

## **Guidelines for the Ocala Public Art Program**

### **1. General**

The City of Ocala Cultural Arts and Sciences Division (CAS) is dedicated to enhancing our public spaces and transforming ordinary spaces into destinations for everyone to experience. As part of this function, CAS administers the Public Art Program (Program), and encourages artists locally, nationally, and internationally to consider participation in the Program. The Program is City-wide and encompasses both public and private property.

*Simply put public art is art in public spaces. The term “public art” may conjure images of historic bronze statues of a soldier on horseback in a park. Today public art can take a wide range of forms, sizes, and scales-and can be temporary or permanent. It often interprets the history of the place, its people, and perhaps addresses a social or environmental issue. Public art can include murals, sculpture, memorials, integrated architectural or landscape architectural work, community art, digital new media, and even performances and festivals!*

-Americans for the Arts

CAS is also responsible for maintaining over eighty artworks already installed as a part of the Program, as well as determining whether to accept proposed donations of artwork and curatorial work associated with the collection.

These Guidelines are intended to describe how the Program operates, especially in relationship to interested artists and the communities where Public Art projects will be located. Because of the nature, configuration and use of buildings, projects, and improvements are so varied, these Guidelines should not be read as rigid, legal standards.

### **2. Notice to artists; opportunity to participate.**

The Program staff of CAS is responsible for identifying locations that are appropriate for the Program. The Program staff is also responsible for notifying artists through calls, invitations, or selections from the annual Public Art Roster of upcoming projects.

- Specific projects will be announced through a call, invitation, or selections from the annual Public Art Roster.
- The Program staff will notify the arts community of upcoming calls for projects, through any or all of the following: arts organizations, art galleries, art schools, art centers, or museums.

- The Program staff will also announce upcoming calls for projects through appropriate arts-oriented and other media.
- The Program staff will send email announcements of calls for projects to arts organizations and artists who request including in an email list.

### **3. An artist's inclusion in the Public Art Roster.**

The Program staff also maintain a registry of artists who have applied to the annual Public Art Roster. As will be seen in section 4 (d) below, inclusion in the registry presents potential advantages for an artist.

The Program staff accepts submissions for the Public Art Roster annually through solicitation posted on the City's website, a distributed Press Release, and additional marketing through arts platforms, such as Americans for the Arts. Included as part of the registration process is a waiver/release of liability. The waiver/release will assure a frank and honest discussion of the artist's submission by protecting the City of Ocala, its employees and officers, and their respective consultants (community interests, other members of the arts community, etc.) from claims for damage to reputation, etc., because of comments made in the evaluation of submissions.

An artist may withdraw his/her submission from the Public Art Roster at any time, either permanently or for as long or short a period as the artist determines. An artist may withdraw by submitting a request in writing and will not be acted on until verified. An artist who submitted information to the City of Ocala, prior to the 2020 Public Art Roster call, is encouraged to update his/her materials through the next annual Public Art Roster call.

An artist may also update his/her registry materials, by adding images through submission via [artinfo@ocalafl.org](mailto:artinfo@ocalafl.org).

### **4. How work is selected for a Public Art Project.**

The Program is intended to be both project-specific and community-based. Once a project has been identified, the Program staff takes the following steps:

- a) If the budget available for the project is no more than \$10,000 (including the artist's fee, cost of fabrication and cost of installation) or is commissioned through private funds for a specific artist project, the project will usually be awarded as a direct commission, rather than through a competitive process as described below. All the consultation with the affected community/business(s) and government agencies will still take place.

- b) The Program staff will study the project to learn the intended timetable of the construction work, as well as its scope, purpose and configuration, in an attempt to determine which types of artwork will be suitable for the location, as well as size limitations and/or preferences. This is not pre-judging of any specific artwork, but an attempt to avoid placing a type of artwork in a setting where the artwork, by its nature, may be in danger (examples include: sculptures not able to withstand the climate and/or elements, paintings on surfaces subject to significant deterioration, etc.). The Program staff may, but is not required to, consult with knowledgeable persons about the suitability of any type of artwork for the specific site.
- c) The staff will notify the local community of the opportunity for placement of public art through a 5-year Public Art Plan (to be initiated in November 2021) to be updated annually based on funding approvals. Intermittent updates to the Annual Plan may be made dependent on private or grant funding as secured. In the Public Art Plan community partners and participating organizations will be identified. The Program staff, upon the approval of the Public Art Plan through the Ocala Municipal Arts Commission (OMAC), will make the Plan available on the City's website. In the rest of these Guidelines, all of these aforementioned stakeholders, organizations, and individuals will be referred to as "community interests".
- d) After approval of the Public Art Plan, Program staff will begin notifying artists that meet the respective space, style, and commission requests identified in the Plan upon securing funding, as determined by call, invitation, or commission. The Program staff will research the Public Art Roster to identify artists on the registry that might be suitable, or that have done work in a category that might be suitable for the location.
- e) The Program staff will notify such artists (a minimum of three) of the opportunity to participate in the Program (with the exception of private commissions). The notice given to artists will describe: the public construction/renovation work, the site, the intended use of the finished building, structure, or improvement; the approximate area available for installation of artwork (including dimensions of space and type); the anticipated schedule of the construction/renovation work; the deadline for submissions; and any other information the Program staff feels necessary to provide proper notice of the opportunity for participation (including general concept and materials). The submitting artist, at his/her option, may also provide an explanation of the submitted work/concept, its relation to the site/Ocala/Florida, its relation to the intended neighborhood, or other

information the artist believes will aid the Program staff in making an informed decision.

- f) Next, the Program staff will evaluate the submissions. In evaluating submissions, Program staff will strive for diversity, reflecting the social, ethnic, and cultural fabric of the community. Diversity will also be applied in the types of artwork, styles, scales, and mediums. The staff may, but is not required to, consult knowledgeable people in the arts community, both in Ocala and elsewhere, about how any submission relates to the intended site and the artistic merit of the submission; and about any other aspect of the project. After evaluating all the submissions, the Program staff may have further discussions with community interests in attempting to reduce the number of submissions to a group of finalists. The Program staff may, but is not required to, conduct one or more additional reviews for purposes of expediting consultation with community interests.
- g) The Program staff will seek final selection recommendation of approval of an artist (based on portfolio and resume) or artwork (if work is currently existing) from OMAC's Collections Subcommittee. At the Subcommittee meeting, Program staff will present one or more finalists for discussion of the artwork(s) and for community response and feedback.
- h) The Program staff may have to negotiate changes in a submitted work based on community feedback and concerns, finances, space limitations, time, or some other aspect of the submission and the project.
- i) Upon recommendation of approval from OMAC of the selection of the most appropriate artist(s)/artwork(s) for each project, the Program Staff will invite artist(s) to enter into contract with the City of Ocala to supply artwork proposals/concepts and subsequent installation of the artwork upon final concept evaluation and approval by Program staff, and may include additional approvals from partners and/or property owners. Invited artists who are not in the registry will be asked to sign a waiver/release of liability, as described in part 3 above. All invited artists may be asked to provide other information the Program staff needs to make an informed decision on the artwork. The Program staff will notify all submitters of the final selection.

In developing a list of finalists and making a final recommendation, the Program staff will take into consideration the following factors:

- the size, shape, location, configuration and use of the building or site of the project;
- the appropriateness of formal and stylistic elements as well as materials for the project;
- the possible thematic congruity between the artists preferred body of work and the project;
- the skill, reputation, and demonstrated ability of the artist;
- community ties between the artist and the project, where appropriate;
- the economic feasibility of utilizing the artist for the project.

## **5. Responsibilities of artists.**

An artist who wishes to participate in the Public Art Program must:

- respond to notices in a timely and complete manner;
- be available for follow-up communications with Program staff;
- be able to explain his/her submitted work in writing;
- develop and adhere to a project budget;
- perform within the schedule of a project and willing to adjust according to timeline changes outside of the control of the Project Manager (i.e. construction delays, weather, etc.)
- sign necessary documents in a timely manner (i.e. contract, Notice to Proceed, submission of invoices, etc.)
- deal responsibly with Program staff, his/her suppliers, fabricators and installers.
- Provide a final maintenance schedule including products to be used in the event of graffiti, general care, etc.

During the course of evaluations, an artist may be asked about any of these factors, and to further demonstrate his/her ability to meet the above requirements.

If an artwork proposal commissioned through the Public Art Program is rejected, the artist must reclaim any models within 90 days after first contacted to do so by the Program staff, or the model will become City of Ocala property and will be subject to destruction.

## **6. Conservation and maintenance of the Public Art Collection.**

Since the inception of the Cultural Arts and Sciences Division in 2017, Over 80 sculptures, murals, mix-media, and functional pieces have been donated, commissioned or purchased for the City of Ocala's Public Art Collection. Some of these artworks are installed outdoors,

others are placed in semi-enclosed settings and others in indoor public spaces. Artwork can be affected by exposure to light (natural and artificial), wind, air-borne dust, temperature and humidity changes, vibration, precipitation and other conditions. On occasion, an artwork may also suffer physical damage as a result of accident or vandalism. Without long-term maintenance, the artworks risk serious degradation as the collection ages.

The Public Art Program has a limited, annual conservation budget that is used to maintain, preserve and protect the collection. Program staff monitors the condition of artworks and encourages representatives of City departments and other participating public agencies, as well as the general public, to advise CAS of damaged, degraded or at-risk artworks. Upon receiving information of any such work, one or more staff members will assess the work to determine the extent of damage, degradation or risk; effective measures to repair, restore or protect the work; cost of such measures; and the possible effect of delaying those measures. The staff will then review available resources to see how to address the most serious problems first and then recommend appropriate action to the Division Head or his/her designee.

The overall policy of CAS is to preserve as much of the Public Art Collection as possible in the current locations of the various works. Barring extreme cases, this typically means repairing and restoring as many works as available resources allow. The general order of priorities of works receiving repair or restoration is as follows:

1. Works that have suffered serious damage;
2. Works that have suffered serious degradation;
3. Works that have suffered minor damage;
4. Works that have suffered minor degradation;
5. Works at risk of degradation.

But these priorities cannot be followed in every instance. Some repair and restoration measures may exceed the then available budget; in some cases, restorative or repair measures may require a highly specialized conservator or technician, who is currently unavailable. Some works may be beyond repair. Some works, because of their condition, may constitute a danger to the public who use the public facility of its intended purpose. In these instances, CAS reserves the right to remove the artwork from its public setting until it can be restored properly and reinstalled.

## **7. Donated works of arts.**

On occasion, a generous person seeks to donate one or more works of art to the City. Understandably, a donor wants his/her generosity to be acknowledged by a public display of the donated work(s). Unfortunately, this cannot always be done to the donor's satisfaction.

Responsible ownership of art requires a commitment of resources to conserve and protect it. Because CAS is not involved in the planning of these donations, and must deal realistically with limited resources, it is the division's policy to accept donation of art only if: the work has artistic merit; the work augments, rather than disrupts, the overall City collection; a suitable location is available for the donated work(s); and the donor has arranged for costs of installation of the donated work(s) and conservation for up to ten years.

The task of identifying suitable locations falls to the Public Art Program staff. In doing this, the members of the staff take into consideration the durability of the materials used by the artist; the nature, size and configuration of the work(s); and the sizes, configuration, intended uses and risk factors of various available locations (with priority given to those overarching locations identified in the Public Art Plan with placement determined at the general discretion of the Program staff). The Program staff will notify the Division Head of any suitable locations identified in this process, pending further approval(s) of affected agencies.

Donors should obtain independent advice regarding the tax consequences of their gifts. Outside appraisals or opinions should be used when the value of the work exceeds \$5,000.

#### **8. Seasonal and thematic displays of art throughout the City.**

Occasionally, CAS will present a temporary or seasonal display of artworks centered on one type of object (such as "Horse Fever") or centered on a theme. These programs are arranged in cooperation with other affected City, County and State agencies, such as the Mayor's Office, City Manager's Office, Tourism Development Council, and the Department of Transportation for placement on sidewalks or other public ground. No general policy or procedures can be announced concerning such programs because the City, the visual arts, public interests and public perception are constantly evolving. Such matters as traffic patterns, construction activity, development and redevelopment of neighborhoods, artistic techniques and materials, artistic visions, and ideas or current interest can all affect a seasonal or thematic exhibit, and all these changeable factors must be considered simultaneously. When and if such a temporary or seasonal display is planned, CAS will announce the central object or theme, the extent and duration, how artists might participate, and other relevant factors.

#### **9. Exhibits in Parks, Cultural Nodes, and Cultural Corridors**

Within the City of Ocala Parks, Cultural Nodes and Cultural Corridors, CAS will continue to seek out and present interesting artists, art forms, and themes for presentation to the public, with the intention of increasing public awareness of and interest in the arts. The Public Art Program staff identifies possible themes, categories of work, and artists for these displays through research, interaction with their counterparts in other jurisdictions, and communication with the local arts community. Suggestions from interested persons are also considered.