

# Public Art Board meeting August 25, 2011



## **Members present:**

Robert Todd, Chair  
Julie Calhoun-Roepnack, Vice Chair  
Honor Moor  
Jennifer Gordon  
Mark Koven  
Sharon Trammel  
Nancy Sokolove

## **Staff present:**

Diane Ruggiero, Cultural Arts Superintendent  
Megan Shepherd, Special Projects Coordinator  
Roderick Simmons, Director  
Jenny Bowen, Cultural Arts Administrator

## **Guests presents:**

Kitty Love

Robert called the meeting to order at 4:05 pm

### **1. Approve June minutes:**

Sharon motioned, Mark seconded, all approved.

Robert asked for a consensus to add two items to the agenda: Old Business & New Business.

### **2. Welcome new Board members:**

Robert welcomed Jen Gordon, who introduced herself, and Gwynne Rukenbrod.

### **3. Board training:**

Megan discussed the new online board orientation sessions and demonstrated how to access them via the department's website. New board members should view all six modules and take the quiz

### **4. Consideration of increasing board size from 9 to 11 members:**

Robert said that the Mayor has suggested raising the number of board members from 9 to 11, reflecting the interest from the community. This is something that is open for discussion, but does not have to be determined today. An alternative would be to have

“halo” board members who aren’t official but are community liaisons. Or, a larger board might have more active attendance, though we would still work off a percentage (quorum).

Diane added that it was a year ago that we increased the board number from 7 members to 9.

Mark asked if the request was to consider it or do it; Diane said the request was to consider it and get back to City Council.

Gwynne asked if this would make this the largest board. Diane said it would be the largest in the department, as the Rec Board has 9 and GC has 7. It would be among the largest in the City.

Honor said she’s open to adding two members as our definition is morphing, to represent more of the community. The Downtown Master Plan Cultural Arts Implementation Subcommittee members want greater participation in arts and this would be a possible opportunity for some of those members. Honor felt

Jen agreed since the Board is looking at having a larger scope. It’s a big arts community with underrepresented groups. Sharon felt we are currently underrepresented when it comes to performance artists.

Julie added that we just changed our purview to include things like performance art; also, it was so recent that we grew to 9 members. She felt we want quality members over quantity, and more people could be more opportunity for people not to show up.

Gwynne and Nancy thought we might want to wait a little more time before making this decision, because it was new to grow to 9 members and there have been so many changes.

Mark said he would like for the next members, if the board does expand, to be non-arts professionals. This would increase diversity of members and backgrounds. He gave some examples of other cities’ arts boards, which often have several non-arts professionals. This would bring in a new perspective from taxpayers and those who don’t necessarily know a lot about arts but care about the community. Mark said he’d also like to look at adding more diversity when it comes to gender, race, etc. He also agreed that we so recently grew to 9 members. As the board gets larger, it can get harder to make decisions and maintain momentum. Mark felt that now the Board is very cohesive, attendance is much higher than in previous years, and he’s happy with where things are headed.

Robert would prefer to use the Mayor and City’s interest in adding more board members as a general support for arts and push for more funding. Mark asked if more applicants truly equals interest from the community, or just a few individuals. Robert said there seems to be some hype now about the arts board, with the Chamber of Commerce mentioning it.

Mark said there's been a lot of activity recently, with the Mobile Art Lab, and funding, and now the Board really seems to have more to do. Robert said that's true, but our funding is pretty limited. He'd like to see the board do more advocacy for funding, given the increasing interest.

Jen said having the Mayor push for this would be a good point of leverage to say, if you want this, give us what we need.

Julie said her main reservation is that the board struggled to get a quorum for many years. More people could equal more attendance problems. She is excited about the interest and enthusiasm.

Sharon said the public perception of the Public Art Board is that there haven't been many projects. The Deco Gecko, the buses, not a lot more. Sharon noted that the Cultural Arts Division does a lot, but that's not the same as Public Art Board. Diane said maybe there hasn't been a lot of highly visible public projects, but there have been a lot of process, foundation work. Sharon said the public needs to see visible projects. Diane added that with limited funding, those types of high profile projects are difficult to realize. Mark added that the Board also managed the reinstallation of the Energy Loop and the Public Art 360 conference.

Julie added that in the past we've had funding available, but members didn't show up for a vote. So we lost it.

Mark said he'd rather work with people on an unofficial basis before immediately adding them to the board, rather than just letting people jump straight on the bandwagon.

Robert suggested taking more time to consider this. Honor suggested adding some diversity considerations in the future, if the Board does want to expand.

Jen moved to table the board growth for six months until we develop cohesion within the board. This includes expanding subcommittees to increase public participation, and to increase diversity among future members. Nancy seconded. All approved.

## **5. Definition of Capital Improvement Projects:**

Diane gave an overview of City budget and budget terminology so that everyone is on the same page. Within the City, money is defined in two different ways. Some is operational. Some is capital. The operations budget contains day-to-day supplies, such as salaries, program operations budget, marketing, licenses, taxes, supplies, etc. The capital budget is reserved for large-scale projects that are an investment with a lasting value. The 1% for Public Art funding comes through the capital budget. Some cities' arts money comes from bonds; Asheville does not currently do bonds. Rather, capital funds must be spread out over time. Thus, there's not a lot of readily available money for big projects.

Last year, the City expanded the definition of public art to include performance and temporary art. However, that definition is not tied to how money is allocated and instead supports funding requests through grants, sponsor support, etc. and allows for more community involvement in “public art”.

Regarding copyright of art, copyright of works of art are retained by the artists as outlined in the Visual Artists Rights Act (VARA). The ownership of a work of art is not the same as owning the copyright for a work of art (including performances). Best practices in the field of public art allow the copyright to remain with the artist as outlined in VARA. What the city does is ask for is “copyright permission” from the artist, which is the right to reproduce the artwork in photos, marketing, etc.

Mark asked how the two budgets (CIP and Operations) are funded. Roderick said that the capital budget is a percentage of the operating budget. It varies year to year. They both come out of city revenues such as taxes. Jen asked who determines the definition of what is “capital”. Diane said its accounting law. Infrastructure has to have a 15-30 year life that will have lasting value. So it must be a physical asset.

Diane said contributions and grants don’t adhere to the capital definition. Roderick said that if we want to bring in a temporary exhibit, we’d have to request funding in an operating budget.

Robert said that there is an opportunity for City Council to move funding around between these funds. If the Public Art Board wanted to make a recommendation to move funds allocated to capital (for maintenance, for example) to operations (for a temporary exhibit or performance), they can make that request. There’s no guarantee. What they can’t do is just add money.

Mark asked what is considered capital. What if a performance is turned into a documentary or photo exhibit. Roderick said no, there’s no lasting value for that. It must be tangible. Otherwise the bank won’t allow us to do that. The accounting office makes the determination for what is capital and what isn’t.

Robert is interested in finding ways to work with these funds to support the new scope of the board. To divert some of this funding to operations (not for salaries or supplies, but specifically for projects).

Nancy asked if we should go to Council with specific use for the fund transfer request. Diane added that capital funding rolls over year after year, but operations doesn’t. Roderick said the Board would want to have a strong program plan. Any funding remaining in the operations budget does not roll over year to year and is unavailable for spending the following fiscal year. We start with a flat budget from the previous year.

Julie asked which maintenance comes from. Roderick and Diane explained that it comes from capital since it supports the maintenance of city capital.

Mark asked if the Mayor has also requested an increase in staff in addition to an increase in board members, since there is so much interest in the arts. Roderick said the Department is trying to make cultural arts more of a priority but current budgets do not allow for increasing head count at this time.

Mark suggested using the term “impermanent” to describe anything outside of a fixed asset, instead of “performance” or “temporary.”

Robert summarized the board discuss asking City Council for funding transfer but also adding more operations funding as part of strategic planning, that could potentially include increased staff time/capacity.

This will continue to be reviewed at upcoming Public Art Board meetings as the Public Art Board works to create a funding plan.

## **6. Public Art Maintenance and Acquisitions Plans:**

Diane said that we have the 1% allocation: this is divided into maintenance and acquisition.

The maintenance plan:

In July, 2008, the Department commissioned a conditions assessment for all public art pieces (except for those in storage or temporarily off exhibit). Some items, such as the MLK Memorial, have been moved up because the whole park is being renovated. For example, a few years ago, the Flat Iron was a low-priority piece but was hit by a car, so it was moved up the list.

Diane emphasized that these costs are estimates. Many of the pieces have not been maintained well because there was no maintenance funding until a few years ago. So, this plan is subject to change. Once projects come off the maintenance list (as they’ve been repaired), they go on the cleaning rotation list. Diane will update the board about once a quarter regarding this maintenance plan.

Sharon asked if the cleaning day will still happen. Diane said yes, after Labor Day.

Mark asked who reviews the list. Diane explained that staff and the conservators review the works. However, the Public Art Board has expressed desire to have a maintenance subcommittee. If so, subcommittee members would also be involved.

Acquisition plan:

Diane said this is also a living document and subject to change/revision over time. It has changed recently as different city department have approached cultural arts with funding to create public art projects.

1. 51 Biltmore. They are looking for an outdoor work over the entrance to the parking garage on Aston St. They have funding for it.
2. Rankin Parking Deck. They have \$10,000 funding for murals.
3. Bus Depot. Sharon, Robert, Mark are on this subcommittee and will be meeting soon. We don't yet know what the funding is.
4. Broadway/Cauble. This is the Public Artist of the Year project for a neighborhood greenway/gateway project. This project is part of Reed Creek Greenway Phase II.
5. Riverbend Park. Near the Walmart on Swannanna. This is in the floodplain so that's a challenge. This is one of the first opportunities to have public art outside of the downtown footprint.
6. Shiloh Community. This also helps achieve the geographic diversity goal.

It will take several years of collecting allocations to have enough funding for some of these projects, which is outlined in the attached spread sheet. The allocation will include staff time, fees, site prep, and other costs in addition to the actual cost of commissioning the piece. Diane said it's hard to say what this percentage will be without knowing what the site prep will be, if studies are needed, etc. The goal is to give the artist as much money as possible.

Jen asked why the artist or volunteers can't be the project manager, as she has seen in other cities. Diane explained that per city policy, volunteers cannot direct the spending of city money and a contract would allow for greater scrutiny by staff. Roderick added that risk management makes the determination for the City of Asheville and those types of decisions can vary from city to city.

Mark moved to endorse the maintenance and acquisitions plan, with the understanding that these are fluid numbers. Honor seconded it. All approved.

## **7. Committee Updates:**

### **Urban Trail:**

In Jaan's absence, Diane said that updates are moving forward.

- #23 On the Move is being repaired and a digital sound system is being installed and damage repaired. Should be completed by tomorrow.
- #2 Crossroads: We will start to maintain these on an annual basis. Currently the piglet is off-exhibit and the turkeys are loose, so they will be repaired.
- #9 Catwalk: the mouse will soon be reinstalled
- Historic Hilltop: plaque has been missing for some time; we reordered and will install when it arrives. It is difficult to secure this plaque.

## Education:

Mark is working with UNCA to connect with schools in Asheville that would like to participate in this subcommittee. In the interest of time, a discussion of this item has been tabled to the September meeting.

## **8. Subcommittee Structure:**

For the benefit of new members, Robert described the current subcommittees and subcommittees the board has discussed forming:

1. Partnering subcommittee: reaching out to other organizations.
2. Advocacy subcommittee: more of a focused group that would work on a particular issue such as working with the Mayor for more funding
3. Maintenance subcommittee: helps with organization of this plan & soliciting volunteers
4. Visioning subcommittee: the big-picture committee to think of new ideas, etc.

The Board recommended that this be an agenda item at the September meeting with enough time to vote on new subcommittees.

## **9. Old Business:**

None

## **10. New Business:**

A reminder that the expanded role of the Public Art Board, recommended name change and policy addition for consideration of regional artists is on the Council agenda for Sept 27. Board members are encouraged to attend. It begins at 5:00 p.m.

Honor suggested the board get together socially with Gordon since several members have not met him yet.

Mark said there's a panel discussion at the Art Museum on Sunday at 3pm.

Mark asked how the URTV media funding will be disbursed. Diane said the process is managed by the City of Asheville Finance Department in collaboration with Buncombe County and the Chamber of Commerce. They've formed a review panel and the panels recommendation will go straight to City Council's finance committee. If the Public Art Board would like to have a role, Robert would need to formally request this to City Council. Board members felt this was extremely important.

Mark asked about the North Carolina Arts Council's Grassroots Arts Program Grant and the role of the City and the Cultural Arts Division as the Provisional County Partner.

Diane explained that the NC Arts Council will approve the grant review panel as presented by the Cultural Arts Division. Grant applications are due September 30, 2011 and awarded in October, 2011. Provisional partners can keep 20% (10% for administrative costs, 10% for programs). The Asheville Area Arts Council is eligible to apply for the grant.

Meeting adjourned at 6:15 p.m.