



CIVIC ART POLICY

First Revision approved by the Los Angeles County Board of Supervisors on 11/18/08

Enriching Lives



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I. PURPOSE

Artistic and cultural resources are key to the overall quality of life of a community. Civic art contributes significantly to the economic vitality of a region by improving the quality of the environment and fostering a positive community identity. Historically, artists have helped shape the great civic projects of other eras, from the federal monuments of our capital to the community treasures of the Works Projects Administration. The creation of the Los Angeles County Civic Art Program will integrate the skills of artists into capital improvement and major development projects, enhancing Los Angeles County for those who live here now and contributing to the creation of a legacy for generations to come.

II. GOALS AND OBJECTIVES

The Civic Art Program has the following goals:

- To enhance the quality of life of the residents of Los Angeles County through the creation of an improved physical and cultural environment
- To provide leadership in the development of high quality civic spaces
- To expand the economic vitality of the County through increased property values and new cultural tourism opportunities
- To provide access to artistic experiences of the highest caliber for the residents of Los Angeles County
- To acknowledge the skills and creativity of artists which are the key to the success of such a program

Specific objectives include:

- To enhance the quality of selected County capital improvement projects through the incorporation of the skills of artists
- To encourage innovative approaches to civic art
- To integrate artists into the planning and design process at the earliest possible opportunity
- To ensure access and the equitable distribution of commissions between local, regional and national artists that are representative of diverse cultural backgrounds
- To provide the public with information about civic art projects

III. CIVIC ART POLICY

The Civic Art Policy mandates that Eligible County Capital Improvement Projects funded wholly or in part by the County, allocate 1% of Eligible Project Costs for the design, construction, integration, acquisition, delivery and conservation of Civic Art, unless otherwise ordered by the Board of Supervisors. The Civic Art Allocation will represent an amount equal to 1% of the cost of design services and construction costs of County capital projects that are:

- Authorized by the Board of Supervisors to proceed;
- Included in the County's Capital Projects/Refurbishments Budget;
- Included in the County's Capital Projects/Refurbishments Budget and transferred to the Community Development Commission (CDC) for execution;
- Not yet contracted with a lead design/engineering firm; or any

- Other County development or capital projects, as approved by the Board.

If use of all, or a portion, of a project's funding is prohibited by the funding source for the purposes of the Civic Art Program, the Civic Art Allocation will reflect only that portion of the funding that is eligible for application to the Civic Art Program. For capital projects over \$100 million in eligible funds, the Civic Art Allocation will not exceed \$1 million. This cap shall be reviewed by the Board of Supervisors every five years.

12% to 15% from the 1% Civic Art Allocation will be included in the Arts Commission's budget for contract project managers and other expenses associated with the administration of the Civic Art Program in accordance with the annual budget process. If the amount allocated for administration is less than or exceeds these percentages, justification based on the number of projects and anticipated workload will be provided to the Board of Supervisors. Administrative fees apply only to County capital project allocations and to other projects requiring Arts Commission project management. Approved projects paid for and managed by other entities (i.e., a donated work) are not subject to the administrative fee.

IV. IMPLEMENTATION OF CIVIC ART PROJECTS

An annual civic art plan and budget for each Supervisorial District will be developed by the Arts Commission in conjunction with the County's Capital Projects/Refurbishments plan and budget. The Arts Commission will work with the Board offices, the Chief Executive Office (CEO), Department of Public Works (DPW) and a representative from each department with upcoming capital improvement projects to develop this plan, which will be subject to the approval of the affected Board office. The plan will detail the civic art projects to be undertaken in the upcoming year, as well as any conservation projects, community outreach and public education efforts or other activities to be undertaken by the Program. This plan will also set priorities for use of the funds in future years. Once a civic art project has been included in the annual civic art plan and approved by the Board of Supervisors as part of the budget process, the civic art project is no longer discretionary and cannot be eliminated from the capital project of which it is part.

A Project Coordination Committee will be established at the beginning of each new civic art project and will have primary oversight of each civic art project, will participate in the project from artist selection through dedication, and work to ensure close coordination among departments.

The Project Coordination Committee, which will be chaired by the representative of the Supervisor in whose District the project is located, will meet to review and approve the following:

- *Artist selection.* Artists will be selected for each new civic art project through one of the methods outlined in *Procedures, Section 1.*
- *The artist's proposals at the conceptual and final design phases.* In some cases the conceptual design review may take place as part of the artist selection process. After comments are received at each phase, Arts Commission staff will work with the artist to refine the design. If the artist is not in agreement with the Committee's recommendations, Arts Commission staff will mediate discussions to arrive at a consensus among all parties. In each case, if revisions are called for, the revised conceptual or final design will be presented to the Project Coordination Committee for approval.

- *Any proposed alterations to the final design.* The artist's contract will contain language specifying that no change to the approved final design may take place without written permission.
- *Plans for the dedication and unveiling of the facility.* These include placement of appropriate informational signage at the project site, the inclusion of the artist and information regarding the artwork at any unveiling ceremonies or community outreach events associated with the dedication of the new facility.

All County departments will adhere to the roles and responsibilities detailed in Section VI.

The Civic Art Policies and Procedures will be reviewed and updated by the Board of Supervisors. Procedures which guide implementation of, and are in accordance with, the Civic Art Policy will be updated by the Arts Commission in collaboration with the CEO. Any changes to the Procedures will be included as part of the Annual Civic Art Report and Plan to the Board of Supervisors.

V. DEFINITIONS

Artist means a person who has established a reputation of artistic excellence in the visual, performing or literary arts, as judged by peers, through a record of exhibitions, public commissions, sale of works and/or educational attainment.

Arts Commission Project Manager is the lead staff person for each civic art project. The project manager is responsible for staffing the Project Coordination Committee, but does not vote on artist selection.

Civic Art means artistic and cultural facilities and amenities such as:

- Sculpture: Free standing, wall supported or suspended, kinetic, electronic or mechanical in material or combination of materials;
- Murals or portable paintings: In any materials or variety of materials, with or without collage or the addition of nontraditional materials and means;
- Earthworks, neon, glass, mosaics, photographs, prints, calligraphy, any combination of forms of media, including sound, film, holographic, and video systems, hybrids of any media and new genres;
- Standardized fixtures such as grates, street lights, signage, and other design enhancements, as are rendered by an artist for unique or limited editions;
- Exhibit/Performance Space: Public gallery/exhibition space, public performance spaces, public artistic studio spaces, and public art education facilities; and
- Similar facilities and amenities as determined by the Los Angeles County Arts Commission.

And will also include:

- Restoration or replication of original decorative ornament and civic art as part of the rehabilitation of historic, cultural and architectural landmarks;

As well as artistic and cultural services including:

- Performing Arts: Theatre, dance, music and performance art;

- Literary Art: Poetry readings and storytelling;
- Media Art: Film and video, screenings and installations;
- Education: Lectures, presentations and training in and about arts and culture;
- Special events: Parades, festivals and celebrations;
- Similar arts services as approved by the Los Angeles County Arts Commission.

Civic Art Committee is a committee of the Arts Commission made up of one Commissioner from each Supervisorial District.

Civic Art Plan means an annual work plan and budget for civic art for each Supervisorial District to be developed as part of the annual budget process. The plan will detail new and ongoing civic art projects, conservation projects, public education and other activities to be undertaken during the upcoming year, and will be subject to approval by the Board of Supervisors. This plan will also set priorities for use of the funds in future years.

Civic Art Project Costs:

- **Allowable Civic Art Project Costs for Artwork:** The artwork portion of the 1% Civic Art Allocation may be used to fund the following expenditures: purchase or design and fabrication of civic art, fees and travel expenses for artist services, transportation and installation of civic art, conservation, insurance, identification plaques, community workshops and other reasonable expenses associated with the initiation, development and completion of civic art projects. Fees paid to a limited number of artist finalists for development of concept ideas or concept designs as part of the selection process are allowable. All work products submitted by artists to the County during the selection process will become the property of the County. Fees and related expenses paid to finalists are deducted from project's art budget.
- **Allowable Civic Art Administrative Costs:** The Administrative portion of the 1% Civic Art Allocation may be used to fund the following expenditures: administration and project management by the Arts Commission, panelist fees, and other reasonable expenses associated with the initiation, development, completion, public education, public information and conservation of civic art projects.
- **Ineligible Civic Art Project Costs:** Civic Art Allocations shall not be expended for directional elements, signage, mass produced objects, reproductions, or for architectural elements, landscape architecture or gardening except as they relate directly to an artist's concept for a civic art project.

Eligible County Capital Project means any new building or facility, and any expansion or refurbishment of an existing facility or system, paid for wholly, or in part, by funds appropriated by the County or by any other public entity for which the Board is the governing body, with the exception of:

- New or refurbishments projects with Eligible Project Costs of less than \$500,000,
- Open space acquisition,
- Streets,
- Underground projects,
- Portable trailers,
- Technical equipment or structures acquired at a set price through a purchase order,
- Flood control channels, and
- Airport runways, paving, and lighting.

Eligible Project Costs used to calculate the Civic Art Allocation means the estimated cost of design services and construction at the time of adoption of the facility program on Eligible County Capital Projects.

Project Coordination Committee is a committee established at the beginning of each new civic art project that will have primary oversight of each civic art project, will participate in the project from artist selection through dedication, and will work to ensure close coordination among departments. The project coordination committee will be composed of:

- A representative of the County Supervisor in whose District the project is located,
- A representative of the CEO,
- A representative of the Department of Public Works if DPW is providing project management,
- A representative of the tenant department(s),
- An Arts Commissioner in whose District the project is located, if available, or an arts professional from the District,
- The project architect,
- A community member identified by either the Board office or the Arts Commission, and
- The Arts Commission's project manager.

Refurbishment means the reconfiguration of a facility or system or a portion of a facility or system that is included in the County's Capital Project/Refurbishment Project Budget which does not increase the facilities gross square footage. For the purposes of this policy, refurbishment projects do not include repairs, maintenance, or installation or replacement of building systems, or furniture.

VI. ROLES AND RESPONSIBILITIES OF COUNTY DEPARTMENTS

This section is intended to serve as a guide for all County entities involved in the delivery of the County Civic Art program. These roles and responsibilities will foster clear communication and effective implementation of the program.

Los Angeles County Arts Commission

- A. Adopt policies and procedures regarding implementation of the Civic Art Program and obtain CEO concurrence for policies and procedures that impact the County's capital program.
- B. Provide oversight and coordination for all aspects of the Civic Art Program and its projects in conjunction with the CEO, DPW and other County departments.
- C. Develop and carry out civic art projects in conjunction with the capital project programming and design schedule. Mutually cooperate with the CEO and DPW to determine when civic art projects are launched.
- D. Administer the Civic Art Program, including the development and presentation of budgetary recommendations regarding staffing costs, consultant costs, and other reasonable expenses associated with the administration of the Civic Art Program.
- E. Approve the acceptance of gifts, long-term loans of artwork, and loans of County-owned artwork to other organizations or institutions, based on recommendations

of the Arts Commission's Civic Art Committee. This will not apply to any County art institution with a governing body established to approve such purchases, gifts or loans.

- F. Convene Project Coordination Committee meetings, provide regular updates to the Committee throughout the course of the project and document key decisions and approvals.
- G. Negotiate and administer contracts with artists and other vendors, and approve invoices and other payments arising out of these contracts.
- H. Advise the CEO of upcoming contracts that will be encumbered in the Capital Projects budget.
- I. Within the Civic Art Special Fund, create District and Departmental Civic Art Accounts for each tenant department of an Eligible County Capital Project and ensure that transferred Civic Art Allocations are placed in the respective Departmental Civic Art Account. Each District will have the option of creating a sub-account to bank funds for a specific long-range project.
- J. Assist DPW in the resolution of any issues or differences regarding the project art component and review and approve all plans and bid documents as they pertain to the implementation of the Civic Art Program.
- K. Work with the CEO and DPW to develop methodologies for integrating civic art into the design/build process.
- L. Convene and facilitate public meetings, in conjunction with tenant departments, as needed for the implementation of the Civic Art Program and/or specific projects, and provide feedback from meetings to DPW.
- M. Guide maintenance and conservation components of the Civic Art Program, in conjunction with the CEO and tenant departments.
- N. Document and archive Civic Art Projects as appropriate, including, but not limited to, contracts, construction drawings, maintenance manuals and visual documentation.
- O. Develop, and update at least once every five years, a County Civic Art inventory, along with an assessment of the condition of each work and a plan for conservation and repair, if applicable.
- P. Establish a Civic Art Committee, made up of one Commissioner from each District, to:
 - Advise and provide recommendations to the Arts Commission on Civic Art Program policies, procedures and the annual civic art plan.
 - Approve artist selection panelists and lists of pre-qualified artists, ensuring equal access for project consideration to all qualified artists.
 - Designate a member to serve on the Project Coordination Committee for each project.

- The Director of the Civic Art Program will staff this committee and participate as an ex officio member.
- Q. Recommend revisions in the Civic Art Policy every five years or more frequently to the Board of Supervisors.

Chief Executive Office

- A. Inform Arts Commission staff of new capital or refurbishment projects at the conclusion of the programming phase to allow for adequate review and planning to determine which projects might benefit from the inclusion of civic art and to ensure that Civic Art Projects are fully integrated into the Capital Project process beginning in the design phase.
- B. Work with Arts Commission staff and DPW to determine the applicability of civic art to proposed capital or refurbishment projects and in developing the annual Civic Art Plan.
- C. Provide Arts Commission staff with a copy of all capital project related Board Letters with any reference to civic art policy applicability or specific allocations two weeks prior to Board meeting date.
- D. Calculate and present proposed civic art allocations for each capital project throughout the year as new projects are considered.
- E. Transfer Civic Art Allocations to the Civic Art Special Fund along with other capital project budget transfers during the major budget actions throughout the fiscal year (Proposed, Supplemental, Mid-Year and Final) or more frequently.
- F. Review monthly Civic Art Special Fund encumbrance and expenditure reports from the Arts Commission.
- G. Advise Arts Commission staff of any Board actions, ordinances, resolutions, regulations or limitation on funding sources that may affect a specific project.
- H. Designate a representative to serve on the Project Coordination Committee.

Department of Public Works

These responsibilities will also apply to any department that has its own construction project managers and does not use a DPW project manager.

- A. Coordinate the integration and delivery of civic art components in capital or refurbishment projects with the Arts Commission project manager, ensuring that selected artists are fully integrated into the project design process for all capital or refurbishment projects with a civic art component.
- B. Work with Arts Commission staff and the CEO in determining the applicability of civic art to proposed capital improvement projects.
- C. Notify the Arts Commission in writing of all capital projects whose programming phase has completed. Include in the written notification an estimate of the Civic

Art Allocation or notice that the project is exempt from the allocation with indication of reason for exemption.

- D. At the beginning of each project's design phase, with the tenant department representative, brief the artist(s) on the project's goals, opportunities and constraints.
- E. With the Arts Commission project manager, establish a timeline for the development of the civic art component that is consistent with the capital improvement project's timeline. The timeline will identify specific milestones for review and set the requirements for completion of the successive stages of conceptual design, final design, fabrication and installation.
- F. Provide the Arts Commission project manager with art component submittals at all phases for review and approval.
- G. With assistance of the Arts Commission project manager, resolve differences that may arise regarding project art components. Refer differences that cannot be resolved to CEO.
- H. Designate a representative to serve on the Project Coordination Committee.

Departments, Agencies or Authorities

- A. Work with Arts Commission staff in determining the applicability of civic art to proposed capital or refurbishment projects.
- B. At the beginning of each project's design phase, the tenant department representative, along with the DPW project manager, will brief the artist on the project's goals, opportunities and constraints.
- C. Coordinate with Arts Commission staff to ensure appropriate outreach to any advisory groups, neighborhood groups or others that may be impacted by or be interested in the development of a specific project.
- D. Assist in the resolution of differences regarding the civic art component as appropriate.
- E. Work with Arts Commission staff and individual artists to develop artwork maintenance plans for all department owned civic art, and integrate the maintenance of art within the department or agency's annual operating budget.
- F. Designate a representative to serve on the Project Coordination Committee for each departmental civic art project.
- G. Departments, Agencies or Authorities who manage their own capital projects shall notify the Arts Commission and CEO, in writing, of all capital projects whose programming phase has completed. An estimate of the potential civic art allocation shall be included in the notice.
- H. Prior to submittal of Board Letter authorizing the transfer of an eligible capital project to the CDC for execution of the capital project, the CDC will work with the Arts Commission to include authorization to transfer the project's Civic Art

Allocation to the Civic Art Special Fund so that the Arts Commission can carry out a civic art project for the capital project in cooperation with the CDC.