

PUBLIC ART AND DESIGN GUIDELINES

PINELLAS COUNTY ARTS COUNCIL

1.0 PURPOSE.

These guidelines have been developed by the Public Art and Design Committee for the purpose of establishing procedures for implementing the public art and design program recommended in the Public Art Master Plan and adopted as Ordinance No. 01-11, passed by the Board of County Commissioners on February 8, 2000.

2.0 GOALS.

The primary goals of the public art program are to create a better visual environment for the citizens of Pinellas County, to integrate the design work of artists into the development of County public works projects, and to promote tourism and economic vitality of the County through the enhancement of public spaces. Specifically, the public art and design program seeks:

- 2.1 To implement the goals of the overall County capital improvement program through the incorporation of the art and design skills of artists.
- 2.2 To further the mission and goals of Pinellas County by providing support and development opportunities for visual artists.
- 2.3 To select artists for projects whose art and collaborative design efforts represent the highest level of quality and integrity.
- 2.4 To develop the public art components of capital improvement projects suitable to the particular demands of each project.
- 2.5 To select artists who will best respond to the distinctive characteristics of the project site and the community the facility serves.
- 2.6 To select artists who can work successfully as members of the overall project design teams.
- 2.7 To identify and develop participation by Pinellas-based and central Florida artists in Pinellas public art and design projects.

3.0 DEFINITIONS

- 3.1 **Public Art and Design Plan** means a prioritized list of public art projects, with budgets and recommended design approach, updated on an annual basis by the Public Art and Design Committee in consultation with the Pinellas County Arts Council staff and County agencies anticipating capital improvement projects. This Plan will be approved by the Arts Council and presented annually to the Board of County Commissioners.

- 3.2 **Artwork** means works in a variety of media produced by professional visual artists. The public art program should encompass the broadest possible range of expression, media and materials. Works may be permanent or temporary, functional or non-functional.
- 3.3 **Artist Design Services** means professional services by visual artists to develop designs for artworks or other architectural, landscape or urban design elements, either individually or as a member of a project design team.
- 3.4 **Public Art and Design Committee** means a qualified citizen committee appointed by the Pinellas County Arts Council to oversee the County's public art program. This Committee shall be responsible for reviewing and approving the annual Public Art and Design Plan, ensuring the quality of the artworks created under the program, and reviewing the budgets and scopes of individual public art projects. The Committee shall be advisory to the Arts Council and shall be chaired by a member of the Arts Council. The Committee should be comprised of artists, arts professionals, architects, designers, collectors and other persons who are qualified to oversee a public art program. The Committee shall be comprised of at least five and no more than seven persons who shall serve staggered two-year terms. No member of the Committee shall serve more than two consecutive full terms, plus any partial term to which the member may be appointed. Public Art and Design Committee members shall serve without compensation.
- 3.5 **Public Art Trust Fund** means a separate capital fund that is established by the County to receive moneys, which are appropriated to the public art program.
- 3.6 **Acquisition** means the inclusion of an artwork in the permanent County Art Collection, whether by means of commissioning, purchase, gift or any other means.
- 3.7 **Accessioning** means the steps taken by the Arts Council to designate and record an artwork as part of the County Art Collection.
- 3.8 **Deaccessioning** means the removal of an artwork from permanent display, whether it is disposed of by the County or not.
- 3.9 **Professional Visual Artist** means a person who has established a reputation of artistic excellence, as judged by peers, through a record of exhibitions, public commissions, sale of works or educational attainment.

4.0 FUNDING

4.1 Development of Annual Public Art and Design Plan.

4.1.1 The Arts Council staff shall review with the Office of Management and Budget (OMB) all planned capital improvement projects (CIP) to determine which projects are eligible for public art allocations into the Public Art Trust Fund. In general, projects should be identified as early as possible, prior to appropriation by the Board of County Commissioners and, whenever possible, prior to the selection of the project architect.

4.1.2 The OMB shall make the public art calculation for all eligible CIP projects, in

consultation with Arts Council staff.

- 4.1.3 The Arts Council staff shall review, with the OMB and the staff of various County Departments, the projected capital project allocations and shall confirm that appropriations for art have been made and moneys transferred into the Public Art Trust Fund. Normally this transfer will take place at the time that the Board of County Commissioners authorizes expenditure of funds for a given capital project.
- 4.1.4 The Arts Council staff shall present upcoming capital projects to the Public Art and Design Committee which will, on an annual basis, review and approve the Public Art and Design Plan. This plan shall include the proposed art projects, art budgets, specific approach to art in each of the projects, and method of artist selection process.
- 4.1.5 The annual Public Art and Design Plan shall be presented to the Arts Council for review, modification, adoption and transmittal to the Board of County Commissioners.
- 4.1.6 The Arts Council shall present the annual Public Art and Design Plan for review and comment to the Board of County Commissioners. This presentation shall take place consistent with the schedule for adoption of the County capital budget each year.
- 4.1.7 The Arts Council may, from time to time during the course of the year, modify the Public Art and Design Plan. The Board of County Commissioners shall review any significant proposed changes in sites or dollar allocations in the approved Public Art and Design Plan.

4.2 Use of Funds

4.2.1 Inclusions

- a) Funds from eligible construction projects shall be allocated within the Public Art Trust Fund for artist design services and the acquisition or commissioning of artworks for the County Art Collection. Moneys in this category may be expended for artist design fees, proposals/drawings/maquettes, artist and selection panel travel expenses, artwork purchase/commissioning/ acquisition, artwork fabrication or materials, shipping and crating, insurance, architect or other designer fees if the project is a collaboration, engineering fees, installation or placement of artworks, site preparation, framing, exhibition or display of artworks, or other purposes deemed necessary by the Arts Council for the implementation of the program.
- b) It is the policy of the Arts Council that the County will contract with, and make payments to artists, rather than galleries or artist agents (unless acquisition is the work of an artist who is deceased).

4.2.2 Eligible Artworks.

It is the policy of the Arts Council that all artworks commissioned or acquired under the public art program be designed by professional visual artists. Such artworks may include, but are not limited to, the following:

- a) Sculpture: freestanding, wall supported or suspended; kinetic, electronic; in any material or combination of materials.
- b) Murals or portable paintings: in any material or variety of materials, with or without collage or the addition of non-traditional materials or means.
- c) Earthworks, water-features, fiberworks, neon, artistic lighting, glass, mosaics, photographs, prints, calligraphy, any combination of forms of media including sound, literary elements, film, holographic images, and video systems; hybrids of any media and new genres.
- d) Furnishings or fixtures, including but not limited to gates, railings, streetlights, signage, seating, if created by artists as unique elements or limited editions.
- e) Artistic or aesthetic elements of the overall architecture or landscape design if created by an artist or a design team that includes a visual artist.
- f) Temporary artworks or installations, if such artworks serve the purpose of providing community and/or educational outreach purposes.
- g) The incremental costs of infrastructure elements, such as soundwalls, utility structures, roadway elements and other items if designed by an artist or design team that included an artist as a co-designer.

4.2.3 Ineligible Artworks.

- a) Art objects which are mass produced or of standard manufacture, such as playground equipment, fountains or statuary elements, unless incorporated into an artwork by a project artist.
- b) Reproductions, by mechanical or other means, of original works of art, except in the cases of film, video, photography, printmaking or other media arts.
- c) Decorative, ornamental, architectural or functional elements which are designed by the building architect, as opposed to elements created by an artist commissioned for that purpose.
- d) Landscape architecture and landscape gardening except where these elements are designed by a professional visual artist and/or are an integral part of the artwork by the artist.
- e) Services or utilities necessary to operate and maintain an artwork over time.

5.0 RESPONSIBILITIES.

5.1 The Board of County Commissioners shall:

- 5.1.1 Review and approve the annual Public Art and Design Plan presented by the Arts Council.
- 5.1.2 Appropriate moneys to the Public Art Trust Fund as part of the annual capital budgeting process.
- 5.1.3 Approve form contracts for various methods of purchase of design services and artworks.

5.2 The Pinellas County Arts Council shall:

- 5.2.1 Have overall responsibility for managing the program, including recommending rules, regulations, policies and guidelines, consistent with the public art ordinance, to the Board of County Commissioners.
- 5.2.2 Monitor the overall development of the County art program, including ensuring that Pinellas-based and regional artists are represented in the program and ensuring that the program is reflective of community diversity.
- 5.2.3 Assess and coordinate the care and maintenance of artworks, including the development of regular surveys of the condition of the collection.

- 5.2.4 Approve the annual Public Art and Design Plan based on staff and Public Art and Design Committee recommendations and present the plan to the Board of County Commissioners.
- 5.2.5 Appoint the members of the Public Art and Design Committee.
- 5.2.6 Review and approve the recommendations of artists from the artist selection panels, following Public Art and Design Committee review and recommend dollar amounts of contracts.
- 5.2.7 Review and approve proposed gifts and long-term loans of public art to the County (when the proposed loan or gift is valued in excess of \$25,000 based on a professional appraisal supplied by the donor), upon recommendation from the Public Art and Design Committee.
- 5.2.8 Oversee the process of deaccessioning artworks from the County art program.
- 5.2.9 Periodically review and recommend changes in the public art ordinance, policies, guidelines and procedures to the Board.

5.3 The Public Art and Design Committee shall:

- 5.3.1 Have overall responsibility for overseeing the program, including recommending rules, regulations, policies and guidelines, consistent with the public art ordinance, to the Arts Council Director and Board of County Commissioners.
- 5.3.2 Review and approve the annual Public Art and Design Plan, with budgets, approaches to art, selection processes and timelines for projects.
- 5.3.3 Oversee the development of, and review of, the maintenance survey of the condition of the County art collection.
- 5.3.4 Review proposed loans, donations and gifts of artworks to the County and long-term exhibitions on County-owned property and make recommendations to the Arts Council.
- 5.3.5 Develop a pool of artist selection panelists to be appointed to Public Art and Design Committees.

- 5.3.6 Review and recommend to the Arts Council the results of the artist selection panels. Should the Public Art and Design Committee not approve an artist selection, the Committee shall refer the matter back to the artist selection panel for further consideration. A written statement regarding why the matter has been referred back to the Panel shall accompany this referral. Should the Arts Council not approve an artist or artwork recommendation made by the Public Art and Design Committee, it shall refer the matter back to the Public Art and Design Committee for further consideration. The Public Art and Design Committee may alter its prior recommendation by a majority vote or it may reaffirm its prior recommendation by a two-thirds vote. In the event of a reaffirmation of the original recommendation by a two-thirds vote, the recommendation of the Public Art and Design Committee shall be final.
- 5.3.7 Periodically review and recommend changes in the public art ordinance, policies, guidelines and procedures to the Arts Council.
- 5.3.8 Monitor the overall development of the County art program, including ensuring that Pinellas-based and regional artists are represented in the program and ensuring that the program is reflective of community diversity.

5.4 The Public Art and Design Program Coordinator shall:

- 5.4.1 Develop and draft the annual Public Art and Design Plan, with budgets, approaches to art, selection processes and timelines for projects.
- 5.4.2 Develop and draft public art project scopes based on the annual Public Art and Design Plan and the charge from the Public Art and Design Committee. Considerations for projects such as project site, medium/media, scope of project, method of artist selection, and other relevant considerations will be based on input from the Public Art and Design Committee, and when appropriate, County project funding departments (project managers and architects), and project design professionals (architects, landscape architects, engineers).
- 5.4.3 Have overall responsibility for implementing the program, including enacting and recommending rules, regulations, policies and guidelines, consistent with the public art ordinance, to the Arts Council Director and Board of County Commissioners.
- 5.4.4 Oversee maintenance of artworks, including the development of regular surveys of the condition of the collection.
- 5.4.5 Oversee the process of deaccessioning artworks from the County art program.
- 5.4.6 Periodically review and recommend changes in the public art ordinance, policies, guidelines and procedures to the Board.

5.5 The County Department with an eligible capital improvement project shall:

- 5.5.1 Provide the Arts Council with information on the capital improvement program, budgets and schedules.
- 5.5.2 Designate a departmental representative to participate in the artist selection process, when appropriate.
- 5.5.3 Provide contact information on the project architect of a capital improvement project to the Public Art and Design Coordinator. When appropriate, the project architect may be invited to help review the development of a public art project scope and the selection of the project artist.
- 5.5.4 Review the maintenance needs survey for public artworks owned by the Department. Financially contribute to implementing periodic maintenance needs including maintenance costs that may arise from vandalism or other unforeseen circumstances.

5.6 The Artist Selection Panel shall:

- 5.6.1 Be composed in most cases of at least five voting members including one member of the Public Art and Design Committee, two artists or arts professionals (designer, curator, collector, public art administrator, etc.), one representative from the County Department at which the project will be located and one representative from the community. The artist selection panel may also include one or more non-voting advisors deemed appropriate by the Public Art and Design Committee or the Arts Council staff. The composition of each Artist Selection Panel will depend on the nature of each project and site. When the art budget for a project exceeds \$100,000, one panelist may be a nationally recognized public artist or public art professional.
- 5.6.2 Be chaired by an Arts Council member or Public Art and Design Committee member.
- 5.6.3 Review the credentials, prior work, proposals and other materials submitted by artists for the project.
- 5.6.4 Recommend to the Public Art and Design Committee an artist or artists to be commissioned for the project, or who will be engaged to join the design team for the project, or whose existing work is to be purchased for the project.
- 5.6.5 Report Artist Selection Panel recommendations to the Public Art and Design Committee, outlining how the selection of the artist(s) was conducted and how the proposed artwork meets the criteria for the project.
- 5.6.6 Be sensitive to the public nature of the project and the necessity for cultural diversity in the public art program.

5.7 The Artist(s) shall:

- 5.7.1 Submit credentials, visuals, proposals and/or project materials as directed for consideration by the artist selection panel.
- 5.7.2 Conduct necessary research, including attending project orientations and touring project sites, when possible.
- 5.7.3 If selected, execute and complete the artwork or design work, or transfer title of an existing artwork, in a timely and professional manner.
- 5.7.4 Work closely with the project manager and/or other design professionals associated with the project.
- 5.7.5 Submit to the Public Art and Design Committee, or to the Arts Council, as appropriate, any significant changes in the scope of the project, color, material, siting or design of the approved artwork.
- 5.7.6 When appropriate (as defined within each project contract), make public presentations, conduct community education workshops, or do a residency at an appropriate time and forum in the community where the artwork will be placed.

5.8 Conflicts of Interest.

Artists (or members of their immediate families) serving as members of the Arts Council or the Public Art and Design Committee may not be commissioned under, or receive any direct financial benefit from, any County public art project during the term of their tenure on the Council or the Committee. This restriction shall extend for a period of one year following Council or Public Art and Design Committee membership and shall extend indefinitely for any specific projects which were reviewed or otherwise acted upon during the artist's membership on the Council or its Public Art and Design Committee. An artist serving on an Art Selection Panel may not be considered for that project, but may be eligible for other projects. Members of the Art Selection Panels shall declare any conflict of interest and abstain from voting if a conflict of interest arises.

6.0 SELECTION OF ARTISTS

Selecting the appropriate artist, whether to create a discreet artwork or to participate in a design collaboration, is the single most important decision in the public art process. Special care must be taken in all aspects of artist selection in order to ensure the best possible public art project, taking into account the goals of the project, the community served, the nature of the site, and the other members of the design team.

6.1 The Public Art and Design Committee will review eligibility Requirements for each project.

- 6.1.1 Artists will be selected on the basis of their qualifications as demonstrated by past work, appropriateness of the proposal to the particular project and its probability of successful completion.
- 6.1.2 Specifically excluded are artworks done by students under the supervision of art instructors or done to satisfy course requirements; artworks by the design architect (or other relevant professionals or members of the project design firm); artworks by County employees; and works by artists who are members of, or related to, staff or members of the Arts Council, the Public Art and Design Committee or the artist selection panel for the project.
- 6.1.3 In general, selection of artists will be without regard to race or gender of the artist.
- 6.1.4 Normally, selections will involve commissioned work by living artists. In general, the purchase of existing works will not be considered, unless there are extraordinary circumstances that make this approach advisable for a particular project.

6.2 Methods of Selecting Artists.

- 6.2.1 Direct Selection - artist(s) chosen directly by the artist selection panel. Generally, direct selection will not be employed except on those projects where an open or limited call for entries would be inappropriate or impractical, such as a very urgent project timeline or very specific project requirements.
- 6.2.2 Limited Competition - artists invited by the artist selection panel to submit

credentials or proposals.

6.2.3 Open Competition - any artist may submit credentials or proposals, subject to any requirements established by the artist selection panel or the Public Art and Design Committee. Calls for entries for open competitions will be sufficiently detailed to permit artists to determine whether their work is appropriate to the project under consideration.

6.2.4 Mixed Process - any combination of the above approaches.

6.3 Criteria for Selection of Artists or Artworks.

6.3.1 Quality - of highest priority are the design capabilities of the artist(s) and the inherent quality of the artwork(s).

6.3.2 Media - all forms of visual arts may be considered, subject to any requirements set by the artist selection panel or the Public Art and Design Committee.

6.3.3 Style - artworks of all schools, styles, and tastes should be considered for the County art program.

6.3.4 Nature - artworks should be appropriate in scale, material, form and content for the immediate social and physical environments with which they relate.

6.3.5 Permanence - consideration should be given to structural and surface integrity, permanence and protection of the artwork against theft, vandalism, weathering, excessive maintenance and repair costs.

6.3.6 Elements of design - consideration should be given to the fact that public art is a genre that is created in a public context and that must be judged by standards that embrace factors other than the aesthetic, including public participation, social and political attitudes, and functional considerations. Public art may also serve to establish focal points; terminate areas; modify, enhance or define specific spaces; establish identity; or address specific issues of urban design.

6.3.7 Public liability - artworks should be examined for unsafe conditions or factors that may bear on public liability.

6.3.8 Diversity - the Public Art Program should strive for diversity of style, scale and media. The program will also strive for an equitable distribution of artworks throughout the County, subject to sources of project funding.

6.4 The artist selection process and acquisition policies should ensure that the interests of all concerned parties are represented, including the public, the arts community and the County Department.

7.0 COUNTY ART COLLECTION REVIEW STANDARDS.

- 7.1 At least once in every five-year period, the County Art Collection should be evaluated by the Public Art and Design Committee or an independent agency, for the purposes of collection management and in order to assess the collection's future. The County shall retain the right to deaccession any work of art acquired by the County, regardless of the source of funding for the particular artwork.
- 7.2 A review process shall be established by the Public Art and Design Committee to meet the following objectives:
 - 7.2.1 Establish a regular procedure for evaluating artworks in the County Art Collection.
 - 7.2.2 Establish standards for the acquisition of artworks by the County.
 - 7.2.3 Ensure that deaccessioning of artworks is governed by careful procedures.
 - 7.2.4 Insulate the deaccessioning process from fluctuations in taste - whether on the part of the County, the Arts Council or the public.
- 7.3 A review process for acquisitions to the County Art Collection shall use the following criteria:
 - 7.3.1 Acquisitions should be directed toward artworks of the highest quality.
 - 7.3.2 Acquisition of artworks into the County Art Collection implies a commitment to the ongoing preservation, protection, maintenance, and display of the artworks for the public benefit.
 - 7.3.3 Acquisition of artworks, whatever the source of funding, should imply permanency within the County Art Collection, so long as the physical integrity, identity, and authenticity are retained, and so long as the physical sites for the artworks remain intact.
 - 7.3.4 In general, artworks should be acquired without legal or ethical restrictions as to future use and disposition, except with respect to copyrights and any other clearly defined residual rights that are incorporated into the contracts with the artist(s).
 - 7.3.5 A legal instrument of conveyance, transferring title of the artwork and clearly defining the rights and responsibilities of all parties should accompany all acquisitions. Complete accession records should be created and maintained for all artworks.
 - 7.3.6 Deaccessioning should be a seldom-employed action that operates with a strong presumption against removing artworks from the County Art Collection.
- 7.4 Artwork may be considered for review toward deaccessioning from the County Art Collection if one or more of the following conditions apply:

- 7.4.1 The site for the artwork has become inappropriate because the site is no longer accessible to the public or the physical site is to be destroyed or altered in a significant way.
- 7.4.2 The artwork is found to be fraudulent or not authentic.
- 7.4.3 The artwork possesses demonstrated faults of design or workmanship.
- 7.4.4 The artwork causes excessive or unreasonable maintenance.
- 7.4.5 The artwork is damaged irreparably, or to an extent where repair is unreasonable or impractical.
- 7.4.6 The artwork represents a physical threat to public safety.
- 7.4.7 A suitable place for display of the artwork no longer exists.
- 7.4.8 The artwork is not, or is rarely, displayed.
- 7.4.9 A written request for deaccessioning has been received from the artist.

8.0 PROPOSED GIFTS OR LOANS OF ARTWORK TO THE COUNTY.

- 8.1 A review process shall be established by the Public Art and Design Committee to meet the following objectives:
 - 8.1.1 Provide uniform procedures for the review and acceptance of gifts or loans of artworks to the County.
 - 8.1.2 Vest in a single County agency the responsibility for ensuring the management and maintenance of the County Art Collection.
 - 8.1.3 Facilitate planning for the placement of artworks on County-owned property.
 - 8.1.4 Maintain high artistic standards for artworks displayed in County facilities.
 - 8.1.5 Provide appropriate recognition for donors of artworks to the County.
- 8.2 This review process shall use the following criteria:
 - 8.2.1 Aesthetic considerations to ensure artworks of the highest quality, based on a detailed written proposal and concept drawings for the proposal, or photographs of an existing artwork, documentation of the artist's professional qualifications and a current certified appraisal of the value of the artwork.
 - 8.2.2 Financial considerations based on the cost of installation, sources of funding for the project, a maintenance agreement between the County and the donor, and the estimated cost of maintenance and repair over the

expected life of the artwork.

8.2.3 Liability associated with the artwork, based on the susceptibility of the artwork to damage and vandalism, potential danger to the public, and special insurance requirements.

8.2.4 Environmental considerations, based on the physical appropriateness of the artwork to the site and scale of the artwork.

8.3 Exceptions to the Review Process.

8.3.1 Proposed gifts of artworks, which have a current appraised value of less than \$25,000.

8.3.2 Gifts of state presented to the County of Pinellas by foreign governments or by other political jurisdictions of the United States - municipal, state or national - which may be accepted by the Board of County Commissioners or the County administration on behalf of the County shall be reviewed as follows: Permanent placement of artworks shall be determined jointly by the appropriate County Department and the Arts Council, subject to the approval of the Board of County Commissioners. Appropriate recognition and publicity shall be the responsibility of the County Agency or Department with jurisdiction over the site of permanent placement of the artwork(s). If not provided by the donor, maintenance of the artwork(s) shall be the responsibility of the Agency or Department with jurisdiction over the site, in consultation with the Arts Council.

8.3.3 Artwork(s) or exhibitions loaned for display on County-owned property for ninety (90) days or less shall not be subject to the standard review process. Review and approval shall be the responsibility of the County Agency or Department with jurisdiction over the site of the display or exhibition.

9.0 ACQUISITION OF ARTWORKS BY COUNTY DEPARTMENTS OUTSIDE THE PUBLIC ART PROCESS.

9.1 Recognizing that many County facilities were developed without a public art project, County Departments are encouraged to allocate non-public art funds to enhance their offices and facilities.

9.2 Since the Arts Council will have responsibility for managing and maintaining the Council collection, the Arts Council will be consulted by County Departments planning to acquire artworks with non-public art funds, if the value of the proposed artwork acquisitions exceeds \$10,000.

9.2.1 Proposed artwork acquisitions by County Departments will be reviewed by the Public Art and Design Committee and approved by the Arts Council.

9.2.2 Artwork proposals will be accompanied by the following information:

- 1) Slides, photos or a model of the proposed work.
- 2) Biography of the artist.
- 3) Proposed site and installation plans.
- 4) Cost of the artworks and budget for installation.
- 5) Maintenance requirements for the work.

9.2.3 Artworks proposed for long-term loan to a County Department shall be subject to Section 8.0 above.

9.2.4 Artworks for placement in non-public areas of County facilities shall not be subject to Arts Council review.

10.0 MAINTENANCE AND CONSERVATION OF COUNTY ART COLLECTION.

10.1 A review process shall be established by the Public Art and Design Committee to meet the following objectives:

10.1.1 To ensure regular maintenance of artworks in the County Art Collection to preserve them in the best possible condition.

10.1.2 To provide for the regular inspection for condition and location of artworks in the County Art Collection.

10.1.3 To establish a regular procedure for effecting necessary repairs to artworks in the County Art Collection.

10.2 Responsibilities.

10.2.1 Artist

- a) Within the terms of the contract, the artist shall guarantee and maintain the artwork against all defects of material or workmanship for a period of one (1) year following installation.
- b) Within the terms of the contract, the artist shall provide the Public Art and Design Committee with detailed drawings of the installation of the artwork and with detailed instructions regarding routine and extraordinary maintenance of the artwork.

- c) Within the terms of the contract, all repairs and restorations which are made to the artwork within the lifetime of the artist shall have the mutual agreement of the County and the artist, and to the extent practical, the artist shall be given the opportunity to accomplish such repairs at a reasonable fee.

10.2.2 County Departments.

- a) All routine maintenance and repairs of artworks (i.e., cleaning) shall be the responsibility of the County Department housing the artwork, in consultation with the Arts Council. Each County Department that houses the artworks shall notify the Arts Council whenever it believes an artwork requires attention.
- b) For all non-routine maintenance, County Departments shall not effect any cleaning, maintenance or repairs to artworks without the prior written authorization of the Arts Council.
- c) County Departments shall not move any artwork from the site for which it was selected and installed, nor remove any artwork from display, without the prior written authorization of the Arts Council.

10.2.3 Pinellas County Arts Council.

- a) The Arts Council shall be responsible for overseeing all maintenance, cleaning and curatorial services for the County Art Collection.
- b) The Arts Council shall provide for a survey, at least every five years, of the County Art Collection, including the present location and condition of each artwork and recommendations regarding needed maintenance and/or repairs. This survey shall be presented to the Board of County Commissioners for review and comment.
- c) Within procedures recommended by the Public Art and Design Committee, this regular inspection may be accomplished by the Arts Council staff, trained volunteers or by an outside firm or individual contracted to accomplish these services.
- d) The Public Art and Design Committee shall evaluate the Collection survey and report it to the Arts Council.

e) On the basis of the Collection survey, the Public Art and Design Committee shall, for those artworks needing attention, recommend: 1) that no action be taken; 2) that staff negotiate maintenance and repairs with the County Department housing the artwork; 3) that repairs be accomplished, in whole or in part, by a professional conservator; or 4) that the work be considered for de-accessioning.

f) Each County Department housing artwork shall, in consultation with the Arts Council, provide funds for routine maintenance of the artworks under their control, as part of the annual budget process.

g) It shall be each County Department/Division/Office's responsibility to assign a staff member to handle routine maintenance. This shall include, where appropriate, ensuring specifications for contracted specialized services (i.e., cleaning). This staff member shall consult with the Arts Council prior to any handling or maintenance to ascertain what procedures are required.

11.0 PROVISION FOR REVIEW AND AMENDMENT.

These guidelines are subject to periodic review and revision by the Public Art and Design Committee, Arts Council and the Board of County Commissioners.

POLICIES

PINELLAS COUNTY ARTS COUNCIL'S POLICY ON ARTIST'S RIGHTS

I. PURPOSE

The Pinellas County Arts Council has a goal to create a climate wherein artists will thrive and receive the same economic benefits of, and recognition for their work. For that reason, it is important that artists receive equitable compensation for their creative endeavors.

II. POLICY

The Pinellas County Arts Council strives to ensure the following rights to artists, which will be embodied in County contracts for the commissioning or purchase of works of art:

1. Recognizing that successful public art is generally inseparable from the site for which it is created, the County will not move or remove an artwork unless its site is destroyed or the use of the space has changed. Should it become necessary to move or remove an artwork, the County will make reasonable efforts to consult with the artist before effecting any removal or relocation. However, the County reserves the right to move or remove the artwork without notification in emergency situations where an immediate threat to property or public safety is present.
2. Recognizing the importance of preserving the integrity of an artwork, the County will not intentionally alter, modify or destroy an artwork. Nevertheless, if an artwork owned by the County is significantly altered, modified or destroyed, whether intentionally or unintentionally, the artist shall have the right to disclaim paternity or authorship of the artwork. Should an artist choose to exercise this disclaimer, the County shall, upon written request by the artist, remove any plaques, labels or other identifying materials that associate the work with the artist.
3. The integrity of an artwork also depends upon regular conservation and maintenance. The County commits to the periodic inspection of the artworks in the County Art Collection and to make reasonable efforts to ensure that each artwork is properly and professionally maintained.
4. The County agrees to make its best effort to accomplish repairs in accordance with any maintenance and repair instructions the artist has provided to the County at the time of acquisition. The County shall make reasonable efforts to notify the artist before undertaking repairs or restorations to the artwork, during the lifetime of the artist. When practical the artist will be consulted and given an opportunity to accomplish the repairs or restorations at a reasonable fee. The County reserves the right to make minor and/or emergency repairs without prior notification.

5. The artist retains all copyrights associated with artworks acquired by the County. The County agrees that it will not copy or reproduce the artwork in any way, or permit third parties to do so, without the prior written permission of the artist. Notwithstanding this policy, the County reserves the right to make photographs or other two-dimensional representations of the artwork for public, non-commercial purposes, such as catalogs, brochures and guides. Any commercial uses, such as images of the artist's work on T-shirts, coffee mugs, souvenirs or other items intended for sale, shall require the prior written permission of the artist.
6. Recognizing that many contemporary public artworks are manufactured by skilled craftsmen or other third party contractors, the County will make every effort to permit the artist to exercise quality control and supervision of the actual construction or fabrication of the artwork, if the artwork is being fabricated or manufactured under contract to the County.

PINELLAS COUNTY ARTS COUNCIL'S POLICY ON COMMUNITY OUTREACH

I. PURPOSE

The Pinellas County Arts Council recognizes that public art often takes forms that challenge public awareness. The long-term success or failure of the public art and design program may depend upon significant efforts on the part of the Arts Council to reach out to the public in the form of community outreach and public education programs. These efforts can create a context in which the citizens can better understand and appreciate the artworks.

II. POLICY

The Pinellas County Arts Council will commit to making meaningful community outreach and public education a part of every public art and design project. This will ensure that the citizens of Pinellas County have full access to the artworks created under this program. Possible activities might be:

- a) Efforts to raise the level of general awareness about public art, such as slide lectures or presentations to various community groups and service organizations; a regular program of media coverage; and periodic town hall meetings in Commission districts.
- b) Community involvement in the artist selection process; community representation on the artist selection panels; community co-sponsorship of public art and design projects; and public dedication ceremonies.
- c) More formal public education programs, including design competitions and design awards; sponsorship of public art lectures by local museums and galleries; guided tours of public art in the County; and periodic symposia on public art and urban design.

- d) A publication program that includes catalogs and guides to the County Art Collection and updates on the public art program through a regularly published newsletter.

**PINELLAS COUNTY ARTS COUNCIL'S
POLICY ON LOCAL VS. NON-LOCAL ARTISTS**

I. PURPOSE

The Pinellas County Arts Council recognizes that public art programs can serve more than one purpose. While the primary objective of a program is the enhancement of public spaces in Pinellas County for the general benefit of its citizens, a public art and design program can also be an important tool in developing the community of artists who reside in Pinellas County and the central Florida region.

II. POLICY

The Pinellas County Arts Council will seek a balance over time in the awarding of contracts for public art and design projects among Pinellas-based, Florida and national artists. Factors such as the size of the public art and design project, the level of visibility of the public site and the availability of outside funding, all may influence the decision on the part of the Arts Council to seek artists from a local, regional or national pool of artists.

Recognizing that it is difficult for Pinellas-based artists to participate in public art projects unless they have previous experience, the Pinellas County Arts Council will seek special opportunities to develop a growing pool of Pinellas-based artists with experience in public art.

Guidelines approved by Public Art and Design Committee: 7/12/01