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## **POLICIES AND PROCEDURES**

Policies and procedures are key to the goal of quality. Record keeping must be fastidious. Selection processes must be complete and consistent. Fabrication and installation must be overseen to ensure the highest quality. Routine maintenance and conservation needs must be projected in advance and budgeted so that the quality of pieces installed prove to be sound investments that increase in meaning and value over time.

### *Site Selection through Annual Planning Process*

#### ACTION PLAN FOR PUBLIC ART

This Greenway Public Art Master Plan is a framework for project ideas and integrations that are possible within the very long-term development of the Greenway. Semi-annually, the MCWP's public art contractor or staff (hereinafter referred to as public art staff) should update an Action Plan for Public Art that will focus on

- projects that will be initiated within that six month period,
- status of current projects,
- who the funder(s) will be for that project,
- what agencies, neighborhoods or individuals are stakeholders to the project,
- what type of public art project is appropriate for that location (referring to this public art master plan), and
- an estimated timeline for the project initiation.

This six-month update should also provide status reports on projects underway.

#### ACTION PLAN REVIEW

Preparation of the Action Plan provides an excellent coordination opportunity with neighborhoods along the Greenway. By working through the Midtown Greenway Coalition, the Action Plan can be discussed with affected neighborhoods and their input included as projects are planned and developed. Review of the Action Plan will be by the Midtown Greenway Corridor Art and Design Committee, and reported semi-annually to the Midtown Community Works Partnership, and funders such as the City, County, or private sources.

## COMMUNICATION AND PLANNING

Infrastructure planning (such as the bridge replacements) often functions within a three to six year planning, design and construction cycle. Private development, on the other hand, may be conceptualized, funded, designed and constructed within 18 months. Unless the public art staff person has a continually updated method for knowing what projects are pending, opportunities for artist involvement with design will be lost and the impact of public art projects on the Greenway will be lessened or even reduced to simply surface treatments. The Capital Improvement Budget process for governmental agencies is the most productive time to identify potential public art projects and to work with staff to ensure appropriate funding.

Public art staff must have a close working relationship with city and county engineering and budget offices, to ensure communication of public art opportunities when they are funded or approved to proceed.

Currently, a MCWP Implementation Committee works to provide coordination between the various agencies and entities involved with Greenway development. Public art staff should be a member of the Implementation Committee.

### *Financial and Accounting*

#### MULTIPLE PUBLIC FUNDERS

The Greenway's complex funding potential, from many varying sources, is both a challenge and an opportunity. Staff must stay current on the rules and regulations that are associated with each funding source (i.e. purchasing regulations, contractual requirements, reporting and record keeping). Staff must also know the timelines that are appropriate to each funder, and work ahead of the funding and planning cycle rather than behind it.

Each funding source on the Greenway – whether governmental or private – will have key decision-makers whose approvals must be thoughtfully and diplomatically integrated into the process of identifying a public art project, garnering funding, and processing contracts. Knowing these

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decision-makers, their roles and their concerns, will facilitate funding both for current and future projects.

#### SEGREGATE FUNDING

Public art funding should be segregated by the establishment of separate fund accounts for each project, whether within a governmental accounting system such as the City's, or within the accounting systems used by the Midtown Community Works Partnership. If allowable under law, these should be interest-bearing accounts with all interest accruing to that individual project.

#### ACCOUNTS PAYABLE

(FEES, CONSTRUCTION, MAINTENANCE, ADMINISTRATION)

Various funding sources have different methods of releasing funds for payments. Staff must know the appropriate process for triggering payments, and assure all parties within that payment system that funds are monitored and appropriately used. The contract for an artist (see contracts, below) should include a precise description of what is covered within the contract and a payment schedule. Accuracy in reviewing the appropriateness of payments, and timeliness of payment are crucial to the respect and regard that a program has within the artists' community.

#### MONITORING EXPENSES

Close working relationships with the budget and accounting offices of the funders is required. The current status of each project's encumbrances, accounts payable, and balance available should be provided to the program administrator on a monthly basis. Quarterly meetings with the budget and accounting offices of funders are suggested to keep budgets on track.

In preparation for audit of the public art program, careful tracking needs to be conducted. There must be a careful maintenance of records beginning with the Request for Qualifications and Proposals through contracting, invoicing, and paying vendors. The public art administrator should maintain copies of all written documents, correspondence, and invoice backup materials to answer questions regarding expenditures of every

allocated public art dollar. The filing system must insure ease of information retrieval. Each funder's audit or accounting office should make recommendations for efficient systems.

Records on completed artworks are a critical part of accounting. A file should be maintained on each completed project with photographic and written documentation of the location, materials, appearance, and maintenance of each art work. These records will assist with future conservation, insurance, and education. These files should be updated at least semiannually with condition reports and photographs. An inventory numbering system should be developed to provide easy access to information on location, date of completion, artist, maintenance plans, and other relevant data.

#### DOCUMENTATION FOR MAINTENANCE

As more and more artworks are completed on the Greenway, staff responsibility for maintenance and record keeping will increase. A staff position for these responsibilities will become necessary to insure the care, safety, and public appearance of the collection. If maintenance of the Greenway should pass to the Minneapolis Parks Board in the future, care should be taken that all archival records are transferred and appropriately maintained, and that adequate staff and funding for public artwork maintenance is provided.

#### ADMINISTRATIVE EXPENSES

We have recommended a two-phase process for covering the administrative needs of the Greenway public art program. In the first phase, the Midtown Community Works Partnership will contract for coordination services with all current and potential funders, but the City Office of Cultural Affairs will provide public art staff to manage the first priority projects (especially bridges). Adequate funding and staffing for the City's role is crucial. A consolidated annual operating budget should be prepared for administrative expenses associated with new projects, and in subsequent years, with on-going projects, new projects, and maintenance of the completed public art, including periodic conservation work. Funding sources may include an extra ½% for art from public art funding allocations, or

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direct appropriation to the Office of Cultural Affairs for increased capacity in the public art program.

In the second phase, the Midtown Community Works Partnership should include staffing for public art in its organizational budget. Funding might be from administrative expenses allocated in an extra % for art, from fundraising and endowment activities conducted by the Partnership, and from private development public art contractual relationships in which the private developer contracts for public art management services with the Partnership.

### *Private Funding*

#### KNOW SOURCES; WRITE PROPOSALS

Two types of private funding are possible on the Greenway: A private development public art requirement would stipulate that developers of any commercial project along the Greenway either integrate public art into the project or contribute a like amount to a combined pool of dollars available for art project funding along the Greenway. In this funding mode, public art staff will be required to coordinate closely through the Greenway Implementation Committee to anticipate private development projects that are planned for the Greenway, and to assist developers in conceptualizing and completing a public art project that both meets the private developers purpose of enhancing marketability of their project and provides a positive addition to the Greenway.

Soliciting contributions from private sources – private philanthropy, corporations, or individuals – to support specific projects along the Greenway. In this method of funding, knowledge of the interests of private foundations, corporations and interested individuals will be critical to staff preparing written proposals soliciting support. The Greenway Implementation Committee may be of assistance in this task, but the Midtown Community Works Partners are key to its success, as they represent many of the potential funding corporations or are peers of the key-decision makers within private philanthropy.

#### FISCAL AGENT

The Midtown Community Works Partnership is not currently organized as a legal entity. As a result, the Partnership cannot enter into contracts and must rely upon its corporate members to act as fiscal agents when funding is received for projects. In the short term, funding for public art must be channeled through a fiscal agent (a role Allina Health Systems played in this master plan consulting contract) or into a public agency such as the City of Minneapolis. In the long term, we recommend that the Midtown Community Works Partnership organize as a tax-exempt corporation, and that funds from public and private sources be administered through the Partnership.

#### PROJECT ACCOUNTING/REPORTING

Details of accounting, record keeping, preparation for audit, and long-term archive maintenance for public art projects will be as important for privately funded public art projects as it will be for publicly funded ones. For public funds, neglecting such record keeping may have political and public relations implications. For private funds, such neglect will have consequences for maintenance of trust and future funding potential.

#### EVALUATION REPORTING

Private funding will require one additional level of procedure that differs from public funding. Private foundations and corporate foundations often require a written evaluation of the project, perhaps by an independent third party evaluator. If this is anticipated, funding for such reporting and adequate record keeping to comply must be planned from the initiation of the project.

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## *Staffing and Administration*

As described previously, we are recommending a two-phase process for meeting the administrative needs of the Greenway public art program.

In the first phase, the City of Minneapolis Office of Cultural Affairs would provide public art staff to oversee the first priority projects (which are all City funded). Currently, this City office has one staff person assigned to manage public art projects city-wide. If the Greenway's first priority projects are funded, and public art project management is assigned to this City office, additional staff will be required to meet the needs of both the City as a whole as well as the very labor-intensive projects on the Greenway.

We strongly recommend that the Midtown Community Works Partnership, in this first phase, advocate for additional public art staff to manage the City's commitment to public art on the Greenway. One full-time public art staff person should be assigned to the Greenway projects, and the two-person Public Art Program within the City should share one support staff person.

The reporting relationship of staff during this phase will be through the Office of Cultural Affairs, with a coordinating role required with the Greenway Implementation Committee and the Midtown Community Works Partnership.

We recommend a contract professional public art project coordination position reporting to the Committee, to coordinate with all public and private entities engaged in public art on the Greenway.

We recommend the establishment of a Greenway Art and Design Committee, which would be expanded and restructured from the current Public Art Advisory Committee, to provide program advisory oversight and to serve as a bridge between phase one and phase two.

In the second phase, we recommend that the Midtown Community Works Partnership hire public art staff as one part of a Greenway coordinating staff that includes expertise on development, design and community building, and special events and marketing. Through such a long-term organizational structure, continuity of vision could be maintained. The Partnership's public art staff would manage some public art projects on the Greenway, and work collaboratively with City, County, and Metro Transit staff, and with private developers and neighborhoods.

The reporting relationship of such staff will be to the Midtown Community Works Partnership. The Greenway Art and Design Committee will continue as an advisory oversight committee, but responsibility for decision-making regarding full implementation of public art on the Greenway will vest in the Partnership in collaboration with its partners.

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## *Artist Selection*

### SLIDE BANK AND MAILING LIST

Formation of a slide bank of artists' work specific to the Twin Cities is an important aspect of developing public art program services throughout the region, and might be a shared project among all public art programs. A slide bank can be used for selecting artists for projects, provided a notice ("Call to Artists") is advertised in publications that will reach area artists, such as area arts commission newsletters, magazines, and newspapers. Existing artist lists may be available from area arts commissions. A widespread direct mailing to area artists needs to be undertaken as well. An application to the slide bank needs to be developed and sent to all interested artists. This slide bank is similar to a consultant pool to select architects, engineers, and other design professionals.

Maintaining a slide bank inclusive of national artists is not necessary; however, a list of national artists should be researched (on a continuing basis) and included on the public art program mailing list. As the material artists send will become outdated within a few years, it is important to request that artists update their slide bank materials every three years or so. Additionally, it is critical that the public art mailing list database is constantly managed and updated.

### ARTIST SELECTION PROCESS

There are several methods by which artists may be chosen, including selection by a panel of experts and stakeholders and direct acquisition, selection, or commission by a panel or a curator in the formation of a special collection. (Stakeholders are those housed in close proximity to the proposed artwork site or who, for one reason or another, have a special interest in the project.)

Public art staff and the funding agency's staff should determine what process is appropriate according to the project timeline, scope, and budget and then recommend the process to be followed to the Greenway Public Art and Design Committee and the funder's oversight committee (for example, the bridges would be discussed by the Office of Cultural

Affairs). To maintain the highest quality public art, the Public Art Program can select from a regional, national, or international pool of artists. Generally, the preferred method of artist selection involves solicitation by a Request for Qualifications (RFQ) for review of past work and resume, then interview of short-listed artists by an artist selection panel. We do not recommend Requests for Proposals (RFP) as an initial selection process for two reasons: 1) artists invest substantial amounts of time and resources into proposals, most of which will be rejected, and 2) it is logistically impossible to provide adequate orientation and local community interaction to a large group of artists at this stage of the process.

At the beginning of each public art project, public art staff will determine if a slide bank will be used as a resource. An RFQ process is the preferred means of soliciting artists but if the project timeline is condensed or limited and the slide bank is sufficiently developed, use of the registry is an acceptable method of artist selection. Project RFQs should be drafted to include a detailed description of the project at hand, the project budget, and application requirements.

Public art staff will create an artist selection panel for each project. This will enable the tailoring of each panel to the specific needs of each individual project. The ideal size of a panel is three to five members, depending on the scale and complexity of the project. In every case, an odd number of panel members are preferred to prevent tie votes. Public art selection panels should always comprise participants from three categories: 1) art professionals, such as architects, landscape architects, graphic designers, museum staff, public art administrators; 2) artists; and 3) representatives/stakeholders of the neighborhood in closest proximity to the Greenway project. Panels should reflect community diversity. Art professionals and artists who serve on selection panels can have experience that is local, regional, or national. Out-of-town panelists should be reimbursed for travel and per diem expenses. Panelists should be paid an honorarium for their participation on the panel, with the exception of those serving as community representatives whose work is on a voluntary basis.

A list of potential panelists will be maintained by the program and added to as needed. Nominations for the panelist list may come from any source. Names and resumes of individuals who qualify to serve in a pro-

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fessional capacity (as delineated above) will be kept on file. Community representatives will be named for each project as its panel is organized. Public art staff will recommend members of a panel for each project to the Greenway Public Art and Design Committee and the funder's oversight committee prior to its formation.

There is an ongoing debate across the country about who is eligible to apply for public art commissions and who is considered a public artist. There are no card-carrying artists, but, as a rule, administrators of the Greenway public art plan should refrain from adding the percent for public art onto contracts with engineers, architects, and landscape architects. Funds for public art should not be diverted for prefabricated, mass-produced products, but should be spent on commissioning site-specific work.

Each public art project will have advisors to the project and to the selection panel. Public art staff will be in charge of facilitating the creation and work of the advisory process. There is no limit to the number of advisors for a project. Potential advisors will be drawn from other governmental offices involved in the project and from the design team for a given project (architects, engineers, landscape architects). It is important to maintain a separation between the function, duties, and responsibilities of the selection panel and the advisors. The advisory panel will assist in orienting the selection panel, provide materials related to project development, and voice concerns if the direction of the selection panel conflicts with the goals or function of the project.

Responses to the RFQ are reviewed by the selection panel on the basis of past work, aesthetics, and approach to problem solving. When a panel recommends a short-list of artists for a project, public art staff should check at least three references of each artist. Reference checks should cover inquiries such as experience working on similar projects, ability to work on a team, and ability to complete work on time and within budget. If a panel has short-listed an artist who has not had previous sole responsibility for similar work, reference checks should cover inquiries about ability to work in the public realm. Public art projects require artists to work in very different circumstances than studio artists. Public artists are regularly subjected to public examination, publicity, and the rigors of the approval process. Reference checks are also the appropriate arena to check what range of fees the artist commands.

Public art staff, artist selection panel, and advisory panel may deem it necessary, for various reasons, that art project proposals be submitted by short-listed artists and/or that the artist be interviewed. If artists are asked to submit proposals, they should be given proposal fees in accordance with national standards for public art administration. Expenses should also be paid if artists travel from out of town during the proposal process. Prior to proposal submission, artists must receive an orientation (on-site is preferable), background material on the project and the Greenway, and an opportunity to interact with the local community.

In the case where a selection panel is choosing an artist for a process-oriented project (i.e. a design team project where an artist collaborates with project designers and integrates the artistic component into the design of the overall project), short-listed artists should be interviewed to assess the ability of each artist to interact and coordinate with project designers. The interviews insure that part of the selection criteria is based on the artist's style of communication, their compatibility with the rest of the design team, and their ability to work on evolving projects. Project designers should participate in the artist interviews.

Information gleaned from artist interviews, proposals, and references should be given to the selection panel. The panel is responsible for reviewing all pertinent information and making a final recommendation. Panel recommendations will be referred to the Greenway Public Art and Design Committee for review and approval and then to the committees (such as the Office of Cultural Affairs) and governing body of the funding source (such as City Council) for review and approval prior to contracting the artist.

#### CONTRACTS

Several different kinds of contracts need to be developed and approved, in concept, for use. The types of contracts required for projects that differ in scope and work include contracts for temporary work; consulting services; commissioning of site-specific work and/or objects; design team collaboration; construction oversight; studies; proposals; and panel participation and/or honoraria. Legal review, approval, and signatures required will vary by fund source.

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Contracts are best held by the agency or group overseeing the work that is contracted not by consultants to that agency or group. For example, the artists should not be sub-consultants to the design consultants for the bridge projects.

The contracts, depending on type or service required, need to address the following issues:

- Insurance requirements
- Coordination responsibilities
- Copyright
- Maintenance
- Removal or Relocation
- ADA Compliance
- Inherent Vice
- Public Safety
- Title/Ownership
- Conflicts of Interest
- Completion and Maintenance
- Signage

Every public art project should include durable labeling or plaques providing the name of the artist, title and date of the work, and reference to the funding source(s). Cast metal plaques are often reasonably priced and durable.

#### INSURANCE

Risk management coverage of the completed artworks remains a question of concern on the Greenway. Where a project is City or County funded infrastructure, such as a bridge or access ramp, or a private development project, insurance will continue with the funder. However, other projects along the Greenway including temporary artworks, free-standing artworks, or some “street furniture” projects will require a legal entity that will take responsibility for risk management. Until the Midtown Community Works Partnership is incorporated as a legal entity, or another agency assumes maintenance responsibility, this issue will need to be addressed on a project-by-project basis.

#### INVENTORY

An inventory numbering system should be started as well as a list of works on the Greenway, including name of artist, title of work, date of production, material specifications, maintenance requirements, conservation procedures, artist statement, cost of work at the time of commission, current value of work, photo-documentation of work, and any supplemental materials. All files should be consolidated and stored in a centrally located, easily accessed location such as the office of the public art staff.

#### CONDITION REPORTING AND CONSERVATION

As public art projects are completed on the Greenway, a conservation specialist should be contracted to evaluate and make recommendations about condition of existing artworks. Required conservation work and public art funds should be expended to maintain the safety and visual quality of the public art projects. Every six months each artwork should be inspected so that maintenance issues will be recognized at the beginning of a problem. Early intervention will save money.

#### MAINTENANCE

An annual maintenance plan, which takes into account artist specifications for maintaining artwork, should be developed so that maintenance can be budgeted, either by the funder or by the Partnership.

There is a fine line between day-to-day maintenance and conservation. Public art staff needs to draw that line and communicate its dimensions to the agency charged with routine care of the Greenway. Currently, the City’s Public Works Department is responsible for maintenance. At least once a year public art staff should coordinate with and “train” groundskeepers and other basic maintenance staff on how to provide routine maintenance of and around artworks.

#### *Community Involvement*

In the mid-twentieth century, artworks produced for public accessibility were referred to as “art in public places.” However, in the last twenty years, the emphasis has changed to “public art.” The difference is funda-

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mental: art in public places is frequently produced in response to the individual artist's personal vision, but public art is produced through artist and community interaction.

In Minneapolis, there is an extraordinarily active structure of neighborhood organizations, supported and funded through the Neighborhood Revitalization Program. Along the Greenway, there is an additional level of activism represented by the Midtown Greenway Coalition. The voice of these neighborhoods is essential to the vision, realization, and future of the Greenway.

At every step of the public art process in the Greenway there should be a role for community input, including the following:

- Community input to the draft stage of the semi-annual Action Plan for Public Art.
- Community representatives on the panels for artist selection for projects.
- Artists required, by contract, to interact with the community surrounding the public art project site.
- Community briefing sessions during project design.
- Artist presentations about the project at schools or community centers.

Effective, timely, comprehensive communication is a key to success of the public art program. The public arts administrator will need a budget for mailings, for design and production of materials, to conduct public meetings, and for periodic focus groups to keep the pulse of the impact of the program on the community.

### *Public Education*

Greenway public art needs interpretation, which is a process of involving and educating the public. Too often public art remains anonymous and opportunities for public enrichment are lost or reduced. Robust signage, sometimes including a statement by the artist, should accompany public art in the Greenway.

Signage throughout the Greenway should integrate today's users with the past, for instance by combining an exercise post that has people engage the muscles used by people who laid the rails. Signage throughout the Greenway that measures distance and guides to various locations can also play an educational role in exploring the meaning of Greenway public art.

A Greenway Guide to Public Art should be made available in a printed brochure, in Greenway signage, and in a virtual form with links to many regional, county, city, corporate and Greenway-oriented web sites. The brochure or walking tour format will underscore the "gallery" or "museum" nature of the Greenway public art.

### *Media Relations*

Public art staff must coordinate closely with the public information staff of the funders, and with marketing and public relations staff of the Midtown Community Works Partnership. This close coordination will insure a steady flow of information that will be especially useful when controversy arises over public art projects. Controversy is often created by miscommunication and misinformation, which this close relationship can help avoid. Public art staff should develop and maintain a plan for handling controversy: who will answer questions, return calls, write press releases, etc.

Public art staff will also establish relationships with feature writers and those who cover arts media. As a means to keep the public informed, it is suggested that discussions with the media be initiated to communicate goals of the public art program. Periodic coverage at project milestones should also increase the flow of information.

### *Gifts and Loans Guidelines*

These proposed guidelines ensure fair and consistent processes in evaluating artwork gifts and long-term loans of public art to the Greenway.

### *Guidelines for the Review and Disposition of Art*

A thoughtful and equitable process for review of artwork for potential deaccessioning is critical to a reputable public art program.