.

II. Design Contract

Once approved, staff negotiates contract with Artist, which is then sent through City channels for approvals and signature.

III. Artist research

Kick-off meeting with artist and stakeholders. Artist starts designing. Artist reviews design work with

- staff
- stakeholders
- project advisors
- design team
- relevant boards and commissions.

AIPP Panel reviews artist's mid-design work.

IV. Discuss/Refine

Further design refinements based on reviews and feedback from...

- staff
- stakeholders
- project advisors
- design team
- professional arts conservator
- relevant boards and commissions

AIPP Panel may review artist's design again prior to final design approval

V. Review

Artist submits final design work for by AIPP and City staff, including

- renderings and narrative that explain the artist's vision/intent and plans for fabrication and installation
- stamped engineering drawings, showing fabrication and installation details
- Registered Accessibility Specialist (RAS) review
- budget for all costs related to the artwork
- conservator report

Fabrication + Installation

I. Approval

AIPP Panel reviews and approves the artist's final design submittals.

Austin Arts Commission reviews the AIPP Panel's recommendations and approves the artist's final design.

II. Commission Contract

Staff negotiates contract with artist, which is then sent through City channels for approvals and signature. Artist submits required proof of insurance.

III. Fabrication

Upon notice to proceed, the artist fabricates artwork, or hires a fabricator to make the art.

Staff monitors fabrication.

IV. Installation

Artist gets permits from the City to do installation. Permitting fees for AIPP projects are often waived by the City.

Artist attends pre-installation meeting with the general contractor as required. Staff monitors installation.

Artist works with staff to supply close-out documentation.

V. Celebration

City of Austin organizes an artwork unveiling and dedication.

Staff creates a plaque with artist name, name of artwork, and key information for display adjacent to the work.

VI. Collection

AIPP staff closes out the project, archives all files related to the artwork, and accessions the piece into the City of Austin Art in Public Places collection.

Maintenance plan provided to department.

AIPP commissioned artist Philippe Klinefelter installing his carved granite pieces as part of *Lotus*, located at the Asian American Resource Center, with the help of a crane. The artist and all artist subcontractors must be insured in accordance with City of Austin policy.

CITY OF AUSTIN INSURANCE REQUIREMENTS

All artists awarded a commission through the AIPP program are required to carry insurance as indicated below for the duration of the contract, unless the City's Risk Manager approves an exception.

Commercial General Liability Insurance

Insurance designed to protect businesses (artists) from third party bodily injury or property damage claims arising from an occurrence involving premises, operations, products and completed operations exposures. AIPP contracts require a minimum bodily injury and property damage per occurrence limit of $500,000.

Automobile Liability Insurance

With this insurance, the insurer agrees to pay all sums for which the insured is legally obligated because of bodily injury or property damage arising from the ownership, maintenance, or use of a vehicle. This insurance is required any time the artist or subcontractors will be using any vehicle to provide the services as stated in the contract. AIPP contracts require coverage of $500,000 per occurrence for bodily injury and property damage.

Workers Compensation and Employers' Liability Insurance

Insurance that pays for the medical expenses of injured workers and indemnifies them for lost wages while they are unable to work. This insurance is required if the artist or subcontractors will be providing services on City of Austin premises. The artist and legal partner may waive this coverage for themselves, but all subcontractors must be covered. It is in the artist's best interest to hire subcontractors who already carry this insurance. Minimum policy limits are required for employers' liability of $100,000 bodily injury each accident, $500,000 bodily injury by disease policy limit, and $100,000 bodily injury by disease for each employee.

A&E Professional Liability Insurance

This is required of all design professionals (i.e., architects and engineers) affixing their seal to an artist's design drawings, with a minimum limit of liability of $1,000,000 per claim/occurrence.

Please Note

- See full insurance requirements www.austintexas.gov/department/aipp-resources.
- The artist is responsible for insuring the artwork until it is installed and ownership is accepted by the City.

High Water Mark by Deborah Mersky, 2008, Cesar Chavez Street east and west of the First Street Bridge

Pedestrian Geometries by Erin Curtis, one of many to be installed along 3rd Street from 2013 to 2015

PEOPLE IN PUBLIC ART

City Council

The publicly elected City Council approves each artist contract which exceeds a certain administrative dollar amount. Each council member appoints one representative to the Arts Commission.

City Manager

The City Manager oversees all City staff, including the Economic Development Department, the Cultural Arts Division and the AIPP program.

Austin Arts Commission

The Arts Commission is composed of citizens, each appointed by a City Council member. The Arts Commission advises the City Council in all arts-related matters. (See Section 2-1-103 of the City Code for additional duties.) The Arts Commission approves the artist selection process and artists' commissions, based on recommendations by the AIPP Panel.

Art in Public Places Panel

The AIPP Panel guides the AIPP program. Six visual arts professionals (including two from environmental design fields) are appointed by the Arts Commission to reflect Austin's artistic and demographic diversity. An Arts Commission representative brings the total Panel members to seven.

The Panel advises the Arts Commission on implementation of the AIPP ordinance and guidelines, including approval of all artist selection processes and commissions of art. Members serve two-year terms and can serve a maximum of three consecutive terms. Visual arts professionals may apply to serve on the AIPP Panel online at www.austintexas.gov/department/aipp-policies.

Economic Development Department

This department leads the economic development, urban regeneration, small business development, cultural arts, music, international, and emerging technology programs for the City of Austin. The department was created to manage the City's economic development policies and to promote and facilitate sustainable growth in partnership with the community, project developers, and the City of Austin organization.

Cultural Arts Division (CAD)

As part of the Economic Development Department, the Cultural Arts Division provides leadership and management for the City's cultural arts programs and for the development of arts and cultural industries as city economic development strategy. CAD is responsible for the Cultural Arts Funding Programs, the Art in Public Places program, community-based arts development, and programs to assist the development of film and creative industries in Austin.

Art in Public Places (AIPP) Staff

AIPP staff duties and responsibilities include providing professional arts development and advocacy for the arts, maintaining and promoting the AIPP collection, and project management for public art projects in the city. AIPP staff members currently include an AIPP Administrator, AIPP Coordinators, and an AIPP Collection Manager.

Public Works Department

Public Works manages Capital Improvement Projects (CIP) through all phases of design, construction, and inspection.

Capital Improvement Projects (CIP) Managers

Each project has a CIP Project Manager, often from the Public Works Department. The CIP Project Manager's role is to manage the planning, design, and construction of City of Austin capital projects for sponsoring departments

Deep Eddy Mural Project (detail) by artists Wanda Montemayor and Lisa Orr, 2011, Deep Eddy Pool

The artists partnered with the Friends of Deep Eddy and collaborated with schools and community members in the creation of this tile mural.

so the projects are completed on schedule, and within budget and comply with professional services contracts and construction contracts. The CIP project manager is the authority over the sponsor project and manages the design team contracts (architect and general contractor).

Selection Panel (Jurors)

Artists' submissions are reviewed by a 3- or 5-member Selection Panel, which is unique to each project, the members of which have been approved by the Austin Arts Commission. The Selection Panel is composed of art and design professionals and must include at least one visual artist and one local juror for a 3-member panel (or two visual artists and two local jurors for a 5-member panel). In support of diversity in the selection process, no juror may serve more than once in a two-year period. Advisors also serve as non-voting participants in the selection process. Advisors may be community representatives, City department representatives, project design consultants or professional experts.

The Selection Panel is asked to consider the appropriateness of an artist (or proposal) for the goals of the project, the site, the budget, the timeline, and the artist's ability and availability to complete the project successfully. Maintenance and durability of any proposed work is also considered. Jurors receive a small honorarium for their service on a Selection Panel.

Visual artists and art or design professionals are encouraged to apply to serve as jurors. Applications are available at www.austintexas.gov/department/aipp-policies or at the Art in Public Places office.

Design Phase

Talk to project design team and stakeholders	Ensure the artwork responds to the needs of the sponsor project
Meet with Art in Public Places Panel	Review artwork aesthetics, constructibility and maintenance
Meet with public, boards and commissions	Information provided to the artist so that artwork can respond to the needs and expectations of the public

Fabrication/Installation Phase

Talk to general contractor regarding schedule	Install the artwork at the appropriate time for the sponsor project
Talk to CIP project manager (typically Public Works)	Install the artwork at the appropriate time for the sponsor project
Share fabrication documents with project design team	Coordinate installation details with the sponsor project

Please note that all communication with entities in white circles must go through the AIPP Project Manager.

AIPP hires art conservator to review artist's work	Ensure fabrication and installation are appropriate for long term stability and maintenance; results may require design revisions
Artist hires professional engineer or architect	Ensure fabrication and installation is appropriate for long term stability and maintenance;must seal fabrication/installation drawings
Artist hires Registered Accessibility Specialist to review design	Ensure work is universally accessible prior to final design approval; results may require artist revisions
Artist hires subcontractors	Hire fabricators, installers, crane operators, plumbers, lighting specialists, etc., depending on the artwork
Artist has insurance in place	Artist and subconsultants must have general liability, auto and worker's comp insurance prior to installation of the artwork
Artist revises design documents to reflect actual installation	Providing as-builts ensures that future construction in the area will be able to avoid damage to the artwork

Who works with the artist?

ADDITIONAL RESOURCES FOR PUBLIC ARTISTS

If you are interested in creating a work of public art separate from the AIPP program, consider contacting the following potential collaborators or sponsors. Note that some may require matching funds.

LOCAL

City of Austin Cultural Arts Funding Program
Artists who are applying for a Cultural Contract and proposing to install public art on City of Austin property must first submit an Artwork Donation application for review by the AIPP Panel. Applications are available from the Cultural Arts Division upon request. (See Appendix III for application.) Note that artists can get funding for projects that are not on City property. (www.austintexas.gov/department/cultural-funding or call Jesús Pantel at 512.974.9315.)

Regional Foundation Library
University of Texas at Austin
The RFL offers consultations and orientations for funding research, for non-profit organizations as well as individuals. Because of the availability of electronic information on state and federal grant opportunities, the RFL emphasizes private sector funding options and information (i.e., private foundations and corporate foundations/direct giving programs). (http://ddce.utexas.edu/foundationlibrary/)

Austin Community Foundation
ACF offers a unique, non-profit connection between donors from all walks of life and the broad spectrum of efforts that improve our evolving community. The Foundation brings an efficiency of scale to these donors, allowing their charitable dollars to go as far as possible toward improving life for all central Texans. (www.austincommunityfoundation.org)

Art Alliance Austin
Art Alliance Austin engages people with art by supporting Austin's visual artists and arts organizations in order to build a vibrant, informed community. The non-profit organization promotes and funds visual art by commissioning temporary public art and producing experiences that bring artists and collectors together while generating economic benefit for the entire city. (www.artallianceaustin.org)

Austin Creative Alliance
The mission of the Austin Creative Alliance is to advance, connect, and celebrate Austin's arts, cultural, and creative communities in order to strengthen the character, quality of life, and economic prosperity of our region. ACA provides services to artists including a partnership with Fractured Atlas to bring affordable health, liability, and Teaching Artist Insurance. www.austincreativealliance.org

City of Austin Neighborhood Partnering Program (NPP)
In support of Imagine Austin, the NPP provides opportunities for community and neighborhood organizations to affect public improvements by sharing in the costs of those efforts with the City of Austin government. There are several programs which could provide opportunities for a community-initiated public art projects in City Right-of-way or on City property. (www.austintexas.gov/neighborhoodpartnering)

Downtown Austin Alliance (DAA)
The DAA sponsors cultural events and projects that contribute to the value and vitality of downtown Austin. Their annual place-making sponsorships support events, projects, or programs that foster quality places and experiences in downtown. Previous award recipients include Art City Austin, Fusebox Festival, the Royal Blue Street Patio, and the Sustainable Food Center's Downtown Farmers' Market. (www.downtownaustin.com)

STATE

Texas Commission on the Arts

An excellent resource for funding and grant opportunities, with listings for workshops and classes geared to artists, a calendar of grants deadlines and general news on the arts in Texas. (www.arts.state.tx.us)

Non-Profit Resource Center of Texas

The real power of the Non-profit Resource Center is in the services they offer to all non-profit philanthropic organizations and their support staff. From consulting to workshops to fundraising, the Center stands ready to assist with all aspects of non-profit business. (www.nprc.org)

NATIONAL

National Endowment for the Arts (NEA)

The NEA makes direct awards to individuals through its Literature Fellowships, NEA Jazz Masters Fellowships, and NEA National Heritage Fellowships in the Folk and Traditional Arts. Grants in the visual arts support projects undertaken by organizations that encourage individual artistic development, experimentation, and dialogue between artists and the public through exhibitions, residencies, publications, commissions, public art works, conservation, documentation, services to the field, and public programs. Grant opportunities are listed at www.grants.gov.

New York Foundation for the Arts

NYFA is the most extensive national directory of awards, services, and publications for artists. Listings include over 4,200 arts organizations, 2,900 award programs, 4,200 service programs, and 900 publications for individual artists across the country. More programs are added every day. (www.nyfa.org)

Services to Artists

While AIPP does not make endorsements, the program does keep lists of individuals and businesses who provide services that public artists may need from time to time. They include insurance providers, engineers, fabricators, installers, art conservators, concrete foundations, professional photographers, and insurance agencies, among others. Please contact AIPP to get an updated list of local providers.

In addition to contacting AIPP for a list of local art conservators, you might search the directory of professionals provided by the Ransom Center at the University of Texas:
http://www.hrc.utexas.edu/conservation/resources/

City of Austin Purchasing Website

For more local resources, visit the City of Austin's Purchasing website at www.austintexas.gov/department/purchasing. Click on "Vendor Search" to enter specific key words for your search.

Health Insurance Resource Center

Sponsored by the Actors Fund of America, the HIRC offers information on affordable healthcare options for visual artists. Visit their website at www.healthinsurance.org and select the state of Texas on the menu options. Information will appear for several insurance companies. You may also call 212.221.7300 x 265 for information.

Fractured Atlas

This multi-service agency empowers artists, arts organizations and other cultural sector stakeholders by eliminating practical barriers to artistic expression, so as to foster a more agile and resilient cultural ecosystem. (www.fracturedatlas.org)
If you are confused about how the Affordable Care Act may affect you as an artist, Fractured Atlas offers their explanation:
(www.fracturedatlas.org/site/healthcare/reform)

OTHER PUBLIC ART OPPORTUNITIES

If you want to start (or continue) working in public art, you might wish to register with these public art programs, which list work across the country.

Americans for the Arts' Public Art Network
Americans for the Arts' Public Art Network (PAN) develops professional services for the broad array of individuals and organizations engaged in the expanding field of public art. This is a great place to do research on trends, fabricators/materials suppliers, webinars, and best practices.

More than 300 public art programs exist in the United States at both the state and local level. PAN connects the field by stimulating dialogue, discussing critical issues, and providing information through the website and the PAN listserv. Communicate with colleagues via the PAN listserv. Open to all Americans for the Arts members, the PAN listserv links public art administrators, artists, design professionals, planners, consultants, and arts organizations and communities planning public art projects. (www.americansforthearts.org/PAN)

Forecast Public Art's website explores domestic and global trends in public art.

In addition to browsing the Internet for inspiration and information, you might look into the public art books available in the marketplace, including books that teach how to get started in public art.

National Public Art Programs and Resources

CaFÉ
Call for Entry.org (CaFÉ™) is brought to you by the Western States Arts Federation (WESTAF), a non-profit arts service organization dedicated to the creative advancement and preservation of the arts.

PublicArtist.org facilitates the public art application process for both artists and arts administrators. They provide online tools for submitting and reviewing calls for artists, RFPs and RFQs, opportunities for artist involvement and public engagement. (http://www.publicartist.org/)

4Culture

4Culture, the cultural services agency for King County, Washington, has national and international calls to artists on their website. (www.4culture.org)

ArtJob features a comprehensive list of frequently updated jobs, internships, fellowships, and other employment opportunities in all areas of the arts.

Urban Art Commission

This registry is for artists, designers, and architects interested in pursuing public art projects. This tool allows artists to promote their work to curators, contractors, and public art groups worldwide.

Public Art Archive

Looking for reference images of all kinds of public art? Review Public Art Archive online to see public artworks nationwide, located on maps to facilitate public art sightseeing throughout the country.

Art and Community Landscapes

www.nefa.org

Creative Time

www.creativetime.org

Forecast Public Art Review

www.forecastpublicart.org

Public Art Fund

www.publicartfund.org

Social and Public Art Resource Center (SPARC)
www.spartinla.org

City of Phoenix Office of Arts and Culture
www.phoenix.gov/ARTS/artop.html

Regional Arts and Culture Council
www.racc.org

Texas Public Art Programs and Resources

City of Frisco Public Art Program
www.friscoarts.com

Corpus Christi Percent for the Arts Program
cctexas.com/government/parks-recreation/programs-services/arts-culture/index

Dallas Public Art Program
www.dallasculture.org/publicArt.asp

El Paso Public Art Program
www.elpasotexas.gov/mcad/publicart.asp

Fort Worth Public Art Program
www.fwpublicart.org

Houston Arts Alliance
www.houstonartsalliance.com

Landmarks, The Public Art Program of The University of Texas at Austin
www.landmarks.utexas.edu

City of Plano Public Art Program
www.plano.gov/Departments/Arts

Public Art San Antonio
www.publicartsa.com

Texas Commission on the Arts
www.arts.texas .gov

Texas Tech University Public Art Program
www.fpc.ttu.edu/fpcweb/publicart/publicartgallery.jsf

University of Houston Public Art Collection
www.uh.edu/uh-collection

University of North Texas Art in Public Places Program
www.art.unt.edu/forms/appp-registration

GLOSSARY OF TERMS AND ACRONYMS

AIPP: The City of Austin Art in Public Places Program was established by City ordinance on September 26, 1985, as the City's percent-for-art program. Art in Public Places is a program of the Cultural Arts Division of the Economic Development Department.

AIPP Panel: A volunteer group composed of visual art and design professionals appointed by the Arts Commission, which provides oversight to the Art in Public Places program. The Art in Public Places Panel and staff work closely with project design teams, city departments, and community representatives to ensure that the AIPP collection includes high-quality works of art representing the broad range of media, styles, and cultural sensibilities that contribute to Austin's distinctive ambiance.

Artist: An individual professionally engaged in the production of creative and original artwork.

Arts Commission: A volunteer group composed of community representatives appointed by City Council to oversee arts-related matters affecting the City of Austin. The Austin Arts Commission provides oversight to the AIPP Program and appoints a seven-member Art in Public Places Panel composed of respected local visual arts and design professionals to make program recommendations.

Arts Professional: Individuals professionally engaged in the visual arts fields, including but not limited to architects, landscape architects, curators, arts administrators, art conservators, art educators, art historians, and urban designers.

CAD (Cultural Arts Division): The City of Austin Cultural Arts Division of the Economic Development Department

is dedicated to promoting arts and culture to enhance the livability and economic vitality of Austin.

CIP (Capital Improvement Project): Construction projects undertaken by the City, which, if eligible under the AIPP Ordinance, allocate a percentage of funding for public art projects.

Conservation and Maintenance Plan: Commissioned artists are required to provide the City of Austin with a written maintenance plan associated with their public art to ensure that proper care is exercised by the department designated as "owner" or long-term caretaker of the piece. The maintenance plan should address the nature and care of materials contained in the work, options for replacement or repair, and any specific procedures or products which should be utilized in conservation efforts.

Conservator: Trained arts conservation professional who reviews artist design for constructability, site preparation, method and materials durability, maintenance needs, and installation safety

Finalist: An artist who has been selected from a larger pool of applicants to proceed to a higher degree of review.

MSDS (Material Safety Data Sheets): Documents from product manufacturers that contain information on toxicity, first aid, personal protection controls, storage and handling precautions, spill-and-leak cleanup and disposal practices, transportation, physical data, and reactivity data

Percent-for-Art Program: A program in which public art is funded by a percentage of eligible capital improvement project construction budgets

Permits: Authorization from the City to safely install artwork according to City laws

Project Consultants: Associated individuals or firms that provide services to the City as part of the project team (e.g., architects, landscape architects, engineers, or environmental graphic designers)

RAS: Registered Accessibility Specialist, who reviews artists' designs to ensure the work is compliant with the Americans with Disabilities Act.

RCA: Request for (City) Council Action

RFQ (Request for Qualifications): A request for submissions to a commission opportunity that asks for support material documenting an applicant's past experience.

RFP (Request for Proposals): A request for submissions for a specific commission opportunity that requires development of a proposal. The RFP defines the specific requirements for the proposal, including the project budget, criteria and constraints, description of proposal site, and format for submission of the proposal.

Right-of-Way (ROW): The area on a street or sidewalk that is controlled by the City. It is usually defined as the roadway plus 10 feet behind the curb. This definition of the City right-of-way may vary depending on the physical conditions at any given location.

Scale Drawings: Drawings that indicate the exact measurements or dimensions of the proposed design or artwork.

Sealed Drawings: Drawings prepared, checked, and/or approved by, and having the seal of, a professional engineer or architect; often required of artists to obtain during the design phase of an AIPP project.

Selection Panel: For each AIPP project, a selection panel of visual art professionals is established for the purpose of reviewing submissions and making an artist/artwork recommendation. A selection panel is composed of 3 to 5 jurors, depending upon the size and complexity of the individual project.

Selection Panel Advisors: For each AIPP project, a non-voting panel of advisors, composed of departmental or community representatives, is established to provide insight to the Selection Panel.

Sponsor Department: The City department managing the particular capital improvement project from which an artwork project derives its funding (e.g., Parks Department, Health and Human Services Department, Police, or Fire Department)

Stakeholder: Anyone with a vested interest in the project, including City departments, neighborhood groups, or citizen interest groups, such as Friends of Deep Eddy, Save Our Springs Alliance, or the Austin Parks Foundation.

Streetscape: An improvement to a public right-of-way, including a sidewalk, tree, light fixture, sign, or furniture, usually intended to enhance the pedestrian experience.

TAG: A Technical Assistance Group is a standard City stakeholder group made up of subject matter experts.

User Group: Stakeholders who frequent or use a site or facility, either as visitors, employees, or neighborhood residents.

Vendor: Anyone who expects to get paid by the City for services or materials.

Appendix I – Art in Public Places Ordinance

CHAPTER 7-2. ART IN PUBLIC PLACES.

7-2-1 DEFINITIONS.

In this chapter:

(1) ART means a work of art or an artistically designed art feature that enhances the aesthetics of a building, bridge, streetscape, park, or other project for which funds are appropriated as described in this chapter and includes a mural, sculpture, garden, water feature, or other feature that appeals to the senses or the intellect.

(2) PROJECT means a capital project funded in whole or in part by the City:

(a) to construct or remodel a building, decorative or commemorative structure, or parking facility;

(b) to acquire parkland or to develop a park;

(c) for a street improvement project, other than street repair or reconstruction;

(d) for an improvement to a streetscape;

(e) for a bridge including the incorporation of an artistic feature into the structural design;

(f) for a water or wastewater treatment facility; or

(g) that is an appropriate project for art as recommended by the Art in Public Places Panel and Arts Commission and approved by the city council.

(3) CONSTRUCTION COST means the cost of a project to the City as determined in accordance with Section 7-2-4 (*Construction Cost Calculation*).

(4) STREETSCAPE means an improvement to a public right-of-way, including a sidewalk, tree, light fixture, sign, and furniture.

Source: 1992 Code Section 9-2-1; Ord. 031009-10; Ord. 031211-11.

7-2-2 ART IN PUBLIC PLACES ADMINISTRATOR.

The director of the Economic Growth and Redevelopment Services Office shall designate an art in public places administrator to perform the functions described in this chapter.

Source: 1992 Code Section 9-2-2; Ord. 031009-10; Ord. 031211-11.

7-2-3 ART IN PUBLIC PLACES PANEL.

The Arts Commission shall appoint an Art in Public Places Panel to perform the functions described in this chapter.

Source: 1992 Code Section 9-2-3(A); Ord. 031009-10; Ord. 031211-11.

7-2-4 CONSTRUCTION COST CALCULATION.

(A) In this section:

(1) DEBT ISSUANCE COST means the cost to the City to issue bonds for a project.

(2) DEMOLITION COST means the cost to remove a building or other existing structure from a project site.

(3) EQUIPMENT COST means the cost of equipment or furnishings that are portable or of standard manufacture and used in a project. The term excludes equipment or furnishings:

(a) that are custom designed; or

(b) that create a new use for a project.

(4) PERMIT AND FEE COST means the cost of the permits and fees associated with a project.

(5) REAL PROPERTY ACQUISITION COST means the cost to acquire land, including an existing building or structure, for a project, including appraisal and negotiation costs.

(B) Except as provided in Subsections (C) and (D), construction cost is the cost of a project to the City after deducting:

(1) debt issuance cost;

(2) demolition cost;

(3) equipment cost;

(4) permit and fee cost; and

(5) real property acquisition cost.

(C) In calculating the construction cost of a project to acquire or develop parkland, the real property acquisition cost is not deducted.

(D) If the source of funding or the law governing a project does not permit an expenditure for art, the affected funds are excluded from the calculation of construction cost.

Source: 1992 Code Section 9-2-1 and 9-2-2(A); Ord. 031009-10; Ord. 031211-11.

7-2-5 FUNDING FOR ART.

(A) Except as otherwise provided in this section, the council shall appropriate an amount equal to at least two percent of the construction cost of a project to select, acquire, and display art. The appropriation shall be a separate item in the project budget. This limitation does not apply if the council determines, after receiving a recommendation from the Arts Commission, that the project merits or requires a greater appropriation.

(B) Subsection (A) does not apply to a project with a construction cost of less than $100,000.

(C) An appropriation under this section may not exceed $300,000 for a water and wastewater treatment facility.

(D) If the council determines that a project is inappropriate for a display of art, the council shall transfer to the Public Art Fund for use at other appropriate public sites the amount of money required by this section. This does not authorize the transfer of money from one project to another if a legal restriction on the source of money prohibits the transfer.

Source: 1992 Code Section 9-2-2; Ord. 031009-10; Ord. 031211-11.

7-2-6 BUDGET ESTIMATES.

A City department head who prepares a budget, authorization request, or appropriation request for a project shall:

(1) consult with the art in public places administrator; and

(2) include in the budget or request the funding for art required by Section 7-2-5 (*Funding For Art*).

Source: 1992 Code Section 9-2-2(A); Ord. 031009-10; Ord. 031211-11.

7-2-7 PROJECT REVIEW AND ART RECOMMENDATIONS.

(A) Subject to the limitation of Subsection (B), the Art in Public Places Panel shall, with the advice of the art in public places administrator, review a project and make recommendations to the Arts Commission regarding appropriations for art and placement of the art.

(B) The Art in Public Places Panel may not recommend proposed art that requires extraordinary operation or maintenance expenses without the prior approval of the director of the department responsible for the art after installation.

(C) The Arts Commission shall review the recommendations of the Art in Public Places Panel and make recommendations to the city manager or the council, as appropriate.

Source: 1992 Code Section 9-2-3(B) - (E); Ord. 031009-10; Ord. 031211-11.

7-2-8 GUIDELINES.

(A) The Arts Commission shall establish guidelines for the implementation of this chapter. The commission shall consult with the Art in Public Places Panel and the art in public places administrator before establishing the guidelines.

(B) The guidelines shall include methods to:

(1) determine whether a project is inappropriate for the display of art;

(2) integrate art into a project;

(3) identify suitable art objects for a project;

(4) competitively select art;

(5) select and commission artists;

(6) encourage the preservation of ethnic cultural arts and crafts;

(7) facilitate the preservation of art objects and artifacts that may be displaced by a project; and

(8) administer this chapter.

Source: 1992 Code Section 9-2-3(F); Ord. 031009-10; Ord. 031211-11.

7-2-9 ART PLACEMENT.

The art funded by this chapter shall be an integral part of the project or be placed in, at, or near the project.

Source: 1992 Code Section 9-2-2(C) and 9-2-4; Ord. 031009-10; Ord. 031211-11.

7-2-10 ART MAINTENANCE.

(A) The City department at which art is displayed is responsible for maintenance of the art.

(B) The responsible City department shall obtain the approval of the art in public places administrator before performing art maintenance.

(C) The responsible City department shall perform art maintenance in accordance with the City's contractual obligations relating to the art, if any.

Source: 1992 Code Section 9-2-3(G); Ord. 031009-10; Ord. 031211-11.

7-2-11 FEE WAIVERS.

The following fees, as set by the City’s annual fee ordinance, for a City-sponsored art project are waived:

(1) Temporary Use of Right-of-Way Fee;

(2) Excavation Fee;

(3) Special Events Fee;

(4) License Agreement Fee;

(5) Site Plan Review Fee;

(6) Site Exemption Review Fee;

(7) General Permit Fee;

(8) Building Permit Fee;

(9) Electrical Permit Fee;

(10) Plumbing Permit Fee;

(11) Historic Review for Building Permit Fee;

(12) Tree Permit Fee.

Source: Ord. 20111103-010.

7-2-12 TITLE TO ART.

Title to art required by this chapter shall vest in the City.

Source: 1992 Code Section 9-2-5; Ord. 031009-10; Ord. 031211-11.

Appendix II – Art in Public Places Program Guidelines

ART IN PUBLIC PLACES PROGRAM GUIDELINES

(Revised 2/5/2004)

I. PURPOSE

The purpose of these guidelines is to establish a process for the selection, purchase, commission, placement, and maintenance of works of art via the expenditure of the monies generated through Ordinance #850926-0, generally referred to as the Art in Public Places Ordinance, originally signed into law on September 26, 1985, and amended by Ordinance #*970904-B* on October 31, 2002. This ordinance is understood to apply to only those projects which received approved funding after the effective date. These guidelines shall not be understood to apply to donated works of art, as those instances are covered by a separate donations policy.

II. INTENT

A. It is the stated intent of the Art in Public Places Ordinance to direct the inclusion of works of art in City construction projects in order to expand the citizens' of Austin experience with visual art and enable them to better understand their communities and their individual lives. By encouraging artists capable of creating works of art in public places, the Art in Public Places Program shall strive to stimulate the vitality and economy of the City and enhance Austin's standing as a regional leader in the arts. Thus, it is the goal of the Art in Public Places Program to expend the percent funds on works of art and art projects of redeeming quality which advance public understanding of visual art and enhance the aesthetic quality of public places. This goal shall be realized through:

1. The commission of artists and works of art of the highest quality, which represent an expression of our time, contribute to a sense of the City's identity, and entail some measure of public significance.

2. The nurturing of the artistic vitality of the City of Austin through the encouragement of local artistic endeavors;

3. The encouragement of public dialogue which increases public understanding and enjoyment of visual art, through appropriate public education forums and programs;

4. The encouragement of public interaction with public places, areas which provide for public ownership and accessibility, via the placement of works of art;

5. The commission of a broad range of works of art, reflective of the overall diversity of current works in the field of visual art;

6. The commission of works of art varying in style, scale, medium, form and intent representative of the local, regional, national, and international arts communities;

7. The encouragement of artists to reach creative solutions to the aesthetic problems they have been employed to solve;

8. The broad distribution of commissions among artists and the encouragement of new and emerging artists;

9. The broad geographic distribution of works of art in the City of Austin;

10. The encouragement of true collaborative efforts between artists and architects, engineers, and landscape architects.

III. DEFINITIONS

A. "ARTS COMMISSION" - The Austin Arts Commission, as appointed by the City Council.

B. "ART IN PUBLIC PLACES PANEL" - A standing committee appointed by the Arts Commission, responsible for advising the Commission on matters relating to the implementation of the Art in Public Places Ordinance. (See Section V.)

C. "ARTIST" - A practitioner in the visual arts generally recognized by critics and peers as a professional possessing serious intent and ability who is not a member of the Project Consultant's firm or employed thereby.

D. "VISUAL ARTS PROFESSIONAL" - An artist, arts educator, art critic, arts administrator, arts dealer, designer, art historian, curator, fine art collector, architect, urban planner, or landscape architect who is well respected in his/her field, knowledgeable with regards to contemporary visual art, and willing to participate effectively in a panel process without conflict of interest.

E. "WORKS OF ART or ARTWORK" - All forms of original creations of visual art which may be portable as well as permanent. To include but not limited to:

Paintings of all media, including both portable and permanently affixed works such as frescoes and murals;

Sculpture of any form and in any material or combination of materials. To include statues, monuments, fountains, arches, or other structures intended for ornamentation or commemoration. Also included are reliefs, mobiles, kinetic, electronic and neon, sculptures;

Other works of visual art, such as inscriptions, stained glass, fiber works, carvings, mosaics, photographs, drawings, collages, textile works, and prints. Also included are crafts both decorative and utilitarian in clay, fiber, wood, metal, glass, stone, plastic and other materials;

Artist-designed landscapes and earthworks, including the artistic placement of natural materials or other functional art objects.

F. "PROJECT CONSULTANT" - Any firm, individual, joint venture or team of firms or individual with which the City contacts, as selected by the Council, for design consulting services related to constructions projects.

G. "CONSTRUCTION PROJECT" - Any capital project paid for wholly or in part by the City of Austin to construct or remodel any building, decorative or commemorative structure, park, or parking facility or any portion thereof.

H. "CAPITAL IMPROVEMENT PROGRAM (CIP)" - The City's program for advance planning of capital developments.

I. "ELIGIBLE PROJECT" - A construction or remodeling project, as defined above, for which the source of funds is not restricted by law or regulation as to its use for artworks.

The Ordinance extends to the construction or remodeling of all buildings, as defined by the City's Comprehensive Zoning Ordinance and irrespective of its function; decorative commemorative structures; new streetscapes or street improvement project; bridges, including but not limited to the incorporation of an artistic feature into the structural design; water or wastewater treatment facilities and other appropriate project as recommended by the Art in Public Places Panel and Arts Commission and approved by the City Council on a case-by-case basis; parks (including but not limited to swimming pools, land development, playscapes, picnic structures, jogging trails, restroom facilities, and athletic courts); or parking facilities (public lots, garages, parking terminals or other structures or accommodations for the parking of motor vehicles off the street or highway, and includes equipment, entrances, exits, fencing, and other accessories necessary for the safety and convenience in the parking of vehicles), or any portion thereof. However, the Ordinance does not extend to underground water and sewage lines, street repair and street reconstruction, electrical transmission and distribution lines, electrical sub-stations, and/or water pumps stations.

In order to be considered eligible for the Art in Public Places Program, a remodeling project must provide a new use for or an addition to an existing space by making structural changes. This shall be understood to include rehabilitation projects which extend the useful life of a structure as well as restoration projects which return a structure to a previous condition. Examples of such projects would include the construction of office space from existing storage space, the addition of a wing to an existing structure, and the restoration of a structure such as that of the Old Main Library. Because of the administrative costs associated with the transfer of funds and the selection of an artist, a project must have an original estimated construction cost of $100,000 or more in order to be considered eligible.

Purely decorative remodeling projects such as new carpeting, painting, or the installation of portable partitions shall not be considered eligible projects. Normal maintenance and repair to an existing structure such as the replacement of a roof, broken windows, or our-dated heating/cooling systems shall not be considered eligible projects. If, however, these costs are part of a larger eligible project, then they shall be included in the total construction cost on which the 2% is assessed.

The Art in Public Places Ordinance extends to construction and remodeling projects planned through the City of Austin's biennial capital improvement planning process (CIP) as well as those planned at the departmental level. CIP projects are generally funded either through bond propositions or current revenues, whereas non-CIP projects are funded through the annual operating budgets. The Ordinance states that in no case shall the 2% dedication exceed $300,000 for water or wastewater treatment facility. For CIP projects a single City construction project is identified by a serial number, which is included as a line item in a single approved bond proposition and/or in an approved annual capital budget. As non-CIP projects are not indicated on a line item basis in a departmental budget, identification of a single construction project under the Art in Public Places Ordinance and Guidelines must be determined on a case-by-case basis between the Administrator, the appropriate department representative, and representative of the Financial Service Department.

Pursuant to the Ordinance, the Art in Public Places Panel may through the Arts Commission, recommend that the City Council make an exception to this limitation for those City construction projects which merit or require a larger expenditure by virtue of the project scale or function; provided, however, such recommendations must be made and reviewed by City Council during the course of the normal budget process.

J. "STREETSCAPE" - An improvement to a public right-of-way, including a sidewalk, tree, light fixture, sign, and furniture.

K. "USER DEPARTMENT" - The City Department which will occupy or otherwise administer the use of the project upon its completion. Where more than one department is involved, the user departments shall have the authority to decide who represents them.

L. "ADMINISTRATOR" - The staff person hired by the Director of Economic Growth & Redevelopment Services Office to coordinate and facilitate the implementation of the Art in Public Places Ordinance as adopted by the City Council of the City of Austin.

M. "ELIGIBLE COSTS" - The original estimated construction cost as defined in the Art in Public Places Ordinance. Any costs related to the construction of the project which are not specifically excluded by said definition shall be included in the calculation of the two percent (2%) assessment.

N. "CONSTRUCTION COST" - As defined in the Ordinance to mean the total City-funded portion of a City construction project as originally estimated, excluding demolition, equipment, and land acquisition costs, costs for fees and permits as well as those costs associated with debt issuance.

O. "MANAGING DEPARTMENT" - The City Department responsible for the implementation of the design and /or construction of all City of Austin owned facilities.

P. "PROJECT MANAGER" - The City staff person charged with the responsibility for the implementation of the design and/or construction of the City of Austin owned facility which meets the definition provided hereinabove for an eligible project.

Q. "NEW GENRES" – including but not limited to video, electronic, digital art, holography, and other new art forms as they evolve.

IV. APPROPRIATION AND ALLOCATION OF FUNDS

A. All City Department Heads and the Director of Financial Services shall, after consultation with the Art in Public Places Administrator, include in all estimates of necessary expenditures and all requests for authorizations and appropriations for City construction projects, an amount for art equal to at least two percent (2%) of the original estimated construction cost of any eligible project. For CIP construction projects the original estimated construction cost shall be that estimated in the CIP for the year in which such funding is approved by the City Council. For non-CIP construction projects subject to the provisions of the Ordinance, the original estimated construction cost shall be that amount initially authorized in the departmental budget by the City Council. If the source of funding or appropriate law with respect to any particular project precludes art as an

object of expenditure, the amount of funds so restricted shall be excluded from the total project cost in making the aforesaid calculation.

B. The minimum amount to be appropriated for art shall be the total City-funded portion of the construction cost for the City Construction project, divided by one hundred (100) and multiplied by two (2).

C. For those projects which are only partially funded by the City of Austin, the two percent (2%) assessment shall be based on the City's portion of the original estimated construction cost. All City grant applications for federal, state, or county support of eligible construction projects shall include a request for funds for the purpose of the Art in Public Places Program. Additionally, the City of Austin shall actively seek to encourage its partners in all joint public/private ventures to participate in the Art in Public Places Program.

D. As provided in the Ordinance, the Art in Public Places Panel, with the Administrator, shall make periodic reviews, at least annually, of all CIP projects and other City construction projects. This review shall occur during the City of Austin's biennial CIP process and annual operating budget process, for the purposes of making recommendations to the Financial Services Department regarding appropriations for works of art and art projects.

E. Public Art Funds shall be established by the City of Austin for the purposes of administering the Art in Public Places Program. The funds contained in said accounts shall be used for the selection, acquisition, installation, and substantive structural repair and maintenance of art and art projects commissioned and/or purchased through the Art in Public Places Program. One account for all general fund departments shall be established within the Economic Growth & Redevelopment Services Office and separate fund(s) shall be established for the enterprise fund departments.

As provided in the Ordinance, the City Council shall appropriate the two percent monies to the proper Public Art Fund concurrent with the appropriation to fund the related City construction project. These Public Art Funds shall be maintained in accord with accepted governmental accounting procedures. All appropriations to and allocations from the various Public Art Funds shall occur in accord with any legal restrictions associated with the source of funds.

F. As provided in the Ordinance, in the event that an eligible project is deemed inappropriate for the siting of public art by the Art in Public Places Panel, the 2% monies shall be appropriated to the proper Public Art Fund, for use at other more appropriate public sites, unless prohibited by any legal restrictions associated with the source of funds.

G. The Art in Public Places Panel shall allocate funds for artwork projects subject to their legality of expenditure according to source. Given the specific use limitation on a wide variety of fund sources (general obligation bonds, revenue bonds, grants, operating budgets, etc.), eligibility of expenditure must be determined on a case-by-case basis in consultation with the appropriate City Departments.

H. The City Manager or his or her designee shall authorize all disbursements from the Public Art Funds.

V. COMPOSITION AND FUNCTION OF THE ART IN PUBLIC PLACES PANEL

A. The Art in Public Places Panel, appointed by the Arts Commission, shall have seven (7) members and serve as a standing committee of the Arts Commission. The Art in Public Places Panel shall be comprised of one representative from the Arts Commission and others as the Commission might appoint. At a minimum the Panel's membership shall include five (5) visual art professionals, two of whom shall be representatives from the environmental design fields (architecture, landscape architecture, urban planning/design). Selection of the panelists shall reflect the ethnic, artistic, economic, and demographic diversity of the community. All panelists shall possess knowledge of contemporary visual art. Panelists shall serve two-year terms for no more than three consecutive terms. The Director of Economic Growth & Redevelopment Services Office or his designee shall serve ex-officio without vote. The Panel shall elect its own Officers and establish by-laws. Staggered terms shall be provided for by the drawing of lots such that three members of the first panel shall agree to serve for only one year.

B. The primary functions/responsibilities of the Art in Public Places Panel are to:

1. Assist the Arts Commission in the promulgation of guidelines to implement the provisions of the Art in Public Places Ordinance, including methods of selecting artists and commissioning works of art;

2. Provide review responsibilities for the provisions of the Art in Public Places Ordinance and its Guidelines;

3. Make recommendations regarding appropriations for works of art and art projects, through the Arts Commission, the City Council or City Manager;

4. Review, on a biennial basis, the artwork projects of the Art in Public Places Program as a reflection of the intent of the Art in Public Places Ordinance and Program.

VI. DEVELOPMENT OF AN ART IN PUBLIC PLACES PROJECT

Art in Public Places projects may occur in, at, or near public buildings, parks, and open spaces. These may be sites which are under development or existing sites where construction is complete. The Art in Public Places Panel, with the assistance of the Administrator, shall on an on-going basis actively explore potential sites for Art in Public Places projects. In this, the Panel shall seek the input of various City Departments as well as the community at large, to identify both future planned and existing sites. Once an Art in Public Places project is developed, information will be disseminated, as appropriate through the media and mailings, well in advance of the selection process to provide artists adequate time to prepare any necessary submissions.

For sites under development, it is preferable to involve the artist in the earliest phases of the design process to ensure a totally integrated solution. Therefore, at the earliest time possible, all City Departments shall inform the Art in Public Place Panel, through the Administrator, of proposed or planned eligible construction projects. This will allow the Art in Public Places Panel time to adequately review the project's potential for incorporation of artwork and to plan for an appropriate artwork project. The Department responsible for an eligible construction project shall subsequently keep the Administrator apprised of the selection of the Project Consultant. Additionally, provisions for the artwork project shall be appropriately included in the design program for the construction project. The development of an Art in Public Places project and subsequent selection of an artist shall commence immediately upon the selection of the Project Consultant.

Once a project is developed, the Art in Public Places Panel with the Administrator shall recommend to the Arts Commission, in the form of a written prospectus, the overall approach and selection process for each artwork project. This prospectus will strive for a solution that will allow for the artwork, whether purchased or commissioned, to be appropriate to the particular project site. This prospectus can provide for the direct purchase of an existing work(s) of art, the selection of an artist(s) to complete a specific work(s) of art, or the selection of an artist(s) to participate in a design team approach with project consultants.

A. The Art in Public Places Administrator shall research the background of each eligible project, consulting with the user department, project consultant, project manager, and community representatives. This information shall be recommended to the Art in Public Places Panel for finalization in the form of parameters regarding:

1. Recommended format for participation of the artist in the construction project's design process and/or media.

2. Recommended location(s) within the site. Siting of the artwork may be determined prior to the selection of an artist or proposed by the artist selected for the project. In the case of sites under development, it is preferable to allow the artist and the project consultant to coordinate the location of the artwork within the construction project. In the case of existing sites where construction is complete, the final location shall be determined by agreement between the City departments involved and the Art in Public Places Panel, with the appropriate approval of any Boards or Commissions. In either case, whenever possible, the artist selected should be given the opportunity to recommend siting of the artwork.

3. Maintenance assessment of the potential for vandalism and/or accidental damage at the project site.

4. Recommended residency requirements for artists during the course of the project, based on the suggested format for participation of the artist in the design process.

B. The Art in Public Places Panel shall, with the assistance of the Administrator, determine the method of artist selection to be used for each project. The method of artist selection employed and the determination as to how that method is to be implemented will depend upon the Panel's overall approach to each project and its commitment to fulfilling all aspects of the stated intent of the Art in Public Places Program.

1. The Art in Public Places Panel shall establish and the Administrator shall maintain an open slide registry for all artists interested in being considered for commissions through the Art in Public Places Program. The Slide Registry shall serve as the primary resource in the competitive selection of artists/artworks.

2. The Art in Public Places Panel shall maintain the following general guidelines regarding the methods of artist/artwork selection which may be employed for a particular project:

a. Open Entry competition - Any artist is eligible to enter, with recognition of the possible residency requirements. The site and prospectus are appropriately advertised. Artists may be asked to submit

slides of their past work, resumes, and letters of intent related to the specific project or specific proposals for the project under review.

b. Limited Entry Competition - The jury invites a limited number of artists to participate in the selection process. The artists selected may be asked to submit slides of past work or proposals based on the project prospectus. The names of the artists invited to participate shall be publicly announced upon receipt of written acceptance of the invitation.

c. Direct selection of the Artist - An artist is invited to participate in the project and may be asked to develop a proposal for the project. If desired, a team of several artists may be put together.

d. Direct Purchase of an Existing Artwork - A completed work of art is purchased. No more than ten percent of the cost of the work may go toward a dealer or agent.

3. In the case of a limited competition and direct selection, an artist may be asked to develop an artwork proposal for a specific Art in Public Places project. If asked to develop a proposal, an artist may be paid a proposal fee on the basis of an approved fee schedule. This schedule shall be determined by the Art in Public Places Panel and consist of a sliding schedule based on the total project commission.

C. The Art in Public Places Panel shall determine the jury format most appropriate to each project, to include the number of jurors, the necessary expertise and recommended jurors.

D. The Art in Public Places Panel shall then recommend to the Arts Commission, in the form of a written prospectus, the overall approach to the project including the method of artist selection and the format for jury selection. The Arts Commission shall subsequently review and approve the prospectus in an expedient manner (at the next full meeting of the Commission), so as to ensure the timely selection of an artist.

VII. JURY SELECTION AND RESPONSIBILITIES

For each Art in Public Places Project, an independent jury of visual art professionals shall be established for the purposes of making an artist/artwork recommendation. The following guidelines shall be used by the Art in Public Places Panel in the development of a jury for each project and in determining the jury's responsibilities:

A. The Art in Public Places Panel shall establish and the Administrator shall maintain a file of potential jurors containing information on the experience and expertise of qualifying individuals to serve in this capacity.

B. The artist/artwork for each project shall be recommended by a jury to the Art in Public Places Panel, with the format for the jury selection approved by the Arts Commission. The Art in Public Places Panel shall have the option of constituting itself as a jury. No gallery owner, dealer, or art agent may serve as a juror due to the potential for conflict of interest. No juror may serve more than once in any two-year period, in an attempt to bring a diversity of interests to the selection process and to more precisely match the expertise of the jury members to each project.

C. The Art in Public Places Administrator shall facilitate the selection of each jury and subsequently serve as staff to that jury.

D. Each jury shall be comprised of either three or five jurors, depending upon the size and complexity of the individual project.

E. Each three-member jury shall include at least one visual artist, and each five member jury shall include at least two visual artists. Other jurors shall be chosen from among the fields of visual art professionals. Additionally, each three-member jury shall include at least one local juror, and each five-member jury shall include at least two local jurors.

F. Each jury shall be aided by a non-voting, advisory panel. This panel shall be appointed by the Art in Public Places Administrator on a project-by-project basis. The panel shall include at least one person connected with those who will be in constant contact with the facility where the artwork will be placed. This individual(s) may be a City employee or a community representative, depending on the nature of the project. The advisory panel shall also include the project manager, the project consultant, and a representative of the user department.

G. Jury payment for professional services rendered shall be determined by the Administrator, in consultation with the Art in Public Places Panel, and recommended to the City Manager or his designee for the approval of disbursement. Such contractual payment shall be in keeping with the standards of the field, not to exceed a maximum of $250 per day plus food, travel and lodging expenses. Anyone receiving compensation by the City as either a full-time employee or a separate consultant, members of the Arts

Commission who may serve as jurors and any members of the Art in Public Places Panel who serve as jurors may not receive compensation as a juror.

H. The Art in Public Places Panel shall issue written instructions to jurors detailing the jury's duties and responsibilities relating to the project, prior to the first meeting of the jury. These instructions shall outline the method by which the jury is to make its selection as well as the technical and aesthetic criteria on which that selection is to be based. The jury shall adhere to these written instructions and criteria in making its recommendation.

I. The Administrator shall, in consultation with the Art in Public Places Panel, determine the overall budget for the selection of an artist and the commission of a work of art, prior to the first meeting of a jury. This budget shall be recommended for approval to the City Manager or his designee. This budget shall be based on the scope of the project and the proposed method of selection. Expenses related to the selection of an artist will be kept to a necessary minimum as required by each project. The jury shall adhere to this budget, except in the instance where it is proven to be inappropriate, at which time the initial budget may be altered to accommodate the new conditions, subject to the approval of the City Manager or his designee.

J. Each juror shall have one vote, with no juror possessing the right to veto. If a consensus cannot be reached by the jury within a reasonable amount of time, as determined by the Art in Public Places Panel and the Administrator, then a vote shall be taken with the majority carrying the decision.

K. The jury shall have the option of making no recommendation, if there is no proposal judged to be of sufficient merit. In such instances the matter shall be referred back to the Art in Public Places Panel for resolution, which may include a new selection process or the abandonment of the project.

VIII. CRITERIA FOR SELECTION OF ARTISTS AND/OR ARTWORK PROJECTS

A. All Art in Public Places projects are open to any professional artist, within a project's possible residency requirements as delineated by the Art in Public Placed Panel. Members of the project Consultant's firm or anyone employed thereby, members of the jury, or employees of the City of Austin shall be excluded from consideration.

B. Artists shall be selected on the basis of the appropriateness of their proposal to the particular project and its probability of successful completion, as indicated by the merit of their past work. In the case of the design team approach, an artist's willingness to fully participate in a collaborative process shall also be considered a criterion for selection.

All Art in Public Places Projects are budgeted for a pre-determined amount.

C. In making its selection, the jury shall bear in mind the purposes of the Art in Public Places Program, always aiming to achieve the highest aesthetic quality.

D. The jury shall, in making its selection, give due consideration to the appropriateness of the proposed design in terms of its scale, form, content and design with respect to its immediate and general, social and physical environment.

E. The jury shall also give due consideration to the proposed design, its materials and construction for questions of durability, maintenance, public access, appropriateness, safety, and security.

F. The aforementioned criteria are the minimum aesthetic criteria upon which the jury shall base its selection. Other criteria may be established by the Art in Public Paces Panel as dictated by a project's particular requirements. Any additional criteria shall be outlined in the jury's written instructions.

IX. REVIEW OF THE JURY'S SELECTION

The jury's recommendation shall be transmitted to the Art in Public Panel in the form of a written report. The preparation of this report shall be facilitated by the Art in Public Places Administrator.

In reviewing the jury's recommendation, the Art in Public Places Panel and the Arts Commission shall take into account the Art in Public Places Program's goal of developing a diverse collection, its commitment to the jury process and the role of the Commission as a bridge between the arts community and the City of Austin. These considerations should outweigh individual aesthetic preferences in the Panel's and the Arts Commission's review of the jury's selection.

A. As stated in the Ordinance, it is the initial responsibility of the Art in Public Places Panel to recommend the placement of works of art and art projects. The Panel shall review the jury's recommendation to determine if the process for selection was properly implemented, if the jury responded appropriately to the project prospectus, and if the recommendation satisfies the intent of the project. If the Panel determines that the procedure for selection was improperly implemented, the Panel shall have several options including returning the matter to the jury for clarification, requesting that the jury recommend a different artist, developing a new program or convening a new jury panel.

Prior to the Panel's recommendation being forwarded to Arts Commission, the user and managing departments responsible for housing the work shall be requested to view the proposal for technical feasibility and maintenance expenses. In cases where legitimate problems are demonstrated to the satisfaction of the Art in Public Places Panel, the jury may be reconvened to select an alternative work.

Once the Art in Public Places Panel approves the jury's selection, it will be recommended to the Arts Commission for a formal vote.

B. The Arts Commission shall review the recommendation of the Panel on the basis of procedural matters, to ensure that the prospectus, as approved by the Commission, was appropriately responded to through the selection process. In the event that the Commission has questions regarding the selection process, those questions shall be referred, in writing, back to the panel for clarification.

C. The Arts Commission's recommendation shall be forwarded to the City Council or the City Manager, as appropriate, in the form of a proposed contract for the purchase or commission of a work of art. The City Manager or City Council shall, in keeping with the City Charter, determine if the proposed contract is consistent with all relevant Ordinances and City purchasing policies.

In the instance that the Arts Commission's recommendation is disapproved, the matter shall be returned to the Arts Commission for further review.

X. PROJECT IMPLEMENTATION AND DOCUMENTATION

A. Upon approval of the Arts Commission's recommendation by the City Manager or City Council the City of Austin shall contract with the artist(s) for services or for the purchase and installation of a specific artwork. In general, Art in Public Places Project contracts shall require the artist(s) to produce, deliver, and install a work of art for a guaranteed maximum cost and by a predetermined time, which is in keeping with the construction project schedule. Depending on the nature of the project, performance by the artist may be contractually ensured through phased payment for work completed and/or professional liability coverage. The Administrator shall work with the artist to determine the appropriate budget for each project to ensure that all necessary costs are met, and the Art in Public Places Panel shall approve the final budget. In addition, the artist may be asked to make a public presentation at an appropriate time and in an appropriate forum in the community where the work is to be sited.

B. Prior to the construction of a work of art, the artist must obtain approval of the final design by both the Art in Public Places Panel and the Arts Commission. In the case of an artist who has contracted with the City of Austin to produce a specific work of art, approval of the design prior to the signing of that contract shall be considered sufficient. If, however, the design changes substantially from that which was initially approved, the artist must return to the Panel for subsequent review. The Art in Public Places Panel and Administrator shall have full authority to determine what constitutes a substantive change in the design.

In the case of a design team approach, it shall be the primary responsibility of the artist and the project consultant to collaborate on the design of the artwork and its relationship with the site. The artist shall be required to bring then design, in its formative stages, back to the Art in Public Places Panel for review. This review shall appropriately parallel the consultant's presentations of schematic, design development, and construction document to the user and managing departments. The stage at which final approval of the design occurs will vary from project to project, and shall be specifically set out in the artist's contractual agreement with the City of Austin.

C. All project consultants expressing interest in an eligible construction or renovation project shall be advised of the Art in Public Places Program requirements and guidelines. The consultant selected and appropriate City representatives shall work closely with the Administrator in the development of the artwork project and with the jury in the selection of the artist/artwork. The consultant shall incorporate the requirements of the work of art into the construction documents, including time of delivery and installation.

D. On site activity in connection with the installation of artwork shall be handled by the artist, the Art in Public Places Administrator, and the appropriate City representatives within the departments having jurisdiction over the site and/or construction.

E. The Art in Public Places Administrator shall function as a liaison between the artist and the various City Departments involved in the completion of each artwork project. In instances where construction matters cannot be resolved between the artist and the consultant, the project manger shall have final authority.

F. The Administrator shall establish and maintain appropriate records on each project, which shall include the contract with the artist, records of the Panel's and Commission's actions, interdepartmental agreements, all billings made in connection with the project and all correspondence related to the project. In addition, the Administrator shall maintain records particular to the project to ensure adequate standards of documentation, registration, care, and installation of the artwork.

XI. MAINTENANCE OF WORKS OF ART

A. The Art in Public Places Panel shall make an annual review of the City's Public Art Collection for the purposes of a maintenance needs assessment. The Panel, through the Arts Commission, shall communicate those needs and the appropriate actions required to meet those needs to the various user departments.

B. The works of art acquired through the Art in Public Places Ordinance become the property of the City of Austin and are held in trust by the User Department. Therefore, the expenses associated with the routine maintenance and operation of each artwork shall be incurred by the user department and considered to be part of the routine maintenance of the facility. Routine maintenance shall be understood to include such things as the periodic cleaning of a work and operational costs such as water in the case of a fountain. Any substantive repair of the work, such as structural repair, shall be considered to be an expense of the related Public Art Fund.

Per the Ordinance, no maintenance or repair work shall be performed by the user department without the prior written consent of the Art in Public Places Administrator. Additionally, the user department shall not move any work of art from the site for which it was selected, nor remove it from display, without the prior written consent of the Arts Commission and in conformance with legal restrictions regarding the source of funds for that work of art.

C. So far as practical, in the event repair of the artwork is required, the City shall give the artist the opportunity to do that work for a reasonable fee. Disputes concerning what constitutes a reasonable fee shall be settled by a panel of three visual art professionals with knowledge of curatorial concerns, to be appointed by the Arts Commission. If the artist declines to perform the needed repairs for such a fee, the City may solicit bids from qualified conservators and award a contract to the conservator presenting the lowest and most responsible bid, if the fee is in excess of Five Thousand Dollars ($5,000.00).

XII. ELIGIBLE COSTS FOR TWO PERCENT MONIES

A. All Art in Public Places contracts shall require the artist to design, produce, deliver and install a work of art for a guaranteed maximum cost. This cost may include the cost of the work itself and any associated costs which may be required by the City of Austin or inherently related to the implementation of the project. Therefore the following costs are eligible expenditures for the 2% monies included in the total project commission:

1. The work of art itself, including but not limited to:

   a. Artist's design fee;

   b. Additional labor, materials, and contracted services required for the production and installation of the work;

   c. Artist's operating expenses related to the project;

   d. Travel related to the project;

   e. Transportation of the work to the site;

   f. Installation of the work.

2. Identification plaques and labels.

3. Frames, mats, mountings, anchorages, containments, pedestals, or materials necessary for the installation, location or security of the work or art.

4. Photographs or slides of the completed work for the purposes of routine documentation of the project.

5. Permits or fees necessary for the installation of the work of art.

6. Legal costs directly related to the project.

B. In addition to the actual costs associated with the Art in Public Places project commission, the 2% monies are by Ordinance to be used for the selection, acquisition, and maintenance of the work of art commissioned or purchased through the Art in Public Places Program. Therefore the following items are eligible expenditures of the 2% monies:

1. The project specific costs of the Art Public Places Program associated with the selection and acquisition of artwork.

2. Jury honoraria expended for the purposed of selecting the artwork.

3. Payment for artists invited to submit proposals for a project.

4. Substantive structural repair and maintenance of the works of art commissioned through the Art in Public Places Program.

XIII. INELIGIBLE COSTS FOR THE TWO PERCENT MONIES

A. Directional elements such as supergraphics, signage, or color coding except where these elements are integral parts of the original works of art.

B. Art objects which are mass produced of standard design such as playground equipment or fountains.

C. Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, printmaking or other media arts.

D. Decorative, ornamental, or functional elements which are designed by the building consultant as opposed to an artist commissioned for the purpose.

E. Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist.

F. Services or utilities needed to routinely operate or maintain the artwork over time.

G. Project Consultant's fees.

H. Modifications in or improvements to building surfaces or structural elements of the building.

I. General administrative costs of the Art in Public Places Program, those which are not directly related to a specific project.

XIV. THESE GUIDELINES AND THE ART IN PUBLIC PLACES ORDINANCE ARE SUBJECT TO AN ANNUAL REVIEW FROM THE PASSAGE OF THE ORDINANCE.

Appendix III - Artwork Donation and Loan Policy

CITY OF AUSTIN ARTWORK DONATION AND LOAN POLICY AND APPLICATION

Adopted by City Council on March 21, 2013

ARTWORK DONATION POLICY

STATEMENT OF PURPOSE

The City of Austin is committed to building a collection of high-quality public art for the enjoyment and enrichment of citizens and visitors. That commitment includes providing a means by which individual citizens or organizations may propose artwork donations to be included in the City's artwork collection. This policy outlines the process through which artwork proposals are reviewed and accepted or rejected by the City of Austin. The objectives of this policy are to

- Provide uniform procedures for the review and acceptance of gifts and loans of works of art for the City of Austin;
- Establish consistent review criteria that strike an appropriate balance between high aesthetic standards and city business use;
- Maintain high artistic standards in works of art displayed by the City of Austin; and
- Encourage or facilitate recognition of the artistic community.

DEFINITION OF TERMS

Aesthetics: Artistic merit of the work of art, including consideration of its artistic, social, and/or historical significance.

Appraisal: A professional, certified evaluation of an artwork—its authenticity, condition and provenance—to determine its monetary value.

Artwork (or Work of Art): Original art in various mediums, including but not limited to any portable or permanently fixed sculpture, mural, painting, drawing, earthwork, mixed media work, or time-based work (moving images or sound-based art), created by a professional artist, artists, or collaborative team.

Cultural Arts Division (CAD): The Cultural Arts Division is a division of the Economic Growth and Redevelopment Services Office. The division provides leadership and management for the City's cultural arts programs and for the development of arts and cultural industries as an economic development strategy on behalf of the City, and guides the Artwork Donation Review process.

Department Review Committee (DRC): A committee of relevant City department staff and/or external stakeholders identified by the Department Director or his/her designee who manages the City property upon which the artwork is proposed to be sited. This committee evaluates proposals of donations based upon stated criteria, including Site, Installation, Maintenance, Financial, Liability, Timeliness, and Special Conditions.

Donation: A work of art or a series of artworks gifted to the City for long-term public display with intent to transfer title of ownership to the City.

Gifts of State: Items officially given from one country to another as a sign of goodwill.

Impervious Cover: A surface that blocks water from going into the soil (e.g., highways, streets, parking lots, sidewalks, large paved areas).

Parks and Recreation Department (PARD): City of Austin department that oversees City parkland and recreation facilities.

Public Art Fund: A fund designated by the Art in Public Places Ordinance for the purposes of new project construction, repairs, and conservation of artworks, and managed by the Cultural Arts Division.

Professional Artist: A person who has established a reputation of artistic excellence, as judged by peers and through a record of exhibitions, public commissions, sale of works, or educational attainment.

Prominent Location: An exterior location that is accessible to the public, enjoys high visibility, and is used or visited by a large number of visitors and/or city residents.

Provenance: Art provenance is the history of an artwork and its creation and ownership, used to help establish its authenticity. Documents used for provenance include sales receipts, auction and exhibition catalogs, gallery labels, letters from the artist, and statements from people who knew the artist or the circumstances of creation of the artwork.

Town Lake Park: The parkland area bordered by Lady Bird Lake to the north, the First Street (Drake) Bridge to the east, Barton Springs Road to the south, and Lamar Boulevard to the west.

Town Lake Butler Hike and Bike Trail: The 10-mile trail encircling Lady Bird Lake intended for non-motorized traffic. For the purposes of this policy, Town Lake Butler Hike and Bike Trail shall also include the Butler Hike and Bike Trail and its bridges, including Crenshaw Pedestrian Bridge, Pfluger Bridge, First Street (Drake) Bridge, Congress Avenue (Ann Richards) Bridge, I-35 Bridge, and Longhorn Dam.

User Department: The department within the City of Austin deemed responsible for long-term care and maintenance of artworks that are sited within its physical boundaries or determined by operations/business use.

Working Group: A body of the Austin Arts Commission established by a vote of the commission and consisting of less than a quorum of the board, to which the board delegates a defined matter or matters for consideration and recommendation to the board. A working group is automatically dissolved after it reports its recommendations. The board may appoint a non-member or non-members to serve on a working group.

OVERVIEW OF ARTWORK DONATION REVIEW PROCESS

When artwork donations are proposed for placement with any City of Austin agency or department, such proposals shall be reviewed by entities that may include but are not limited to City employees, community stakeholders (individuals or groups), and a Working Group.

The process outlined below assumes that the Donor has an artwork proposal, in the form of drawings or photos and/or a maquette or model, *or* has a finished work of art to donate.

Donors who are seeking project funding through the City's Cultural Funding program as administered by the Cultural Arts Division of the Economic Growth and Redevelopment Services Office must receive approval for an artwork through this donation review and approval process *prior* to the Cultural Funding review process. Contact the Cultural Arts Division at (512) 974-7700 or http://www.austintexas.gov/department/cultural-arts for details and submission deadlines.

Artwork Donation Review Process (Step-By-Step):

STEP 1: The potential Donor submits a completed Artwork Donation Application with required attachments to the Cultural Arts Division (CAD). CAD staff shall assemble the appropriate City Department Review Committee (DRC). It is recommended that the Donor discuss the proposal with CAD staff prior to completing the form, as this may be helpful and time-saving and will ensure that the application is complete.

STEP 2: CAD staff facilitates a presentation by the Donor to the DRC, which evaluates the proposal based upon all of the criteria listed below (see **Artwork Donation Review Criteria**). The purpose of this review is to determine the feasibility of the artwork. The User Department has the discretion to consult with a professional artwork conservator to review the proposal and provide recommendations.

STEP 3: The artwork proposal and the DRC recommendation are presented to the Austin Arts Commission. The Austin Arts Commission may form a Working Group and appoint a Chair for further review. The Arts Commission shall consult the DRC to determine the appropriate boards, commissions, and other associations that may be considered for inclusion in the Working Group.

The Working Group shall not exceed the maximum number of commissioners allowed on a Working Group (including the commissioner serving as Art in Public Places liaison) and consist of no more than 3 members of the Art in Public Places Panel, as outlined by the Board and Commission Ordinance. The Working Group can include other professional experts, community representatives, or City staff as recommended by the DRC and appointed by the Arts Commission.

STEP 3a: The Working Group shall review the DRC recommendations and the proposal based upon stated review criteria. The Working Group may recommend that the proposal be accepted, accepted with modifications or declined. If the Working Group review results in a recommendation to accept the donation with modifications, the donor will have the option to resubmit a modified proposal to the Working Group. Recommendations for modification must be clearly defined to ensure the changes meet Working Group expectations.

STEP 3b: The Chair of the Working Group shall present a final recommendation to the Arts Commission.

STEP 4: The Arts Commission reviews the donation proposal and the recommendation of the Working Group, as applicable.

The Arts Commission may not recommend proposed donations of artworks that require extraordinary maintenance expense or interfere with department operation without the prior approval of the director of the department responsible for the art after installation.

The Arts Commission may not recommend proposed donations of artworks that are deemed unsafe.

STEP 5: The Arts Commission's recommendation is forwarded to the User Department Director and City Manager's Office. The City Manager will forward to City Council any recommendations for accepted donations recommended for a prominent location (as defined in this policy).

Once the artwork donation approval process has been successfully completed and the artwork is accepted, the City of Austin and the Donor shall enter into an Agreement for Donation of Artwork that legally conveys title to the City of Austin and includes the appropriate warranty of originality. The agreement shall also enumerate any and all conditions of the donation that the City has agreed to accept and outlines the responsibilities of each party with respect to the donation, including budget, signage, installation, and maintenance. The agreement spelling out all requirements for the artwork shall be executed prior to the City's formal acceptance of the artwork.

In general, donations shall be accepted without restrictions or conditions. In cases where there are restrictions or conditions attached to the proposed donation, the Donor's conditions shall be considered by the City Law Department to ensure they are consistent with City policies. The agreement shall require liability insurance and/or permits during installation and may require the Donor to provide engineer-sealed drawings.

All accepted artwork donations will be subject to the City of Austin Artwork Acquisitions and Donations Policy. All artworks shall be accessioned by the Cultural Arts Division and covered under the City's fine arts insurance policy for the stated value. It is the responsibility of the User Department to perform ongoing routine maintenance of accepted artwork donations and to share any and all maintenance records with the Cultural Arts Division to ensure comprehensive record keeping.

Artwork acceptance governed by other City procedures is set forth under **Exceptions to this Policy**.

ARTWORK DONATION REVIEW CRITERIA

1. AESTHETICS

    a. Artistic merit of the work of art, including its artistic, social, and/or historical significance, as evidenced by the Artwork Donation Proposal (which includes a written description and drawings and/or maquette of the proposed artwork)

    b. Professional artist's qualifications, as evidenced by the Artwork Donation Proposal (which includes images of past work, resume, references, and published reviews)

    c. Compatibility of the work of art within the context of the proposed site and/or the mission of the User Department

d. Warranty of originality (in the case of a pre-existing artwork; only original works or limited editions shall be considered)

e. Provenance (in the case of a pre-existing artwork)

2. SITE

a. Appropriateness to the proposed site with respect to its immediate and general physical environment (neighborhood) and audience

b. Ecological impact (e.g., percentage of impervious cover or risk to tree root zones)

c. Accessibility to the public, including persons with disabilities

d. Text components (e.g., signage or plaques)

3. INSTALLATION

a. Site requirements for installation (e.g., electricity, lighting, water, or other services)

b. Method of installation

c. Storage requirements, if any

d. Safety standards

4. MAINTENANCE

a. Structural integrity

b. Durability of material

c. Susceptibility of the artwork to accidental damage, theft, and/or vandalism and security needs

d. Ability or capacity of User Department to provide necessary routine maintenance

5. FINANCIAL

a. All costs associated with fabrication and installation, including site preparation, long-term preservation (i.e., conservation and repair), illumination, plaque and unveiling/dedication event, if any. Donors proposing artwork to the City shall contribute 2% of the total value of the artwork or $5,000, whichever is less, to the City's Public Art Fund so that funds may be available for treatment when repair or conservation becomes necessary. In lieu of Donor providing this monetary contribution, departments must make assurance that they will provide an equivalent amount of funding in their budget for such repairs. Obtaining an appraisal

is the responsibility of the donor, unless otherwise agreed upon by City and donor.

b. Source of funding and timely availability of funds and resources to meet financial requirements

c. Estimated amount of funding for annual, routine maintenance costs to the City User Department

d. Statement of value of artwork for insurance purposes

6. LIABILITY

a. Susceptibility of the artwork both to normal wear and to vandalism

b. Potential risk to the public

c. Public access, in general, as well as compliance with ADA requirements

d. Special insurance requirements, if any

7. TIMELINESS

a. Allowance of sufficient time for normal review process by the DRC, the Austin Arts Commission and its Working Group, and other boards or community groups involved

b. Timely and appropriate response to the Austin Arts Commission and staff requests for additional materials or information

8. SPECIAL CONDITIONS

a. Any conditions of the gift imposed by the Donor

b. Other conditions not listed here

ARTWORK LOANS OR TEMPORARY EXHIBITIONS

Artworks proposed for short-term, temporary loan to the City of Austin may be subject to review under this policy if the proposed artwork is not part of a city museum, cultural facility, or art program equipped with a collection management policy as approved by the Austin Arts Commission. Artworks loaned to a particular collection shall follow a separate review process specific to the needs of that department. Once accepted, the City of Austin and the lender shall enter into an Agreement for Loan of Artwork that outlines the responsibilities and provisions of the exhibition relating to budget, signage, installation, and maintenance.

EXCEPTIONS TO THIS POLICY

1. Only Gifts of State may be accepted by the City Council and/or City Manager without the benefit of this review, according to the City of Austin Purchasing

Policy; however, the Cultural Arts Division and respective department property owner shall be notified of acceptance of such donation or loan (in order to document the work, accession it to the City's collection, and insure the work) and may be consulted to recommend appropriate siting, an annual maintenance program, etc.

2. Artwork acquired as part of a User Department museum or cultural facility or art program equipped with a collection management policy as approved by the Austin Arts Commission. Objects donated to a particular facility for its collection shall follow a separate review process specific to the needs of that department.

3. Objects or artifacts that fit the following descriptions, except where recognized professional artists are employed in their creation, do not qualify as works of art and would not require a review under this policy:

    - Landscape elements designed as part of landscape architectural design
    - Objects that are not unique but are mass-produced of standard design
    - Artifacts or objects remaining from a particular historical period
    - Standard park amenities, such as benches, picnic tables, and lighting, as defined by the Parks and Recreation Department
    - Dedication or commemorative plaques
    - Directional or functional elements, such as graphics, signage, and maps
    - Artwork created by students enrolled in a City of Austin educational program

4. Departments have the ability to conduct additional internal or external reviews or presentations if increased public dialogue warrants, or to postpone review and recommendations if a proposed site is currently involved in Master Planning.

5. Donations containing advertising will not be considered.

6. Permanent artworks proposed for Town Lake Park or Town Lake Butler Hike and Bike Trail are governed by the section below, entitled **Permanent Artwork for Town Lake Park and Town Lake Butler Hike and Bike Trail**. Artworks proposed as short-term, temporary loans for these sites are not governed by the section below.

PERMANENT ARTWORK FOR TOWN LAKE PARK AND TOWN LAKE BUTLER HIKE AND BIKE TRAIL

From time to time, an individual or organization may express interest in proposing permanent artwork for Town Lake Park and Town Lake Butler Hike and Bike Trail (see **Definition of Terms**). Constantly evolving, these areas serve as cultural spaces that promote new ideas, contemporary attitudes, and dynamic use, and allow Austin to shape its own cultural identity. Therefore, the quality of the relationship between the artwork and the site is as important as the quality of the artwork itself, and to promoting an overall positive cultural and outdoor experience.

In order to assure artistic cohesiveness throughout these two locations and to foster the creation of artwork that explores and responds to these sites' unique qualities (as recommended by *Approaches to Public Art for Town Lake Park*), donations of pre-existing artworks are strongly discouraged.

In lieu of submitting the standard City of Austin Artwork Application, persons proposing new artwork commissions for Town Lake Park or Town Lake Butler Hike and Bike Trail must submit a written Request for Consideration to the Cultural Arts Division. This request will allow consideration of artwork ideas in consultation with the relevant City Department Review Committee and the Art in Public Places Panel to ensure site compatibility and appropriate use of public space. (Specifically excluded are standard park amenities such as benches, picnic tables, plaques, and lighting that fall under the jurisdiction of the Parks and Recreation Department and do not qualify as works of art.)

The Request for Consideration must include the following:

- Relevance of the artwork to the cultural life of Austin
- Importance or relationship of the work to the site and to users of the site
- Support of relevant and existing designs or master plans for Town Lake Park and Town Lake Butler Hike and Bike Trail, including plans outlined in *Approaches to Public Art for Town Lake Park*
- Commitment of funds
- Explanation of criteria used to select the artist(s)

If the proposed artwork is commemorative, the Request for Consideration must also detail the following:

- Biographical and/or historical background on the individual or event to be honored
- Importance of singling out the individual or event for special recognition
- Historical and cultural significance of the individual or event to Town Lake Park or Town Lake Butler Hike and Bike Trail

Review Criteria

In addition to the consideration criteria previously outlined in this policy, the following criteria will be used in the review of the Request for Consideration:

- Compatibility of the proposal with the site and the use of the site
- Compatibility of the proposal with relevant master plans
- Commitment and availability of funds

If the proposed artwork is commemorative, the following review criteria will also be used:

- Relevance and importance of the proposed individual or event to the citizens of Austin and visitors to Town Lake Park or Town Lake Butler Hike and Bike Trail

- Relationship between the site and the individual or event to be commemorated

Determination

The Arts Commission's recommendation is forwarded to the City Council, via staff communication with the City Manager's Office.

REVISIONS TO THE ARTWORK DONATION POLICY

The Art in Public Places Panel may review this policy annually and make recommendations for revisions to the Austin Arts Commission as needed.

ARTWORK DONATION APPLICATION

Use this form to submit proposals for artwork donations. For new commissions of artwork for Town Lake Park and Town Lake Butler Hike and Bike Trail, use the Request for Consideration form.

Thank you for your interest in donating artwork to the City of Austin.
Please direct any questions, and complete and submit this application to

Cultural Arts Division, City of Austin
201 E. 2nd Street
Austin, TX 78701
(512) 974-7700
culturalarts@austintexas.gov

Please attach additional sheets. The City reserves the right to request additional information in order to process a donation proposal.

DONOR			
Name(s)			
Organization (if applicable): (*Please check one*: ___ Individual(s) ___ Corporation ___ Not-for-Profit ___Other (specify: _____)			
Address			
City	**State**	**Zip Code**	**Country**
Phone	**Fax**	**Email**	
(*Please check one*): _____ Donation of artwork to be commissioned _____ Donation of existing artwork _____ Donation of artwork to be funded by CoA Cultural Funding Program (***Application deadline:*** *This form must be completed and delivered to Cultural Arts Division, 201 E. 2nd St., Austin, TX 78701, by March 31 of each year*)			
Conflict of Interest: Disclose whether the donor has any active contracts with the City or is involved in any stage of negotiations for a City contract.			

ARTIST			
Name		**Alias** (If applicable)	
Nationality		**Birth Date**	**Death Date** (If applicable)
Address			
City	**State**	**Zip Code**	**Country**
Phone	**Fax**	**Email**	

Website			
Artist Representation/Gallery Name (If applicable)			
Artist Representation/Gallery Address			
City	**State**	**Zip Code**	**Country**
Phone	**Fax**	**Email**	
Website			
For donations of commissioned artwork, please explain the method used in the selection of the artist.			

ARTWORK	
Title	
Artwork type (e.g., painting, sculpture)	**Medium**
Description	
Period/Date	**Dimensions and Weight**
Finishes applied to surface	
Construction technique(s)	
If this artwork is part of an edition, what is the edition number of this piece, and the total edition size?	
If this artwork is part of a series, what is the total number in the series?	
If this artwork is part of a pair or a group, what is the total number in the pair or group?	

Describe frame, if any.	Describe base or pedestal, if any.

Describe any accompanying accessories.

Current location of artwork

Proposed City-owned site for placement (if applicable)

For memorials, describe the person or event to be commemorated, and explain why this person or event deserves special recognition.

ARTWORK HISTORY

Provenance/Past Owners: List all past owners and period of ownership for each.

Exhibition History: List the exhibition history including exhibition titles, venues and dates for each.

Publications and References: List all publications about and references to the artwork.

COPYRIGHT OWNERSHIP

Name of current copyright owner			Title
Address			
City	State	Zip Code	Country

Phone	Fax	Email

If the donor is the current copyright owner, does the donor intend to transfer the copyright to the City of Austin should the donation be accepted by the City?

ARTWORK VALUATION (if known)

Fair Market Value $

How was this fair market value determined and by whom?

CONDITION

Describe the current condition of the artwork noting any existing breaks, tears, scratches, abrasions, paint losses, or other insecurities or defects in the artwork.

If the artwork has been conserved, describe the conservation treatment.

Provide recommendations for routine maintenance of artwork. Indicate whether these recommendations were provided by a conservator.

(Optional) Provide recommendations for security, installation, transportation and/or storage.

For donations of commissioned artwork, please outline the installation plan.

OTHER REQUIRED MATERIALS

Please submit the following materials along with this completed form.

- **Artist's résumé and bio**
- **Digital, color images of past artwork by artist**
- **For commissioned artwork, color renderings or maquettes of proposed artwork**

- **Maps or images of proposed site for artwork**
- **Itemized list of any costs to be borne by the City for transportation, installation, exhibition, operation, maintenance, conservation, and/or security**
- **For commissioned artwork, an itemized budget for design, fabrication, and installation**
- **For commissioned artwork, a timeline for design, fabrication, and installation**
- **Exhibition catalogs, publications and/or references, if available**
- **Formal, written appraisal for any artwork with a fair market value of $10,000 or more**
- **Condition report, if available**
- **Conservator's report, if applicable**
- **Proof of authenticity, if available**
- **Any other information relevant to the artwork**

DONOR'S AUTHORIZATION TO INITIATE A DONATION REVIEW	
Authorized signature	**Title**
Print name	**Date**
CITY OF AUSTIN STAFF ONLY	
Received by	**Date**

REQUEST FOR CONSIDERATION

Use this form to submit proposals for commissions of artwork for Town Lake Park and Town Lake Butler Hike and Bike Trail.

Thank you for your interest in donating artwork to the City of Austin.
Please direct any questions, and complete and submit this application to

Cultural Arts Division, City of Austin
201 E. 2nd Street
Austin, TX 78701
(512) 974-7700
culturalarts@austintexas.gov

Please attach additional sheets as needed. The City reserves the right to request additional information in order to process a donation proposal.

DONOR			
Name(s)			
Organization (if applicable): (*Please check one*: ___ Individual(s) ___ Corporation ___ Not-for-Profit ___Other (specify: _____)			
Address			
City	**State**	**Zip Code**	**Country**
Phone	**Fax**	**Email**	
(*Please check one*): _____ Donation of artwork to be commissioned _____ Donation of artwork to be funded by CoA Cultural Funding Program (***Application deadline:*** *This form must be completed and delivered to Cultural Arts Division, 201 E. 2nd St., Austin, TX 78701, by March 31 of each year*)			
Conflict of Interest: Disclose whether the donor has any active contracts with the City or is involved in any stage of negotiations for a City contract.			

ARTIST			
Name		**Alias** (If applicable)	
Nationality		**Birth Date**	**Death Date** (If applicable)
Address			
City	**State**	**Zip Code**	**Country**
Phone	**Fax**	**Email**	
Website			
Artist Representation/Gallery Name (If applicable)			
Artist Representation/Gallery Address			

City	State	Zip Code	Country
Phone	Fax	Email	
Website			
Please explain the method used in the selection of the artist.			

ARTWORK	
Title (or working title)	
Artwork type (e.g., painting, sculpture)	Medium
Description	
Proposed site for placement (include maps or images of site, if applicable)	
Please describe the relevance of the artwork to the cultural life of Austin.	
For memorials, give the biographical or historical background of the person or event to be commemorated.	
For memorials, please explain why the person or event should be commemorated.	
For memorials, describe the historical and cultural significance of the individual or event to Town Lake Park or Town Lake Butler Hike and Bike Trail.	

COPYRIGHT OWNERSHIP	
Name of copyright owner	Title

Address			
City	State	Zip Code	Country
Phone	Fax	Email	

ARTWORK VALUATION (if known)

Fair Market Value $

How was this fair market value determined and by whom?

MAINTENANCE RECOMMENDATIONS

Provide recommendations for routine maintenance of the proposed artwork. Indicate whether these recommendations were provided by a conservator.

Provide recommendations for security, installation, transportation, and/or storage.

OTHER REQUIRED MATERIALS

Please submit the following materials along with this completed form:

- **Artist's résumé and bio**
- **Digital color images of past artwork by artist**
- **Color renderings or maquettes of proposed artwork**
- **Timeline for design, fabrication, and installation**
- **Itemized budget for design, fabrication, and installation**
- **Itemized list of any costs to be borne by the City for transportation, installation, operation, maintenance, conservation, and/or security**
- **Any other information relevant to the artwork**

DONOR'S AUTHORIZATION TO INITIATE A DONATION REVIEW

Authorized signature	Title
Print name	Date

CITY OF AUSTIN STAFF ONLY

Received by	Date

Appendix IV – Permitting Booklet for Artists

Plan for permits as soon as you sign your contract to produce an artwork with the City. This will make your project much simpler.

This is a step by step guide to help the public artist navigate the permitting process in the City of Austin.

Potentially, you may need to get permits from many different City departments to install your work.

This appendix hopes to clarify:
- which permits you need;
- who is responsible for getting the permit(s);
- what steps you need to take to get the permit(s).

Please note - permitting requirements change from time to time, so use this appendix as a guide to get you started, and ask plenty of questions!

October 2014

checklist

common

- ❑ Excavation Permit
- ❑ Temporary Use of Right of Way (TURP) Permit
- ❑ TX Department of Licensing & Registration (ADA Accessibility)
- ❑ License Agreement
- ❑ Utilities Coordination Meeting
- ❑ Downtown Area Coordination Meeting

less common

- ❑ Quality+Standards Management; non-standard details
- ❑ Special Events Permit
- ❑ Driveway/Sidewalk Permit
- ❑ Filming Permit
- ❑ Parking Permit
- ❑ Emergency Operations Permit
- ❑ Building Permit/Plan Review
- ❑ Plumbing Permit
- ❑ Electrical Permit
- ❑ Site Exemption Permit
- ❑ Site Development Permit
- ❑ Historic Preservation Certificate of Appropriateness
- ❑ Tree Permit
- ❑ Parks and Recreation - Chapter 26

Austin Transportation Department: ROW Permits

For the purpose of AIPP permitting, Right of Way (ROW) is defined as the area controlled by the City, usually this is the roadway plus 10 feet behind the curb. This definition of the City Right of Way may vary depending on the physical conditions at any given location - check where the ROW is for your location!

Types of ROW Permits

These are commonly needed for AIPP Projects:

1. Excavation Permit
Excavation Permits are needed for any excavation in City Right-of-Way. Excavations greater in length than 300 feet will require an approval through the General Permit Program (974-6330) prior to issuance of excavation permits.

2. TURP
Temporary Use of Right of Way (TURP) Permits are needed when temporarily using City Right-of-Way other than excavation, filming, non-construction related parking spaces, or street events.

These Transportation Department permits would be unusual for an AIPP Project:

3. Parking Permits
Parking Permits are needed for using legal on-street parking for loading and unloading activities within a Public Parking Space. This permit is not for construction related activity.

4. Filming Permits
Filming Permits are needed for any filming activity that diverts pedestrian, vehicular, or bicycle traffic, or occupies parking spaces, in City Right-of-Way.

5. Special Events Permits
Special Events Permits are needed for an event or parade that requires the full or partial closure or occupation of a public right of way for non-construction and non-parking related use.

6. Emergency Operations
Emergency Operations means operations or repairs of facilities to prevent imminent harm to the health, safety, or welfare of persons or property.

Austin Transportation Department: ROWMAN

The City of Austin Transportation Department has an automated system to make applying for permits with this department simple, called ROWMAN (Right of Way Management Approval Network).

In order to apply for a permit with the Transportation Department, go to this URL:
https://www.ci.austin.tx.us/rowman/newuser.cfm

For more information on the different types of permits, please contact one of the following people during regular business hours:

Excavation: Markus Roby 512-974-7180

Utility Coordination: Gregory Pepper 512-974-7180

Parking and Driveway/Sidewalks: Nancy Thralls 512-974-7180

Filming, Valet and Vending: Tracy Linder 512-974-6532

Temporary Use Permits in Right of Way: Nan Brown 512-974-7180

Street Events: Office of Special Events 512-974-6501

Excavation Permit

Excavation typically means opening the ground and digging a hole in order to accommodate a foundation, creating a stable base for your artwork.

Do I need it?

If your artwork is an exterior work and needs to be permanently attached to the ground (and many permanent exterior artworks do), and if your artwork is to be installed in the right-of-way, you will need to get this permit.

Who is responsible for the permit:

The artist

Steps to apply for the permit:

1. As soon as you have the first draft of your engineering drawings, very soon after your mid-design review, and well before your final design review, check in with Markus Roby about your project's needs.
▪ Always copy your AIPP Coordinator on all communication related to your commission.

2. Mark up your site plan to show where the sculpture is going to be located on the ground.
Show at least 100' around your piece, and include a nearby intersection, so that it is clear where your work is to be located.

3. Find out as early as possible if there are any issues with your proposed location or your proposed artwork. This is part of your work as the public artist.

Contact

Markus Roby, Right of Way Management
512.974.7653
Markus.Roby@austintexas.gov

Special note - Driveway/ Sidewalk Permit
If this request is related to **excavating a driveway** approach for any reason other than utility, you will need to contact Right-of-Way Management at 512-974-7180 to obtain a Driveway/Sidewalk Permit.

TURP

Temporary Use of Right of Way (TURP) Permits are needed when temporarily using City Right-of-Way other than excavation, filming, non-construction related parking spaces, or street events.

Do I need it?

This permit is commonly needed by every artist who will be installing an artwork in the right-of-way.

Who is responsible for the permit:

The artist

Steps to apply for the permit:

1. As soon as you have the first draft of your engineering drawings, very soon after your mid-design review, and well before your final design review, check in with Nan Brown and ask about your project's needs.
▪ Always copy your AIPP Coordinator on all communication related to your commission.

2. Mark up your site plan to show where the sculpture is going to be located on the ground.
▪ show at least 100' around your piece, and include a nearby intersection, so that it is clear where your work is to be located.

Contact

Nan Brown, Right of Way Management
512.974.7180
Nan.Brown@austintexas.gov

Austin Transportation Department: ROW Permits

Parking Permit

Parking Permits are needed for using legal on-street parking for loading and unloading activities within a Public Parking Space. THIS PERMIT IS NOT FOR CONSTRUCTION RELATED ACTIVITIES.

Do I need it?

If you need on-street parking for loading and unloading, not related to installing or constructing your artwork, then you will need to get this permit.

Who is responsible for the permit:

The artist

Steps to apply for the permit:

1. As soon as you know which parking spaces will be affected, send the information to Nancy Thralls for her review.
▪ Always copy your AIPP Coordinator on all communication related to your commission.

2. Mark up a site plan to show which parking space(s) will be affected.
▪ show at least 100' around parking space(s), and include a nearby intersection, so that it is clear where the area is to be located.

Contact

Nancy Thralls, Right of Way Management
512.974.5634
Nancy.Thralls@austintexas.gov

Filming Permit

Some Art in Public Places projects require the artist to document his or her process , and at times the video or film itself is the artists' product. A Filming Permit is needed for any filming activity that diverts pedestrian, vehicular, or bicycle traffic, or occupies parking spaces, in City Right-of-Way.

Do I need it?

If people will need to divert around your filming activity, whether they are on foot, on a bike, or in a vehicle, you will need to get this permit.

Who is responsible for the permit:

The artist

Steps to apply for the permit:

1. As soon as you have your filming plan/location(s), send to Margaret Guerrero for her review.
▪ Always copy your AIPP Coordinator on all communication related to your commission.

2. Mark up a site plan to show where the filming is going to take place, and how much space will be needed for the filming.
▪ show at least 100' around area, and include a nearby intersection, so that it is clear where your work is to take place.

Contact:

Tracy Linder, Right of Way Management
512.974.6532
Tracy.Linder@austintexas.gov

Special Events

Special Events Permits are needed for any type of non-construction event held in City Right-of-Way.

Do I need it?

If your artwork includes an event that will happen on a city street, sidewalk or other public space, you will likely need this permit.

Who is responsible for the permit:

The artist

Steps to apply for the permit:

1. Call the Office of Special Events as soon as possible after your Mid-Design review to understand the process for getting this permit.
▪ Always copy your AIPP Coordinator on all communication related to your commission.

Visit the "event planning" section of www.AustinTexas.gov/CityStage to begin planning your event. URL: http://www.austintexas.gov/department/special-event-permits

Contact:

Office of Special Events
512.974.6501

Emergency Operations

Emergency Operations means operations or repairs of facilities to prevent imminent harm to the health, safety, or welfare of persons or property.

Do I need it?

Probably not. Actually almost never, however, if your work should have a catastrophic failure that could lead harm people or property, then you would need to get contact this department as step one in rectifying the issue.

As part of your commission contract, you are committed to your artwork remaining in good repair and function for the first year after installation.

Steps in an Emergency:

1. As soon as you understand your piece has been compromised, you should contact your AIPP Coordinator who will contact Emergency Operations.

2. Make sure you can describe the location of your sculpture and the nature of the problem.

Contact

Your AIPP Coordinator
(512) 974-7700

License Agreement or Memorandum of Understanding

A License Agreement is a legal document between a legal entity and the City of Austin, or between departments within the City, which clarifies who is responsible for installation and maintenance of the artwork located in the ROW.

Do I need it?

Yes, if your artwork will be in the public R.O.W.

Who is responsible for getting the permit?

The artist; responsibility may be assigned to artist's engineer. The AIPP Coordinator will assist in this process.

Steps to apply for a License Agreement

1. As soon as you have your draft engineering drawings, showing the foundation, submit to the City of Austin Property Agents with Right of Way Management.

2. You will need to submit a set of fully dimensioned drawings and images which clearly delineate the size, shape and exact location of the artwork(s) you are proposing to install.

A License Agreement is required to be in compliance with the streetscape requirements outlined in the City of Austin's Zoning Ordinance.

For artworks which will be privately maintained, a License Agreement is required for any works which will be located within the public ROW or easements.

For artworks which will be maintained by a City of Austin department, a Memorandum of Understanding (MOU) is required to be in place.

Registered Accessibility Specialist

A Registered Accessibility Specialist (RAS) provides a review to make sure your artwork conforms to the Texas Department of Licensing and Registration (TDLR), which is Texas's oversight entity for the Americans with Disabilities Act.

Do I need it?

AIPP expects every piece in the City's collection to be accessible to the entire population of Austin.

Check in with your AIPP Coordinator to discuss your review by a Registered Accessibility Specialist (RAS). If a project budget is over 50K, a full Texas Department of Licensing and Registration (TDLR) report is required and must be provided by a RAS.

For project budgets under $50,000, a written RAS review, indicating that components comply with accessibility standards, is probably needed.

Who is responsible:

The artist is responsible for hiring a Registered Accessibility Specialist and paying for this review out of the project design budget.

Steps to get this done:

1. Check in with your AIPP Coordinator to discuss your review by a Registered Accessibility Specialist.

2. Check in on key design criteria before you begin design to avoid having to redesign after your mid-design review.

3. This review will need to happen as soon as possible after the concept for the commission is conceived, so the artist has the opportunity to make any revisions needed.

Contact

AIPP can provide a list of Registered Accessibility Specialists who have reviewed artwork in the past.

Austin Public Works Department

Utility Review Meeting (AULCC)

You must check to see if underground pipes, utility lines or infrastructure will be affected by installation of the artwork.

Do I need it?

Yes, you need it if your proposed artwork will be:

- located in a public way, such as a sidewalk in a street.
- located between the face of a building and the curb of the street.

You won't need it if your work is in a park.

* Going through the AULCC review is also a prerequisite for License Agreement and for General Permit.

Who is responsible for the permit:

The artist; responsibility may be assigned to artist's engineer

Steps to apply for the Utility Review:

The initial review can happen as soon as the engineer has determined the size and depth of foundation required to anchor the sculpture, at least six weeks before Final Design submittal for AIPP Panel approval.

1. As soon as you have your draft engineering drawings, showing the foundation, call Gregory Pepper to start the review process. He will send a spreadsheet to be filled out by the artist or artist's enginner. It will then be sent to all utilities to verify utility locations near your site. This process takes 2 -3 weeks minimum.

a. You must submit a site location plan which shows where the sculpture is located on the ground.

- show at least 100' around your piece, and include a nearby intersection, so that it is clear where your work is to be located.
- Make sure you include a north arrow to show which way is north.
- Make sure you include dimensions from back of curb.

These weekly meetings allow the artist (and/or their engineer) to gather information from many utility providers at one time. A representative from each utility will review the proposed location for the artwork and determine if there is a conflict with their utility infrastructure and the proposed art installation.

Utility Review Meeting, cont.

b. It's okay to use a photo from Google Earth, as long as you draw your artwork in at the correct scale.
Add dimensions to more precisely locate your work.

2. It is advisable to bring your engineer to the meeting.

- You will need to take notes, recording the Utility reviewers comments - some comments may need to be addressed and some may not.

3. After the meeting, you have to address the comments if something needs to be taken care of; once all the comments have been received:

▪ Address the comments outside the meeting and submit the final coordination back to Gregory Pepper.

▪ If they are big issues, you will have to re-submit for another meeting, with the 2-3 week review time as well.

4. Once the review process is complete, you will submit for a completion letter. Compile the reviewers' comments by adding the verbal comments from the reviewers and how you addressed them into the spreadsheet.

5. Once you have your Completion Letter you can apply for a License Agreement and/or your General Permit, if needed.

Contact

Gregory Pepper, Utility Review Department
512.974.7282
gregory.pepper@austintexas.gov

Austin Public Works Department

Quality and Standards Management

Anytime an object is placed in the ground in the Right Of Way, there is a standard City of Austin construction detail that governs how it is installed. Typically, your artwork will be a non-standard application of these standard details.

Do I need it?

If you are placing an object in the Right-of-Way, you will need to check to see if the standard City of Austin details have relevance over how you install your artwork.

Find City of Austin standard construction specifications here: http://tinyurl.com/ArtistPermits-Specs

Find City of Austin standard details here:
http://tinyurl.com/ArtistPermits-Details

As part of your License Agreement review, all the structural details of your artwork will be reviewed by the QSMD group before you can get permission to install it in the R.O.W.

Retaining walls and other structures, maintenance issues within the R.O.W. or anything which could potentially affect the R.O.W. (for example, if a retaining wall outside the R.O.W. would affect the R.O.W. if it failed) are all items this group will review.

Who is responsible for getting the review:

The City of Austin Property Agent with Right of Way Management, as part of your Licence Agreement process, however:

1. This review may require redesign of your artwork, or redesign of the foundation for your piece.
2. It is best to send your mid-design proposal to this group for review if your work will be placed in the R.O.W.

Contact:

Cuong Tran, Managing Engineer
Engineering Services, Austin Public Works Department
512.974.7123

One Call

Electric cable, gas lines, water lines and wastewater lines could all be present under your artwork. Hitting these lines could result in injury, property damage or pollution of the environment.

Do I need it?

Yes!

The State of Texas Underground Facility Damage Prevention and Safety Act governs excavation. The act says that anyone that plans to disturb soil to a depth of 16 or more inches must contact a notification center before proceeding with their work.

You need to call One Call to make sure there are no issues with your installation up to 14 days before you break ground but no later than 2 business days before excavating.

Who is responsible for making the call:

The artist

Contact:

Texas Excavation Safety System 800.344.8377
(Operators are on duty 24 hours a day, seven days a week, excluding legal holidays.)

The operator will ask you where, when, and what type of excavating is to be done. Keep your assigned request number for future reference. A locator for the various utilities will come mark their underground utilities at your site.

Planning & Development Review (PDR)

Planning and Development Review Department reviews all building related projects. If your work includes creating a space or a building a person could be inside, and/or includes lighting, plumbing, electrical work, you'll need to review your plans with these folks.

The Planning and Development Review Department provides support for people trying to understand what permits they need through the **Development Assistance Center (DAC)**. You don't need to guess - an appointment with these folks will be very helpful!

Types of Planning and Development Permits

- Site Exemption Permit - Not very likely to need this.
- Site Development Permit - Not very likely to need this.
- Historic Preservation Permit - Needed for art throughout Austin; may very well need this.
- Tree Permit - AIPP requires that artists not disturb the critical root zone (CRZ) with their artwork.

Other possible artist relevant permits explained by the DAC include the following:

1. After Hours Concrete Pouring Permit (Central Business District only)
2. Board of Adjustment support
3. Development process and regulation consulting.
4. Outdoor Music Venue Application
5. Sign Permit Application
6. Site Plan Correction Request
7. Site Plan Exemption Request
8. Temporary Use Permits
9. Utility consulting

- **Research hours**: Monday - Friday, 8:00 a.m. - 2:00 p.m.
- **Planners/Consultation hours:** Monday - Friday, 9:00 a.m. - noon (walk-in or by appointment)

These hours are subject to change-call to confirm

Contact:

Location: One Texas Center, 1st Floor
505 Barton Springs Road
512.974.6370

City of Austin Permit Center

A permit is required to erect, construct, enlarge, alter, repair, improve, remove, convert, move or demolish any structure within the City's zoning jurisdiction or in a Municipal Utility District.

The Permit Center processes building, electrical, mechanical, plumbing and irrigation construction-related permits. Electricians, mechanical, plumbing and irrigation contractors must also register with the City of Austin Permit Center.

Do I need it?

▪ Building Permit/Plan Review - Not very likely to need this, unless you are truly building a structure.
▪ Plumbing Permit - Required for art that has flowing water integral to the piece.
▪ Electrical Permit - Required for art that needs a power source.

Who is responsible for the permit:

The artist

Who is responsible for closing out these permits:

The artist

These permits have a 6 month time limit and require the artist to close them once work is complete:

> *Once a building or trade permit has been issued, inspections will be performed at construction milestones, as scheduled by the permit holder, until final inspection is achieved. City Code requires that all permitted projects remain active within a 180 day period until the final inspection is complete and a Certificate of Occupancy (CO) or Certificate of Compliance (CC) is issued. Permits expire on the 181st day after the date the permit is issued and the project has not received an inspection, or after the date of the last inspection that shows progress toward completion of the project. An application for a permit will be deemed abandoned after 180 days if a permit has not been issued.*

Contact: (512) 974-2747 or (512) 974-2380
Location: 505 Barton Springs Road, One Texas Center, 2nd Floor
Office Hours: Monday - Friday, 8:00 a.m. - 3:00 p.m.

Historic Landmark Commission Certificate of Appropriateness

Local Historic Districts
Non-routine exterior work items, such as a public art installation, in a Historic District requires a Certificate of Appropriateness from the City Historic Landmark Commission prior to initiating work. Local Historic Districts are **Castle Hill, Harthan Street, and Hyde Park**, as defined here:
http://www.austintexas.gov/sites/default/files/files/Planning/Historic_Preservation/local_historic_districts.pdf

National Register Historic Districts exist throughout Austin. They include:

- Barton Springs
- Bremond Block
- Camp Mabry
- Clarksville
- Congress Avenue
- Delwood Duplex
- Hyde Park
- Moore's Crossing
- Old West Austin
- Rainey Street
- Shadow Lawn
- Sixth Street (Pecan St)
- Swedish Hill
- West Line
- Willow Spence
- Wilshire
- Zilker Park

Find maps defining these districts here:
http://www.austintexas.gov/department/national-register-historic-districts

Do I need this?

Review the Historic District plans and see if your project falls into either a Local or National Historic District.

When do I need this?

You should contact the City Historic Preservation Office staff as soon as you have an idea for your artwork (even before you present your Mid Design to the AIPP Panel). You will need to have your project reviewed prior to your Final Design approval from the AIPP Panel.

Steps to apply for the Certificate of Appropriateness

The City Historic Preservation Office can administratively approve "minor projects" if City historic design guidelines are met. All other permits require City Historic Landmark Commission review.

A completed application is due by noon, at least two weeks (14 days) prior to a scheduled Historic Landmark Commission meeting date (typically the fourth Monday of each month).

Bring applications to the
City Historic Preservation Office
One Texas Center
505 Barton Springs Road, 4th Floor

Who is responsible for the permit:

The artist

Contact:

City Historic Preservation Office
512.974.3530

Do I need to attend a meeting?

When the Historic Landmark Commission reviews Certificate of Appropriateness applications, the applicant needs to be present at the meeting to answer questions. More information here:
http://www.austintexas.gov/sites/default/files/files/Planning/Applications_Forms/historic-review-coa.pdf

Special Condition: The Walk of Stars

If the proposed project is on 6th Street between IH-35 and Congress OR on Trinity from 6th St. south to E. Cesar Chavez, a letter must be obtained stating the Walk of Star Association does not object to your project.

Contact:
The Walk of Stars Association & Historical Society,
Bob Woody, 512.658.2491

Planning and Development Review Department

Tree Permit

As we know very well, trees in Austin are very precious - they are critical for our city's well being and for lowering the urban heat index. The City recognizes this and as a result, many of the trees in Austin are protected.

- On public land, trees 8" and greater DBH (diameter at breast height, defined as approx 54" above ground) and larger are protected;
- Trees of 24" DBH and larger are classified with *"heritage status";*
- Removing or pruning out more than 25% of the canopy of a protected tree requires a permit;

Who is responsible for the permit:

The artist

Do I need this?

Encroaching into the critical root zone (CRZ) of a tree, or removing a tree in Austin should be very carefully considered before being proposed as part of an AIPP project.

- If the tree in question is dead, dying, or unsafe, then permits are granted and no mitigation is required;
- If the tree is being removed for cosmetic or construction site use reasons, you will have to "mitigate".

What does mitigation require?

The City prefers that your mitigation efforts be directed toward improving Austin's tree cover. In 2013, the base line for mitigating non-heritage trees is $75 per inch of DBH (diameter at breast height or about 4.5' above grade).

This can be accomplished by taking care of existing trees on the property by pruning, mulching, maintenance, & fertilization particularly through incorporating organic material into the soil, creative hardscape changes to improve the trees living space and providing irrigation (if not already present).You might also choose to plant new trees or pay a fine.

Tree Permit (con't.)

Trees that are classified as heritage require three times the normal rate of mitigation.

Tree removal applications for heritage trees larger than 29" DBH must be reviewed by the Urban Forestry Board.

The tree risk evaluation form must be filled out by an ISA Certified Arborist or the City will not accept it.

There is also value in hiring a certified arborist to prepare your tree ordinance review application. An experienced arborist will know how to work on your behalf to reduce mitigation for removed trees. There is much more to the City of Austin's tree protection ordinance than what is listed here, especially pertaining to construction sites.

For more information, review this video from the City of Austin's arborist department: http://youtu.be/lezcvjwoRdY

Contact:
Michael Embesi, City of Austin Arborist
512.974.1876
michael.embesi@austintexas.gov

Planning and Development Review Department

Temporary Change of Use to Public Assembly (TCOU)

Temporary Change of Use to Public Assembly (TCOU)
The Temporary Change of Use to Public Assembly/ Operational Permit is required for structures or portions of structures used as public assemblies that do not currently have a "Certificate of Occupancy" for that type of use.

Do I need it?

Not very likely. You need a TCOU if you are holding an event or public gathering in association with your work.

Who is responsible for the permit:

The artist

Where do I obtain this permit?
This permit is issued by the Austin Fire Department. Please submit an online application or contact the Austin Fire Department, Inspections Scheduling at 512.974.0160 ext. #1 for more information.

How much does it cost?
$100 per permit- permits may be issued for multiple scheduled events
Effective October 01, 2011 the Austin Fire Department will require that the $100 fee associated with Temporary Change of Use Permits be paid prior to the permit application being processed and the required inspection being scheduled.

- Additionally, a fire marshall may need to be on site during the event, which is an additional cost. Ask about this when you apply for the permit.

How long does it take?
Inspections will have to be conducted if the specific type of gathering and set-up has not been previously approved. Please schedule accordingly to allow time to schedule an inspection. This may take up to a week.

What is the penalty for a violation?
Citations may be issued for Fire Code Violations and the event may be closed down.

Chapter 26 - Use of Park Lands

Temporary Change of Use to Public Assembly (TCOU)
The Temporary Change of Use to Public Assembly/ Operational Permit is required for structures or portions of structures used as public assemblies that do not currently have a "Certificate of Occupancy" for that type of use.

Do I need it?

Possibly - Chapter 26 kicks in if your project is temporarily or permanently changing the use of any portion, no matter how small, of park lands.

Who is responsible for the permit:

AIPP Coordinator or COA

Chapter 26 (Protection of Public Parks and Recreational Lands)
www.statutes.legis.state.tx.us/Docs/PW/htm/PW.26.htm

The City may not use parkland for non-park purposes unless it determines that:

1. There is no feasible and prudent alternative to the use or taking of such parkland;

2. The project includes all reasonable planning to minimize harm to the park; and

3. it conducts a public hearing in which it has "considered clearly enunciated local preferences"