

Exhibit “A”

Town of Bluffton Public Art Policy



Adopted October 11, 2022

DOCUMENT SUMMARY

Art in general serves as a crucial component in the Town of Bluffton's civic and cultural life. The Town intends to integrate a wide range of public artwork into public locations throughout the community. In support of this goal, this document outlines the policy that facilitates the development of public art throughout the Town. It provides a guide for Council, their appointed committees, and staff considering the placement of public art.

The following sections outline the purpose of the Town of Bluffton Public Art Policy, the acceptable criteria for project types and the process for implementing and realizing public art projects.

Section 1 contains introductory information, the criteria for art selection, information about the development of a public art master plan and the process for identifying and selecting art and artists. Bluffton's public art program, which determines and implements the funding apparatus for current and future public art projects, is fundamental to the public art process.

Section 2 addresses key personnel and agencies and explains their roles as they relate to public art and the Municipal Art Collection.

Section 3 discusses the Municipal Art Collection, including its operations, collection care and management responsibilities (acquisitions, maintenance and placement).

Section 4 explains deaccessioning of artworks already in the Town's possession.

Section 5 encompasses a glossary of important definitions.

Section 6 will contain an appendix that will contain potential public art locations, the proposal process, artist selection, contractual agreements, project design, and final artistic approval process from the recommendations of the Public Art Committee and as approved by Council.

TABLE OF CONTENTS

Section 1 - Public Art in Bluffton

- 1.1 Purpose
- 1.2 Appropriation of Funds for Public Art
- 1.3 Public Art Project Types
- 1.4 Criteria for Selection
- 1.5 Criteria for Non-Acceptance
- 1.6 Community Input
- 1.7 Public Art Project Selection Methods
- 1.8 Art in Private Development

Section 2 - Roles and Responsibilities

- 2.1 Bluffton Town Council
- 2.2 Town of Bluffton Arts Commission
- 2.3 Town Manager

Section 3 - Municipal Art Collection

- 3.1 Acquisition Types
- 3.2 Acquisition Review and Acceptance Process
- 3.3 Collections Maintenance and Responsibilities
- 3.4 Placement of Works of Art

Section 4 - Deaccessioning Policy and Procedures

- 4.1 Criteria for Deaccessioning
- 4.2 Procedure for Deaccessioning
- 4.3 Manner of Disposition
- 4.4 Use of Net Proceeds from Deaccessioning

Section 5 – Definitions

Section 6 – Attachments

Section 1 - Public Art in Bluffton

The Town of Bluffton recognizes the value of public art to its citizens and visitors. Public art matters because it is an essential building block for engaging, imaginative spaces that enliven the public realm, foster shared community interactions, celebrate our unique stories and collective history, inspire us to experience the world with fresh perceptions, and help in creative place-making throughout the Town. We envision public works of art that transform and activate civic spaces.

The Town public art program incorporates the work and ideas of artists and designers into public settings while creating connections among artists, project partners, and the community. The public art program is administered through the Executive Department and in coordination with Public Services. It is directed by Town Council and through their appointed Public Art Committee (PAC), with guidance from the Town of Bluffton's Strategic Plan.

A primary aim of the PAC and the public art program is to raise public awareness of the impact of public art and its cultural and economic contributions. These include sustaining jobs, promoting the Town's identity and civic pride, attracting visitors, and developing vibrant, creative spaces.

1.1 Purpose

The purpose of this policy is to make recommendations related to:

- Establishing a diverse collection of public artworks.
- Creating works of public art with the cooperation of the community.
- Involving local, regional, and national artists of diverse backgrounds.
- Providing ongoing opportunities for artists to advance their art forms with temporary and permanent public artworks.
- Considering economic development and cultural tourism when advocating for public art.
- Understanding of public art and encouraging public dialogue.
- Incorporating art and design projects of the highest quality throughout the community, in essence creating a museum without walls, and making art accessible to all.
- Providing a legacy of art and culture for future generations.
- Coordinating of Ulmer Auditorium for art projects that require its use to include displaying of work, temporary shows, or other similar uses.
- Make recommendations to the Town Manager on the use of the Public Art Funds.

1.2 Appropriation of Funds for Public Art

Each fiscal year, the Town of Bluffton will designate funds to be maintained in the Capital Improvements Fund account for Public Art. Funds can be allocated from the General Fund, State Accommodations Tax Fund, Local Accommodations Tax Fund, Hospitality Tax Fund, or other accounts. Private funds that are donated for public art will be put directly into the Public Art Account or held by the Community Foundation of the Lowcountry per our partnership.

1.3 Public Art Project Types

For the purposes of this document, works of public art may include but are not limited to:

- Sculpture in the round, bas relief, mobiles, fountains, kinetic and electronic work in any approved material or combination of materials;
- Paintings in all media, including oils and acrylics, that are portable or permanently affixed, such as murals;
- Graphic arts, such as printmaking, drawing, and banners;
- Mosaics, including works executed in tile, glass, stone or other materials;
- Crafts using clay, fiber and textiles, wood, metal, plastics, stained glass and other materials, both functional and ornamental;
- Photography, including digital and traditional photographic print media.
- Mixed media, which may include any combination of two- and three-dimensional forms of media, including collage;
- Earth works, environmental installations, and environmental art;
- Ornamental or functional decorative elements designed by practicing artists or other persons submitting as artists, including design professionals who are not members of the Town design team for the project;
- Light-based or luminal art that is experiential, site-specific, or installation-based work that explores optical phenomena or work composed of transmitted light, artificial or natural light sources, projections or sculpture that incorporates light sources as major compositional and expressive elements;
- Sound art or media with primarily aural-based expressive elements, including electronic, audio media, found or experimental sound sources;
- Video and animation, projected or displayed on a video monitor; and
- Portable art that may be displayed at locations other than a substantially permanent location or adjacent to the project site.

1.4 Criteria for Selection

The Public Art Committee (PAC) will oversee the criteria for selection and make recommendations for Town Council to approve. The PAC and Council may consider the following questions when conducting reviews of proposed artwork:

Aesthetic Quality and Artistic Merit

- What has the artist accomplished with the work and does it align with the proposed goals?
- Does the work under consideration have artistic merit?
- Is the work relevant to the Town, its values, culture, and people and does it contribute to the fabric of the Town? Is the work an integral component of the overall project?
- Is the work of art appropriate for the community it serves?

Placement / Siting

- What is the relationship of the work to the site? Is it appropriately scaled?
- Will the work help to anchor and activate the site and enhance the surrounding area?
- Will there be convenient public access to the site?
- Will additional parking or access accommodations be required?
- What are the utility requirements of the artwork?
- Does the artwork have a connection with the surrounding community?
- Does it meet all code requirements for design, safety, and construction?

Fabrication, Handling, and Installation

- Are the projected costs accurate and realistic?
- Have written estimates been obtained from qualified technical support and fabrication contractors by the PAC or the Town based on funding and/or procurement requirements?
- Does a certain site present any obstacles to installation?
- Can the work easily be removed if necessary?

Maintenance Requirements

- Is the work suitable for outdoor display or special indoor environments?
- Are the materials durable and will they last? Does the work have a limited lifespan due to built-in obsolescence or any inherent weakness?
- What are the existing or projected maintenance requirements of the work? Are they excessive or cost prohibitive? Are any unusual or ongoing costs likely?
- What are the artist's suggestions for protection of the work from vandalism?

Liability and Safety

- Is any aspect of the work a potential safety hazard?
- Does the work meet building code requirements?
- Does the work or any portion of the work require a professional seal (structural engineer, electrical engineer, etc.)?
- Will fencing or other types of security measures be required?
- Are there any additional signage or insurance requirements required?

1.5 Criteria for Non-Acceptance

Artwork fails to meet professional standards for acceptable public art practice if one or more of the following applies:

- Faults of design or workmanship pose a public health or life safety hazard or diminish the value of the work;
- The artwork is fraudulent, inauthentic or appears to be of inferior quality relative to the quality of other works in the Municipal Art Collection;

- The artwork is not the original work of fine art, such as a sculpture or painting. If the artwork is one of a multiple, it will be accepted only as an authorized limited edition. In the case of fine art prints and photographs, a limited edition is 200 or fewer; and
- The artwork is deemed to not meet the criteria set in Section 1.4.

1.6 Community Input

Community input on public art projects is part of the overall conceptual design development of a construction project. There are numerous opportunities for community involvement, public input and discussions of location, safety, maintenance. Community input and information-sharing may take place in such ways:

- Reviews of existing plans, histories or public art plans for the site or area at meetings of Town Council, Board, Commissions or Committees (BCC), and other organizations;
- Surveys or interviews of nearby residents or site users;
- Hosted or facilitated internet discussions;
- Events such as public meetings, forums, or design charrettes/ workshops; and
- Cultural events and gatherings.

1.7 Public Art Project Selection Methods

One of the following selection methods may be used to select artists or artist teams for eligible public art projects in accordance with the Town of Bluffton's Procurement Policies and Procedures:

- *Open Invitational/Open Entry*
This process is open to all qualified artists with possible limitations based on geographical or other eligibility criteria. Some competitions may also be open to other design professionals. The project is advertised, and project guidelines are published. No fees will be charged to artists submitting materials and applications. A single artist may be selected, or a limited number of finalists may be paid an honorarium to prepare a specific site proposal and/or attend an interview with the selection panel.
- *Limited Invitational/Focused Invitational*
Selected artists are invited to enter a competition or are pre-selected as candidates for a particular project or site. Artists are considered for a commission by invitation only. A finalist may be asked to submit a proposal in the form of a drawing or maquette and/or attend an interview with the selection panel. This method generally applies when a certain type of artwork or certain qualifications and experience are required, such as sculpture competitions, site-specific works and works requiring design team expertise.

- *Public Initiated*

This process is generated by an individual or group that has a public art project or idea that they bring to the Committee for review. The project is reviewed based on location, time frame, potential cost, and benefit to the community. A recommendation will be made to either allow or not allow and whether to financially support.

1.8 Art in Private Development

As municipal public art programs have become increasingly common throughout the nation, private developers are demonstrating a growing commitment to public art. The Town of Bluffton does not have a formal policy regarding art in private development, however Bluffton recognizes that public art should be incorporated into both public and private development.

Accordingly, the Town encourages creative public/private partnerships that enhance the profile of art in the Town, support the Town's mission and Public Art Policy and contribute to a culturally vibrant and aesthetically beautiful destination.

Section 2 - Roles and Responsibilities

The following roles and responsibilities related to this Public Art Policy apply to groups and individuals.

2.1 Bluffton Town Council

- The Town Council periodically reviews the Public Art Policy and related documents to assess compliance by Town departments;
- The Town Council appropriates funding and has final approval on all Public Art Projects throughout the Town;
- Town Council appoints the members of the PAC, reviews their progress, and removes members as needed;
- Town Council may appoint experts to the PAC as needed for specific projects with the intention that they will be removed once the specific project is completed;
- Town Council will provide guidance to the Town Manager, as needed, related to the Public Art Policy and Town collection; and
- Town Council may choose to procure and display artwork without involving the PAC should they so desire.

2.2 Town of Bluffton Public Art Committee (PAC)

The Town of Bluffton Public Art Committee (PAC) is composed of 7 members appointed by Town Council. Town Council may appoint the Chair of the Committee. Members of the PAC may not submit proposals for consideration during their tenure and must recuse themselves from any votes or discussion related to projects/donations/submittals with which they have a relationship.

The Committee may include the following:

- Members of the art community within the Town to include those that produce art, sell art, broker art, and/or work within the art community.
- Representatives of the Bluffton Cultural District Advisory Committee
- Citizens of the Town that represent the diversity of the community and have interest in Public Art
- Individuals that have a desire to help locate individuals or groups of donors that share an interest in Public Art.

Art Policies adopted by and direction from the Town Council establish and govern the PAC. The PAC approves works of art before they are acquired, transferred, sold, or deaccessioned from the Municipal Art Collection. The PAC advocates for public art in Bluffton and reviews public art projects. The PAC recommends Public Art Projects to Council for approval, recommended locations for Public Art, and provides input on maintenance and deaccession.

Duties include but are not limited to:

- Making recommendations to Council to approve on the accession, care, and deaccession of all donations of artwork accepted into the Municipal Art Collection;
- Reviewing the cleaning, repair, and overall care of artwork in the Municipal Art Collection and makes recommendation to staff for overall care;
- Assist in recruiting artists who wish to create Public Art, and in recruiting those that wish to fund Public Art;
- Working to engage and create a portfolio of local artists;
- Reviewing and approving all issues related to Public Art projects, artist selection, design concepts, and all other aspects of the public art program;
- Convening as needed to review issues related to Public Art recommendations, artist selections, project budgets, and other program and project-related issues;
- Reviewing and evaluating artworks acquired for the Municipal Art Collection and developing broad curatorial and collections care policies for the Collection as a whole; and
- Overseeing the proper documentation, inventory and management of the Municipal Art Collection and consulting with professional conservators when appropriate regarding conservation and maintenance.

2.3 Town Manager

The Town Manager and their appointed staff are accountable to Town Council for implementation of the Town Public Art Policy. They will oversee all Council priorities, recommendations, funding, and coordinate with the PAC during all related actions.

Section 3 - Municipal Art Collection

The Town of Bluffton anticipates acquiring works of art that will be on view in public spaces, including parks, municipal buildings, and other Town property. The Municipal Art Collection is comprised of all artworks owned by the Town of Bluffton. The artwork

will be under the care and maintenance of the individual departments that acquired them or as appointed by the Town Manager. To fully support the care and management of the Municipal Art Collection, consideration must be given to providing funding at a level consistent with proper collections management.

3.1 Acquisition Types

Artwork considered for acquisition must have a direct connection to the arts programming and objectives of the Town. The PAC recommends all artwork designated for the Municipal Art Collection, including quality, placement and use to Town Council for approval. The PAC considers the extent to which an acquisition meets the Council's criteria and objectives and any other factors that may influence acceptance or rejection of an acquisition. A chief consideration is whether the work can be sited rather than stored.

Projects Initiated by Public Art Committee

- Projects initiated by the PAC will follow methods outlined in Section 1.7.

Gifts

- The Municipal Art Collection includes artworks acquired through donations, including gifts to the Town. A wide range of artworks may be acquired with no limits on form or size provided they meet the established criteria.

Purchases of Artwork

- The Town may purchase artwork for the Collection. The artwork is subject to the process and criteria in place for acceptance and recommendation by the PAC.

Monuments & Memorials

- The PAC can consider requests for monuments/memorials that are artwork. The PAC works with council on acceptance, approval, placement, siting, and location of monuments/memorials. Donors typically pay all costs related to such work.

Citizen-Initiated Artwork

- The PAC reviews all requests for citizen-initiated artwork-related projects. Citizens who wish to site privately funded artwork on public land or rights-of-way (e.g., murals) must comply with the Public Art Policy and receive approval from the Town.

Loans

- Artwork loans of less than one year can be approved by Town Manager, in conformance with the criteria established in this Public Art Policy.
- Due to the long-term impact of artwork on display on Town property, artwork loans of more than one year are reviewed by the PAC and makes recommendation to Council on approval or denial.

3.2 Acquisition Review and Acceptance Process

- The potential donor meets with the Town of Bluffton and PAC to review the appropriateness of the acquisition. The proposed acquisition must be of appropriate theme, character and design for public display and be consistent with criteria in the Public Art Policy.
- Acquisitions must be of the highest quality design, materials and construction. Durability and maintenance requirements may be factors in considering acquisitions. The artwork should retain its intended appearance and function over a substantial period of time.
- The donor provides support materials and forms as directed by the Town of Bluffton.
- The PAC in most cases formally reviews and decides whether to approve the acquisition at its next regular meeting or as scheduled.

- Once the PAC approves a donation, it sends the artwork for approval by Town Council at their next Regular Scheduled Meeting.
- One approved by Council, the donor provides signed documentation, depending upon the type of acquisition, to the Town Manager, formally transferring ownership to the Municipal Art Collection.
- The Town Manager works closely with staff and the donor to determine a suitable location for the artwork. Once a site has been identified and the artwork placed, signage properly crediting the donor is placed next to the artwork.

3.3 Collections Maintenance and Responsibilities

Town of Bluffton Responsibilities

- The Town retains a physical inventory of all artworks in the Municipal Art Collection. The inventory record tracks object movement and is updated as needed. An inventory of artworks in the Collection is continuously maintained and includes estimated valuations of objects in the Collection. New donations to the Collection require an appraisal at the time of the gift, typically provided and paid for by the donor. Valuations of artworks are established principally for insurance purposes.
- Town Staff and the PAC oversees the assessment, treatment, maintenance, and relocation of artwork. Cleaning and repair of artworks in the Municipal Art Collection will be done through accepted standards of care and conservation.
- Repairs may be completed with the involvement of the artist, art conservators, or independent contractors as needed. Reasonable efforts are made to notify artists of repairs to their works.
- Departments should report any graffiti, damage, or vandalism of artwork in the Collection to the Police Department.

3.4 Placement of Works of Art

Works of art in the Municipal Art Collection may be moved throughout Town facilities or sites at the Town's discretion, considering requests from individual departments. While the intent is that a site-specific artwork remains in the location for which it was created,

the Town reserves the right to move a piece if circumstances dictate. The Town may consider relocating site-specific artwork for one or more of the following reasons:

- The condition or security of the artwork can no longer be reasonably assured at its current site;
- The artwork has become a danger to public safety in its current site; or
- The site has changed so that the artwork is no longer compatible as placed.

Section 4 - Deaccessioning Policy and Procedures

Deaccessioning is the process of removing artwork from the Municipal Art Collection. This policy recognizes that over time there may be reasons to deaccession artworks. Deaccessioning is considered only after careful and impartial evaluation of artworks within the context of the Collection. At the beginning of the process, the Town will make reasonable efforts to notify any living artist whose work is being considered for deaccession.

Decisions related to deaccessioning are recommended by Town Manager or the Public Art Committee (PAC) to Council for approval, according to these guidelines:

- The Town may, from time to time, deem it necessary to deaccession objects for the betterment of the Collection.
- Generally, objects are acquired for perpetuity and not with the thought of disposal. At issue is the Town's responsibility to the community, its donors, and the public.
- Objects in the Collection should be retained permanently if they continue to be useful to the purposes and activities of the Collection, if they continue to contribute to the integrity of the Collection, and if they can be properly stored, preserved, used, and exhibited.

4.1 Criteria for Deaccessioning

Objects may be deaccessioned when conditions require or when such action would improve or refine the Collection. Reasons for deaccessioning may include but are not limited to situations where:

- The use of the site has changed, the artwork is no longer appropriate, and the artwork cannot be reasonably protected or maintained;
- The artwork's annual maintenance cost is deemed excessive;
- The artwork has been damaged beyond reasonable repair;
- The artwork requires extensive conservation or restoration that is cost prohibitive.
- The artwork is deemed inappropriate or requires removal because of new developments in the direction of the Collection; or
- The artwork was commissioned or accepted with the provision or understanding that it was to have a limited lifecycle or installation period.

4.2 Procedure for Deaccessioning

Deaccession of any object from the Collection is based on a recommendation of the Town Manager or PAC. The recommendation must specify reasons for the deaccession. Town Council may approve the deaccession by majority vote. Town Council's approval authorizes the Town Manager to dispose of the artwork in accordance with the Town's asset disposal policy.

4.3 Manner of Disposition

The manner of disposition should be in the best interest of the Town of Bluffton and the public. Disposition should occur as follows:

- Unless it is not reasonable or attainable, all dispositions should be by sale with the primary objective of obtaining the best possible price. Sales of artworks are allowed through public auction, art gallery, or dealer resale or direct bidding by individuals. Trade through artist, gallery, museum, or other institution for one or more other artworks of comparable value by the same artist is acceptable.
- Artworks that were commissioned or accepted into the Collection as site-specific works may be destroyed in lieu of being sold or reinstalled at an alternative site. This process is known as decommissioning rather than deaccessioning. Generally, site-specific works are created for a specific location and are not appropriate for relocation.
- The Town of Bluffton may recommend reinstallation of artwork if its integrity and original intent or purpose can be preserved at a new location. When possible, this is done with the cooperation and supervision of the artist or the artist's estate.
- Deaccessioned objects may be placed in another institution where they serve a similar purpose to that for which they were originally acquired.
- Regarding sale or trade of artworks, the Town offers the right of first refusal to the artist, if still alive, and/or the original donor if the artwork was a gift to the Town. In the case of artwork by a living artist, an exchange may be made if appropriate.

4.4 Use of Net Proceeds from Deaccessioning

Net proceeds from the sale of deaccessioned objects (i.e., the proceeds of the disposition less all related expenses) must be used for the purchase, care, and maintenance of the Town's Art Collection.

Section 5 - Definitions

Acquisition: The inclusion of an artwork in a permanent art collection acquired through a commission, purchase, gift, or other means.

Accession: The formal process used to accept an artwork into the Municipal Art Collection and record an item as a Collection object.

Artist: Individual artist, team of individual artists or artist team leader of individuals from other disciplines whose body of work and professional activities demonstrate serious ongoing commitment to the fine arts.

Artist Fees: The portion of the project budget reserved for payment to the artist for creative services for design, fabrication, and project management. Fees do not include other labor, materials, travel and per diem allowances for out-of-town artists.

Artwork or Work of Art: A tangible creation by an artist.

Deaccession: The process of removing an object permanently from a collection, through sale, exchange, or any other transaction by which title is transferred from the collection to another institution or individual. Under certain conditions, it may also include disposal by intentional destruction.

Donor: The individual, corporation or other entity offering a donation to the Town.

Loaned Artwork: Artwork given for use over a period of time and returned to the owner at the end of the use period.

Monuments: Structures, sculptures or other objects erected to commemorate a person or an event.

Municipal Art Collection: The Municipal Art Collection comprises all artworks owned by the Town.

Plaque: Signage affixed on or near an artwork to identify the title, artist, media, etc.

Public Art: Artworks purchased or commissioned with funds generated by the PA ordinance. The artworks are created, usually by artists or design team collaborations, for public places and public experiences.

Public Art Committee (PAC): Board of seven members recommended and appointed by Town Council to review and approve matters related to the public art program.

Site: Real property or land that is owned, leased, or operated by the Town of Bluffton.

Town: The Town of Bluffton.

Section 6 – Attachments