

RESOLUTION NO. 2010-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VENICE, SARASOTA COUNTY, FLORIDA, ADOPTING A PUBLIC ART POLICY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, art enhances a community by improving the experience of public spaces through excellent and harmonious design, creating a sense of civic pride; and

WHEREAS, city council supports a strong public art program that enhances the city's image and wishes to ensure the addition of the highest quality public art to public spaces.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

PUBLIC ART POLICY

I. Purpose.

Art enhances Venice as a community that values creative and diverse expressions. It creates a city sense of civic pride and enriches the quality of life. Public art fulfills these purposes by improving the experience of public spaces through excellent and harmonious design; by sensitively preserving highlighting vistas; by introducing surprising and enlivening elements into otherwise ordinary spaces; and by engaging citizens with insightful interpretations of community activities, aspirations and history. Public art has the capacity to humanize the city environment. In recognition of the importance of integrating public art into the daily lives of the residents of the city, the city council supports a strong public art program. To this end, the city council hereby establishes the City of Venice Public Art Policy (policy) with the following goals in mind:

- (1) to create exciting, appealing and harmonious public spaces by integrating art into architecture, urban design and the planning of infrastructure at the earliest design stage;
- (2) to celebrate the community's heritage, diversity, commonality and civic pride by stimulating collaboration and understanding among artists and the Venice community;
- (3) to enhance Venice's image locally, regionally and nationally by ensuring the creation of the highest quality public art;
- (4) to foster the public's understanding and enjoyment of public art;

(5) to promote artists who live and work in Venice, and to participate in public presentation of their art in the city; and

(6) to encourage federal, state and private support for Venice's public art program.

Through this policy and the Public Art Program Guidelines (guidelines) the city council seeks to provide opportunities to create exciting and attractive public spaces that are used and enjoyed by Venice's residents, workers and visitors.

II. Public art covered by this policy.

Public art, as defined by this policy, encompasses the broadest definition of visual art including the imaginative use and interplay of all artistic disciplines. Public art governed by this policy shall be art that is visually or physically accessible to the public and that is acquired by city funds, donated to the city or provided by a private entity as a community benefit. The Public Art Task Force (PATF) will consider all proposed art work for public sites within the city limits and will recommend those it finds appropriate for final approval by city council.

III. Guidelines.

The PATF and staff are responsible for developing and updating guidelines outlining all aspects involved with the implementation of this policy including procedures to: develop an inventory of existing and approved public art; develop and update the Public Art Master Plan; review and recommend a process for the selection, placement and implementation of specific public art projects; and review and recommend temporary art displays. These guidelines will be approved by the city manager, city attorney and city council.

IV. Public art sites.

Sites for public art covered by this policy are prominent locations in Venice that are identified as suitable for public art projects and are physically and/or visually accessible to the public. Public art projects covered by this policy, for which public money is utilized, shall be located on public land.

V. Site selection.

The process used to select public art sites is dependent upon the type of project executed.

Working with the PATF, the city will develop a Public Art Master Plan (plan). The plan will identify appropriate and significant sites for the location of public art. The PATF will oversee a comprehensive community planning process to develop this plan. The PATF shall ensure that the process of preparing the plan and any subsequent modifications provides ample and appropriate opportunities for public input regarding site identification. The plan must complement and supplement the city's various other

planning documents guiding the growth and development of Venice, such as, but not limited to, the comprehensive plan. The initial plan shall be submitted to city council by the PATF for review and approval. The plan will be reviewed and updated every five years. The plan may also be revised at other times such as when a proposal for inclusion of a project on a site not identified in the plan is received by the city, and the city finds the proposal to be consistent with the laws and regulations and the city's general policies on public art. In general, city initiated projects will be located on sites identified in the plan.

VI. Eligible public art projects.

A. Public art projects may include:

- (1) the commissioning of permanent works designed for specific public sites in Venice;
- (2) acceptance of a loan, purchase or donation of art works deemed appropriate for public sites;
- (3) artists contracted to work as integral members of architectural, infrastructure and urban design teams; and
- (4) installations, artist-in-residence programs, and other short-term projects or planning activities that result in the creation of temporary or permanent public art.

B. Two types of possible public art projects are:

(1) City initiated projects

The PATF may propose one or more public art projects for sites identified in the plan. The PATF, working with city staff, will identify the highest priority projects.

(2) Private development

In conjunction with Venice's site plan review process, the city may encourage the inclusion of public art as a component of site plan approval for a specific development.

VII. Community involvement.

Each public art project created through this policy shall include an outreach program that encourages community involvement in the implementation of the project as well as periodically informing and educating citizens about the specific project.

VIII. Artist selection.

Methods used for artist selection may include open competition, invitational competition, or direct selection, but shall comply with all laws, regulations such as the Consultants Competitive Negotiation Act and city policies. Community involvement in

the development of any public art project is crucial and shall be part of the selection process. For public art projects attached to public construction, the artist selection and approval process must be integrated into the overall project timeline so as not to cause delays.

IX. Art ownership and copyright.

In general, for city initiated and community initiated permanent works of public art, the city shall own the physical work and copyrights shall be retained by the artist, with reproduction rights allowed to the city for appropriate promotional and educational purposes. Legal title and copyrights in any donations or loans of public art which are accepted by the city, shall be included in a mutually agreeable contract between the city, artist and owner.

X. Program administration.

The Historic Resources Department is responsible for the implementation of this policy and management of the city's public art inventory.

XI. Accessioning/deaccessioning of public art.

Acceptance of a gift and placement of public art should be in accordance with historic use of the plan and should be in keeping with the city's general public art goals. The quality, scale and character of the gift should be appropriate to the particular setting. Donations of works that require the city to pay installation, framing, restoration or repair are not encouraged. The city will evaluate such expenditures at the time the gift is considered. Works of art requiring high or excessive maintenance may be declined.

In accordance with the provisions of the guidelines, the city shall deaccession and dispose of works of art in its collection only when it finds such action to be in the public interest or as a means of improving the quality of the collection or public safety. Works of public art may be relocated or removed if a gift or commissioned piece becomes a hazard or liability, or if the approved terms of acceptance are not fulfilled. Works of art that meet the definition of public art covered by the policy, but came into existence prior to the adoption of the policy, will be subject to the same deaccessioning procedure.

The PATF makes recommendations to city council on any accessions/deaccessions of public art, with city council having final approval.

XII. Definitions

Accessioning means the procedure to accept and record an artwork as part of the city's public art collection.

Acquisition means the accession of an artwork into the city's public art collection, whether by commission, purchase, gift or other means.

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

Artwork means original visual art produced by professional artists, using a variety of media that can be free standing, integrated into architecture, functional, non-functional, temporary or permanent.

Deaccessioning means the procedure to remove an artwork from the city's public art collection.

Local artist means an artist who has lived or worked within the city for five or more years of such artists' career on a year-round basis.

PATF means the Public Art Task Force, a task force of the city responsible for making recommendations to city council relative to public art.

Public art means original or limited multiple edition works of art that are accessible to the public, created through a public process that considers the social and physical context of the site, addresses the goals of the public art program, and that may possess functional as well as aesthetic quality (see work of art definition for further clarification).

Public art collection means artwork on public land or in public facilities owned by the city.

Public art project means the creation and management of public artwork in accordance with the public art policy.

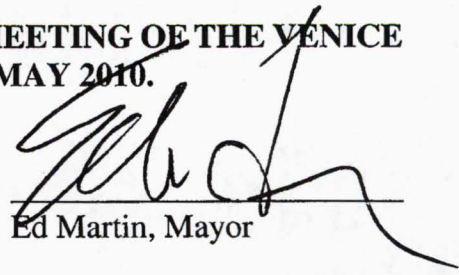
Public places or public realm means all publicly owned spaces, indoors or outdoors, which are generally accessible (physically or visually) to the public free of charge. Public spaces should be accessible to the public a minimum of 12 and preferably up to 18 hours per day.

Temporary public art program means a program that lasts up to twelve months.

Work of art means all forms of art conceived in any discipline or medium.

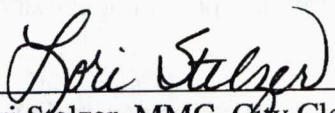
SECTION 2. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 11TH DAY OF MAY 2010.



Ed Martin, Mayor

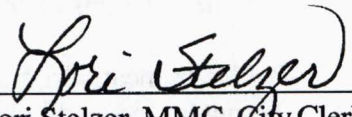
ATTEST


Lori Stelzer, MMC, City Clerk

I, **LORI STELZER**, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by the City Council of said city at a meeting thereof duly convened and held on the 11th day of May 2010, a quorum being present.

WITNESS my hand and the official seal of said City this 12th day of May 2010.

(SEAL)


Lori Stelzer, MMC, City Clerk