



JOHNSON COUNTY
Park & Recreation
District

PUBLIC ART
PROGRAM

**JOHNSON COUNTY PARK AND RECREATION DISTRICT
PUBLIC ART PROGRAM**

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JOHNSON COUNTY PARK AND RECREATION DISTRICT

PUBLIC ART PROGRAM

Created September 18, 2019

I. PURPOSE

The purpose of the Johnson County Park and Recreation District (JCPRD) Public Art Program is to recognize that works of art are public improvements and should be a prominent part of JCPRD's profile. The program is intended to provide a mechanism for the commissioning, accessioning, and financing for works of art by JCPRD.

II. POLICY STATEMENT

It is the policy of JCPRD to include and encourage the active involvement of the community in setting high standards and guidelines for achieving scale and excellence in public art projects conducted by JCPRD and in participating in the selection and siting of art works for JCPRD.

It is further the policy of JCPRD to manage public moneys to ensure that public improvement projects are constructed and operated in a fiscally responsible manner and, whenever feasible, to solicit and utilize contributions, grants, donations and other funding sources for public improvements, including works of art.

III. GOALS / MISSION

To assist in meeting JCPRD's mission of enriching our community through excellence in parks, recreation, culture, education and public service, the goals of the Public Art Program are to:

- Utilize public art to foster Johnson County Park & Recreation District's mission and vision of fostering active lifestyles, promoting appreciation and stewardship of nature and wildlife, and building understanding of culture and heritage.
- Create opportunities for the public to experience and appreciate fine art outside the traditional settings.
- Integrate a wide range of high-quality artwork throughout the park system that reflects a diversity of artistic disciplines and points of view.
- Make art accessible and visible throughout the community
- Showcase public art that delights, intrigues, attracts visitors, and broadens the public's experience.

IV. DEFINITIONS

- Accessioning.** The procedure used to accept and record an artwork as part of the collection.
- Acquisition.** The accession of an artwork into JCPRD's public art collection, whether by commission, purchase, loan, gift or other means.
- Artist Selection Committee (ASC).** Individuals appointed by the PAC to recommend artists, propose artwork and budget expenditures for a public art project.
- Artwork.** Original visual art produced by professional artists, using a variety of media; can be free standing, integrated into architecture, functional, non-functional, temporary or permanent. The following shall not be considered artwork:

1. Reproductions or unlimited copies of original artwork;
 2. Art objects which are mass produced; or
 3. Works that are decorative, ornamental or functional elements of the architecture; or
 4. Landscape design, except when commissioned from a professional artist as an integral aspect of a structure or site.
- E. **Consultant.** An individual or firm hired for advice or to undertake a specific task.
- F. **Capital Improvement Plan Budget (CIP).** The annual process by which JCPRD funding for the Public Art Program is determined. This is defined as Capital Improvement Plan projects budgeted annually, excluding land acquisition and Capital Replacement Plan projects.
- G. **Deaccessioning.** The procedure followed to remove artwork from the public art collection.
- H. **Maquette.** A scale model of a proposed public artwork.
- I. **JCPRD construction project liaison.** JCPRD representative who manages a construction project to which public art funds are allocated.
- J. **JCPRD staff.** Johnson County Park and Recreation District employees.
- K. **Maintenance Reserve Fund.** 10% of the annual JCPRD Public Art Program funding, to be held in a project fund specifically for the maintenance and restoration of existing art work.
- L. **Professional Artist.** An artist of least 18 years of age with the following qualifications:
5. At least two years of visual art exhibition history; or
 6. At least two years of commissioned visual or public art.
- M. **Public Art.** Artwork that is accessible to the public and created through a public process that considers the social and physical context of the site and addresses the goals of the public art program.
- N. **Public Art Collection.** Artwork on public land or in public facilities owned by JCPRD.
- O. **Public Art Committee (PAC).** A standing committee of the JCPRD responsible for making recommendations to the JCPRD about the implementation of the public art program.
- P. **Public Art Funds.** Separate funds established by JCPRD to receive and account for monies that are appropriated to or received for the public art program. JCPRD shall maintain separate funds as required to account for bond proceeds, donations, and monies from state and federal sources.
- Q. **Public Art Program.** A program by the JCPRD.
- R. **Public Art Project.** The creation of public artwork in accordance with the Public Art policies, procedures, and guidelines.

V. PROGRAM ELEMENTS

A. Works of Art and Art Projects

The JCPRD Public Art Program covers only those works of art or art projects which are specifically commissioned or acquired by JCPRD as Public Art and which are created or provided by an identified artist in response to the commission or request for acquisition. Public art may be permanent, fixed, temporary or portable, may be an integral part of a building, facility, park or structure, and may be integrated with the work of other design professionals. It includes but is not limited to:

- Sculpture, which may be made of any material or combination of materials; may be free standing, wall-supported or suspended, kinetic, electronic or mechanical;
- Murals or paintings, which may be made of any material or variety of materials with or without collage; may be made with traditional or non-traditional materials and means;
- Earthworks, neon, glass, organic materials (i.e., fiber, clay, wood, etc.), mosaics, photographs, prints, calligraphy, audio and video media, and holographic or computer-generated technologies;
- Public programming associated with the art installation.

Public Art, whether a work of art or an art project, under the Program is intended to be a major artistic endeavor and will almost always include the selection and use of an artist.

B. Program Funding

Funding for the Public Art Program will be generated through all available funding sources, including contributions, grants, and JCPRD financing for its capital improvement projects. The JCPRD Public Art Program funds will be allocated annually during the Capital Projects process to support art projects that may accompany major capital building projects or park development or to enhance existing JCPRD spaces.

JCPRD funding shall be provided in the following manner:

1. **Annual Funding.** Annually, funding shall be identified through a line item in the Capital Projects budget that shall total one-half of one percent (.5%) of the annual Capital Improvement Plan budget. This one-half of one percent shall apply to the annual Capital Replacement Plan budget, excluding land acquisition and the Capital Replacement Plan. Funding from debt issuance shall equal .5% of the total debt issued, not to exceed \$50,000. The JCPRD Board reserves the right to allocate funding for art above and beyond this provision. The JCPRD Public Art Committee shall withhold 10% of the JCPRD Public Art Program funding in a Maintenance Reserve Fund for the maintenance and restoration of existing art work.
2. **Other Funding.** Funds from other available sources as authorized by the Board, including private contributions, grant receipts, or uncommitted capital projects funds, may be made available for and credited to the public art program.

C. Use of Program Funds

Annual Capital Art Plan. The JCPRD Public Art Committee shall prioritize funding through an annual plan and budget.

1. **Expenditures.** JCPRD Funds designated for public art shall be used for the purpose of selecting, securing and installing art in public places and may, when authorized, be used for the payment of the costs of administration for the program, including cost of community participation, artist selection processes, community outreach or publicity, project documentation, education and similar administrative or processing costs. Funds committed to the JCPRD Public Art Program shall be expended in accordance with the guidelines, policies and procedures of JCPRD and any requirements associated with the source of funds.
2. **Art Maintenance Fund.** An Art Maintenance Fund shall be established for ongoing maintenance, set at 10% of the annual Capital Art Program budget. Unspent maintenance funds shall remain in the maintenance reserve fund.
3. **The Parks and Recreation Foundation of Johnson County.** The Parks and Recreation Foundation of Johnson County (PRFJC) Board shall manage a restricted fund to facilitate the acceptance of gifts, donations, grants and contributions of money for the JCPRD Public Art Program. Any grants, donations, gifts or other contributions received for the purpose of promoting public art shall be credited to this restricted fund and used as directed by the JCPRD Public Art Committee for the benefit of the JCPRD Public Art Program.

D. Administration

1. **JCPRD Management.** The JCPRD Public Art Program shall be administered by the Culture Division under the direction of the Superintendent of Culture in partnership with the Planning and Development Manager, and under the supervision of the Executive Director. The Superintendent of Culture, or his/her designee, shall be responsible for the direct oversight of the Program and shall be responsible for the approval of all expenditures authorized by the Board through the JCPRD Public Art Committee.

JCPRD staff, as identified and assigned by the Superintendent of Culture, will:

- a. Manage the Public Art Program and facilitate communication among the JCPRD, PAC, and Artist Selection Committees;
- b. Identify public art project opportunities;
- c. Participate in meetings for capital construction projects;
- d. Initiate and coordinate each public art project so that its process is compatible with any related project timelines;
- e. Present project updates to PAC;
- f. Administer the artists' recruitment and selection process;
- g. Compile a pool of potential art selection committee members and recommend each project;
- h. Provide public art program overview and project summary to selection panel;
- i. Facilitate selection committee meetings;

- j. Present semifinalists identified by the selection committee to PAC for approval;
 - k. Provide report of finalist selection that PAC presents to JCPRD Board for approval;
 - l. Act as liaison with JCPRD Legal Counsel in negotiating artist contract;
 - m. Develop guidelines for the content and format of identification plaques and oversee their fabrication;
 - n. Officially accept artwork from artist or donor on behalf of JCPRD having oversight responsibility and ensure artwork is included under JCPRD insurance coverage;
 - o. Coordinate publicity with JCPRD having oversight responsibility for artwork;
 - p. Administer the Public Art Project Fund and Art Maintenance Project Fund;
 - q. Direct the public relations and general education of the public art program.
2. **Artistic Consultant.** JCPRD may retain, either by employment or independent contract, the services of an artistic consultant, who shall be responsible for advising JCPRD on issues arising under the Program and for providing oversight of the artist selection process as needed.
 3. **Costs and Expenses.** Costs and expenses for administration of the JCPRD Public Art Program, including costs for community participation, artist selection processes, artist candidate fees and reimbursed expenses, community outreach and publicity, project documentation, education, maintenance and other related costs, may be paid from the following sources:
 - JCPRD Public Art Fund; or
 - JCPRD Maintenance Reserve Fund; or
 - Culture Division funds as identified in the annual budget.

E. Public Art Committee (PAC)

1. **Purpose.** The purpose is to serve as a link between the JCPRD Board and the citizens of Johnson County.
2. **Responsibilities.** The JCPRD PAC shall serve as an advisory committee to the JCPRD Board and shall be responsible for administering the JCPRD public art program, including the selection processes for artists and art works to be commissioned or acquired under the Program and making recommendations to the JCPRD Board for final selection action.
3. **Membership and Appointment.** The JCPRD Public Art Committee shall consist of at least seven (7) but no more than nine (9) members to be approved by the JCPRD Board. Included in this membership are the Superintendent of Culture and two members of the Planning and Development Department who shall serve as ex-officio, voting members. The JCPRD Board will appoint one non-voting liaison to this committee. Other members shall be appointed for terms of three (3) years, with the terms staggered so that the terms of not more than three members expire in any given year.

4. **Duties.** The Public Art Committee is responsible for advising the JCPRD Board on policies and procedures that promote, encourage and increase support for public art, and on general issues pertaining to the JCPRD Public Art Program as follows:
 - a. Recommending new PAC members for approval by the JCPRD Board;
 - b. Establishing policies and procedures, and providing general oversight for the JCPRD Public Art Program;
 - c. Recommending guidelines, policies and procedures for the selection, implementation and conservation of public art;
 - d. Recommending to the JCPRD Board, and the Executive Director, an annual public art plan with proposed sites for the future placement of works of art on JCPRD property and a proposed budget;
 - e. Designating appropriate Artist Selection Committee (ASC) members for each public art project;
 - f. Advancing recommendations from the artist selection committee to the JCPRD Board for their acceptance or rejection;
 - g. Reviewing and recommending proposed gifts of art, as well as loans and long-term exhibitions of art on JCPRD-owned property, as requested by JCPRD or any of its divisions; and
 - h. Reviewing and recommending accessioning and de-accessioning of publicly-owned artworks, as requested by JCPRD or any of its divisions.

F. Conflicts of Interests

Any member of the JCPRD Public Art Committee or Art Selection Committee, having a direct conflict of interest, or the appearance of a conflict of interest, whether financial or otherwise, in any particular project brought before the membership shall disclose such conflict prior to the start of discussions, and said member shall refrain from participating in discussions or voting regarding such project.

G. Art Selection Process

1. **General.** The artist selection process shall be an open and competitive process and one that allows for the selection of the artist to be based on the artist's talent and creativity, and a willingness to work with input from the community and the design team.
2. **Artist Selection Committee.** Project specific Artist Selection Committees (ASCs) will be seated for each project where an artist will be engaged. ASCs will be composed of volunteers and organized to review and rank artists' applications, to interview artists, and to recommend artists for involvement in these projects to the JCPRD Public Art Committee.

A selected ASC will typically be composed of the following voting members:

- a. One representative from the JCPRD's primary project consultant (Architect, Engineer, Contractor or Landscape Architect);

- b. One representative who will be working at the site when completed, if appropriate;
- c. One member from the community at large who resides in the vicinity of the project;
- d. Two community members with visual arts expertise;
- e. One JCPRD project manager from the Planning and Development Department; and
- f. One member of the PAC as a non-voting liaison.

Members of the Public Art Committee are not eligible to serve on Artist Selection Panel, except in a non-voting liaison capacity.

An ASC convenes only as long as the selection process for one project continues. The ASC is not convened to select artists for multiple projects; a separate ASC is organized for each project, though individual ASC members may serve on more than one ASC.

3. **JCPRD Board Approval.** All art work must receive approval by a majority vote of the Board of Park and Recreation Commissioners following the recommendation of the Public Art Committee.
4. **Ownership.** All art objects acquired pursuant to this Resolution shall be acquired in the name of JCPRD and title shall vest in.

VI. COLLECTION PRACTICES

A. Establishing the Collection

The Culture Division staff shall inventory the existing works of art owned by JCPRD. All new works of art and/or art projects acquired or commissioned under the Public Art Program shall automatically be accessioned to the collection and added to this inventory. The inventory shall be managed and maintained in a manner consistent with established policies and procedures.

B. Accessioning of Art Work

1. Art Donation/Loan Procedures

At the request of the JCPRD Board, the JCPRD Public Art Committee will advise on proposed donations of artwork or donated funds designated for the creation of a piece of art intended for public display. Requests for commissioning a work of art shall conform with JCPRD's Donation Policy. Selection and placement of a work of public art may occur through a donation to the Johnson County Park & Recreation District (JCPRD), or through a donation to The Parks and Recreation Foundation of Johnson County.

To increase the visual and artistic quality of the community, JCPRD will occasionally display art loaned by artists, institutions or organizations. This allows the art displayed within JCPRD to remain fresh and enables a larger number of artists to participate in the program at little cost to the County. The PAC accepts only those works that will, in its discretion, further the goals of the PAC.

No donations or loans shall be accepted without prior review of a donation/loan application submitted by the donor. Donation/loan applications shall be submitted to the JCPRD Public Art

Committee (PAC) for review. The PAC shall review all applications and may choose to accept or refuse the donation.

It is the responsibility of the donor to provide in the donation/loan application sufficient detail to allow for thorough (i) artwork review, (ii) site selection and site review, (iii) artist qualifications review and (iv) installation procedures review. Arrangements should be made to identify a designated site for viewing by the PAC. The PAC may recommend a permanent location for the donated artwork if none was suggested in the application or if the suggested site is unacceptable in the site review process.

The donation/loan application will be evaluated under the criteria listed in this document. The review may also allow for receiving public comment on review criteria. The PAC may recommend to the donor amendments to the artwork. The donor may make such amendments as part of the review process.

Upon completion of the review, the donation/loan application is voted on by the PAC and if in the affirmative, it is sent on to the JCPRD Board with (i) a recommendation from the PAC to accept the donation (ii) a legal contract between JCPRD and the Donor to be executed. A Budget Plan, if necessary, should accompany this contract.

If the donation/loan is accepted by vote of the JCPRD Board, the Superintendent of Culture will work with the donor and/or artist to monitor the progress and to help ensure timely and faithful execution of the contract. The Superintendent of Culture will also facilitate communication regarding the art' installation to the contact person listed on any donated art proposal, to the JCPRD Board, and to the Marketing & Communications Department for promotion to area media.

The process may include a dedication and recognition of all whose efforts contributed significantly to the project.

The donation/loan agreement shall define the terms of the donation/loan, including but not limited to:

- a. The display, relocation, and storage of donated or loaned artwork;
- b. The insurance of artwork from theft, damage or destruction;
- c. The determination of whether artwork which has been damaged or destroyed shall be replaced, rehabilitated, or repaired;
- d. The ownership of and/or rights to the artwork.

In the case of donated artwork which has been accessioned into JCPRD's collection, JCPRD shall have sole discretion on matters related to the de-accessioning of such pieces. JCPRD reserves the right to sell donated art pieces, as allowed by policy, with all proceeds restricted to the support of the JCPRD Public Art Program.

Works of art, whether proposed for acquisition or donation, which are subject to any form of restriction or condition for its use, display, ownership, or preservation will not be accepted for accessioning unless recommended by the PAC and expressly approved by unanimous decision of the JCPRD Board. The JCPRD Board reserves the right to reject any art work that has such conditions or restrictions.

C. De-Accessioning of Art Work

The PAC shall develop criteria for consideration in de-accessioning a work of art from the JCPRD collection. The PAC will recommend de-accessioning to the JCPRD Board and, upon the JCPRD Board's approval, shall direct the Superintendent of Culture to withdraw the artwork from the public art collection. De-accessioning will be considered only after a careful and impartial evaluation of the artwork within the context of the collection as a whole.

Any work of art which is de-accessioned from the collection shall be disposed of in a manner consistent with JCPRD procedures; provided, however, when possible, the artist of the work shall be notified, and the artist's interests shall be considered as a factor in the disposal. JCPRD reserves the right to sell art pieces, as allowed by policy. All proceeds from such sales will be restricted to support the Public Art Program.

APPENDIX I

Donation/Loan Proposal Requirements

1. Donation or Loan Application
2. Information Package that allows full understanding of the nature of the artwork including:
 - Artwork description
 - Conceptual drawings
 - Artist's renderings
 - Technical construction drawings (as appropriate, to allow evaluation)
 - Sample material(s)
 - Site plan to scale
 - Representational illustrations or photographs of the artwork or scale model of the completed work on its proposed site
3. Budget Plan to include funding plan, anticipated installation costs.
4. Recommended detailed maintenance plan and long-term maintenance costs including materials and frequency.
5. Expected life span.
6. Description of the installation procedures.
7. The artist's curriculum vita and portfolio that includes slides, photographs and, if available, independent reviews of past work.
8. Any other pertinent materials that will assist JCPRD in the evaluation of the donation.