

# **CITY COMMISSION WORK SESSION**

City Hall Commission Chambers

Monday, December 1, 2014

4:30 p.m.

MEETING #4983

## **WORK SESSION**

1. Biogas
2. General Insurance
3. Art in Public Places

## Public Art

### Funding Options Examples

#### Percentage of any construction development

1. Developers of any new professional office, lodging projects, retail, service, commercial, wholesale, transportation, industrial developments, re-developments or expansion projects and multi-family projects with five or more dwelling units within the Town of Fountain Hills are required to provide public artwork. The public art must have an invoiced cost or appraised value equal to 1% of the cost of building construction, including associated site work and signage; water features (using recycled water) are preferred.
2. As an alternative to providing public art, developers may make a donation to the Fountain Hills Public Art Fund in an amount equal to or greater than 1% of the cost of building construction and associated site work and signage.
3. The public art requirement must be met prior to the issuance of a Certificate of Occupancy. Applicants choosing to purchase a piece of art are encouraged to submit an Initial Art Plan and meet with the Public Art Committee to demonstrate that the proposed development or project will comply with the ordinance. The art contribution should be approved by the Public Art Committee as being in compliance with the ordinance. Approved artwork must be installed in accordance with approved construction and landscape plans.
4. Artwork selected by the developer must be integrated with the project, be located on an exterior of the structure or the building site, be visible to the public at all times and be accessible for at least 40 hours per week.
5. The location of the artwork should be in an outdoor location to allow unrestricted visibility by the public 24 hours per day. Approved sites are Town owned property, including rights-of-way, parks, Community Center/Town Hall complex or the developer's own property. Art on private property will be supported entirely by private development; the Public Art Committee will be available and facilitate the private developers' identification of art opportunities and selection of artists.

#### Examples:

<i>Project</i>	<i>Total Construction Cost</i>	<i>Percent for Art (1%)</i>
-Roto-Mix	\$2 Million	\$20,000.00
-Farm Credit Bank	\$3.1 Million	\$31,000.00

## **Per Capita Allocation**

### **FUNDING**

Communities adopt various public financing methods to generate funding for implementation and maintenance of public art programs. Often, cities will fund public art projects from a percent-for-art set aside from the entire capital improvement program (CIP) budget. An alternative to this approach is a direct appropriation, oftentimes a per capita allocation, from the city's general fund. The per capita approach works well for communities with significant CIP budgets from year to year. As Clive's CIP budget fluctuates widely from one year to another, the PAAC recommends an annual per capita method of funding for public art.

### **PER CAPITAPUBLIC ART FUNDING**

The City will adopt a policy to allocate a specific dollar amount per budget year for each City resident, based upon population data certified by the State of Iowa Secretary of State Office. As the community continues to grow over the next fifteen to twenty years to projected build-out population, the public art fund will also steadily grow, allowing the PAAC to set aside funds for larger projects in the future. The PAAC must have the authority, to the extent permitted by law and by funding sources, to "pool" public art funds to ensure they are directed toward projects with greatest visibility or to the projects with the greatest need for aesthetic design treatment. Budgeted but unspent funds will be pooled and maintained in a perpetual art fund and carried forward at the end of each fiscal year (July 1 - June 30). The fiduciary responsibility of the fund will be held by the City of Clive.

### **Percentage of Capital Improvement Projects**

**A.** From each qualifying and funded Capital Improvement Project, the City shall place in the Public Art Account an amount equal to one and one third percent (1.33%) of such Capital Improvement Project's actual costs to the City regardless of whether or not the Capital Project is completed.

**B.** In computing the amount to place in the public art account, the projects actual costs to the City shall include:

1. All amounts paid by the City to third parties in connection with the projects, including, however not limited to, amounts paid on contracts relating to the project and consultant fees incurred in connection with the project; and
2. Computing the amount to place in the public art account, the project's actual costs to the City shall not include any portion of the project's cost which is not funded by the City unless it meets the conditions of 1.10.020.

**C.** Of the one and one third percent (1.33%) from each qualifying capital improvement project allocated to the Public Art Account:

1. No less than one percent (1%) of the eligible capital improvement project costs shall be allocated toward purchase, creation or installation of public art pieces.

2. No more than one third of a percent (.33%) shall be used for administrative costs, including, but not limited to, costs of selection, project management, maintenance, repair and conservation.

**Example:**

<i>Project</i>	<i>Total Construction Cost</i>	<i>Percent for Art (1.33%)</i>
-Trail Street Project	\$3,176,819.85	\$42,251.70