



*Farewell to Fanny by Keri King
16 Exchange Street
Photo by Erin Smithers*

CITY OF PAWTUCKET PUBLIC ART STRATEGIC PLAN

ADOPTED BY THE CITY COUNCIL ON
MONTH DAY, YEAR

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PAWTUCKET PUBLIC ART PROGRAM

The arts play a major role in the City of Pawtucket's evolution from historic industrial city to a city with a 21st century identity. Pawtucket is well known as the home to a wide variety of artists, designers, creative small businesses, nonprofit arts/cultural organizations, and cultural resources. Recognizing the importance of showcasing the vibrant creative character of the community, city leaders initiated the Pawtucket Public Art Program.

In 2017 the Pawtucket Public Art Program was created by recommendation of Mayor Donald R. Grebien and authorized by the Pawtucket City Council. The Public Art Program is managed by the Pawtucket Public Art Committee (a committee of the Pawtucket Advisory Commission on Arts and Cultural) and administered by the Pawtucket Department of Planning and Redevelopment through open and fair practices. The Pawtucket Public Art Committee is guided by the following Pawtucket Public Art Strategic Plan and Policies.

MISSION: The Mission of the Pawtucket Public Art Program is to reflect the city's identity, improve the quality of life for residents and visitors, stimulate city pride, attract economic development, and to engage artists and the community in the life of the city by acquiring and maintaining high-quality public art that is funded partially or fully with public monies and/or located on public property.

1. **CITY IDENTITY** – Pawtucket's identity as a haven for the arts builds on its history and the opportunities presented by the abundance of former mill buildings that have been, and will continue to be, repurposed for live-work studios, exhibition and performing spaces, creative start-up work spaces, and where visual and performing artists and arts organizations with local, national, and international reputations bring attention to Pawtucket. Public Art displayed throughout the city reinforces that identity in a very visible and public way.
2. **QUALITY OF LIFE** – Public art improves the quality of life for the community by making the city more visually vibrant, attractive, and interesting and by providing residents and visitors with meaningful visual diversions from the routine of everyday life.
3. **CIVIC PRIDE** – Public art stimulates civic pride by reflecting the values, history, identity and diversity of our city. Civic pride also comes about by engaging members of the community in the planning and selection phases of public art projects.
4. **ECONOMIC STIMULUS** – Public art provides economic benefits by attracting developers, new residents, businesses, and tourists who value a stimulating cultural climate. There are many documented examples of how the arts have improved the economies of communities throughout the country.
5. **ART & COMMUNITY ENGAGEMENT** – Public art engages artists in the life of the city by sending a message to artists, designers, and other creative individuals that their artistic endeavors are valued. Strengthening the relationship between the art and public sector can lead to engaging artists in civic activities, such as helping to solve community problems by thinking creatively, something that artists practice and hone daily.

PAWTUCKET PUBLIC ART STRATEGIC PLAN

The City of Pawtucket Public Art Strategic Plan provides a guide for the Pawtucket Public Art Committee as it works closely with city staff, contributing partners, and a diverse range of residents in the selection, acquisition, and maintenance of public art. This plan serves to outline regulatory and program management procedures in the selection of public art, as well as the City of Pawtucket Percent for Public Art Program. (Appendix F)

Public art in Pawtucket has the ability to elevate the quality of life of the community in a manner that is reflective of the city's diverse and entrepreneurial past while encouraging positive improvement moving forward. The Pawtucket Public Art Committee is committed to promoting Pawtucket as a world class artistic city that is welcoming to all who express interest in producing and appreciating artistic works. The Committee also aims to maintain a respectful working relationship with all professional artists and local residents who wish to participate in the Pawtucket Public Art Program.



Paint Your Own World
By: Lelia Byron

In this effort, it is critical for the City of Pawtucket to ensure that existing public art is well maintained, and to expand its collection in a manner that is transparent, reflects high-quality, is technically and financially feasible, and safe for all viewers.

The Pawtucket Public Art Strategic Plan calls for wide outreach to potential contributing artists, the equitable distribution of public art throughout the city, a diversity of mediums/materials used for works of public art, and the acquisition of artwork of the highest quality that is selected through a transparent process and effectively responds to the identity of the Pawtucket community. This plan also requires following accepted best practices in the field of public art. In addition to these fundamental priorities, the plan identifies six primary project types that may be either permanent or temporary in nature.

PROJECT CATEGORIES

Corridor & Amenity Projects – Works of art that are situated on or near public sidewalks, plazas, or parks that provide both aesthetic value and function. These amenities may not necessarily be commissioned for site specific locations.

Gateway Projects – Permanent or temporary art that is sited at key locations that serve as gateways into Pawtucket. These Gateways may include primary arterial roads, various bridges, bike trails, and pedestrian walking paths.

Major Works – Large, permanent works of art that are purchased or commissioned for site-specific locations in places that are highly visible to large populations of pedestrians and drivers. These significant and ambitious artworks will serve as iconic place-makers.

Neighborhood Artworks – Public art that is placed in Pawtucket’s various neighborhoods, specifically in locations where these communities regularly congregate or hold events.

Public Interior Spaces – Artwork that is displayed in public buildings such as schools, libraries, meeting rooms, hallways, entrances, service counters where the public has clear visibility of the artwork

Public Open Spaces Projects - Permanent or temporary public art that is sited in locations such as public parks, pocket parks, recreational and sports fields, playgrounds, school yards, gardens, waterfront landings and parking lots.

LOCATIONS AND PRIORITIES FOR PUBLIC ART

The siting and location of public art will be determined using the following criteria:

- Areas where artwork will be highly visible for both pedestrians, cyclists and/or those in vehicles
- Areas where artwork will not obstruct pedestrian and vehicle activity
- Areas where the artwork (and landscaping) can be easily maintained
- Areas where artwork will not be overwhelmed by the scale of surrounding architecture
- Areas where artwork will not be competing with commercial signage and other visual obstructions or distractions
- Areas that will not have any public safety or adverse impact
- Areas where artwork will enhance the pedestrian and streetscape experience

The selection of priority locations and/or projects will also consider the following factors that may bolster the feasibility and positive impact of public art:

- Funding sources and amount
- Coordination with city funded development projects
- Degree of neighborhood involvement
- Equitable distribution throughout the city
- Availability of appropriate sites

See Appendix E for a list of 2019 Public Art Locations and Priorities.

ADMINISTRATION

Pawtucket Department of Planning and Redevelopment

The City will be responsible for the proper maintenance, protection, and display of all artwork owned by the City. These activities will be conducted in accordance with any written instructions provided by the artist/donor at the time of delivery.

Responsibilities

1. Contract with artists for the purchase or commission of public art projects.

2. Oversee the installation of public art.
3. Exert reasonable efforts to protect the artwork from theft, vandalism, and other damages.
4. Maintain insurance policies providing for the theft or damage to the artwork when possible.
5. Ensure that artwork is available for public viewing in a respectful and appropriate manner.
6. Display signage identifying artist, title, year acquired, funding source, and inventory number.
7. Facilitate all public meetings relating to the selection of public art in accordance with state requirements

Pawtucket Public Art Committee

The Pawtucket Public Art Committee, a committee of the Advisory Commission on Arts and Culture, manages and makes recommendations to the Pawtucket Department of Planning and Redevelopment regarding the Pawtucket Public Art Program and advises on all other public art projects for the City.

The Public Art Committee shall be comprised of five members appointed by the Mayor with confirmation by the City Council, who shall serve without compensation. One member shall be from the Advisory Commission on Arts and Culture; one member shall be from the Pawtucket Foundation; one member shall be an artist or member of an art organization; one member shall be an architect, designer or landscape architect; one member shall be a member of the community who lives, works and/or owns a business in Pawtucket.

Term of Office

Each Committee member shall serve a three-year term, except that the original five committee members will have staggered terms, one member for one year, two members for two years and two members for three years. All future appointments will serve three-year terms.

Appointment

The Committee and members of the community at large shall be invited to submit nominations to the Mayor for any upcoming appointments.

Responsibilities:

1. In coordination with the Pawtucket Department of Planning and Redevelopment, conduct periodic reviews, at least annually, of all city sponsored or subsidized capital improvement projects with appropriate city department heads or designees.
2. Recommend a set geography for the placement of prioritized works of art within the city, and specific locations for individual artworks.
3. Recommend the scope of work, theme and the specific allocation and/or amount to be expended for the works of art.
4. Direct outreach to encourage Rhode Island artists to submit applications to all calls for art.
5. Select and appoint selection panels to review and recommend each work of art to be acquired and placed on public property.
6. Recommend rules and responsibilities in a formal contractual agreement with each artist.
7. Recommend standards and requirements for artists with respect to the installation and maintenance of the works of art.
8. Recommend, as needed, contracting with professionals to carry out certain aspects of its responsibilities, provided that all administrative expenses paid from the Public Art Fund will be limited to \$5,000 per fiscal year unless otherwise authorized by the City Council's Finance Committee.

9. Manage the process of commissioning and acquiring public art for the City following the recommendations of Public Art Network's *Best Practice Goals and Guidelines*.
10. Ensure artists rights at all times.
11. Serve as resource, guide, and counsel to the City Council and City staff regarding all issues related to public art.
12. Ensure community input in the program for public art.
13. Maintain an inventory and a collection of records for all art owned by the City or on City property and monitor the condition of the artwork.
14. Coordinate with pertinent City departments, to manage repairs or restoration of artwork as needed.
15. Present an annual report to the Mayor reviewing activities in prior year and plans for the coming year.
16. Assure that artists' applications are considered without regard to political, ethnic, religious, gender or other orientation.
17. Work with the Mayor's office in publicizing Pawtucket's Public Art Program to ensure that the residents are informed of the sources of funding for public art and how the artwork/artists are selected.
18. Review and recommend to the Mayor any nominations to fill membership vacancies on the Public Arts Committee
19. Comply with all open meeting law requirements including the appointment of officers, public notice of agenda and meeting minutes, and voting procedures
20. Monitor the established Public Art Fund in coordination with the City Council Finance Committee and the Department of Planning and Redevelopment
21. The Public Art Committee will select a Chair, a Recording Secretary, and Financial Monitor who will serve two-year, renewable terms.
22. Create additional policies and guidelines as needed.



Wind Rotor, By: Donald Gerola

ACQUISITION OF PUBLIC ART

Works of art may be acquired through open competition, invitational competition, or gifts as long as the process is fair and transparent, meet the selection criteria, and are recommended by the Public Art Committee.

1. Funding for the acquisition of works of art must be approved by the City Council's Finance Committee before requests for qualification (RFQs) or calls for artwork are advertised. Although the acquisition of a work of art under \$2,000.00 is exempt from the City's required bidding process, the commitment to a process that is transparent and fair is overriding.
2. Works of art to be acquired for the Pawtucket Public Art Program shall be recommended to the Pawtucket Planning Department by the Public Art Committee based on the recommendations of a selection panel specifically chosen for each public art project. The Public Art Committee will solicit community input for consideration by the selection panel.

3. Once the final selection has been made, the artist will submit final designs and engineering drawings to the Pawtucket Planning Department along with a revised timetable.
4. The artist will fabricate and/or transport the artwork to the site and coordinate with the Department of Public Works as needed during the installation process.
5. The Planning Department will install an identification plaque with the artist's name, title of art, year, and funding sources in close proximity to the art.
6. At the completion of the artwork, the artist will submit a maintenance plan noting any structural supports.

Commissioned and Purchased Artwork

Selection Panel and Responsibilities

Artwork acquired with public funds will be reviewed and recommended by a Selection Panel appointed by the Pawtucket Public Art Committee. Each panel shall consist of a minimum of five and no more than seven voting members, to include: a member of the Public Art Committee, who shall serve as chair and a non-voting member of the panel, two artists, and one art professional with public art experience. The panel may also include an architect, landscape architect, designer or engineer associated with the construction or location for the artwork, or their designee, a representative of the city, as determined by the Mayor; a user of the project; or a member of the public.

Individuals may serve on several Selection Panels but not more than one per year. Efforts will be made to vary the make-up of the panels over time to ensure different aesthetic perspectives.

Selection Panel Responsibilities:

1. Review, evaluate, and discuss the credentials, proposals, and/or materials submitted by artists and donors, requiring additional information and discussion, as it deems necessary.
2. Consult with pertinent city departments regarding the feasibility, engineering, safety, and related matters of proposed public works of art.
3. Take into consideration feedback from the community.
4. Recommend preferred public art proposals accompanied by written selection criteria findings.
5. The Selection Panel shall not consider any proposal by a member of the Panel.
6. Selection Panel members will disclose close personal and professional relationships with applicants.
7. The Selection Panels will have the freedom to make decisions to recommend without political influence.

Selection Process

Commissioned Artwork

1. Once the Public Art Committee has defined the scope, theme and location for a project and has received approval for funding from the City Council's Finance Committee, a call for RFQ (Request for Qualifications) will be advertised as an open call or an invitational call to a group of pre-reviewed artists.
2. The Selection Panel will review artist qualifications and images of prior artwork to select finalists.

3. The finalists may then be asked to submit conceptual designs for a final review for which they will be compensated. The conceptual designs require a visual representation, a written description with materials, fabrication, site preparation, installation, and infrastructure needs cited. The artists will also submit a budget and timeline.
4. The Public Art Committee will inform the community and provide a means for public input.
5. The Selection Committee will make its final decision to the Public Art Committee with a written report of its recommendations.

Purchased Artwork

1. In the case of the purchase of existing art, a CFA (Call for Art) will be advertised that describes the type of art that will be considered.
2. The Selection Panel will review all submissions and make a recommendation based on established Selection Criteria (see below) and public input.

Publicly Funded Art Located on Private Property

Public funds may be utilized for the commission, maintenance, and installation of public art that is located on privately owned property in Pawtucket, provided that all acquisition and selection criteria requirements are followed as outlined above. The Public Art Committee and the private property owner shall establish a written agreement detailing the scope of public artwork, maintenance responsibilities, insurance, duration of public display, necessary access easements, and any other



site/art related specifications that may be required. This signed agreement may be recorded in the Pawtucket Land Evidence Record for future reference.

A private property owner that agrees to “host” public art that is partially or entirely funded by public monies will be provided with the opportunity to serve on the appointed Selection Panel for the project

in question if he or she so chooses. The property owner may alternatively select a designee to serve on the Selection Panel.

Gifts and Loans of Artwork

On an annual basis as needed, a Selection Panel consisting of three art professionals will review proposed gifts to the City. Recommendations to the Public Art Committee and the Department of Planning and Redevelopment will be made in consideration of the following factors:

1. Costs and sources of funding for installation, maintenance, and insurance for all works of art.
2. Artistic merit and consistency with the established Selection Criteria. (see below.)
3. Whether the artist has significance to the City.
4. Whether the artwork has significance to the City.
5. Whether there is an appropriate location for the artwork.

Criteria for Selecting Public Artwork

Artistic integrity and the highest quality of aesthetic experience will be the primary consideration in the selection of public art in Pawtucket. The following selection criteria shall apply during all review of public art proposals:

1. MEDIA: All visual art forms and materials will be considered consistent with the purpose of the acquisition.
2. QUALITY: Artwork shall be of lasting value and artistic merit that will enhance the City's Collection
3. AUDIENCE: The artwork should enhance the experience of its audience and not be inappropriate
4. STYLE: Artwork should be suitable in scale, materials, and form for its site and surroundings, or be capable of being sited in a variety of public locations.
5. RANGE: Artwork may be functional or non-functional, conceptual or tangible, representational or abstract, portable or site-specific, temporary or permanently installed
6. CONDITION AND PERMANENCE: Artwork should be of materials and methods of construction/execution suitable to the setting. Artwork for outdoor display will be constructed and installed to prohibit theft and minimize vandalism and weathering
7. TECHNICAL FEASIBILITY: Artwork/proposals will be considered only if the work is likely to be completed as designed and for which the City has an immediate location
8. FISCAL FEASIBILITY: Artworks will be considered only if there is adequate funding for display, maintenance, insurance, and safeguarding. A plan and estimate for maintenance shall be submitted by the artist before artwork is accepted
9. PUBLIC SAFETY: The City will not consider works of art that the City determines may pose a threat to public safety
10. LOCAL ARTISTS: The Public Art Committee will specifically encourage Rhode Island artists to submit applications to all calls for art
11. CONTENT: Projects of purely commercial, political, or religious nature, which in the view of the Public Art Committee are intended to persuade rather than contribute to aesthetic enjoyment, will not be considered
12. PROJECT DESCRIPTION: Artwork must be consistent with the project scope and description as published by the Pawtucket Public Art Committee.

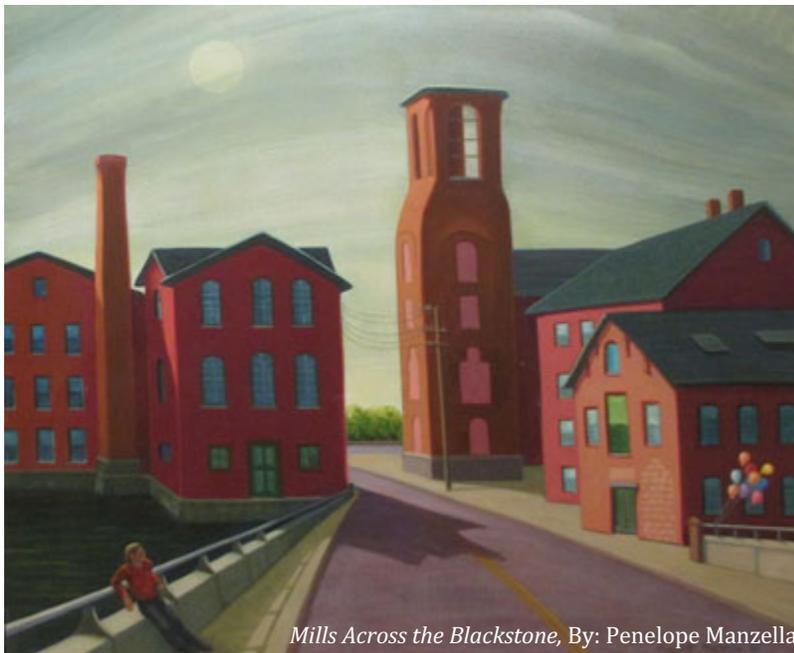
13. PROGRAM MISSION: Artwork must be consistent with the Mission of the Pawtucket Public Art Program.

PUBLIC ART GUIDELINES FOR DEVELOPERS WITH CITY SUBSIDIES

For City subsidized construction projects that exceed a cost of one million dollars (\$1,000,000), the developers shall be required to submit an estimate of the construction costs of their projects to the Planning Department to include no less than 1% of this project budget to be allocated for the production, acquisition, or contribution of public art. In the case of a certified non-profit developer, this art allocation amount shall not be less than .5%

All applicable applications for a tax stabilization agreement (TSA) shall require the anticipated project budget including the proposed contribution toward public art for review. Allocation of funds for public art shall be capped at two-hundred thousand (\$200,000) for for-profit initiated projects and one-hundred thousand dollars (\$100,000) for non-profit initiated projects

All City subsidized project developers shall utilize the 1% or .5% allocation to either acquire public art associated with the development project itself (in accordance with criteria on page 10), or submit funds directly into the City Public Art Fund for future acquisition/maintenance of public artwork.



Mills Across the Blackstone, By: Penelope Manzella

No Certificate of Occupancy (CO) for a city subsidized construction project that requires compliance with Pawtucket Percent for Public Art requirements shall be issued until required funds are deposited into the City Public Art Fund. Developers of projects that are granted a TSA may apply to the Pawtucket Finance Committee for a one-year extension from the date of Certificate of Occupancy issuance. If required funds are not deposited in the Public Art Fund by the agreed upon extension date, the TSA will be null and void.

Art for City Subsidized Construction Projects

Developers of city subsidized construction projects who elect to utilize their deposit to the City Public Art Fund for the acquisition of public art to be located on their private property, shall so notify the Public Art Committee in advance. Funds received from the developer shall then be held in the City Public Art Fund, to be paid directly to the artist, installers, and fabricators by the City Planning Department upon receipt of itemized invoices. Any balance remaining in the Public Art Fund after the art project is complete will revert to the Public Art Fund.

Summary of the Process

1. Initially, the developer will meet with the Public Art Committee to discuss the mission of the Public Art Program, the selection criteria and how the developer intends to use the funds.
2. The Developer will submit a concept design, including a matrix or visual representation, a written description, a description of materials and fabrication techniques, site preparation and installation, estimated budget, and project timeline.
3. Artwork must comply with selection criteria and be approved by the Pawtucket Department of Planning and Redevelopment before the art work is commissioned or purchased by the developer.
4. Either 1% or .5% of the estimated construction cost will be placed in the Public Art Fund.
5. Upon receipt of itemized invoices, payments will be made directly to the artist, installers, and fabricators for expenses related to the Public Art.
6. The Developer may choose to involve the Public Art Committee in the selection process for artwork placed on their property.
7. The Developer may choose to donate the monies to the Public Art Fund in lieu of purchasing art for their property. In that case, the Public Art Committee will manage the purchase of art on public property.
8. All Public Art Projects on private properties developed with subsidies from the City must be located on the exterior of the building or on property that is highly visible to the public.

FUNDING

The Public Art Fund exists within the City Treasury. There are two separate accounts for the acquisition and maintenance of public art.

Public art projects and acquisitions may be funded through a variety of sources approved by the City Council, including, but not limited to; public funds, Percent for Public Art funds, private contributions, grants, sponsorships, gifts of art, and fundraising.

Although the established Percent for Public Art Program is a more reliable resource than more traditional funding opportunities like grants, the City of Pawtucket has successfully applied for, and will continue to apply for project specific funding to support the Public Art Program. Public art projects are commonly eligible for various local, state and federal grant programs, and are an increasing area of focus for private and/or nonprofit foundations. The Pawtucket Public Art Committee is eligible to apply for various funding programs on behalf of the City, provided that all public procurement requirements are met. The primary goal of this Public Art Strategic Plan is to identify and prioritize proposed projects so that they are “grant ready” when funding streams, including those referenced below, become available.

State Funding

The Rhode Island State Council for the Arts (RISCA) is highly active and committed to the promotion of various forms of artistic expression across the state. RISCA's range of grant programs is primarily focused on specific projects or programming, capital improvements for cultural facilities, and stipends/fellowships for individual artists. The most applicable RISCA grant programs for Pawtucket public art are:

- Art Access Grants (AAG)
- Investments in Art and Culture (IAC)

Rhode Island General Assembly Grants offer approximately \$14 million annually in the form of larger Community Service Grants and smaller Legislative Grants. Legislative Grants are individually sponsored by state elected officials and are allocated through a relatively simple application and reporting process. Community Services grants require a state agency partner to serve as a financial agent. For this reason, Legislative Grants are more applicable for Pawtucket public art projects, particularly if they are sponsored by a local elected official who may contribute to positive community beautification in their respective districts.

Eligible Rhode Island state funding opportunities are modest in nature. This level of financial support is most appropriate to leverage additional funds or to close existing funding gaps rather than serving as the primary source of funds to initiate Pawtucket public art projects.

Federal Funding

Community Development Block Grants (CDBG) are direct annual funds from the Department of Housing and Urban Development (HUD) to the City of Pawtucket as an Entitlement Community. These funds must support low and moderate-income residents most commonly in the form of job training and creation, affordable housing development, small business development, and more general neighborhood improvements like public recreation and art.

The City of Pawtucket is allocated approximately \$1.7 million annually through this CDBG program. The City has utilized these funds in the past for youth art programming and the public Paint Box program, which to date has transformed 22 utility boxes into small works of public art by local artists. The CDBG program is a strong funding option for public art projects because it has the potential to provide anchor funding for public art projects, and the allocation of funds is controlled locally, provided that all federal eligibility, impact, and benefit requirements are accurately documented. The federal documentation



process is cumbersome and will rely on coordination with Pawtucket City staff and elected officials well in advance of the submission of proposal applications.

National Endowment for the Arts (NEA) is an independent federal agency that maintains the goal of funding, promoting, and strengthening the creative capacity of communities. NEA provides grant programs for organizations, individual artists, and state/regional partnership entities. Organizational grants are the most applicable for enhancing public art in Pawtucket; however, interested artists may be encouraged to explore NEA grant opportunities for individuals. The NEA grant applications for organizations require local matching funds and typically range from \$10,000 to \$100,000. These funds are also subject to inclusion and approval of federal budgets. Specific project-based grant opportunities include:

- Art Works
Support artistically excellent projects that celebrate creativity and cultural heritage
Two grant application rounds per year (February & July)
- Challenge America
Support projects that extend the reach of the arts to underserved populations
One grant application round per year (April)
- Our Town
Support “placemaking” projects that integrate arts, culture, and design activities that strengthen communities by advancing local economic, physical local economic, physical, and/or social outcomes.
One grant application round per year (August)

Local Funding

Pawtucket Percent for Public Art was adopted by Pawtucket City Ordinance in late 2017. This commitment to public art requires that all non-school related city facility construction projects (structures or recreation space) that exceed \$500,000 in total budget must allocate 1% of the projected cost to the Public Art Fund. Individual project contributions are capped at \$150,000.

Additionally, all private construction projects that exceed \$1,000,000 and are provided subsidy by the City, most commonly in the form of a Tax Stabilization Agreement (TSA), are required to allocate 1% of the budgeted construction cost to the Public Art Fund. Individual private project contributions are capped at \$200,000. Non-profit developers receiving a city subsidy are required to deposit .5% of construction costs in the Public Art Fund with a capped contribution of \$100,000.

Private and non-profit construction projects may elect to locate art that is visible to the public on the property in question or direct contribution may be allocated to the fund.

This program is managed by the Public Art Committee in coordination with the Pawtucket Department of Planning and Redevelopment. Oversight of all funding allocations is provided by the City Finance Committee and the Pawtucket Finance Department (Appendix F).

City Funding

The Pawtucket Advisory Commission on Arts and Culture maintains an annual budget of \$8,000 (2019). These resources are included as a city budget line item and are specifically utilized for the promotion and support of artistic and cultural projects/programming that are made available to the

public. The Commission reviews budget priorities on an annual basis and consistently makes a commitment to the acquisition of public art. These funds are locally controlled but are contingent upon budget priorities for both the administration and City Council.

Other Funding Sources

Foundations, local banks, and nonprofit organizations are additional resources that may be monitored for funding opportunities. The nature of these private funding sources is such that they are limited in availability, and are therefore most impactful to complement existing funding sources with the intent to increase impact, scale, or visibility of a project already prioritized by the Public Art Committee. Private funding sources often maintain clear areas of focus that may align with certain public art initiatives more than others. Local, regional, and state funding sources will be monitored on a quarterly basis to evaluate consistency with established Pawtucket public art priorities.

EDUCATION AND OUTREACH

Because the Pawtucket Art Collection is held in trust for the benefit and enjoyment of the community, the mission of the Public Art Program is not only to expand and maintain the Collection, but to also make it accessible to the public. Information about the Collection will be made available on a regular basis through press releases, social media, a website, displays, presentations and literature. The Committee will engage the public and public officials by seeking feedback through public meetings and forums during the selection process.

AMENDMENTS TO THE PLAN

This City of Pawtucket Public Art Strategic Plan with accompanying policies may be amended and edited by the Pawtucket Public Art Committee with the approval of the Pawtucket Department of Planning and Redevelopment, and the Mayor of the City.



Appendix A – Pawtucket Public Art Collection Inventory

The Pawtucket Public Art Committee maintains an inventory of all public art in the city as well as a condition assessment reports for individual existing works of public art. The existing PPAC consists of a range of permanent and temporary works of art including sculptures, murals, photographs, paintings and painted utility boxes.

SCULPTURE	ARTIST/S	LOCATION
Bench	Andrew Oesch	Main Street
Conocular	Bill Martin	High Street
Eiffel Tower	Donald Gerola	Slater Memorial Park
Eiffel Tower	Donald Gerola	Slater Memorial Park
Fanny the Elephant	Chris Kane	Slater Memorial Park
Jacks	Kenneth Speiser	Slater Memorial Park
Picture Frame	Jamie Calderwood	Slater Memorial Park
Reliefs	Lee Lawrie, designer Hugh Cairns, sculptor	Deborah Cook Sayles Library
Rivermaid	Linda Dewing	Main Street Fountain
MURALS		
History of Pawtucket	Brent Alan Bachelder	Dennis M. Lynch Arena
Tot Lot Mural	Brent Alan Bachelder	Barton Street Housing
The World	Gretchen Dow Simpson Mimo Riley Gordan Marianne Purviance Don Chabot	Curvin McCabe Elementary School
Payne Park Mural	Unknown	Payne Park
Bike Path Mural	Mimo Gordan Riley	Veterans Memorial Park
Memorial Garden Mural	Mimo Gordan Riley	Veterans Memorial Park
Dinosaurs	Mike Bryce	Pawtucket Library
PAINTINGS, DRAWINGS, PHOTOGRAPHS		
Hope	Gretchen Dow Simpson	Mayor's Office
Mother Coles' Wash	Kristin Morill	Zoning Office
Slatersville Boarding House	Kristin Morill	Zoning Office
Sam Patch the Jumper	Kristin Morill	Zoning Office
Mills Across the Blackstone	Penelope Manzella	Deborah Cook Sayles Library
Pawtucket Library	Penelope Manzella	Deborah Cook Sayles Library
Pawtucket's First City Hall	Sybil	Deborah Cook Sayles Library
Pawtucket's First High School	Sybil	Deborah Cook Sayles Library
Deborah Cook Sayles	Kenyon Cox	Deborah Cook Sayles Library
Samuel Slater	Unknown	Deborah Cook Sayles Library
Minerva Sanders	Blanchard	Deborah Cook Sayles Library
Moshassack Bleachery	Frederick Cook Sayles	Deborah Cook Sayles Library
Pawtucket Buildings	Stephen Guisti	DPW, Engineering Dept
Pawtucket Mills (5)	Matt Kierstad	Mayor's Office
Pawtucket Buildings (7)	James Draper	City Council Meeting Room

Appendix B – Proposed Best Practices for Public Art Projects

Public Art Network of Americans for the Arts

STATEMENT OF PURPOSE:

Throughout the United States, agencies and organizations have been using art to expand constituents' experience of the public realm. With so many entities involved in managing public art projects in varying manners, the Public Art Network (PAN) Council and Americans for the Arts (AFTA) established these Best Practices out of a desire to establish a baseline for public art practices. The starting place, or baseline stage, must provide general principles that are equally relevant and agreeable to administrators, artists and other public art professionals. Once established, the baseline will provide a framework for more in-depth conversations to tease out the more complex underlying issues.

This more detailed exchange will clarify instances where different players in the public art field have diverse interests or specific pressures dictating their particular viewpoint. By parsing and articulating these diverse perspectives, the baseline principles will be annotated to provide a multi-dimensional look at public art practices.

These Best Practices are specifically drafted with discourse in mind. It is true that enforcement at this point can only be achieved through peer opinion, but Best Practices Standards will be a great resource for both developing and maturing programs. Administrators, artists and other public art professionals will be able to point to clear Best Practice Standards that have been developed and approved on a national level designed specifically to assist in the development, drafting and execution of public art policy at the local level.

In sum, our goals are:

1. To approve Best Practices recognized as the national standard by AFTA/PAN.
2. Disseminate the approved Best Practices through AFTA's outreach and supportive communication from Robert L. Lynch, President and CEO of AFTA.
3. Programs that adopt and follow these Best Practices will be recognized by AFTA/PAN.
4. A committee comprised of PAN Council members and general members shall meet regularly to discuss and draft annotated language to accompany these Best Practices.
5. Communications to AFTA/PAN membership regarding amendments and developments in the Best Practices will be regularly disseminated to the AFTA membership and public art community.

DEFINED TERMS

Administrator: includes public art administrators, public art program representatives, art consultants, developers and any other person or team working on behalf of a commissioning body or entity.

Agreement: includes any written agreement pertaining to the planning, design, development, fabrication, delivery and/or installation of an Artwork, including but not limited to letters of intent (LOIs), memoranda of understanding (MOUs), commission agreements, contracts and construction agreements.

Artist: includes individual artists as well as artist teams.

Artwork: unless otherwise restricted by the language of the particular statement, and excluding ancillary deliverables such as budgets and maintenance manuals, “Artwork” includes any permanent and/or temporary work as defined in the scope of work of an Agreement.

1. Administrators should clearly represent the scope and budget of project in Calls for Artists and communications.
2. Artists should truthfully represent their role and the nature of past work when presenting portfolios.
3. Artists should design to available budgets and propose what they can realistically deliver within budget, especially during design competitions.
4. Administrators/Consultants should not ask Artists to appropriate or use designs proposed by other Artists in a competition (e.g. cherry pick from among other competitors). Nor should Artists use other Artists’ ideas or concepts proposed during a competition.
5. Any organization or entity commissioning Artwork should pay Artists for design proposals.
6. Administrators should ensure a legal and fair process for developing projects and selecting Artists.
7. All organizations and entities commissioning Artwork should consider their process for developing projects and selecting Artists in light of the principles in Americans for the Arts Statement on Cultural Equity: Cultural equity embodies the values, policies, and practices that ensure that all people—including but not limited to those who have been historically underrepresented based on race/ethnicity, age, disability, sexual orientation, gender, gender identity, socioeconomic status, geography, citizenship status, or religion—are represented in the development of arts policy; the support of artists; the nurturing of accessible, thriving venues for expression; and the fair distribution of programmatic, financial, and informational resources.
8. As reasonably possible and consistent with existing privacy policies and legal requirements, Agencies should protect Artists’ private information.
9. Arts professionals should be involved in the Artist selection process.
10. Administrators/Consultants should not receive money from Artists being considered or awarded a project.

11. To avoid actual conflict or the appearance of impropriety, real or perceived conflicts of interest should be disclosed, and impacted decision-makers should abstain from involvement in the process.
12. All projects should have a written Agreement that includes a clear articulation of: scope of work, budget and schedule. *
13. All parties should have time to read and understand agreements prior to signing, and may seek legal and/or business counsel.
14. Agreements should clearly articulate the process by which project changes are approved and any changes should always be made in writing.
15. If substantial redesign of a contracted artwork or an entirely new proposal is requested, due to no fault of the Artist, the Artist should be compensated.
16. Realistic life span of an Artwork should be mutually agreed by all parties and written into the Agreement.
17. Artists should choose appropriate materials for artwork based on the expected life. Care should be taken when integrating components into the Artwork that are not warranted for the minimum warranty period required in the Agreement. Attention should be paid to integrated components that may void underlying warranties.
18. Artist warranties should not exceed two years.
19. With regard to manufacturer warranties for integrated components, Artists should be required to only pass along those warranties provided by the manufacturer.
20. Where reasonable, obtainable insurance is required by law, municipal policy and/or in an Agreement, Administrators should work with Artists to assess the true cost of this insurance so that Artists can budget. As only licensed professionals can obtain professional liability and/or errors and omission progressive insurance, Artists who are not licensed professionals should have this requirement waived. However, Agreements may require licensed sub-contractors carry professional liability or errors and omissions insurance.
21. Administrators should not ask Artists to take on unreasonable or inappropriate liability.
22. Artists should have Agreements with their subcontractors, and include all relevant requirements of the prime contract in the sub-contract Agreement.*
23. Project payment schedule should meet the cash flow needs of the Artwork schedule of deliverables.
24. Artists should retain copyright to their Artwork. However, Artists should expect to grant license to the contracting agency or ultimate owner for reasonable use of images of the Artwork for publicity, educational, and reasonable promotional purposes upon which the parties agree.
25. Artists and commissioning bodies and/or owners should provide reciprocal credit for their respective roles in commissioned Artworks.
26. Maintenance and conservation plans should be discussed and mutually agreed upon and Artists should prepare a detailed and feasible maintenance and conservation plan.

27. Commissioning bodies and/or ultimate owners should have collection management policies in place and notify Artists of these policies.
28. If an Artwork is damaged, Administrators should make a good faith effort to consult the Artist about repairs. Administrators are not obligated to work with Artists to make repairs, but should use best conservation practices.
29. If Visual Artist Rights Act (VARA) rights are waived, Agreements should nonetheless provide that, in the event of damage, alteration, or destruction of an Artwork that is not remedied to Artist's satisfaction, or relocation without Artist's approval, if the Artist believes the Artwork no longer represents his/her work, the Artist should have the right to remove his/her name from the Artwork.

*Look at the PAN resources available on the Americans for the Arts website for sample documents.
www.americansforthearts.org/by-program/networks-and-councils/public-art-network/tools-resources/public-art-administrators

Appendix C – Artists Rights Act

17 U.S. Code § 106A - Rights of certain authors to attribution and integrity

Rights of Attribution and Integrity.—Subject to section 107 and independent of the exclusive rights provided in section 106, the author of a work of visual art

1. shall have the right
 - to claim authorship of that work, and
 - to prevent the use of his or her name as the author of any work of visual art which he or she did not create;
2. shall have the right to prevent the use of his or her name as the author of the work of visual art in the event of a distortion, mutilation, or other modification of the work which would be prejudicial to his or her honor or reputation; and
3. subject to the limitations set forth in section 113(d), shall have the right—
 - to prevent any intentional distortion, mutilation, or other modification of that work which would be prejudicial to his or her honor or reputation, and any intentional distortion, mutilation, or modification of that work is a violation of that right, and
 - to prevent any destruction of a work of recognized stature, and any intentional or grossly negligent destruction of that work is a violation of that right.

Scope and Exercise of Rights.—Only the author of a work of visual art has the rights conferred by subsection (a) in that work, whether or not the author is the copyright owner. The authors of a joint work of visual art are co-owners of the rights conferred by subsection (a) in that work.

Exceptions

- The modification of a work of visual art which is a result of the passage of time or the inherent nature of the materials is not a distortion, mutilation, or other modification described in subsection (a)(3)(A).
- The modification of a work of visual art which is the result of conservation, or of the public presentation, including lighting and placement, of the work is not a destruction, distortion, mutilation, or other modification described in subsection (a)(3) unless the modification is caused by gross negligence.
- The rights described in paragraphs (1) and (2) of subsection (a) shall not apply to any reproduction, depiction, portrayal, or other use of a work in, upon, or in any connection with any item described in subparagraph (A) or (B) of the definition of “work of visual art” in section 101, and any such reproduction, depiction, portrayal, or other use of a work is not a destruction, distortion, mutilation, or other modification described in paragraph (3) of subsection (a).

Duration of Rights

- With respect to works of visual art created on or after the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, the rights conferred by subsection (a) shall endure for a term consisting of the life of the author.
- With respect to works of visual art created before the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, but title to which has not, as of such

effective date, been transferred from the author, the rights conferred by subsection (a) shall be coextensive with, and shall expire at the same time as, the rights conferred by section 106.

- In the case of a joint work prepared by two or more authors, the rights conferred by subsection (a) shall endure for a term consisting of the life of the last surviving author.
- All terms of the rights conferred by subsection (a) run to the end of the calendar year in which they would otherwise expire.

Transfer and Waiver

- The rights conferred by subsection (a) may not be transferred, but those rights may be waived if the author expressly agrees to such waiver in a written instrument signed by the author. Such instrument shall specifically identify the work, and uses of that work, to which the waiver applies, and the waiver shall apply only to the work and uses so identified. In the case of a joint work prepared by two or more authors, a waiver of rights under this paragraph made by one such author waives such rights for all such authors.
- Ownership of the rights conferred by subsection (a) with respect to a work of visual art is distinct from ownership of any copy of that work, or of a copyright or any exclusive right under a copyright in that work. Transfer of ownership of any copy of a work of visual art, or of a copyright or any exclusive right under a copyright, shall not constitute a waiver of the rights conferred by subsection (a). Except as may otherwise be agreed by the author in a written instrument signed by the author, a waiver of the rights conferred by subsection (a) with respect to a work of visual art shall not constitute a transfer of ownership of any copy of that work, or of ownership of a copyright or of any exclusive right under a copyright in that work.

Appendix D – Deaccessioning Guidelines for Artwork

No artwork will be permanently removed from the Pawtucket Public Art Program unless it meets one of the following criteria:

1. The condition or security of the artwork cannot be guaranteed, or the City cannot properly care for or store the artwork;
2. The artwork presents a threat to public safety;
3. The artwork requires excessive or unreasonable maintenance;
4. The artwork has serious or dangerous faults in design or workmanship;
5. The condition of the artwork requires restoration in excess of its monetary value or is in such a deteriorated state that restoration would prove either unfeasible, impractical or would render the work essentially false;
6. The site for the artwork has become inappropriate or is no longer accessible to the public, it is unsafe, or it is due to be demolished;
7. Significant changes in the use, character, or actual design of the site require reevaluation of the relationship of the artwork to the site;
8. The artwork is of poor quality or is judged to have little aesthetic and/or historical or cultural value;
9. No suitable alternate site for the artwork is available;
10. The artwork is a forgery;
11. A written request from the artist has been received to remove the work from public display

Deaccession Process

1. Notify artist to seek resolution of problem.
2. Form an ad-hoc Artwork Evaluation Committee composed of:
 - A person appointed by the Mayor
 - One representative of the user or specific community of the location for the artwork
 - A staff member from Public Works
 - A staff member from the Planning Department
 - Two persons knowledgeable and experienced in the fields of visual art, public art, art history, architecture, or design; one of those persons should have knowledge of artwork conservation
 - A member of the Public Art Committee who will facilitate the meetings

More committee members may be added for technical expertise or to represent more stakeholders. Committee meetings will be open and persons may request to address the committee: persons from other governmental entities, interested members of the public, etc.

Deaccession Methods

The preferred methods of deaccession are as follows:

1. Relocation of the artwork to another site within the City (this method should be given the highest priority);
2. Removal of the artwork from public display and subsequent storage;
3. Sale or exchange of the artwork through the following means:
 - Offer the artist the right of first refusal to buy back the artwork at a negotiated price appropriate to the artwork's current condition;
 - Obtain a professional appraisal of the artwork's value and advertise for sale by auction; or
 - Seek competitive bids for the purchase of the artwork.
 - Donate the artwork to another government entity or non-profit, civic, charitable, or cultural organization that will properly install and display the artwork in an appropriate public space;
 - Dispose of the artwork using surplus property procedures.

Deaccession Revenues

If city owned public artwork is sold, all proceeds from the sale of public artworks shall be deposited into the Public Art Fund to be used solely for the acquisition of artwork or for the maintenance of other artworks acquired through the Pawtucket Public Art Program.

Appendix E – 2019 List of Potential Public Art Sites and Priorities

Pawtucket Public Art - Priority Locations				
Category	Location	Ownership	Type of Art	Priorities
Major Works				
Public Library	13 Summer Street	City of Pawtucket - Library	Sculpture	Medium
Main Street Parking Garage	274 Main Street	City of Pawtucket - DPW	Installation	High
Main Street	175 Main Street	City of Pawtucket	sculpture	High
Neighborhood Artworks				
Payne Park	225 West Avenue	City of Pawtucket - Parks	Mural	High
Town Landing	Taft Street	City of Pawtucket	Various	Low
Broadway Parklet	Armory Arts District	DOT	Sculpture	High
Tolman High School	Exchange St.	City of Pawtucket - Schools	Sculpture	Medium
Gateway Projects				
Smithfield Avenue / Power Road Traffic Island	54 Smithfield Avenue	City of Pawtucket - state maintained road	Various	Medium
Bridge	202 Broad Street	way	Various	High
Broadway and Exchange Street	Traffic island entrance to 95	DOT	Sculpture	High
Corridor & Amenity Projects				
Pine Street	238-258 Pine Street	City of Pawtucket	Various	
Slater House	60 Pleasant Street	Private - Affordable Housing	Mural	Medium
Conant Thread District	Main St, Dester St, Lonsdale Ave.	City of Pawtucket - DPW	Various	High
Paint Boxes	Various Locations	City of Pawtucket and RIDOT	Small murals	High
Public Open Space Projects				
Summit Street Park	69 Summit Street	City of Pawtucket - DPW	Sculpture	Low
Festival Pier	21 Tim Healey Way	City of Pawtucket - DPW	Various	Low
Public Interior Spaces				

Appendix F – Pawtucket Percent for Art Ordinance

City of Pawtucket

CHAPTER 3147

APPROVED 12/21/2017

AN ORDINANCE ESTABLISHING THE “PAWTUCKET PERCENT FOR PUBLIC ART”

Be it ordained by the city of Pawtucket as follows:

SECTION 1. The Code of Ordinances of the City of Pawtucket entitled, “Pawtucket Percent for Public Art” shall be established, as follows:

§XXX-1. Purpose

The City of Pawtucket supports RIGL §42-75.2 entitled Allocation for Art for Public Facilities Act and feels that the city has a responsibility for expanding the public experience of art. The City of Pawtucket recognizes the necessity of fostering the arts and in developing artists and craftspersons. Art creates a more humane environment; one of distinction, enjoyment, and pride for all citizens. The City of Pawtucket recognizes that public art is also a resource, which stimulates the vitality and the economy of the city and provides opportunities for artists and other skilled workers to practice their crafts. The City of Pawtucket declares it to be a matter of public policy that a portion of each capital or subsidized construction project should have an appropriation to be allocated for the acquisition of works of art within the community.

§XXX-2. Definitions

ACQUISITION - means acquisition by purchase, lease, loan, gift or commission.

ART, ARTWORK, OR WORKS OF ART - means original frescoes, mosaics, sculpture, drawings, paintings, printmaking, stained glass, fiber art, fountains, ornamental gateways, monuments, architectural embellishments, architectural landscaping, earthworks, or any work of mixed media or other creative expressions by a professional artist, artisan or craftsperson. Works of art also include limited edition and signed hand-pulled prints, digital art, and photography, but does not apply to reproductions. Art as defined herein includes both permanent and temporary installations.

ARTIST - means any practitioner generally recognized by his or her peers or by critics as a professional who produces works of art. This definition does not include the architect of a building nor specifically the building that is to receive the public artwork.

ARTS COMMISSION - means the Advisory Commission on Arts and Culture as established in Chapter 11 Article X.

BOND FUNDS – Means the sale proceeds of any general obligation bonds of the City approved by the electors of the City after July 1, 2017.

CAPITAL CONSTRUCTION COSTS - means the costs expended for the actual construction of a given improvement or building, public or private, including remodeling, renovation or reconstruction.

CITY CONSTRUCTION PROJECT - means any capital project paid for wholly or subsidized by the City of Pawtucket to construct or remodel any building, or any permanent structure together with all grounds and appurtenant structures which are intended to act as offices, workshops, courtrooms, hearing or meeting rooms, public safety facilities, public recreational facilities or other space for carrying on the functions of the City; parking, eating, sleeping, medical, dental, library, museum space for use by the general public; or a facility used to house conventions, trade shows, exhibitions, displays, meetings, banquets, and other events as well as facilities related thereto. This definition does not include: public school facilities, public water facilities, parks, public highways, bridges, sewers, fishponds, fish hatcheries, service and restroom facilities at City parks, or separate buildings not part of a larger construction project, which are intended solely as storage, warehouse, or maintenance and repair facilities.

CITY - means the City of Pawtucket, Rhode Island.

PUBLIC ART - is any art situated on property owned or under the control of the City, or art which is owned by or on loan to the City, or funded primarily by the City.

PUBLIC ARTS COMMITTEE - means the Committee of the Advisory Commission on Arts and Culture that manages and makes recommendations to the City Planning Department regarding the Pawtucket Percent for Public Art Program and advises on all other public art projects for the City.

SUBSIDY - means any real estate tax treaty or stabilization agreement between a property owner and the City for a project that is greater than \$1,000,000 in value, which results in a tax bill lower than that which would be rendered by the assessor's office; or any city paid improvements for a project greater than \$1,000,000 in value, which would otherwise be borne by the applicant; or any city owned land sold for a project, which land has an assessed value of greater than \$1,000,000 and is sold at a price that is lower than the current assessed value. A City backed loan is not considered a subsidy.

§XXX-3. Establishment of Fund

A separate fund is established within the city treasury designated and maintained as the Public Art Fund into which funds appropriated, except for Bond Funds, shall be deposited. Within, the Public Art Fund two accounts shall be established: the Art Acquisition Account and the Art Maintenance Account. The Director of Finance shall be the custodian of all funds collected under this section and he or she shall invest such funds in accordance with prudent investment procedure. Funds may be derived and shall be retained from the following:

- a) Appropriations made as provided for in this chapter;
- b) Bond funds, to be maintained in a separate account, as provided for in this chapter;
- c) Grants, from governmental or other sources;
- d) Gifts, if the terms of the gift are consistent with the purposes of this chapter and other lawful requirements.

§XXX-4. City Bond financed projects.

1. This ordinance shall apply to construction projects financed with general obligation bonds of the City approved by the electors of the City after July 1, 2017. This ordinance shall not apply to the proceeds of any refunding bonds. Any funding for art, artwork, or works of art derived from bond funds must be maintained in a separate account established by the City Finance Department for bond accounting purposes, and shall be allocated and accounted for in accordance with state and federal law applicable to bonds. Any art, artwork, or

works of art purchased with bond funds must constitute a capital expenditure for permanent art, shall not be rented art, and shall have a use life of at least five (5) years.

§XXX-5. Funding, Allocation, Disbursements

Funding & Allocation

City Constructions Projects

1. For all City construction projects that exceed a cost of five hundred thousand dollars (\$500,000), the City should allocate an amount equal to 1% of the construction costs to be expended on works of art. The amount shall be capped at one hundred fifty thousand dollars (\$150,000) per project. This allocation shall be deposited into the Public Art Fund. The Public Arts Committee is to be notified of any eligible construction projects, by the Department of Planning & Redevelopment.
2. Of the 1% appropriated for public art, ninety percent (90%) shall be deposited in the Art Acquisition Account of the Public Art Fund and ten percent (10%) will be deposited in the Maintenance Account of the Public Art Fund used for maintenance of public art. This requirement shall not be applicable to projects financed by bond funds. For construction projects funded with bond funds, one hundred percent (100%) of the 1% for art shall be applied to the acquisition of public art, and not to maintenance costs.

City Subsidized Construction Projects

1. For City subsidized construction projects that exceed a cost of one million dollars (\$1,000,000), the developers shall be required to submit an estimate of the construction costs of their projects to the Planning Department with a budget of no less than 1% to be expended on works of art by for-profit developers and .5% by non-profit developers. The Tax Stabilization Application shall require that the contribution for Public Art be included in the budget that is submitted for review. The funding for public art on for-profit projects will be capped at two hundred thousand dollars (\$200,000) and on non-profit projects at one hundred thousand dollars (\$100,000.) The money for these art expenditures shall be deposited into the Public Art Fund or the Fund established for bond proceeds for art, as necessary.
2. All City subsidized project developers may use their 1% or .5% either to purchase art for their projects, as reviewed and meeting the criteria of the Public Art Committee, or as a contribution to the Public Art Fund.
3. No Certificate of Occupancy for any City subsidized construction project shall be issued until the 1% of the construction costs is deposited into the Public Art Fund. Developers of projects that receive a Tax Stabilization may apply to the Finance Committee for a one year extension from the date that they receive their Certificate of Occupancy. If funds are not deposited in the Public Art Fund by the extended date, the Tax Stabilization will be null and void.

I. Disbursements

Art for Subsidized Projects

1. Subsidized developers, who elect to utilize their deposit to the Public Art fund for art on their property, shall so notify the Public Art Committee. Funds received from the developer shall then be held in escrow, to be disbursed by the City Planning Department. Any balance remaining in escrow after the art project is complete will revert to the Public Art Fund.

Public Art

1. No call for public art by the Public Art Committee shall be made without prior authority of the City Council's Finance Committee for expenditure of funds from the Public Art Fund.

§XXX-6. Annual Report

The City Council shall receive an annual written report from the Public Arts Committee outlining the revenue, expenditures and projects of the Public Art Fund.

§XXX-7. Membership

The Public Arts Committee shall be comprised of five members appointed by the Mayor with confirmation by the City Council, who shall serve without compensation. One member shall be from the Advisory Commission on Arts and Culture; one member shall be from the Pawtucket Foundation; one member shall be an artist or member of an art organization; one member shall be an architect, designer or landscape architect, one member shall be a member of the community who lives, works and/or owns a business in Pawtucket.

1. Term of Office. Each Committee member shall serve a three-year term, except that the original five committee members will have staggered terms, one member for one year, two members for two years and two members for three years. All future appointments will serve three year terms.
2. Appointments. The Committee and members of the community at large shall be invited to submit nominations to the Mayor for any upcoming appointments.

§XXX-8. Administration

The City Planning Department will administer the Pawtucket Public Art Program will provide a designated staff member to provide administrative help to Public Art Committee as it would to other city boards or commissions.

The Public Arts Committee's shall:

- a) Make periodic reviews, at least annually, of all eligible city sponsored or subsidized capital improvement projects with appropriate city department heads or designees.
- b) Recommend a set geography for the placement of works of art within the city, and a specific location for an individual art work either at the location of the building or facility providing funding or as otherwise determined by the Public Arts Committee.
- c) Recommend the scope of work and the specific allocation and/or amount to be expended for the works of art.
- d) Encourage Rhode Island artists to submit applications to all calls for art.
- e) Manage and recommend the selection of public art works.
- f) Recommend rules and responsibilities for formal contractual agreement with each artist.
- g) Recommend standards and requirements for artists with respect to the installation and maintenance of the works of art, both ordinary and extraordinary.
- h) Select and appoint a panel to select each work of art to be acquired and placed on public lands.
 - i. Selection Panel composition: Each panel shall consist of a minimum of five and no more than seven voting members, to include:
 1. A member of the Public Arts Committee who shall serve as chair and a non-voting member of the panel.
 2. Two artists.
 3. One art professional with experience with public art.
 4. One engineer professional with experience with public spaces.

The panel may also include:

5. An Architect, landscape architect, designer or engineer associated with the construction or location for the artwork, or their designee.
 6. A representative of the City, as determined by the Mayor; a user of the project; or a member of the public.
- i) The Public Arts Committee may recommend contracting with professionals to carry out certain aspects of its responsibilities, but administrative expenses paid from the Public Art Fund will be limited to \$5,000 per fiscal year unless otherwise authorized by the City Council's Finance Committee.

The City Planning Department will provide a designated staff member to provide administrative help to this Committee as it would to other city boards or commissions.

§XXX-9. Selection of works of art

Artists and their works of art to be acquired under this chapter shall be selected the City Planning Department with recommendations from Public Arts Committee chosen pursuant to §XXX-8(h), for each project.

§XXX-10. Artists Rights

The City receives the rights to sole ownership and public display of all art on public land acquired under this chapter, subject to the following intangible rights retained by the artist:

1. The right to claim authorship of the work of art;
2. The right to reproduce the work of art, including all rights to which the work of art may be subject under copyright laws, including, but not limited to, derivative and publishing rights, but excluding the right to public display and to photographic reproduction for purposes of publicity by the City;
3. If provided by written contract, the right to receive a specified percentage of the proceeds if the work of art is subsequently sold by the City to a third party other than as apart of the sale of the building or property at which the work of art is located; and
4. If agreed between the City and the artist, the artist may extend to his or her heirs, assignees or personal representatives any of the above rights until the end of the twentieth year following the death of the artist.

The artist retains as absolute the following rights;

2. The right to have the artist's name associated with the work; and
3. The right to prevent degradation, mutilation, or aesthetic ruining of the work.

SECTION 2. This ordinance shall take effect upon final passage.