

CITY OF SHELBY PUBLIC ART PLAN

2021



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I. Overview

A. What is Public Art?

Public art is defined as any form of medium of visual art in public space that is free and accessible to all people to experience on their own terms. The process is vital: a public artwork should be the direct or indirect product of a public process of creation, procurement, maintenance, and/or meaning-making. Public art may be permanent or temporary. It can be large or small, well-integrated or standing alone, and may be the result of collaboration among artists and designers. Sculpture, installations, murals, manhole covers, paving patterns, creative lighting, street furniture, building facades, bus stops, wayfinding signage, fountains, play equipment, public performances, creative inventions, and so much more can constitute public art. Public art contributes to community identity, connects civic spaces, inspires pedestrian-friendly communities, and brings together diverse members of the community.

WHY? *A list developed from Places of Possibility Public Art Toolkit:*

- Provides access to art for all people regardless of background
- Promotes community character and values
- Builds connections to place
- Celebrates the community's unique environment and heritage
- Connects civic spaces using creative placemaking elements
- Fosters social interaction
- Invites pedestrian activity
- Adds character to man-made environments
- Creates an identity by incorporating town history
- Creates focal points that can become destinations
- Has the potential to attract visitors
- Highlights and stimulates the creative economy and local artist community
- Revitalizes deteriorated and/or underutilized spaces, increasing safety and inspiring wider redevelopment
- Inspires community participation in the design of public space, increasing sense of ownership and efficacy

B. Background & History

Public art is present in Shelby and can be seen in both publicly- and privately-owned locations. The City of Shelby began discussing a public art plan in 2018 and has been involved in various public art projects throughout the years but has yet to adopt a formal approach to a public art program. This document provides the framework for such program moving forward.

The City of Shelby is the county seat and largest city in Cleveland County. As an economic, political, and social hub for the county, the City's public art program would serve both the city and the greater county. The Uptown area is known for its art, music, and civic spaces. With the Earl Scruggs Center, the Don Gibson Theatre, the Cleveland County Arts Council, and several galleries and studios within town limits, Shelby is well on its way to becoming a center for arts in the region. Shelby's reputation as "The City of Pleasant Living" would only strengthen with a commitment to a public art program.

Shelby is located in the confluence of the Blue Ridge Mountains and the Metrolina region of the Carolinas, 80 miles southeast of Asheville, and 46 miles west of Charlotte. Shelby was incorporated in 1843. The city spans 21 square miles and supports a population of over 20,000.

C. Project Goals

The major goals of this plan are:

- To create a plan to enhance public spaces and facilities in Shelby through the incorporation of art and artful design.
- To establish a plan for a Public Art Advisory Board (PAAB) for the City of Shelby, whose mission is enriching the City by integrating a range of art into public spaces.
- To support the community of local artists and involve artists in realizing the mission of public art.
- To create a strong sense of place; Public art can be an effective catalyst for instilling community pride and ownership.
- To facilitate the creation and addition of public art by members of the community; Clarifying the process and removing barriers for non-City sponsored projects will generate a spirit of co-ownership with the community and extend the reach of impact for public art.
- To involve artists in the planning and design of the City; Involving artists and designers in the planning and design process of public spaces has been found to increase innovation and exploration.
- To establish a funding plan; Public/private mixed funding will be necessary for the sustainability of a robust program.

D. Priorities

Short-Term

For this plan to be successfully implemented, there needs to be a clear and accountable strategy in the immediate two (2) years. These years are critical to building the foundation for this plan to integrate into the City of Shelby's services and the community they serve. In the short-term, attention should be focused on policy initiation, grants, formation of the Public Art Advisory Board, and setting priorities for public art programming and installation.

- Approve the ordinance "An Ordinance Creating the City of Shelby's Public Art Advisory Board."
- Appoint members to the Public Art Advisory Board.
- Approve the guidelines and procedures outlined in this plan by approving "A Resolution Adopting the 2021 City of Shelby Public Art Plan.
- Approve the pooling of funds strategy to develop a responsible and sustainable program
- Examine and apply for grant funding.
- Provide opportunities for community engagement to gain insight of where and what kind of public art would be supported.
- Create and approve the Work Plan for the Public Art Advisory Board, including priority locations for public art.
- Gauge public-private interest in public art, approaching corporate and small businesses about potential partnerships including sponsorships of programming, donations for public art, and inclusion of public art in their buildings or campuses. Work with Uptown Shelby Association, as well as conduct outreach to organizations outside of the MSD.

Medium-Term

For this plan to continue to positively impact the Shelby community, the PAAB and its staff liaison must also consider medium-term (2-5 years) priorities. Priorities should include enacting policy recommendations, engaging partners for sponsorship, staffing the public art program, installing public art projects, and launching arts programming.

- Create a full Public Art Master Plan
- Continue to implement public art projects
- Develop an Art Trail along the future Rail Trail, including art integration in chosen street furniture and the design of Depot Park
- Incorporate public art at the design stage of capital improvement projects
- Solidify private partnerships
- Partner with developers

Long-Term

Long-term (5+ years) priorities for public art include sustaining partnerships and staff, solidifying long-term funding sources, installing impactful art pieces, and executing successful programming.

- Hire a full-time art program coordinator, or appoint duties to an existing position
- Continue to implement public art projects
- Sustain long-term funding and partnerships
- Review impact of policies and projects and continue to update best practices
- Continue innovative arts programming
- Update plan every five (5) years

II. Public Art Administration

An important first step is establishing who is responsible for the Public Art Program's administration and implementation. Three primary actors make up the proposed Public Art Program: A Council-appointed board of community stakeholders ("Public Art Advisory Board"); ad-hoc committees formed for review processes ("Review Committees"); and designated City staff ("Staff Liaison").

Upon adoption of the Public Art Plan, the Public Art Advisory Board (PAAB) will serve for the duration of the Public Art Program in an advisory capacity. Review Committees will be organized as needed when selecting artists. The Staff Liaison and their designee(s) will handle the administration and implementation of public artworks.

A. Public Art Advisory Board

Upon adoption of the Public Art Plan and appointment of Board members, early agenda items for the PAAB will include establishing and recommending a mission statement, plan goals, and any appropriate revisions to this plan to City Council.

1. Purpose

The Board shall act in an advisory capacity to the City Council and will maintain an overview and long-term planning vision that balances diverse perspectives and facilitates the implementation of the Plan.

2. Term and Selection

Board members will be appointed by City Council. Each member may serve for two (2) renewable, consecutive three-year terms followed by a minimum of one (1) year off-service. Members will meet bimonthly; any member who fails to attend four (4) consecutive meetings in a one-year period, without good and sufficient reason as determined by the PAAB, may be replaced. All members will be required to sign a conflict-of-interest statement (*See Article VI, sec. 4.*).

3. Composition

The makeup of the Board will consist of seven (7) Council-appointed board members, including at least one (1) representative from the Cleveland County Arts Council, one (1) representative from the Keep Shelby Beautiful Board, and one (1) youth representative, defined as someone attending 9th-12th grade. At least two (2) of the board members must be arts professionals. The members should represent a cross-section of the City, the County, the nonprofit sector, the private sector, and the local artist community, and should come from a variety of backgrounds with intentional efforts to recruit a diverse field of candidates reflecting the diversity of Shelby's population. Interested citizens should submit a letter of interest and an application to the City Clerk as seats are available. While experience in the arts field is not required beyond the two set seats, the expertise arts professionals, landscape architects, architects and design professionals, transportation persons, and/or historic conservationists provide should be considered an asset during the review of applicants for board seats.

4. Responsibilities

The Board will make recommendations to City Council on the acquisition, loan, placement, maintenance, display, and disposal of public art and artworks contracted for, placed on, erected on the property of the City of Shelby, or become the property of the City through acquisition or otherwise in the custody of the City.

Other responsibilities include:

- a. Monitor adherence to the goals of the Plan;
- b. Work to establish the highest standard for aesthetics to the community and provide continuity to the Public Art Program;
- c. Develop a procedure for the selection of art and/or artists that will include public input, as well as appropriate staff review;
- d. With the assistance of the Staff Liaison, prepare an annual fiscal year work plan for approval by the City Council which will include at least: (i) a description of the artwork completed, obtained or commenced in the previous year; (ii) a description of the projects designated for inclusion of public art in the upcoming year and of the funding source; (iii) a budget for the income and expenditures for such projects; and (iv) a general description of the public art plan for the next

year. The City Council will have final approval of the annual work plan and budget for the Public Art Program. The annual work plan may be contingent upon the availability of funds;

e. Review any new art project and programming opportunities. Set priorities for implementation and funding and determine methods of selection;

f. Develop diverse funding strategies, including direct solicitation (fundraising), to support the implementation of prioritized projects and programs;

g. Recommend accepting gifts of money and art to City Council;

h. Encourage the use of volunteers and community involvement on public art projects;

i. Provide guidance to Review Committees and the Staff Liaison around questions of policy and procedures;

j. Act as individual liaisons to and voting members of individual ad-hoc Review Committees;

k. Constitute itself as a Review Committee when appropriate and expedient;

l. Review and evaluate deaccession requests and make recommendations to City Council; and

m. Be responsible for inventorying and assessing the condition of the City public art collection every 3 years to ensure the conditions and standards of public art are being met.

5. Consultants

Consultants may be called upon from time to time to provide additional expertise to the PAAB.

6. Compensation

The PAAB will serve on a voluntary basis.

7. Council Recommendation

The PAAB shall provide timely information to City Council regarding Public Art Program plans, goals, criteria, policies, procedures, and the opportunities outlined in this plan in order to advise and make recommendations on the program's content, focus, and funding.

B. Review Committees

As individual projects are identified, the Board with input from the Staff Liaison and others may appoint ad-hoc Review Committees to evaluate artists' work and proposals for each such project.

1. Duties

The principal duties of the Review Committees include:

a. Participate in the selection process by evaluating applications, project proposals, and submitted materials of artists applying for a project and selecting up to 3 artist finalists;

b. Determine what support materials are needed by finalists;

c. Review concepts of the artist finalists, conduct interviews as necessary, and make a recommendation for the selection of an artist to PAAB.

2. Composition

Each Review Committee will consist of up to five (5) people. Each Review Committee will have at minimum one (1) member of the PAAB. Ideally, there will be at least one (1) person who is connected to the proposed or agreed-upon location of the project and at least one (1) person who is connected or familiar with the art's subject matter. All avenues to achieving this goal should be exhausted before otherwise filling the position. The Review Committee may consult with members of the Board, design staff, the project architect, engineers and other design professionals, and other appropriate staff when necessary.

- **Note:** In the early development of the public art plan, the Review Committees can be subsumed into the duties of the PAAB as permitted. They may operate as subcommittees within the PAAB so long as capacity is sufficient. The Review Committee structure, however, allows more community members to participate in the recommendation process, providing a continuously fresh perspective while still maintaining continuity.

C. Public Art Staff Liaison

An appointed Staff Liaison will coordinate all necessary PAAB activities with appropriate City staff.

1. Duties

The principal duties of the Staff Liaison or their designee(s) include:

- a. Assist PAAB by assembling materials and information for funding requests and grant-writing in support of the commissioning of artworks and art programming;
- b. Identify possible capital improvement projects that may benefit from public art for PAAB and Council consideration;
- c. Carry out the intent of the PAAB in facilitating the selection process for commissioned works by developing a project prospectus, including intent, project criteria, auxiliary information, and selection requirements;
- d. Review artist's work samples for invitational competitions and submit recommendation lists to a Review Committee; for direct purchases, recommendations go to the Board and then to City Council;
- e. Administer and facilitate the selection process which includes coordinating with the PAAB for the appointment of a Review Committee, scheduling selection meetings, sending review materials to the PAAB on Art Program goals, paying honoraria to the project artists, and presenting proposal and selection materials;
- f. Facilitate project/program implementation, produce artists' contracts, arrange for payments, and coordinate installation;
- g. Maintain and purge public records consistent with the North Carolina Records Retention Schedule and City of Shelby's Records Retention Schedule;

h. Arrange for project promotion by providing information for press releases and arrange dedication; and

i. Develop an annual budget request for submission to Council that includes administration costs and recurring programs based on the annual work plan.

2. Composition

The Staff Liaison will be a City staff member appointed by the City Manager.

D. Council Approval

All actions and recommendations of the Public Art Advisory Board, Review Committees, and the Staff Liaison or their designees are subject to the approval of City Council.

III. Approach

A. Program Components

The Public Art Program can be comprised initially of six categories: commissioned works, acquisitions of existing works, changing site-specific projects, temporary exhibits, development of an "Art Trail" along the Rail Trail, and design consultations. The top priority programs are italicized.

Commissioned Works: This category includes visual artworks, performances, and functional enhancements. They will be site- or program-specific, designed by artists in direct response to a program of work (RFPs or RFQs).

Acquisitions of Existing Artworks: This category may include visual or performing arts work acquired through gift or direct purchase if they are consistent with the goals of the program and fulfill all criteria as set forth in the procedures section under Gift Acceptance (*See Article V, Section B(1).iv*)

Development of Art Trail: Taking place over an unspecified period of time, it may include permanent and temporary pieces of public art along a trail of interconnected neighborhoods and districts. The art trail may integrate with the future Rail Trail as appropriate. The trail may be aided by a street furniture program as well.

Changing Site-Specific Projects: These works may be commissioned or acquired for various locations throughout the city and may be installed for limited periods of time. Artists will be periodically invited to fill sites within existing public settings and propose site-specific projects within the given guidelines. This creates a temporary, consistently rotating stream of public art, as well as an ongoing program. This program could resemble Clayton's Sculpture Trail (*See Article VIII, Section D (2)*).

Temporary Exhibits: Time-limited exhibits may be done in conjunction with arts educational programming, visiting performance artists (e.g. musicians, dance groups, theatre troupes), artists-in-residence programs, or as an annual event to expose citizens to different types of art. These exhibits may be themed, contracted from other institutions, or mounted in conjunction with a local institution (such as the Cleveland County Arts Council).

Design/Artist Consultations: Consultations may bring artist(s) into the design process at the earliest possible point for any capital improvement project, City renovation, or new construction. As design

consultants, artists will provide input and advice into decision-making that will shape the aesthetics and functions of public spaces.

B. Artwork & Programming Selection

1. Public Input

As a public art project is only effective if the community takes ownership and pride in the work, every public art project is required to provide an opportunity for public input, such as a forum, survey, or another feedback mechanism, before a prospectus is made and ideally before a final project design is approved. All PAAB meetings are open to the public, as well, and may be opportunities for public input. Possible stakeholders, such as neighbors, local businesses, and people related to or knowledgeable on the topic, should be intentionally recruited and encouraged to participate. The provided public input will be compiled, filed with the project's related materials, and maintained as public record (*See Art. IV Sec. E for more information on public recordkeeping*). The input should serve as a backdrop and guide for the PAAB and Staff Liaison as they determine methods for selection, location, medium, and other important decisions moving forward.

2. Methods of Selection

The PAAB will determine which of the following methods of selection will be used for each project. These projects include commissions and other programming. The Staff Liaison will collect and file all work samples submitted by artists. *See Appendix A for a Request for Qualifications/Proposals Template.*

- a. Open competition: Artists may submit work samples and/or proposals from a public call for entries. The PAAB will compile mailing lists of artists.
- b. Invitational competition: The PAAB may invite a limited number of artists to submit work samples for a specific project
- c. Direct Selection: In special circumstances, a direct selection or purchase of art may occur when it is compatible with the goals and guidelines of the Plan.

3. Announcement of Project

The Staff Liaison will work with the City Public Information Officer and Purchasing Manager to publicize opportunities for artist involvement in projects. Sufficient time will be given for submissions. The prospectus or project announcements must inform artists of project intent, method of selection, submission requirements, budget, and deadlines.

It may be advertised in a variety of online, print, and social media sites, in communication with and under the guidance of the City Public Information Officer and Purchasing Manager. The scale of the project and the Public Art Advisory Board's recommendations will determine the breadth of advertising. Some projects may seek to involve local artists, while others may be more appropriate for wider audiences.

4. Selection Process

- a. **Preliminary review of existing work and Request for Qualifications:** Samples of existing work may be submitted to Staff as a first step prior to a request for proposals for an invitational competition, commissioned piece, direct selection, or design consultation. Proposals for commissions are not requested or considered at this time. The Staff will use this review to

develop a list of artists for a Review Committee selection, a recommendation to the PAAB for a direct selection, or a recommendation for consultation.

b. **Review proposals for commissioned work:** Artists or teams of artists submitting proposals for commissions will go through a selection process by a Review Committee as outlined in the Plan. Consideration of artists is by review of proposals, samples of existing work, recommendations from previous clients, curriculum vitae, interviews with the Review Committee, and the presentations that may include models.

c. See Appendix A for sample criteria to consider when making selections.

5. Site Visits for Artists

The Staff Liaison may arrange for the artist(s) to tour the site and to meet with City of Shelby staff and other technical consultants prior to the final design process to ensure technical feasibility and maintenance acceptability. These site visits may be conducted in-person or virtually depending on practicability for the artist. The City will not cover the cost of travel.

6. Approval Process

a. **Review Committee:** The Review Committee will select an artist and make a recommendation to the PAAB. See Appendix A for sample criteria to consider when making selections.

b. **Council Confirmation:** All public art projects and all PAAB decisions must receive City Council approval. Once the PAAB receives the Review Committee's recommendation, they in turn must recommend an artist to City Council.

c. **Feasibility Review:** If requested by Review Committee, the technical feasibility and maintenance acceptability of an artwork may be investigated by the Staff Liaison in conjunction with the PAAB and, if necessary, with the assistance of outside technical consultants.

d. **Confidentiality:** All meetings by law must be open and "noticed." Notes taken during these meetings become public record.

e. **Conflict of Interest:** Artists serving on the PAAB may not be selected for direct involvement in any aspect of the Art Program. An artist serving on a Review Committee may not be selected for that project but may be eligible for other projects.

f. **Contracts:** Proposal Agreements/Contracts will be prepared and negotiated in coordination with the City Attorney and will include a schedule of payment.

g. **Gift Acceptance Procedures:** Proposed gifts of artworks or funds for the acquisition of art shall be referred to the PAAB for review and recommendation to City Council for acceptance or rejection. Gift acceptance will be based on the same goals and criteria as commissioned works.

h. **Project Completion:** The PAAB shall work with the City's Public Information Office to prepare and distribute media releases upon completion and/or installation of a project and arrange for its dedication. Upon completion, all artworks become the property of the City of Shelby under (temporary) lease or (permanent) purchase.

i. Deaccession: Deaccession is the removal of artwork from the inventory. Any recommendation for deaccession must be approved by the PAAB according to policies and procedures that are as deliberate as the selection process. This process will operate independently from short-term public pressures and fluctuations in public taste. During the review process, the artwork will remain accessible to the public in its original location. The City Council must give final approval for any deaccession.

C. Public Information & Community Relations

Public information and education activities are considered primary elements to the success of the Public Art Program. Adequate monies will be budgeted to provide for programs that elevate public awareness. The City of Shelby Public Information Office will be responsible for coordinating all such public information activities under the guidance of the Staff Liaison. A database of information on each piece will be publicly available. All information about the program should be easily accessible to the public. Relevant information on the public art program will be readily available on the City website, while all program and procedures materials will be housed on the Staff Liaison's departmental website page.

The PAAB is committed to providing exposure for the artists involved in the Program. Activities may include tours, special media programming, cooperative programs with educational and arts institutions, partnership programs with the private sector, and special activities coinciding with artwork dedications as available.

Opportunities for community participation are abundant and should be high priority. Artworks significantly alter public spaces and add to the visual character and function of an environment. They have the opportunity to develop residents' connection to place, but only when community members feel a sense of ownership over the work. Community outreach and engagement should be intentionally inclusive, reflecting the diversity of Shelby's communities. Steps should be taken to involve the many different segments of the community who engage with the environment before, during, and after the completion of the project. Communication should take place with as many groups as possible: cultural institutions, businesses and the corporate community, individual residents, neighborhood associations, special interest groups, and community leaders are all extremely important. Having the artist work or communicate with these groups will do a good deal of work setting a positive and inclusive tone for any project, as well as the overall Public Art Program.

A public artwork may not suddenly appear overnight; public education should precede, accompany, and follow every installation. With a regular program, we can instill a sense of ownership throughout the community. There are several ways to do this, in addition to the public input required before a prospectus is finalized. Some suggested components include:

- Public meetings with artists working with specific sites to discuss proposed work
- Media campaigns designed to demystify the process and final products
- Public lectures and presentations on public art issues
- Public and school-based tours of public art sites
- Inclusion of public art information in the school curriculum
- Neighborhood involvement and participation in art installations
- Public art exhibitions

- Collaborative projects and gatherings for performances/activities around public art projects (i.e. designing a larger arts programming to conduct with and around the installation)
- Internships for high school and college students for public art
- Special programs that take place in an installation's first year
- Inclusion of information on the City's website and social media
- Soliciting community support in fundraising
- Review Committee opportunities
- Self-guided tours
- Brochures for private developers

D. Care & Maintenance

The City of Shelby shall be responsible for the care and maintenance of the artworks under this Plan. A system providing for the care and maintenance of the works will be developed and coordinated by the Staff Liaison. The system will provide for documentation, condition monitoring, and repair or relocation of works. Calls for proposals may include a line item asking artists to detail care instructions, as well. Consultants may be retained to design and implement this system when necessary.

The PAAB will devise a schedule of maintenance for each piece of work as part of their annual work plan. The Staff Liaison will be primarily responsible for schedule implementation.

E. Documentation and Education

The artwork selection, acquisition, and curatorial requirements will be accurately recorded by the Staff Liaison, and the construction and installation of each work acquired fully documented by the artist.

F. Funding

Possible options for funding public art in the City of Shelby include but are not limited to:

1. Public Funding

a. *Percent for Art Ordinance:*

A Percent for Art Ordinance is a common mechanism by which cities raise funds for their public art program. A Percent-for-Art Ordinance sets aside a pre-determined percentage (usually 1%) of all capital improvement projects funded by the City's general fund [e.g. 1% of the City's contributions to a capital project's budget excluding grants, borrowed monies, or statute-protected spending] to be used for the Public Art Program.

This ordinance will have a broad application to include construction or renovation of any public building, highway construction or reconstruction, large-scale utility projects, park facility construction or reconstruction, or any other capital improvement project within the City. It is anticipated that an artist will be able to work with the design team to incorporate art into the capital project's initial design whenever feasible. If this is not practical, the funds shall be set aside for future, unrelated public art projects and/or programming. Ineligible costs include administration, fees and permits, demolition, relocation of tenants, contingency funds, land or building acquisition, off-site costs, environmental testing or indirect cost, advertising, and legal fees. Projects not visible to the public, such as below-

grade construction, rehabilitation of equipment, and ordinary maintenance, are ineligible projects. Any project or project component specifically excluded by the City Council is also an ineligible project.

b. Art Program Administration Funding:

The annual work plan should include a list of recommended public art projects, a suggested budget, and a schedule to perform maintenance on the existing collection. The City Council will review the public art projects identified and is not required to approve all or any of the public art projects recommended. The Council may modify a project prior to approval, may ask the Public Art Staff Liaison and Board to develop modifications for consideration, or may ask the Public Art Staff Liaison and Advisory Board to review and comment on possible modifications.

The Public Art Staff Liaison and Advisory Board may recommend projects for the Council to consider supporting with pooled funds such as public art projects not tied to Capital Improvement Projects, curatorial programs like updating the website, special events, and community arts infrastructure support.

c. Travel and Tourism appropriation

The City may appropriate Travel and Tourism dollars to the Public Art Program for general programming costs or specific projects.

d. Raper-Roark Trust appropriation

The City may appropriate Raper-Roark Trust monies, with Board of Governors approval, to Public Art Program activities in the Municipal Service District (MSD), the Uptown Shelby neighborhood.

2. Private Funding

The PAAB will solicit funding for projects suggested in the Plan from individuals, corporations, foundations, institutions, and organizations. Monies may be obtained through grants, wills, memorials, gifts, or special fundraising campaigns. The Staff Liaison shall assist in organizing materials and information for grant-writing and in any other way that's helpful for fundraising.

a. Private Development Funding

Private developers are discovering that including public art can enhance the overall quality and unique character of a project. Public art and cultural facilities in private development can heighten the image and value of a project, and thus its income-producing potential. The Staff Liaison will serve as a source of information for private developers to utilize public art in new development projects.

Some cities have adopted ordinances adjusting their City's Unified Development Ordinance to encourage private developers' funding of public art. The incentives (e.g. a height increase, a density bonus, a floor area ratio increase, public art in lieu of landscaping) go into effect when private developers set aside funds for public art installation on their property or install public art in lieu of design elements (e.g. light fixtures, paving, furnishings).

3. Grant Opportunities

See Appendix B for a list of grants and funding opportunities.

IV. Program Procedures

A. Project Definition & Call to Artists

The Staff Liaison will carry out the intention of the PAAB in developing, designing, and producing project summaries (prospectus), incorporating public input, to be used to advertise these projects to artists. These summaries will include a definition of project intent, scope, criteria, and a list of selection materials needed. They will also develop an appropriate mailing list for sending the prospectus out to artists. See *Appendix A for a Call for Artists (Request for Qualifications/Proposals) Template*.

B. Acquisitions

“Acquisition” is the inclusion of artwork in the Public Art Collection of the City of Shelby through commission, purchase, loan, or gift. The PAAB is responsible for the management, acquisition, maintenance, conservation, and interpretation of the works designated as part of the Public Art Collection, with Council approval. All acquisitions should include a written proposal with the following information, as appropriate:

- Visuals and/or photographs which accurately depict the work
- If the work is site-specific, information regarding the site and the work’s placement within its context
- Background information on the artist and any other relevant information on the work

There are various types of acquisitions.

1. Commission

Commission refers to the contracting of an artist(s) to create a “new,” original artwork for a specific site or project that becomes a part of the Public Art Collection.

i. *Appointment of Review Committee*

In general, with a commissioned public art project, the PAAB will recommend members for each Review Committee. PAAB members will contact these individuals to investigate the feasibility of their serving on the Review Committee. This step may be skipped if the Plan moves forward with the PAAB operating as the Review Committee.

ii. *Methods of Selecting Artists*

The selection process may include, but is not limited to the following methods or combinations of methods:

- **Open Competition:** An open competition is a standard “Call to Artists” for a specific project in which artists are asked to submit evidence of their past work. Any artist may submit credentials (Request for Qualifications) and/or proposals (Request for Proposals), subject to any limitations established by the Review Committee or PAAB. Calls for entries for open competitions will be sufficiently detailed by the PAAB. Calls for entries for open competitions will be sufficiently detailed to permit artists to determine whether their work is appropriate to the project under consideration. See *Appendix A for Call for Artists Template*.

- **Limited Competition:** A limited number of artists may be invited by the PAAB to submit credentials and/or proposals for a specific project. Artists may be invited based on their past work and exhibited abilities.
- **Direct Selection:** At times, the PAAB may elect to make a direct selection in which they contract a specific artist for a particular project. An ongoing list of eligible artists may be gathered by the PAAB for use in direct selection projects.

Notwithstanding the selection methods above, all selection methods must be consistent with the North Carolina Fiscal Control Act.

iii. Agreement

Entry into any selection process constitutes agreement to the conditions of the selection process. The artist grants the City of Shelby permission to photograph or scan any work or slide accepted for archival purposes, publicity or for publication, web page, film or TV programs which are published, produced, or sponsored by or with permission of the City of Shelby.

iv. Artwork Selection Process

All Review Committee members will be provided with:

- An overview of their responsibilities and commitments
- PAAB goals, the selection process goals and considerations, artist selections to date, and focus on the particular project within the program
- The project prospectus
- The site, any specifics concerning the site that are pertinent and, if the commission is for a new facility/development, the architectural planning to date
- Project timelines including expected milestones and completion date
- Project budget
- Art program policies regarding confidentiality and conflict of interest
- A tour of the site, whenever possible

The Review Committee should discuss the artists, select a finalist, and draft a recommendation for the PAAB. Once the review process has been complete, the recommendation will go to the PAAB. Upon acceptance by the PAAB, the Review Committee will be disbanded. The PAAB will then take its recommendation to City Council for approval.

2. Purchase

Purchase refers to artworks acquired through the direct financial obligation of the City of Shelby or its designated representative that become part of the public art collection. As opposed to commissioned works which are new works created specifically for project sites, purchased works are existing works that are acquired and then placed at sites.

i. Purchase Procedures

Artworks under consideration for purchase will be forwarded to the PAAB for review and recommendation to the City Council. Processes for the purchase of artworks shall be as deliberate as those for commissioning.

3. Loan

Loan refers to artworks placed in the temporary care of the City that remain the property of the owner or artist. This also refers to time-limited artworks, such as performances. Loans remain subject to the guidelines governing gifts.

i. *Loan Procedures*

Loaned artworks are treated in a manner consistent with permanent pieces of the Public Art Collection. Lenders should be encouraged to accept the costs of packing and transporting loaned artworks whenever possible. Subsequent costs for maintenance and conservation may be negotiated with the lender when appropriate. All lenders will enter a loan contract with the City that details the conditions under which the artwork is borrowed. All loans shall have a stated expiration date. Before the conclusion of the loan period for visual works, the PAAB or a designated representative will discuss with the lender the return of the work, the extension of the loan period, or the conversion of the loan into a gift or purchase.

4. Gift

Gift refers to all artworks that are offered to the City without direct financial obligation in assuming the legal title.

i. *Gift Procedures*

Individuals and/or other parties interested in donating gifts of existing or commissioned artwork or funds for the acquisition of artwork may contact City Staff. *See Appendix A for a Gift of Art Disclosure Form Template.* Additionally, the party offering a gift of existing artwork, commissioned artwork, or funds for the acquisition should make a written proposal with the following information:

Existing Artwork:

- Visuals and/or photographs which accurately describe the work
- If the work is being donated for a specific facility/site, information regarding the site and the work's placement within the site's context
- Background information on the artist and any further information on the work
- The current owner of the artwork and reason for the donation including any restrictions on gift
- Current location of the work
- Any extraneous costs that may be associated (i.e. shipping, installation, maintenance)

Proposed Gift of Commissioned Artwork

- Information about the donating individual or organization, including any restrictions on gift
- The particular site under consideration
- If selected, information on the artist who will be creating the work and any background materials available on the artist and proposed project
- If an artist has not been selected, the type of artwork being considered and/or the names of artists under consideration
- Any extraneous costs that may be associated (i.e. shipping, installation, maintenance)

Donation of Funds for Acquisition of Artworks and Arts Programming

- Information about donating individual or organization
- The amount of money being offered

- Information regarding the intent of the donation and any particular restrictions associated
- If the donation is specific to the purchase of a particular work or has been designated for commissioned work, all of the above information for a proposed gift of existing artwork or commissioned artwork will apply

The PAAB will review the quality of the artwork based on the materials provided and determine if the work fits within the goals of the Program. Consideration should be given to the cost of the installation and to the care and maintenance of the artwork over time, as well as the funding for these costs. Consideration should also be given to liability issues with the artwork. The PAAB may recommend an appropriate location for the artwork unless the gift is site-specific.

C. Publicity, Labeling, & Dedication

The City Public Information Officer will prepare media releases immediately after a project has been defined in the prospectus, following artist selection, and upon completion of a project to announce the completion and/or dedication.

All pieces in the City's permanent public art collection will include a standardized plaque communicating the project's title, the artist, year of dedication, and any sponsors in addition to the City. All plaques must be made with durable material depending on the work's environment and exposure to the elements. Placement must be determined prior to project installation.

The Staff Liaison will identify the place, date, time, and participants for the dedication and shall arrange program events. The artist, sponsor, donor, Review Committee, PAAB, other key community members, and members of the neighborhood should be specifically invited.

D. Accession

Program Staff will assign accession numbers to completed artworks in the order designated by a pre-established system. Staff will enter data onto an Accession Record form and place it in the master ledger. The data will also be entered into a computer file.

E. Public Records

Documents created, maintained, or obtained pursuant to this Plan or administration thereof may be subject to Chapter 132 of the North Carolina General Statutes ("Public Records"). All requests for public records may be made directly to the City Clerk for review.

F. Conservation/Maintenance

An individual project artist must provide a list of maintenance requirements, preferably in the proposal stage. The Staff Liaison will keep the maintenance requirements information on file for reference. Routine maintenance shall be coordinated by the Staff Liaison.

Program staff will regularly assess the condition of existing artwork in the collection and prioritize maintenance or conservation needs. Staff and the PAAB shall present the annual maintenance/conservation plan within the annual PAAB work plan.

G. Deaccession

1. Initial Review Process

The Staff Liaison shall forward a letter of request along with the concerns prompting alteration, relocation, or removal to PAAB for consideration at a regularly scheduled meeting.

2. Reasons for Review

PAAB may review the status of the work for one or more of the following reasons:

- Condition or security of the artwork cannot be guaranteed
- The artwork requires excessive maintenance or has faults of design or workmanship and repair or remedy is impractical or impossible
- The artwork has been damaged and repair is impractical or impossible
- The artwork endangers public safety
- No suitable site is available, or significant changes in the use, character or design of the site have occurred and affected the integrity of the artwork
- The quality or authenticity is called into question
- The artist requests removal
- The artwork cannot be relocated or would not be appropriate for relocation
- The artwork cannot be reasonably secured
- The artwork has received sustained and overwhelming public objection over a five-year period, beyond temporary fluctuating changes in taste

3. PAAB Review - Options

An initial recommendation outlining ways in which the concern prompting review may be alleviated (other than deaccession) will be made. The following will be considered:

- Review of the artist's contract and other agreements
- Discussion with the artist of concerns prompting review
- Opinions from qualified professionals if appropriate

4. Review for Deaccession

Should PAAB determine that reasonable measures to resolve the concern prompting review have been taken in good faith and have failed to resolve the concern brought forward, then the PAAB will make a recommendation to Council, considering in priority:

- **Relocation**: If the work was created for a specific site, relocation should be to a new site consistent with the intention. Artist's assistance and consent are required.
- **Removal**: Removal may be by sale, extended loan, trade, or gift. Prior to any action, a professional appraisal must be obtained of the market value for the work. Sales will be made through public auction. Proceeds from the sale will be restricted to future art projects. A trade, extended loan, or gift may also be made to arts/cultural institutions.
- **Destruction**: If the PAAB has determined that reallocation or removal through sale or trade cannot occur, then the Council may should consider destruction. Program Staff will keep a record of whatever action is taken.

V. Program Policies

A. Alteration of the Work/Site

The Public Art Program will ensure artists retain as much control as can be possible over the integrity of the artworks.

Policy: The Public Arts Program seeks to ensure the following rights to the artists, which shall be embodied in contracts for the commissioning or purchase of works of art.

- Recognizing that successful public art is generally inseparable from the site for which it is created, PAAB will not move or remove artwork unless the site is destroyed, the use of the space has changed, the deaccession process has been followed, or unusual and/or unresolvable circumstances arise. Should it become necessary to move or remove the artwork, PAAB will make reasonable efforts to consult with the artist before affecting any removal or relocation. However, PAAB reserves the right to move or remove the artwork without notification in emergencies where an immediate threat to property or public safety is present.
- Recognizing the importance of preserving the integrity of an artwork, PAAB will not intentionally alter, modify, or destroy an artwork. If an artwork is significantly altered, modified, or destroyed, whether intentionally or unintentionally, the artist has the right to disclaim paternity or authorship of the artwork. Should an artist choose to exercise this disclaimer, the PAAB shall upon request by the artist remove any plaques, labels, or identifying materials that associate the work with the artist. All printed and digital marketing materials will be adjusted accordingly.
- The integrity of an artwork also depends upon regular conservation and maintenance. PAAB is committed to the periodic inspection of the artworks in the collection and to make reasonable efforts to ensure that each artwork is properly and professionally maintained.
- Recognizing that skilled craftsmen or third-party contractors manufacture many contemporary public artworks, PAAB will make every reasonable effort in such instance to permit an artist to exercise quality control and supervision of the actual construction or fabrication of the artwork.

B. Reproduction Rights

It is the understanding that any artwork commissioned by PAAB will be unique in its final dimension. PAAB may want to prevent any additional exact duplicate reproductions of the final artwork by the artist or by others. Any for-profit uses of photographs or other reproductions will be negotiated in writing between the artist and PAAB prior to their use for this reason. Further, PAAB is committed to treating artists fairly and ensuring they receive adequate recognition for their work.

Policy:

- Any artwork created through a commission for or an acquisition by the City will be the property of the City. The artist retains the copyright and may register it with the US Register of Copyrights. The artist must deliver a bill of sale, transfer of title, or other appropriate evidence of transfer to the City upon payment of the artist's fee.
- The artist may not make any type of reproductions of the finished work except by written permission of the PAAB. However, the artist has the right to include photographs or other reproductions of the work in portfolio, catalog, or similar not-for-profit publication provided there is a prominent reference to the fact that the work is installed in the City of Shelby.

- The PAAB will make no reproduction for commercial use except by written permission of the artist and after negotiations with the artist for appropriate compensation. The PAAB, however, reserves the right to make photographs or other 2-D representations of the artwork for public, non-commercial purposes provided there is a prominent reference to the fact the work was created by the artist.
- The artist retains the right to utilize derivatives of the artwork in ways that do not deprive PAAB of the unique quality of its purchase and its potential symbolic effect.

C. Involvement of Artists in Site Design

The PAAB is committed to a process that involves artists in the overall planning and design of capital improvement projects and in solving problems inherent in existing environments.

Policy:

- Review Committees may include outside artists in collaboration with City staff, architects, landscapes architects, engineers, project managers, and other key City staff whenever feasible.
- The Staff Liaison will identify possible capital improvement projects that may benefit from public art, then work with PAAB to incorporate public art installations and/or arts and design professionals' consultations as early as possible in the design phase. Projects may be deemed feasible based on the resources available at the given time and must be approved by City Council.
- The City may contract directly with artists to either provide expertise for or create works which are specific to a particular context. Although PAAB will accept individual project submissions from artist representatives or galleries, all contact, negotiations, and correspondence will be directly between artists and the City of Shelby.

D. Conflict of Interest

It is essential for artists and other arts-related professionals to serve as members of the PAAB and Review Committees. Artists and other related professionals, however, may have an actual or perceived conflict of interest when serving in such capacity while completing other projects.

Policy: The following requirements are guidelines for determining service and participation:

Public Art Advisory Board

- Any artist or other related professional actively serving on and/or appointed to the PAAB will not be eligible for any competition, commission, or project during their tenure.
- A member serving on the PAAB must withdraw from participating or voting on any competition, commission, or project for which a family member or business associate has any financial interest or personal gain.
- This policy will extend for a period of six (6) months following the end of an individual's term.

Review Committee

- Any artist, related professional, or any other member of a selection panel must withdraw from participation and voting on any specific piece of art for which their family or business associate has any financial interest or personal gain.
- An artist or related professional serving on a selection panel may enter any competition, commission, or project of the PAAB provided that the project is not to be selected by their panel

and that the project is not one in which their family or business associate has any financial interest or personal gain.

E. Diversity, Inclusion, & Non-Discrimination

PAAB recognizes the individual spirit and pride of all individuals and seeks to encourage and advance equity and multiculturalism in all aspects of the Public Art Program.

Policy:

- PAAB is to be inclusive in all aspects of the Public Art Program and to be sensitive to all issues and/or any perceptions of discrimination in the Program.
- The Public Art Program is to work consistently and intentionally to reflect Shelby’s diversity, in race, gender, origin, sexual orientation, ability, religion, and so on, in its art-- through artists, subject matter, and all other program operations.

VI. City Consideration for Community-Generated Public Art

The City of Shelby encourages a wide base of community support for public art: individuals, private businesses, and nonprofit organizations (“community members”) can valuably contribute to Shelby’s public art and collectively work with the City’s Program to have a greater impact on the community.

A. Sponsorship & Volunteering for City Projects

Community members can contribute to the Public Art Program directly through gifting existing artwork or funds for art acquisition. *See Art. V, Sec. B (4) for specifics of gift processes.* Community members may also volunteer with the Public Art Program as a member of the PAAB, a member of a Review Committee, or for short-term projects (such as painting a community-completed mural). *See Art. IV, Sec. C for other avenues of participation.*

B. Proposing City Projects

Community members may propose a project—whether that be a location, medium, artist, interactive activity, or some other public art engagement opportunity—to the City Council, PAAB, or Staff Liaison. The specific mechanism (whether it be via email, an online form, or public survey) will be decided by the PAAB but should be regularly publicized and monitored for responses. Project proposals originating in the community will be held to the same standard as other acquisitions and will be evaluated on their adherence to program goals. The more work completed prior to a proposal (site selection, artist selection, community research, exploration of funding options, or other appropriate background work), the better. Proposing or suggesting projects does not guarantee their approval nor fulfillment. *See Appendix A for a proposal template for consideration.*

C. Non-City Projects

If community members wish to generate their own art outside of the City’s Public Art Program, there are various points of consideration for the City.

1. Location

i. Private property

If a project will take place on private property, the City will not have any role except insofar as the project is in full compliance with all applicable laws, ordinances, and codes. The most common concerns of the City related to privately created public art are outlined in subsection 2 of this section.

If a project will take place on private property, the artist and property owner, as well as any other individuals, groups, businesses, or organizations that are stakeholders in the work, may work together to make a plan moving forward. The plan should outline concerns including but not limited to project goals, project coordination, location, ownership, funding, timeline(s), and maintenance. *See Appendix C for Uptown Shelby's "Considerations in the Mural Process" and other resources.*

ii. Public property

Privately owned public art projects on City property are subject to the same standards and procedure for City public art projects and programs, with clear distinctions of the expectations of the artwork owner. If the work is not to be gifted temporarily or permanently to the City Art Program, then community members, whether the artwork owner or their designee, are responsible for maintenance, repair, and liability coverage. The owner and the City will enter into a clear agreement outlining these responsibilities.

Additionally, if a project is on City property, including City sidewalks, an encroachment agreement must be obtained. If the project is on or near Department of Transportation property, an encroachment agreement must be obtained with them.

See Appendix A for a sample site agreement and sample encroachment agreement.

2. City Compliance

i. Planning and Zoning

All projects must be in compliance with the UDO. The UDO specifically outlines rules pertaining to signage and sidewalk safety that may be pertinent to your public art project. Contact the City's Planning and Development Department should you have any questions.

ii. Public Safety

Public art should not:

- a. Be unduly distracting to motorists.
- b. Interfere with driver to driver, or driver to pedestrian sightings, and should therefore generally avoid corner clearance areas.
- c. Unduly obstruct sight of the curb.
- d. Obstruct sighting of signal/pedestrian heads or any traffic control device.
- e. Unduly disrupt curb use activities, i.e. loading zones.
- f. Interfere with other reasonable traffic expectations and patterns.

City Staff, including the City Planner, the City Engineer, and the PAAB Staff Liaison, may be called upon to evaluate if a privately owned piece of public art poses any safety hazard to the public. If determined to create a condition that constitutes a threat to public safety, the City Planner has the authority to order

the repair, alteration, or removal of the work, providing the owner with thirty (30) days to rectify the breach of compliance.

3. Other Considerations

For non-City related considerations, [Uptown Shelby Association](#), [Cleveland County Arts Council](#), [Arts and Science Council](#), [North Carolina Arts Council](#), [South Arts](#), [Project for Public Spaces](#), and [Places of Possibility Public Art Toolkit](#) may serve as good resources throughout the process. See *Appendix C for other resources*.

VII. Opportunities

A. Site-Specific Works & Programming

This section will further define available public art opportunities for Shelby as well as provide examples of successful public art in other communities.

General provisions that will be considered are that any piece of artwork needs to be appropriate to its surroundings. Consideration of topography of a site, its relationship to other characteristics of the site, the traffic flow of the site, and general maintenance are primary to the deliberation of appropriateness. Works placed outside need to be considered based on durability, maintenance, and safety.

B. Permanent/Long-Term Public Art

These works will be acquired by the City in accordance with a determined selection process and will become a part of its collection. Adapted from the City of Asheville's Public Art Plan, we can think of public art in terms of varying scale and venue, which impact their presentation and impact within a community. The scale and venue of the Public Art Program projects will vary but will in general fall into four categories of scale and seven categories of application.

1. Scale Categories

- **Intimate**: Artworks that provide moments of discovery or personal interaction. In general, these artworks may not be immediately recognizable, but happen upon or engage the viewer on a personal scale. Examples include words, poetry, sounds or visual experiences, or small artworks inlaid in functional elements or places to create pause and reflection. These are smaller-scale projects designed for one-on-one engagement.
- **Pedestrian**: Artworks that engage at pedestrian scale. In general, this includes all types of media and experiences that function for and interact with walkers, strollers, cyclists, and other pedestrian activities.
- **Vehicular**: Artworks that engage at the vehicular scale. In general, this includes all types of media and experiences that function for or interact with auto and transit riders.
- **Monumental**: Artworks that are grand in scale and engage viewers most effectively from a distance.

2. Venue Categories

- **Sculptural**: Artworks that are three dimensional and free-standing in either an indoor or outdoor setting. In general, in this document, "sculptural" refers to works that are visually engaging, but not functional in nature.

- Environmental: Artworks that engage or become the landscape. In general, in this document, “environmental” refers to landscaping works, earthworks, and place works that are broad and multi-layered.
- Contextual: Artworks that seamlessly engage within the community fabric. Although artistic in intent and application, in general, these artworks cannot be distinguished from the situation they helped create and co-dependently support. Artist designed floors, paving patterns, lighting design, or other “integrated” works fit here.
- Functional: Artworks that provide some use for people or place either through application on existing functional elements or by becoming functional elements. Examples include seating, clocks, bike racks, lighting standards, water features, cellular towers, bridges, and so on.
- Serial: Artworks that are repetitious, continuing, narrative, or create culminating experiences. In general, these artworks are viewed as a collection of individual components that, when applied in a “serial” manner, create an interactive journey through a particular place.
- Decorative: Artworks that are applied to an existing situation or place as add-on components. Examples include artist paintings on existing walls, tile/glass application, and so on.
- Interactive: Artworks that create opportunities for engaging people. Examples include a sound work activated by pedestrian footsteps or an artistically designed splash pad.

3. Ideas

i. Gateways

Artworks will enhance the character and distinction of an area by either marking or defining boundaries and/or entrances into the city, unique/significant districts, individual neighborhoods, and into significant natural environments. Gateway projects can target key intersections, public tax lots, bike paths, trail systems, and greenway connections.

- Greenways, linear parks, and rail trail areas
- Main corridor entrances



Above: Welcome to Downtown Mural, Joplin, MO



Above: East 10th Gateway, Indianapolis, IN

ii. Parks and Community Centers

Artworks that offer interaction and establishes resting places or responds to natural environments can enhance our recreational spaces.

- City parks
- Greenways, linear parks, and rail trail areas
- Discovery play environments
- Community gardens and food forests

Right: Joy Park's Discovery playground, Maplewood, MN



Above: Edible Art Garden, Sacramento, CA;



Above: Ponte San Viglio, Brescia, Italy



Above: Installation in Campus Greens at Davidson College, Davidson, NC

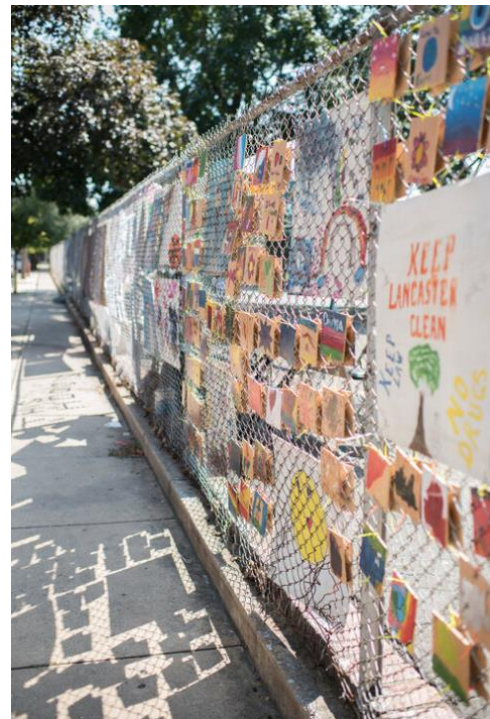


Above: Sunbird Park playground, Vail, CO

iii. Neighborhoods & Corridors

Public artworks will highlight shared experiences, celebrate community diversity, record community histories, identify unique attributes, and create neighborhood distinction.

- Municipal service districts
- Neighborhoods
- Transportation corridors
- Greenway corridors
- Neighborhood pop-ups offering free arts activities



Above: Art Pop event in Lancaster, PA

Left: 22nd Av. Farmers Market Fence-weaving Project, Corcoran, MN

v. Civic Buildings

Buildings and facilities owned by the City offer blank canvasses for public art that can serve as points of pride and create deeper engagement between the public and City staff.

- City-owned buildings
- Utility box art
- Fire stations
- Police stations
- Airport terminal



Above: Brentwood City Hall, Brentwood, CA

Below & Right: Wastewater Treatment Plant, Phoenix, AZ



Below: EmPOWERment project, Park City, UT



Above: Vigilance, Tamarac Fire Station 87, FL

v. Streetscape Projects

Exceptional design in physical amenities such as street furnishings, seating, trash receptacles, lighting, signage, and plantings create more aesthetically pleasing and pedestrian-friendly features and places.

Below: Bicycle rack, Nashville, TN



Above: Bench micropark, London, UK



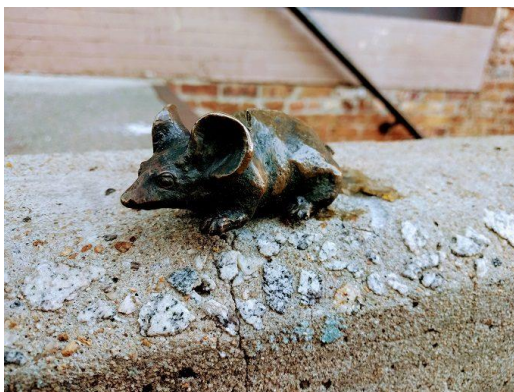
Above: Trash receptacles, Richmond, VA

Below: Inside/Out Bench for the Neighborhood Bench Project, Greensboro, NC



vi. Other potential site-specific art programs

- A mural program is a great opportunity. Murals have been utilized as economic development tools by many communities. Uptown Shelby, for example, has benefited from the addition of several murals. Expanding this program in Uptown area and reaching into other neighborhoods would help provide a visual identity for the City. Murals, however, do have a saturation point.
- Brick art
- Public performances (music, dance, theatre, etc.)
- Boarded-up windows
- Art mounted onto bricked-in windows
- Small-scale works



Above: Mice on Main, Greenville, SC's Downtown



Above: Sylva, NC

- Serial symbol public art installations (see Mount Airy and Brevard examples in Section C)

- An art garden with student artwork: A suggestion from the 2017 Economic Development Strategic Plan suggested the City designate an area in Uptown for an art garden, filled with a rotating exhibit of Cleveland Community College Art Department students' works

C. Temporary Rotating Public Art

Temporary and rotating art programming will accommodate rotating art that involves artists creating non-permanent work. This allows for highly creative opportunities and allows for the public art to consistently evolve, broaden, and refine to best fit the needs and wants of the community.

One possible area for arts programming is an annual arts competition, which will draw people to the area and establish the City as a supporter of the arts. This could take the form of a temporary exhibit.

However, that may result in limitations to the scope of the project for the artists and the community as the exhibit would be housed in one primary public space.

See Appendix C for examples of creative public art programming.

APPENDIX A: TEMPLATES

Sample Project Proposal from Community Members

Have an idea for an addition to the City Public Art Program?

The City of Shelby's Public Art Program welcomes new projects generated within the community. Before adding a project to the City's program, the Public Art Advisory Board and City Staff need to consider what kind of impact a project may have on the community, if the project adheres to the standards and goals of the program, and if the program has the resources and capacity to incorporate the project. Please assist the Art Program in understanding the details of the proposed project by completing the following information (and any additional information you find pertinent to the project) to the best of your knowledge and submitting it to the Public Art Advisory Board for consideration. Submission does not constitute a guarantee.

All fields are required.

Contact Information

Name of Person Submitting: Click or tap here to enter text.

Email: Click or tap here to enter text.

Phone: Click or tap here to enter text.

Description of Proposed Project

Name of Project: Click or tap here to enter text.

Please give a brief description of the project in the space provided or attach a document to this form:

Click or tap here to enter text.

Please give a brief description of how the project would add to the City of Shelby's Public Art Program:

Click or tap here to enter text.

Please give a brief description of how the project would engage the Shelby community, or a community within the broader City population, in public art design, installation, maintenance, and/or education:

Click or tap here to enter text.

Labor

Please describe the pre-planning process for this project. Pre-planning is the development of the specific details for the project, such as determining where the project would take place, when the project would ideally begin (design) and end (installation), any communication with stakeholders (i.e. property owners, potential funders, neighbors), and any other pertinent details around design, coordination, and completed prep work for installation and maintenance. The more information provided for at this stage, the better. Please include who other than the City would be available to assist with the pre-planning process. Please provide this information in the space provided or attach a document to this form:

Click or tap here to enter text.

Please describe in as much detail as possible the steps involved in the actual project preparation (i.e. selecting an artist, obtaining site agreements, conducting community focus groups, developing advertising materials, etc.). In your description, include who other than the City would be available to assist with these steps. Please provide this information in the space provided or attach a document to this form:

Click or tap here to enter text.

Please describe in as much detail as possible the labor needs for the completion of the project, including at least installation, maintenance, and community engagement (i.e. volunteers for installation, coordination of an unveiling reception, short-term and long-term maintenance and repairs, providing mechanisms for community feedback, etc.). In your description, include who other than the City would be available to assist with these steps. Please provide this information in the space provided or attach a document to this form:

Click or tap here to enter text.

Funding

Please give an estimated budget for expenses related to this project. If you need more room than below, please attach the budget to this form. Revenue streams are secured or projected sources of income for the project, such as fundraising events, monetary gifts or gifted artwork, etc. Please identify if the revenue is secured or projected.

Description of Expense

Amount

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Total Expenses

Click or tap here to enter text.

Description of Revenue Streams

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Click or tap here to enter text.

Total Revenue Streams:

Click or tap here to enter text.

Net Income (Total Revenue – Total Expenses):

Click or tap here to enter text.

If you've included sponsorships as one of your funding streams, have you secured the sponsorship or do you have the ability to raise the sponsorship yourself? Yes No

Thank you for taking the time to fill out this form. This information will be shared with the Public Art Advisory Board and the appropriate City of Shelby staff. You may be contacted for further information.

We appreciate your interest in contributing to the City of Shelby's Public Art Program.

Sample Request for Qualifications/Proposals

CITY OF SHELBY

REQUEST FOR [QUALIFICATIONS/PROPOSALS]: PUBLIC ART

I. PROJECT DESCRIPTION

What will the artist be doing? Think of it more similarly to a job description—focused on what role the artist will play and the expected outcomes.

EX: This is a paid public art opportunity for a wall space in Uptown Shelby for a qualified artist or team of artists working collaboratively to create a piece of public mural art, [WHY?: EX: honoring former professional football player and Shelby native Bobby Bell]

II. ART GOALS/ CRITERIA [OPTIONAL]

List the predetermined objectives of the Artwork: honor Shelby's history and community; accessible to all; acceptable for public display for all ages

III. LOCATION [OPTIONAL—DEPENDING ON STAGE OF PROCESS]

Describe where the Artwork will be placed and any pertinent details. This can include photographs, maps, and measurements.

EX: The mural will be placed on a wall space in Uptown Shelby. The final location has not been selected, but the minimum and maximum projected requirements would likely be (wall size). The wall material will presumably be brick or concrete.

IV. BUDGET [OPTIONAL FOR RFQs]

Describe the funds (and their sources) available for concept design, final design, fabrication, and installation. Is the budget a fixed cost amount or a range?

V. ELIGIBILITY

Who can apply? Are there restrictions (on region, experience, etc.)? What qualifications must the Artist possess?

EX: This request for proposals is open to all professional artists who can fulfill the application requirements.

VI. APPLICATION REQUIREMENTS

1. Completed and signed application form and checklist (see attached)
2. Project Description (not to exceed 2 pages) ← IGNORE FOR RFQs
3. Support Materials: These materials should convey the artistic intent, i.e. design renderings, preferred colors, and visual materials to adequately illustrate the proposed work and your abilities as an artist. ← IGNORE FOR RFQs
4. Resume or Artist Bio (not to exceed 2 pages)
5. Sample Work Portfolio: Your portfolio must include: (EXAMPLE) five (5) examples of previous murals. Each sample should include:

- a. A photo;
 - b. A description of the location;
 - c. A list of materials used, including but not limited to the paint system (type of primer, type of paint, type of finishing);
 - d. Dimensions and scale; and
 - e. Approximate budget.
6. Description of warranty and guarantee
 7. Proof of insurance

Decide what format you will accept and on what timeline:

EX: "Materials must be submitted in their entirety electronically or physically to City Hall. All electronic materials must be submitted in a single PDF format to email@cityofshelby.com and must be timestamped before 5:00pm X XX, 2020. If submitting physical materials, all materials must be in a single envelope postmarked before 5:00pm X XX, 2020 to P.O. Box 207, Shelby NC 28151. Late or incomplete applications may not be considered."

VII. SELECTION PROCESS

Outline the selection process as determined by the PAAB.

EX: Artist(s) applications will be evaluated on the following criteria on X Xth:

- Artistic merit as evidenced by submitted representation of past work
- Appropriateness of the artist's medium, style, and previous professional experience as they relate to the art goals and opportunities in this project
- Experience with projects of similar scale and scope, including familiarity with public agencies and the public review process
- The ability of the artist to successfully complete the proposed artwork within the desired timeline
- Selected artist will be notified by X Xth.

PROJECT TIMELINE [WHEN APPROPRIATE]

List key milestones including deadline to submit RFQ/P, projected site visits, deadline for final concept, projected deadline for project approval, and projected deadline for installation

CONTACT INFORMATION

If you have any questions, please contact *the Staff Liaison* at email@cityofshelby.com.

APPLICATION FORM: PUBLIC ART INSTALLATION

NAME: _____ **DATE:** _____

ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

PHONE (DAY): _____ **PHONE (EVENING):** _____

EMAIL: _____ **WEBSITE:** _____

PROJECTED AVAILABILITY FOR {IDEAL TIME FRAME}:

To assure that your application is complete, please check off the following items as enclosed:

- This application form completed and signed
- Project Description (not exceeding 2 pages)
- Supporting Materials
- Resume or Bio of Artist(s) (not to exceed 2 pages each)
- Sample Work Portfolio (see RFQ for specifications)
- Description of Warranty and Guarantee
- Proof of Insurance

Certification

I certify that as of the date of this application I am 18 years or older, as are any members of my team (if applicable). I certify that all examples of artwork submitted with this application are products of my design and fabrication as represented. If accepted, the artwork produced will be owned by City of Shelby, and images of my work may be used in publicity for the City of Shelby and its assigned.

I certify that all statements made in this application are true to the best of my knowledge. I acknowledge that the City of Shelby is not liable for loss or damage to work submitted.

APPLICANT SIGNATURE: _____

DATE: _____

Deadline for Submission of Qualifications: X X, 2020 at X:00pm EST.

Sample Artwork Criteria

Based on the Places of Possibility Template. Adjust based on criteria outlined in the Request for Proposals.

	Excellence	Community Approach	Scale	Maintenance	Impact	Budget	
<i>Artist/ Concept</i>	The artist exhibits a high level of proficiency in materials as exhibited by previously completed works.	The artist demonstrates the ability to work responsively and in collaboration with the Shelby community.	The size of the concept is appropriate for the site and surroundings.	Proposed maintenance is reasonable and can be effectively achieved.	The overall concept is memorable and will positively impact the site and community.	The budget is realistic and includes allowances for all expected and some unexpected expenses.	Total score
<i>Artist 1</i>							
....							

Other criteria to consider:

- Diversity- The Public Art Selection Panel shall actively seek diversity of perspective, style, scale, media and artists represented.
- Public Safety- Artwork shall be evaluated to ensure that it does not present a hazard to public safety.
- Electrical and Mechanical Considerations- All electrical, mechanical and engineering components must be stamped by a licensed engineer. Upon completion, a sealed as-built drawing may be required from the Building Official.
- Public access- Will the public have free access to the artwork? The selection panel should consider the visibility and accessibility of artwork for people with disabilities, and ensure the artwork will be accessible to everyone
- Public art should avoid:
 - Sharp edges, points, projections, or pinch-points which may cut, puncture or cause injury by impact, catch passing pedestrian clothing or entrapment of limbs
 - Overhead parts which present a hazard to pedestrian or motorized traffic. Artwork should follow minimum sign height requirements in areas where pedestrian traffic is likely.
 - Trip hazards and slippery surfaces if set into sidewalks or flooring.
 - Unsafe climbing opportunities for children/adults.
 - Obstruction of any traffic control device.
 - Cynical, pornographic, and otherwise obscene artwork that is not appropriate for public display.

CONTRACT WITH ARTIST

A. Contract Terms

The following items will detail the necessary structure of an artist contract with the City of Shelby.

B. Title and Ownership

The artist retains all rights and interest in the artwork except for rights of ownership and possession, which are passed to the City of Shelby upon final acceptance. The artist warrants that the artwork is his/her sole and original creation and does not infringe upon any copyright or trademark. If the commissioned artwork is one of multiple editions, the warranty will be modified to state this fact.

C. Reproduction Rights/Copyright

The artist retains all rights under the Copyright Act of 1976. However, the artist agrees not to make an exact duplicate or permit others to do so, except by written permission of the City of Shelby; the artist also grants the City of Shelby the irrevocable license to make two-dimensional reproductions for promotional purposes. In turn, the City of Shelby agrees to give the artist the appropriate credit on all such promotional pieces. The credit will include the copyright symbol, the name of the artist, the title of the piece, and the date of completion.

D. Warranties/Risk of Loss

The artist warrants that:

1. The artwork is made of quality materials;
2. The artwork is free of defects; and
3. The artwork will remain in good condition for ten (10) years under normal conditions with routine maintenance.

Additionally, the artist will remedy at his/her own expense any defect that occurs during the first year after installation. Finally, the artist warrants that the artwork will not contain any physical characteristics, which would pose a hazard to public safety.

E. Fabrication and Installation

Because no two public art projects are exactly the same, the fabrication and installation stipulations required of artists in their contracts will be fairly general in nature. In terms of fabrication, the contract will stipulate reasonable durability and protection of materials. The City of Shelby Call for Artists, Request for Qualifications, or Request for Proposals may outline material preferences for maintenance. Artists will supervise fabrication to assure quality-control warranties of the contract. Fabrication requirements will include, at minimum, that:

1. Artworks are free from defect;
2. Artworks be made of high-quality materials;
3. Craftsmanship be of high quality; and

4. The artist, the City of Shelby and members of the selection panel will review the fabrication of the work while in progress.

Installation responsibilities between the artist, the City of Shelby and the specific commissioning agency will be detailed in contracts. For installation, the artist's methods will be approved by the commissioning agency and, if necessary, a state-licensed engineer (particularly when artists are responsible for paying for the installation). The permanence of the installation will be the issue of that approval, and specific requirements will be imposed, such as the use of safety hardware for hanging a suspended artwork. In addition, the following points will be considered:

1. The artist will approve site preparation before installation begins;
2. Artwork is to be installed when it is in no danger of being damaged by onsite construction work;
3. Standards and requirements set forth by the commissioning agency for installation should be adhered to; and
4. The artist is responsible for loss or damage to artwork prior to its installation on City property.

F. Maintenance

The artist will submit maintenance requirements, guidelines, and costs for the artwork to the City of Shelby, developed in conjunction and cooperation with the commissioning agency. In turn, the City of Shelby will maintain the artwork and make decisions regarding repairs and restoration based on the maintenance guidelines submitted, and in consultation with the artist when necessary (as per the Visual Artists Rights Act of 1990). The City of Shelby agrees that it will not intentionally destroy, damage, alter or modify the artwork, and that the artist will be informed, and will consent to any alteration of the artwork prior to repair work commences.

G. Risk Management

The artist shall provide and maintain policies of comprehensive general liability insurance in specified amounts to be determined by the City of Shelby, covering the period from which the art is being installed until the final acceptance by the City of Shelby. The City of Shelby and the architect will be named as the insured on all insurance policies. Assignment of the insurance responsibility prior to, during, and after installation is clarified in contracts. The following points should be considered:

1. To reduce the City of Shelby's liability, fabrication will be done off-site whenever possible;
2. The engineer who signs off on the artist's drawing must verify that the final artwork has been built to specifications, by inspecting the artwork after installation;
3. The artist is responsible for providing general liability insurance when the artwork is in transit, being delivered, and being installed; and
4. The artist is responsible for any damage to the artwork until installation on City of Shelby property.

H. Documentation

The artist must submit a detailed description of the project with approved designs and drawing to the City of Shelby upon completion of the work. The artist is responsible for providing photo documentation and should include these costs in the budget for the project.

I. Deaccession

De-accessioning may be addressed by referring to the de-accessioning policy or by specifically addressing the issue directly in the contract. Deaccessioning public art must consider the federal regulations set forth in the Visual Artists Rights Act of 1990

J. Signage

The City of Shelby will prepare and install a plaque at the site that identifies the artist, the title of artwork, copyright symbol, date of completion, size of the work, and medium.

K. Contract Enforcement

Performance requirements identify whether or not artists are in compliance with the stipulation of the contract. There must be set guidelines if an artist is late, over budget, or completes the project ahead of schedule. These requirements may be tied to budget allocations. When the artist is under contract with the architect, the architect is responsible for the enforcement of that contract.

L. Termination or Cancellation of Contract

The agreement terminates if the underlying construction project is canceled. The City of Jackson may also terminate the agreement if the artist willfully or negligently fails to fulfill any of the covenants, agreements, or stipulations of the agreement in a timely manner. If the artist is not able to produce an acceptable design in a timely manner, the body with which the artist has contracted (the architect or the City of Shelby) has the right to terminate the contract by giving written notice to the artist of its intent. The artist shall have thirty (30) days to cure the default by producing an acceptable design. If the artist defaults, all finished and unfinished drawings, sketches, photographs, models, and maquettes of the work shall become the property of the City of Shelby in payment for damages caused to the City of Shelby by the default on the part of the artist.

The City of Shelby must pay the artist for any work completed up to the point of termination as stipulated by the payment schedule. The remaining monies revert back to the City of Shelby to finance the completion of the artwork when feasible. The City of Shelby may withhold a reasonable amount of payment to the artist until the exact amount of any damages is determined.

Should an artist's contract be terminated by the City of Shelby due to negligence or noncompliance on the part of the artist, the City of Shelby has the right to consider that artist ineligible for any future art projects funded by the City of Shelby.

M. Project Delays

If the artwork is ready on time, but the construction project is late, the commissioning agency should pay all maintenance and storage costs for the artwork until it can be safely installed. When an artist completes a work 30 before the completion date agreed upon in the contract, the artist will be responsible for storage charges. Should the construction project be completed on schedule, but, due to conditions beyond reasonable control, the artist is late producing the finished artwork, it will

not be considered a breach of contract, and the City of Shelby will grant a reasonable extension of time to the artist. If the City of Shelby incurs costs associated with such a delay, the contingency fee (see below) will be used to cover these charges.

N. Contingency Fee

Ten percent of the total art project budget will be set aside as a contingency fee to cover unforeseen and unavoidable expenses associated with the artist's completion of the project. If the contingency fee is not adequate to cover such costs, a renegotiation of the budget terms of the contract and/or an option to terminate the contract can be considered. If the contingency fee is not used, it can be either added to the artist's design fee, or set aside for emergency conservation of the artwork, or split between the two.

Sample Gift of Art Disclosure Form

A Gift of Art Disclosure Form, signed by the donor and the City Manager, will be required. A copy should be given to all interested parties, and the original should be retained by the City Clerk.

GIFT OF ART DISCLOSURE FORM

CITY OF SHELBY

1. Please describe the work of art being proposed for donation. Attach photographic and other documentation relevant to its merit. If available, please also attach any biographical information relating to the artist or any other material relevant to the work.

Artist:

Title:

Medium:

Dimensions:

Year Created:

Overall Description:

History of Object:

Current Location:

How did you/your organization acquire the artwork:

Estimated value:

Source:

Condition: Excellent _____, Good _____, Fair _____, Poor _____

2. Installation requirements (method of attachment, lighting, estimated cost, etc.):
3. Maintenance requirements:
4. Are you/your organization willing or able to provide the funding necessary for installation? Please describe the work and estimate costs involved.

5. If you are proposing that the work be installed in a specific location, please describe why you feel that site is appropriate for the proposed donation.

6. Does the artwork acknowledge a person(s), place, event, or other attribute of the community that warrants broad public recognition?

7. Describe specifically any restrictions or stipulations you wish to place on this gift:

8. Would you be willing to include with your donation funding for maintenance? Donations would be used for general maintenance of the public art collection.

9. Is there an existing plaque that accompanies the work? If not, please provide suggested wording for the identification plaque:

10. Any additional information:

APPRAISAL REQUIRED: ATTACH HERE

Sample Encroachment Agreement
NORTH CAROLINA
CLEVELAND COUNTY

RIGHT-OF-WAY ENCROACHMENT AGREEMENT
CORPORATION LICENSEE

THIS AGREEMENT made effective this _____ day of _____, 2_____,
by and between the CITY OF SHELBY, a North Carolina municipal corporation, hereinafter referred to as
the "City", and
_____, hereinafter referred to as "Licensee";

WITNESSETH:

WHEREAS, the Licensee(s) desire(s) to encroach on a portion of the public right-of-way designated as
_____, a dedicated opened street(s) located in Shelby, NC
_____. Licensee(s) wishes to encroach on to that portion of the street (or utility) right-of-way more
particularly described as _____ (ADDRESS) _____, and as shown on Exhibit "A" attached
hereto; and

WHEREAS, Licensees wish to erect or install _____ (DESCRIPTION) _____ on
such City right-of-way; and

NOW, THEREFORE, the City hereby grants to the Licensee(s) the right and privilege to make and maintain
said encroachment(s) at the location above described upon the following conditions:

1. The Licensee(s) shall construct any encroaching structures in such reasonable safe and proper
condition such that they will not interfere with or obstruct the proper use or maintenance of the right-of-
way. If at any time the City requires or desires the removal of or changes in the location of the
encroaching structures, the Licensee(s), at their expense shall promptly remove or alter the structures
in order to conform to said requirement or request of the City without any cost to the City.
2. The Licensee(s) shall provide the initial supplies for the project and assumes responsibility for
(REPAIRS/MAINTENACE) _____. The City of Shelby agrees to (WHAT RESPONSIBILITY, IF
ANY) _____.
3. The Licensee(s) shall ensure that the permitted structure(s) remain functional with a neat appearance.
4. The Licensee(s) shall inform the City Engineer before commencing the installation of any
encroachment, or any repair, alteration or maintenance thereto in said right-of-way, in order that the
City of Shelby may perform inspection on said work and require any alterations or corrections deemed
necessary or desirable by the City of Shelby. If the City of Shelby shall require or desire any alterations
or corrections, the Licensee(s) shall make the same as so directed and specified by the City within a
reasonable time. Licensee(s) shall also provide private property owners a minimum forty-eight (48) hour
notice prior to work commencing within the right-of-way located in front of privately owned parcels.
5. If Licensee(s) shall default in performing any of the covenants or conditions herein, or if the
encroachment structure(s) shall, by reason of improper maintenance or other cause, interfere with or
become a source of danger, or be likely to interfere with or become a source of danger, to the street or
utility system of the City, and Licensee(s) fails to remedy such default, interference, or dangers or
improper condition within thirty (30) days after written notice is sent from the City to do so, the license
hereby granted shall automatically terminate at the expiration of such thirty (30) day period and
Licensee(s), upon written notice by the City, shall forthwith remove such structure from the City's right-
of-way and restore said right-of-way to the condition existing prior to the construction of any structure

thereon. In default thereof, the City may at its election, either take such action as is necessary to require removal of any structures by Licensee(s) or remove the same and restore the condition of said right-of-way at the expense of the Licensee(s), Provided, however, in an emergency necessitating in the judgment of the City immediate repair, maintenance or removal of the encroaching structures, the Licensee(s), upon request of the City, shall do such requisite work, or shall remove the structure and if the Licensee(s) fail to do so immediately after such request, the City may do such requisite work or effect such removal at the expense of the Licensee(s).

6. Licensee(s) shall provide, during construction and any subsequent maintenance, proper signs, signal lights, flagmen and other warning devices for the protection of traffic in conformance with the latest Manual on Uniform Traffic Control Devices for Streets and Highways and Amendments or Supplements thereto. Licensee(s) shall not alter traffic patterns or routes without prior consent from the City.
7. After completion of installation, construction, repair or removal of any equipment or device, Licensee(s) at its sole expense shall restore the appearance of the construction area as nearly as reasonably possible to that which existed immediately prior to such activity.
8. The Licensee(s) shall be responsible for all loss of life, personal injury or property damage or any other claims or liabilities accruing from or attributable to the construction, maintenance, use, or presence of any encroachments upon the City's right-of-way, whether or not resulting from negligence of Licensee(s), and Licensee(s) will indemnify, defend and hold the City, its agents, officers and employees harmless from any and all claims, losses, injury or damage arising from any action taken by the Licensee(s).
9. This agreement shall become void if actual construction of the work contemplated herein is not begun within one (1) year from the date of authorization unless written waiver is secured by the Licensee(s) from the City.
10. This agreement shall inure to the benefit of and be binding upon the respective heirs, successors and assigns of the parties hereto, as well as upon the parties themselves.

IN WITNESS WHEREOF, the Licensee(s) have set their hands and seals and the City has authorized this agreement to be signed in its name by its City Manager and its corporate seal to be hereunto affixed.

CITY OF SHELBY

(Corporate Seal)

By: _____

Rick Howell
City Manager

ATTEST:

City Clerk

RECOMMENDED:

Ben Yarboro
Engineering Services Director

LICENSEE(S)

_____(SEAL)

_____(SEAL)

APPENDIX B: GRANT FUNDING OPPORTUNITIES

The list below is by no means comprehensive, but may serve as a starting place

National

- **National Endowment for the Arts**
 - Grants for Arts Projects: Support artistically excellent projects that “celebrate our creativity and cultural heritage, invite mutual respect for differing beliefs and values, and enrich humanity;” Cost share/matching (1:1) grants generally range from \$10,000-100,000.
 - Challenge America: Designed to support arts education projects for underserved populations whose access to the arts was limited by geography, ethnicity, economics, or disability; Cannot exceed 50% of total cost of project and require a nonfederal match; Usually ranging from \$5,000-10,000.
 - OUR TOWN: Creative placemaking grants for projects that integrate arts, culture, and design activities into efforts that strengthen communities; Require a partnership with a local nonprofit organization, one of which must be a cultural organization, and should engage with other sectors; Cost share/matching (1:1) grants from \$25,000-150,000.
 - Research Grants in the Arts: Support research investigating the value and/or impact of the arts; Cash share/matching grants (at least 1:1) for \$10,000-100,000.
- **National Endowment for the Humanities**
 - Public Humanities Projects: Support projects that “bring the ideas and insights of the humanities to life for general audiences” and engage humanities scholarship; Support exhibitions, interpretive programs at historic places, and humanities discussions; Grants for planning (up to \$75,000), implementation (\$50,000-400,000), and Chairman’s Special Awards (up to \$1,000,000)
 - Infrastructure and Capacity Building Challenge Grants: Support projects designed to strengthen institutional basis for humanities, funding capital projects (design, purchase, construction, restoration, or renovation of facilities for humanities activities) and digital infrastructure projects (maintenance, modernization, and sustainability of digital platforms); Cost share/match grants up to \$750,000
 - Digital Projects for the Public Grants: Support projects that interpret and analyze humanities content in primarily digital platforms and formats (e.g. websites, mobile apps and tours, interactive tours, games, virtual environments); Grants for discovery (up to \$30,000), prototyping (up to \$100,000), and production (up to \$400,000)
- Department of Agriculture’s Rural Development grants: Various
- Department of Transportation: Various
- Department of Housing and Urban Development: Various
 - Smart Growth grants: see below.
- Environmental Protection Agency
 - Smart Growth grants: Support activities that improve quality of development, protect human health, and promote environmental protection. Arts-related activities could include: arts-related infrastructure development, public art projects, green design,

integration of arts into transportation and public housing projects, supporting cultural heritage sites, arts-based community development and education.

- Department of Commerce
 - Public Works and Economic Development (PWEDA) grants: Aims to promote competitiveness and growth in rural communities by supporting a range of activities, mostly infrastructure development, job training, and support for new industries. Can be used for: building arts-related infrastructure, public art projects, incorporating arts into transportation and public housing projects, supporting cultural heritage sites, designing a regional creative economy plan, and developing partnerships between non-profit and for-profit arts communities.

Regional

- South Arts Cross-Sector Impact Grants: Support projects developed by partners – one arts organization or artist and one non-arts organization, that addresses an issue of community importance; Cost share/matching (at least 1:2) grants from \$5,000-15,000.
- South Arts Express Grants: Provide expedited awards of up to \$2,000 to support the presentation of touring artists in rural communities
- South Arts Literary Arts Touring Grants: Support projects engaging Southern writers of fiction, creative nonfiction, and/or poetry that reside outside of the presenting organization's state; Cash share/matching (1:1) grants from \$500
- South Arts Performing Arts Touring Grants: Support projects engaging Southern theater, music, opera, musical theatre, and dance touring performances; Cash share/matching (1:1) grants from \$1,000
- South Arts Professional Development & Artistic Planning Grants: Support professional development needs of Southern presenters and programmers, strengthen program design, and increase organizational capacity; Can support staff travel expenses to conferences, festivals, exhibitions, workshops, and other professional development opportunities; Cost share/matching (1:1) for grants \$250-\$1,000

State & Local

- Z. Smith Reynolds Foundation
 - Z. Smith Reynolds Foundation Community Progress Fund: Support projects in which communities test ideas, expand promising efforts, or reach greater impact; Single grant each cycle of \$20,000-30,000
 - Inclusive Public Art Program: Support projects that aim to include historically marginalized populations in decisions about art in public places, focused on work promoting (1) contributions or achievements of a North Carolina person or group, especially women or people of color, whose story is relatively untold, (2) ways in which racial and ethnic diversity of our communities are assets, or (3) ways in which cultural differences strengthen our communities; Grants up to \$50,000; Unclear about future cycles
- North Carolina Arts Council: Various
- North Carolina Department of Commerce: Various

- Community Development Block Grants: Support projects that develop viable communities by providing a suitable living environment and by expanding economic opportunities
- North Carolina Department of Transportation: Various
- North Carolina Department of Natural and Cultural Resources
 - Program Support Grants: Support projects working towards an exemplary arts program, including related educational, interpretative, or outreach activities; Grants for \$5,000-15,000—matching not required for Tier 1 communities, but must make case for less than 1:1 matching
- Cleveland County Arts Council
 - Grassroots Arts Program Subgrants: Support projects conducting quality arts programming or operating an arts organization; Grants for local governments may not support internal programs, administration, or operating expenses; Cost share/matching (1:1) grants from \$500
- Golden Leaf Foundation
- Raper/Roark Trust

APPENDIX C: Creative Examples of Public Art Programming

Mount Airy's Public Art Crawl—Fiddles, Banjos, Guitars

Mount Airy, known for its historical and cultural tradition of bluegrass, organizes its Public Art Program around sculptures of bluegrass instruments. Each year of the program, the commission selected an instrument as the theme of the sculpture competition. The program, sponsored by the Downtown Association, ran three rounds of the competition: fiddles, banjos, and guitars.

PROCESS: The Mount Airy Downtown (MAD) put out a call for artists. The MAD purchases an unfinished guitar sculpture on behalf of a sponsor with which to create an originally decorated instrument. Upon competition, the fully decorated guitar was covered in a clear-coat finish and put on a platform for display by MAD in a designated downtown location. A MAD committee selected artists from the pool of applications, at which point sponsor

Sponsors were given the opportunity to pick an artist for their guitar from the approved applicants. MAD then sponsored a public reveal event and public auction event. MAD used the public art crawl as a benefit, with 10% of proceeds going to the artist and 90% of the proceeds going to the downtown association.

FIT IN SHELBY:

- Run out of the City, the sponsorship model offers an interesting funding model. The sponsor model also removes some cost-barriers: having the sponsor fund the unfinished canvas allows artists to participate who may not have the means to create works outside of commission and potentially opens up opportunities to inspire young and amateur artists to get involved.
- The program could be run with an auction of the sculptures/artworks at the end of the competition period with funds directed into the Public Art Fund.
- The model could also be adjusted to incorporate elements of Clayton's Sculpture Competition: the pieces could be artist-fronted (rather than the competition providing the unfinished canvas, removing the sponsor's role) and the work could be available for direct private sale with all the proceeds going directly to the artist at the duration of the exhibit.
- Themes should be specific to the City. Possibilities could include symbols associated with Earl Scruggs (the banjo), Don Gibson (though the existing LPs may suffice), textiles, sports [inspired by Shelby natives Bobby Bell and David Thompson as well as sports tournaments at City facilities, Shelby High School's legacy of state football championships, and the American Legion World Series (baseball)], or something else significant to Shelby's history and/or culture.
- This is a similar idea to the LP Shelby Art Project sponsored by Don Gibson American Music Foundation.





- Community feedback to existing public art projects indicates a desire for transparency about process and procedures, including the concept origin, selection process, design, and project maintenance. Clear communication and follow-through will be vital, especially with items auctioned off or otherwise paid for by the community.

Clayton's Annual Sculpture Trail

Clayton Public Art Advisory Board coordinates an annual sculpture trail that interweaves temporarily installed sculptures throughout the town. The competition has consistently grown from year to year

PROCESS: Annually, the Advisory Board makes selections from artist applications. The works chosen are considered loans. There are dedicated locations—cement parcels—located throughout town. The artists receive a \$1,000 honorarium for each sculpture on display for the coming year. Additionally, each artist will be eligible to compete in a People's Choice vote, in which the public selects the winner of an additional \$1,000 award. Beginning In 2020, the artwork will be switched out every two years instead of every year.

FIT IN SHELBY:

- The rotating collection from a competition program would keep a public art program fresh; there is theoretically less at stake as the works are impermanent.
- Identifying designated spaces for temporary artwork should make installation easier. The City/PAAB could select the location or publicize the locations available and have artists apply for specific parcels.

- The sculptures could be for sale for private buyers, which incentivizes applications further. If the City has the funds available, the People’s Choice could also be purchased by the City and added to the Public Art permanent collection.
- An annual program would likely require a lot of resources; after installation and publicity, it would probably be time to start the next round of applications. A biannual competition would achieve the same goals while reducing administrative stress.



Brevard’s Sculpture Project—Native wildlife sculptures

The Brevard Sculpture Project includes 20 western NC native animals and one abstract piece scattered around downtown. The sculptures are created by local artists using a variety of materials (bronze, copper, stone, steel). The project was spearheaded by the owner of Brevard’s Red Wolf Gallery. The project began in 2002, when the owner had a large wolf sculpture placed in front of the gallery. Initially, the city prohibited it, but a case was made by local artists and community members for the sculpture project as an economy-booster.



PROCESS: The sculptures were generally sponsored by individuals and placement was decided by the City.

FIT IN SHELBY:

- Private sponsorship of public art would alleviate funding concerns in Shelby. However, the City of Shelby has fewer galleries and a lower median income than the City of Brevard. The model would require more ground-laying -- building community buy-in and investor interest --if the expectation is for residents to front the costs.

- The sculptures could be sponsored projects gifted to the City or could be temporary displays up for private sale.
- Themes should be specific to the City. Possibilities could include symbols associated with country music, textiles, sports, or something else significant to Shelby's history and/or culture.



APPENDIX D: Other Resources

Uptown Shelby Association's "Considerations in the Mural Process"

Considerations in the mural process

Who

- Who will be doing the painting?
- Who will be funding the project?
- Who will coordinate the project?
- Who will be responsible for paying for future maintenance? Who will be responsible for coordinating the maintenance? Maintenance could include:
 - Short term damage such as graffiti, car accident, etc
 - Longer term issues like fading paint, yellowing sealant, or peeling/chipping paint

What

- What is the surface condition? What prep does it need? Who is responsible for coordinating that, paying for it, and executing it? (Property owner? Funder? Artist?)
- What are the parameters for the mural design?
- What type of paint? Mural dimensions? The subject matter? The sealant?
- What are the funding parameters (any requirements? Limitations?)

When

- What is the timeline for the project? (order may vary based on project circumstances):
 - Determine budget & secure funding
 - Property owner permission
 - Call for artists/RFP
 - Artist selection
 - Artist contract
 - Mural design
 - Surface prep
 - Mural creation
 - Sealing the mural
 - Later: mural maintenance or removal
- Does the artist guarantee the mural for a certain period?
- Does the property owner's permission expire or require renewal?

Where

- Mural location – with property owner permission
- Other things to consider:
 - What would happen if the building were to be sold? (this can be addressed in the agreement with the property owner)
 - Surface note: we strongly advise against painting raw/exposed brick (ArchitecturalTrust.org article)-- alternatives:

- selecting a more suitable surface such as previously painted brick or cinderblock, concrete, etc.
- putting the mural on a separate material (such as [plywood](#) or reproducing it onto a [large vinyl surface](#)) and mounting that to the brick

Why

- What are you hoping to accomplish with this mural?

How

- Is this a community participation project or is the artist producing the work alone?
- How will you tell the mural/artist's story? – eg, a plaque? Perhaps the artist will sign their work with their name, the name of the mural, and/or an Instagram handle or website? Or – will it be up to the viewer to decide the mural's story?

Resources for Further Exploration

Local

- [Uptown Shelby Association](#)
- [Cleveland County Arts Council](#)
- [Arts and Science Council](#)

Regional

- [North Carolina Arts Council](#)
- [South Arts](#)

Beyond/General

- [National Endowment for the Arts Creative Placemaking Resources](#)
- [Citizens' Institute for Rural Design](#)
- [Project for Public Spaces](#)
- [Places of Possibility Public Art Toolkit](#)
- [Americans for the Arts Public Art Resource Center](#)
- [Public Art Archive](#)
- [Community Public Art Guide: Making Murals, Mosaics, Sculptures, & Spaces](#)
- [Forecast Public Art Resources](#)