

# El Paso Public Art Master Plan

## Draft for Public Review

**Submitted by:**

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# 1. Executive Summary

## Introduction to this Document

This document is a public review draft of El Paso’s new public art Master Plan – a set of foundational ideas, outlines of projects, and recommendations for administrating El Paso’s Public Art Program that will expand the impact that public art has on the visual character, urban pattern and cultural life of the city.

The City of El Paso Public Art Program, the Museums and Cultural Affairs Department and the consulting team are seeking comments and feedback on the recommendations presented here. We will present this draft of the Master Plan to City Council at a study session and, after that, prepare a final draft for approval.

This draft includes the following components:

- Vision statement: *What impact does public art have on the city?*
- Mission statement: *What does the Public Art Program do?*
- Goals: *What does the Program seek to accomplish, in order to make realize the vision?*
- Programmatic Directions: *What are the specific types of activities that the Program will focus on to help it achieve its goals?*
- Opportunities: *What are the specific projects and initiatives that the Program will undertake?*
- Project selection criteria: *What criteria will the Program use to choose what new projects to work on in the future?*
- Policies and procedures: *How will the Program be managed, and what are the responsibilities of staff, the public art committee and others?*
- Public art in private development: *When and how should the City provide incentives for developers to include public art in their projects?*
- Marketing, communications, education: *How will the Program communicate about what it does?*
- Cultivating local artists: *How will the Program engage with artists in El Paso who want to develop a public art practice?*

## Key Findings and Recommendations

El Paso’s Public Art Program is thriving and growing because of recent major City commitments to investments in infrastructure and public facilities, investments that generate funding for public art through the City’s public art ordinance.<sup>1</sup>

Most of the public art that has been commissioned by the Program to date has been site-specific, in direct connection with capital projects. The Program has also been successful at establishing relationships with TxDOT to assist with projects related to new freeway construction.

The Master Plan recommends that the Program expand its reach and develop strategies for integrating public art more broadly into the infrastructure of the City, especially into streets and public spaces that will define El Paso’s urban cores and community identity in the future. The recommendations involve expanding the types of projects that are commissioned to include more artist-designed functional elements that can be incorporated into basic systems of infrastructure, new projects that are fit into into existing community spaces, temporary projects and new gateway pieces.

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<sup>1</sup> (Ord. No. 17424, § 1).

To do this, the Master Plan recommends that the Program continue pooling and allocating public art funds to projects where they will have the most impact, as is currently allowed by the Public Art Policy and by the specific bond ordinances that provide funding, while recognizing the importance of distributing projects equitably throughout the city. The Master Plan recommends criteria for selecting new public art projects that accomplish these goals.

Finally, the Master Plan also recommends that the City provide incentives for developers to incorporate public art into public spaces created as part of new developments and redevelopment. This would provide the City with an additional tool for ensuring that public art is an integral part of places created through future City development.

## Program Overview

El Paso's Public Art Program can play a leading role in the positive transformations that the city is experiencing. This aspiration is captured in a new vision statement for the Program:

*El Paso's Public Art Program gives voice to the city's creative spirit – shaping El Paso's visual identity, defining places that anchor the community, and contributing to the city's evolution as a dynamic urban place.*

To accomplish this, the Program will work on the following basic activities:

*Commission and maintain a diverse collection of public artworks;*

*Support the inclusion of public art in private development and infrastructure built by others;*

*Promote the community's access to, appreciation of and enjoyment of visual art; and*

*Support the emergence of public art practice in El Paso.*

The Program will focus on the following types of projects:

**City and Neighborhood Identity.** *Public artworks that create a more visually appealing experience arriving in and moving around El Paso.* Works of art placed at gateways, along major roadway corridors and at the airport and other significant points of arrival will let people know they have arrived at a place that is culturally rich and visually stimulating. Artist-designed streetscape features, such as median elements, will help beautify neighborhoods throughout the city.

**Places of Gathering and Meaning.** *Public artworks in places that are used by all segments of the El Paso community for gathering.* This includes community and regional-scale parks; places where parks, recreation centers, pools, libraries and similar community facilities share a campus; and unique resources that serve the city.

**Emerging Urban Spaces.** *Public artworks in places that represent the emerging urban future in El Paso – lively, pedestrian-oriented, mixed-use use areas.* These could include places like UTEP and the adjacent entertainment district, Five Points, Ysleta, the Medical Center of the Americas – any place where large-scale development and redevelopment are occurring.

**Authentic Voice.** *Public artworks that draw from the city's traditions and over time reinforce a distinctive artistic voice.* The Program should continue its efforts to help El Paso artists develop the expertise to work in modes and materials that are appropriate to the region's climate, culture and history.

## The Projects

El Paso's Public Art Program will focus on commissioning public art projects that best meet the City's vision and directions for public art, as expressed above and elsewhere in this Master Plan.

The Master Plan recommends that the Program pool its project funding to the fullest extent allowable by the ordinances that govern the program and specific debt issues, in order to achieve the dispersal and impact of projects that the community seeks.

The Master Plan makes the following specific recommendations for use of public art funds generated by the

Street Infrastructure and the Quality of Life bond issues.

- Consolidate public art funds at the El Paso Zoo to create six discrete projects there.
- Plan for public art at the three major venues (multi-purpose arena, Children’s Museum, Hispanic Cultural Center) after locations have been selected and programs for each project have been developed. For the multi-purpose arena, focus on outdoor artworks at and near the facility that strengthen downtown connectivity.
- Develop strategies for artist-designed elements that could be incorporated into street infrastructure in citywide or downtown-wide infrastructure, such as sidewalks, median features, pedestrian lighting and trailheads.
- In parks, focus public art resources on new commissions at regional- and community-scaled parks.
- In libraries, focus public art resources on new commissions at libraries that are undergoing significant renovation or expansion.
- Plan for at least one “retrofit” project in a significant community gathering location in each Council District.

Specific project recommendations are included in Section 3 of the plan.

### **Public Art in Private Development**

El Paso is setting a course for new development that emphasizes compact urban patterns, with a focus on walkable streets and a range of civic spaces from parks to urban plazas.

These urban design goals and policies are reflected in the City’s General Plan, in its voluntary Smart Code and in the economic development priority to stimulate quality development, particularly that which promotes redevelopment and re-use within neighborhood cores, while not compromising the City’s overall tax base.

Public art can support these goals. This Master Plan identifies the type of projects that would be priorities for public art, goals for public art projects in private development, several key upcoming opportunities and processes for managing these proposals.

### **Administrative Recommendations**

El Paso’s Public Art Program is governed by an ordinance and a policy that were most recently updated in 2010. This Master Plan recommends a general reorganization and clarification of the public art policies, and the following specific changes to the guidelines. Key recommendations include:

- Revised goals and criteria for selecting future projects.
- Broader use of the “individual project plan,” a tool that outlines the scope and process for each public art project, to ensure there is a greater understanding between MCAD, collaborating departments, City Council Representatives and the community about the goals and process for each project.
- Outlines the artist selection process.
- Outlines roles and responsibilities for a broader group of stakeholders, including City Council and the Museums and Cultural Affairs Advisory Board.
- Place a stronger focus on community engagement in the development of projects, especially neighborhood-scaled projects.
- Create a “standing” selection committee for City facilities, such as the zoo, and infrastructure systems that will see repeated projects over time.
- Focus marketing around four key messages, and organize efforts to push those messages across various social and print media.

## 2. Public Art El Paso: 2014-2024

### Vision

*What impact does the Public Art Program have on the city?*

El Paso's Public Art Program gives voice to the city's creative spirit – shaping El Paso's visual identity, defining places that anchor the community, and contributing to the city's evolution as a dynamic urban place.

### Mission

*What does the Program do?*

El Paso's Public Art Program:

- Commissions and maintains a diverse collection of public artworks,
- Supports the inclusion of public art in private development and infrastructure built by others,
- Promotes the community's access to, appreciation of and enjoyment of visual art, and
- Supports the emergence of public art practice in El Paso.

### Goals

*What does the Program seek to accomplish, in order to make the vision real?*

- Enhance the quality of life of residents,
- Support creative and professional growth of the arts community,
- Support economic growth,
- Enhance the experience visitors have of El Paso, and
- Promote authentic images of El Paso as a unique place, community and destination.

### Programmatic Directions

*What are the specific types of work that will help the program accomplish these goals?*

Create identity for visitors and residents.

Commission public artworks that create a more visually appealing experience arriving in and moving around El Paso. Works of art placed at gateways, along major roadway corridors, at the airport and other significant points of arrival will let people know they have arrived at a place that is culturally rich and visually stimulating. Artist-designed streetscape features, such as median elements, will help beautify neighborhoods throughout the City.

Reinforce places of gathering and meaning in neighborhoods throughout the city.

Commission public artworks in places that are used by all segments of the El Paso community for gathering, and places that have a strong cultural or historical resonance. This includes community and regional-scale parks; places where parks, recreation centers, pools, libraries and similar community facilities share a campus; and unique resources that serve the city.

Strengthen downtown and other areas of urban investment as pedestrian-oriented cultural and economic resources.

Commission public artworks in places that represent the emerging urban future in El Paso – lively, pedestrian-oriented, mixed-use use areas. These could include places like UTEP and the adjacent entertainment district, the Zoo, Five Points, Ysleta, the Medical Center for the Americas – any place where the Smart Code and its principles are influencing development.

Draw on El Paso's diverse visual arts traditions, and support the emergence of a public art practice authentic to the city.

This could mean support for the evolution of the city's mural practices, or that it helps artists develop the expertise to work in modes and materials that are appropriate to the region's climate, culture and history.

## 2.2 Project Opportunities

### 1A. Downtown Pedestrian and Streetscape Projects

Downtown Streetscapes: Arts and Culture District

*(Future years, Council District 8)*

The Public Art Program should explore creating comprehensive, artist-led streetscape design that can be implemented in the Arts and Culture District after the locations of the three major new venues is determined.

The streetscape design should consider art projects that reflect and extend the principles of the Convention Center Walk concept plan: strengthen connectivity among districts and to transit, provide shade, define the pedestrian realm, activate the street-level, improve wayfinding / legibility, feature local artists and arts institutions.

The design should be able to be implemented incrementally, as public improvements, private development and public art funding allow.

### 1B. Downtown Venues

Multi-Purpose Venue, Children's Museum, Hispanic Cultural Center

*(Future years, Council District 8)*

The proposed multi-purpose venue, Children's Museum and Hispanic Cultural Center will be key locations for major works of public art. The locations for these projects are still being determined.

Artworks at the multi-purpose venue and the Children's Museum should be outdoors, not indoors, and should be markers that help reinforce both the identity of the facility and connectivity downtown. The approach to public art at Hispanic Cultural Center will depend on the location, design strategy and involvement of the community. The budget for artworks at the multi-purpose venue should be less than two percent of the construction cost, and the excess public art funding should be used for other projects in the Arts and Culture District.

### 1C. Downtown Public Spaces

The Public Art Program should work to incorporate public art into new downtown open spaces built by the City or through City partnerships. These artworks should be part of the City's larger vision of creating a series of place-making projects and pedestrian-connectivity that encourage people to walk downtown.

Union Depot

*(When the opportunity arises, Council District 8)*

The El Paso Comprehensive Plan suggests that the pedestrian connection being built between Santa Fe and Durango streets might one way be extended along San Francisco Street to a new civic space at Union Depot. Should this space be created, it would be a key opportunity for a new public art project. The goals and nature of the public art should be determined through the planning process for the public space.

### 2A. El Paso Zoo

Event Tent Area, Chihuahuan Desert, Asia Exhibition Area, Asia Gateway, South America Gateway

*(2014, 2015, Future; Council District 8)*

The Quality of Life Bond funding for the El Paso Zoo will be used both to complete projects from previous plans and to add visitor amenities and exhibition facilities. These include exhibition facilities such as a

Wildlife Theater, an event tent, new exhibits and upgrades to the Africa, Americas and Asia sections, and a new Chihuahuan Desert section; as well as amenities / infrastructure such as bathrooms, seating, water fountains, picnic tables and wayfinding.

Public art can support the mission and programming of the El Paso Zoo in several ways. Overall goals include:

- Support the El Paso Zoo mission to celebrate the value of animals and natural resources and to create opportunities for people to rediscover their connection to nature.
- Provide an additional layer to the appreciation and understanding to the animal exhibits and the ecosystems and cultural contexts that they represent through artwork in different styles and media.
- Support the overall experience of movement through the zoo by providing elements that mark entries, transitions and gathering places.

### **Public Art Approach: Gateways and Gathering Places**

The Public Art Program, after consultation with Zoo leadership and project management, should facilitate the selection artists to create works for the zoo that result in (a) signature *gateways* in various exhibition areas and (b) focal points for *gathering places* in various exhibition areas.

Through discussions with the Zoo's director and project manager, the following components of the Zoo master plan have been identified as "zones" that offer the best opportunities for public art projects that meet the above goals:

For each of the zones, an artist would be selected and assigned to work collaboratively with members of the respective architectural/ exhibition design team to define the specific art opportunity in the context of the broader design project, as well as the broader visual environment, circulation patterns and exhibition features in the Zoo.

This approach will allow for creative collaboration and produce distinctive artworks, while focusing on the goal of creating memorable gateways and gathering places that support the mission of the Zoo. Through dialogue with the design team, creative opportunities will be broadened and the artwork – whether it is a stand-alone piece, an artist designed feature, or some other approach – can be integrated into the overall design of the area where it is sited.

Africa Plaza

*(2015, Council District 8)*

For the Africa Plaza, a new public art project would be retrofitted into the existing plaza and viewing area. An artist would be selected and then would work with zoo administrators to explore opportunities in that area.

### **2B. Airport Expansion**

*(When the opportunity arises, Council Districts 2, 3)*

The Public Art Program recently completed Mitsu Overstreet's *River Spirit* project in the airport's baggage claim area. The project was funded by airport capital funds. The program also organizes exhibitions that are on display in the landside areas near the baggage claim, the ticket area, and the arrivals waiting room.

Public art at the airport serves as an important gateway for visitors from around the world. The Public Art Program should continue to develop artworks in conjunction with any airport capital projects that may occur in the future. The Program should develop ways of collaborating with curators and institutions in El Paso to provide future content for the exhibition spaces.

## 2C. TxDOT Infrastructure

*(When the opportunity arises, Council District to be determined)*

The Public Art Program has developed a collaborative relationship with TxDOT on several major infrastructure projects around the city. Artist Vicki Scuri has developed a form-liner concrete pattern for retaining walls, abutments and other structural elements of the Transmountain Highway connection to I-10. Scuri also developed lighting for the intersection of I-10 and Airway Boulevard, a major entrance into the city.

In other cases, City Council Representatives have advocated for TxDOT aesthetic enhancements to highway projects, such as decorative designs for retaining walls built along the Border Highway.

TxDOT continues to upgrade highway infrastructure throughout El Paso, including on I-10 as it passes through downtown, the completion of Loop 375 in West El Paso, and grade separated interchanges along Montana Avenue.

Artworks and design enhancements along these busy and highly visible routes can have a significant impact on people's impressions of the city. To the extent possible, the Program should continue to assist TxDOT with public art projects and design enhancements integrated into El Paso's expanding network of freeways.

## 2D. Sun Metro Infrastructure

Montana RTS

*(When the opportunity arises; Council Districts 3, 5)*

The Public Art Program is currently incorporating artworks into new bus rapid transit stations and transit terminals on three lines (Dyer, Mesa, Alameda). An RTS upgrade for Montana Avenue is also planned, and is awaiting funding from TxDOT. When this project receives funding and moves forward, the Public Art Program should replicate the strategies of incorporating artwork into multiple bus shelters, and of incorporating public art in any new east side transit terminal.

Bus Shelters

*(When the opportunity arises, projects in all Council Districts)*

Sun Metro has often included poetry and art on posters in shelters and busses. The Public Art Program should continue to develop innovative approaches to incorporating public art into Sun Metro infrastructure, especially bus shelters and the inside of buses.

## 3A. Parks and Recreation New Projects

Fifty-four parks and recreation projects are being funded through the Quality of Life Bond, ranging from pocket parks to infrastructure upgrades (lighting) to an entire new regional park on the East Side.

Public art can support the mission and programming of the Parks and Recreation Department. Overall goals include:

- Enhance specific facilities that are being newly constructed (pools, recreation centers).
- Reinforce the role of regional parks and clusters of community facilities (parks, recreation centers, pools, senior centers) as civic anchors and places of community gathering and cohesion.
- Explore how public art can connect to additional parks and open space resources recommended in the Parks and Recreation and Open Space Master Plans (trails, open space connections).
- Explore overlaps between public art and the events that take place in parks and recreation centers (performances, community art-making).

Public art should not be incorporated into every Quality of Life Bond project, because of the wide variety of scales and schedules affects the feasibility and impact that public art can have. Rather, public art resources

should be focused on locations within the Parks and Recreation system that will have the most community and visual impact, keeping in mind that projects should be distributed equitably throughout the city.

### **2014 Parks and Recreation Projects**

In 2014, public art projects were being initiated or continued in connection with the following QOL projects.

Eastside Regional Park Master Plan and Implementation  
*(2014, Council District 5)*

The City has acquired land for a new regional park that would serve the rapidly growing East Side community. Ultimately, because of the scale and scope of the project, multiple public art projects (or one project that involves multiple elements in the park) might be located here. The Public Art Program should recruit an artist to work with the park master plan team on recommendations for art in the master plan phase, so that specific projects can be coordinated properly as each phase of the park develops.

Westside Pool  
*(2014, Council District 1)*

When the design team is selected, confer with the team about public art options. Issue a call to artists to find artist with specific experience with the materials that will be used.

Chelsea Pool Relocation  
*(2014, Council District 2)*

The former Chelsea pool is scheduled to be relocated and reconstructed in a modern water park format, making it a unique facility that will likely serve not only the surrounding neighborhoods but also people from throughout the city. An artist should be added to the design team, once it is selected, so that the artist and the designers can jointly investigate the best approach to public art at this site.

### **Future Parks and Recreation Projects**

In 2015 and beyond, the following additional QOL projects should be priorities for public art:

Chamizal Area Recreation Center / Library  
Alameda Area Recreation Center / Library  
Yucca Area Recreation Center

*(When the opportunity arises, Council Districts 6, 7, 8)*

These projects will be managed by an outside project management consultant, which has not yet been identified. The consultant will select and manage firms that will be responsible for the planning, design and construction of these facilities.

The next step is to discuss the process by which specific art opportunities will be identified. One option is to retain an artist when the design team for each facility is retained, so that they can collaborate on identifying the best opportunity for an artwork at each location. The other option is for the Public Art Program and/or its consultants to work with each facility's design team to identify discrete opportunities and to retain an artist who will produce that commission.

The strategy should be determined through consultation between the Public Art Program, Parks and Recreation, and the project management consultant. The public art process should include significant community involvement, given the nature of these facilities.

### 3B. Parks and Recreation Retrofits

*(2015, Future; projects in all Council Districts)*

Throughout El Paso, facilities such as parks, recreation centers, pools, senior centers and libraries are often co-located or clustered on small campuses. In most cases, the clusters seem to have evolved incrementally or organically, and don't seem to have a strong center of gravity or civic focus that holds the spaces together. Two examples of these clusters are Armijo and Carolina.

In addition, there are a handful of unique parks and recreation facilities that tend to serve a broader constituency than the immediate area. Examples are Memorial Park and Rose Garden, and Edgemere Linear Park.

Some of the public art funding for parks and recreation projects should be consolidated and re-directed to these larger clusters and special park features, which tend to serve more people and more diverse groups of users, than smaller facilities do. This would also help consolidate funds into budgets that are more manageable and impactful, in regard to the commissioning of public art.

The Public Art Program should develop at least one of these projects a year, and plan for at least one project in each Council District. Because of their nature, the projects would involve an in-depth community engagement process, and it is likely that they would result in "placemaking" projects that introduce new focal point, gathering places and usable spaces within the clusters of facilities.

### 3C. Trailheads and Trail Markers

The workplan for the City's trail program currently includes fifteen trailheads (most connecting City streets to trails in Franklin Mountain State Park), three river put-ins in the Upper Valley, and 16.2 miles of paved trails in developed areas of the city. These are incremental steps toward building a more integrated network of trails throughout the city.

In most cities, trail systems become high-used and well-loved parts of the urban landscape. El Paso's trail system is unique because it includes mountain trails, urban trails and rivers trails. The Public Art Program should collaborate with trail planners and designers to develop projects that are appropriate to their sites, but also make the trail system a proud part of El Paso's civic infrastructure.

Palisades Trail Head

*(2014, Council Districts 1)*

The next trailhead will be developed on Robinson Avenue at Crazy Cat Arroyo. The project will be modest, including a marker for the trailhead, a gate to prevent vehicles from accessing the trail, and a box culvert to carry stormwater under Robinson Avenue. A community charrette recommended a "light-touch" trailhead, with no major structures, but also recommended the inclusion of public art as part of the project.

An artist should be selected to work with the design team in the early stages, to help determine what the best scope of the artist's intervention would be, and what additional community engagement would be necessary.

Urban Trails

*(2015; Council Districts to be determined)*

The second phase of work will involve trailheads for urban trails, which often follow utility easements and other corridors in built areas of the city. The Public Art Program should commission an artist to work with trail planners and engineers to develop a simple palette of trail infrastructure, such markers where trails intersect streets, to help improve the visibility and the visual identity of trails. A prototype project might be launched at Edgemere Linear Park.

### 3D. Libraries

Richard Burges Regional Branch Library, Irving Schwartz Branch Library  
(2014; Council Districts 4, 6)

All twelve libraries in El Paso's library system are scheduled for expansion or renovation as part of the QOL bond issue. Of these, the Irving Schwartz Branch Library and Richard Burges Regional Branch Library should be the focus for public art because they are undergoing the most significant change. Both projects are included in the Program's 2014 work plan.

#### Public Art Goals: Libraries

Public art can support the mission and programming of the library system, and the experience people have both in the physical spaces of the library and in life-long learning. Overall goals might include:

- Making the libraries friendly and aesthetically pleasing places.
- Inspiring discovery, creativity and life-long learning.
- Supporting interactive learning.
- Fostering appreciation of the larger world.

### 4A. Neighborhood Streetscapes

(2015, projects in all Council Districts)

Between 2012 and 2019, the Transportation Department will spend approximately \$210 million to upgrade basic street elements, such as paving, medians, sidewalks, bike lanes and signals. Some of the funds will also be spent on neighborhood traffic calming and on pedestrian improvements in transit corridors. The emphasis is on upgrading the current street network, not on building new streets or highways.

The goals for public art in these projects are to enhance both the street infrastructure and the neighborhoods where street improvements are being made. Because of the nature of this infrastructure, the most impactful public art approach would be to identify, within the basic design templates, opportunities for artists to create enhancements. These might include medians / abutments, corner treatments, low-rise planters, bicycle racks, crossings, neighborhood markers, wall treatments and entries. These designs could be carried throughout the city, or given over to artists to create unique enhancements on a neighborhood-by-neighborhood basis. One possibility would be to consider focused strategies for areas like Five Points, the University District and Ysleta.

To identify these opportunities, the Public Art Program and EP DOT should commission an artist who is seasoned in integrated infrastructure projects to develop templates that other artists could use for their projects. As this artist is likely to be from out-of-town, he or she should be associated with a local artist or two through MCAD's successful Allied Artist Program.

Goals for public art in streetscape enhancement projects:

- Enhance the appearance of street infrastructure and other City mobility infrastructure.
- Infuse neighborhoods throughout the city with art and improve their appearance.
- Enhance the sense of connectivity in the city by strengthening the overall identity of the different areas of the city that are connected by street infrastructure.
- Reinforce multimodal strategies; emphasize areas where people make connections or shift between modes (including pedestrian modes).

#### 4B. Citywide Sidewalk Project

*(2015, projects in all Council Districts)*

In addition to the general streetscape projects described above, the Public Art Program should develop a project that could be implemented wherever new sidewalks are poured throughout the City. The project should have a simple, replicable installation method, and should have a concept that can work even if it is extended, incrementally, into multiple neighborhoods. A similar project, *Sidewalk Poetry*, was developed for the City of Saint Paul by Marcus Young.<sup>2</sup> In El Paso, the project might investigate informal types of bilingual communication that constitute the language of the city.

A primary goal should be to establish an artistic concept that could evolve coherently through the city, without relying on literal visual or physical continuity. The project should work as episodes, as opposed to a seamless system; people should be able to appreciate it at each encounter, but it should also work conceptually as a citywide project that is implemented slowly over many years. The concept could involve color, graphics and text. It should be implemented through pedestrian improvements, street reconstruction, neighborhood traffic calming, downtown improvements and other sidewalk construction projects.

#### 4C. Roundabouts

*(When the opportunity arises, various Council Districts)*

The Public Art Program has completed two projects at roundabouts and has several more in the works.

Art projects in roundabouts have high visibility because of the volume of traffic that uses them. The Public Art Program should continue to commission artworks at new roundabouts, but should try to diversify the artistic approaches to include landscape as well as sculpture.

There are no other roundabout projects currently on the City's workplan. There is a roundabout planned for the intersection of Alameda, Paisano and Texas, but that site is controlled by TxDOT. If this were to become a City-owned site, it would be an appropriate location for public art.

#### 5. El Paso Iconic Artwork

*(When the opportunity arises)*

El Pasoans are familiar with two iconic pieces of public art. Luis Jimenez' *Los Lagartos* is a well-known and well-loved sculpture in San Jacinto Plaza, reminding people of the many years in which a pond stocked with alligators was a prime attraction of the plaza. The fiberglass sculpture by Jimenez, who was El Paso-bred and nationally known before he died in a studio accident, was restored with Quality of Life funding as part of the plaza renovations.

The other is Sebastian's *X*, or *La Equis*, a 200-foot bright red sculpture in Juarez, across the border from Modesto Gomez Park. According to the artist, the sculpture honors both the "mestizaje," Mexican citizens who are of Indian, Mexican and Spanish descent, and the thousands of people who died at the hands of drug violence in the city. Because of its prominent, highly visible border location, *La Equis* also serves as a reminder of Mexican culture and independence, as well as the conjoined history of Mexico and Texas..

This sculpture, the general optimism about the city's future, and the recent demolition of the Asarco smokestack, an industrial landmark in West El Paso, all have prompted conversations about whether El Paso should contemplate an iconic sculpture of its own. In U.S. cities, iconic pieces on the order of Chicago's *Cloud Gate* or *Crown Fountain* require strong political leadership, many years of consensus building, and significant amounts of fundraising. In El Paso, such a project might be accomplished in a decade.

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<sup>2</sup> Examples can be seen on the City of Saint Paul's website, here: <http://www.stpaul.gov/index.aspx?NID=2820>

The Public Art Program can help the city explore this idea by fostering conversation about iconic design and architecture projects, what about the city's circumstances would make this a good moment to develop an iconic artwork, and the location and funding for such a project. Such a conversation could be convened in collaboration with the Museum of Art, the Texas Tech architecture program, and the regional business and design communities. If the conversations are successful, the project would obtain a momentum and leadership of its own.

## 6. El Paso Gateways

*(When the opportunity arises, Council Districts to be determined)*

The Public Art Program should continue to commission artworks at gateway points into the city, as it is currently doing at the UTEP / Schuster roundabout.

Program staff should be attentive to opportunities and mobilize support for them when they arise.

One possible project could be at the Zaragoza border crossing, the easternmost in the city. The City is contemplating making improvements there with federal funds; in that process there may be an opportunity to identify a location for a gateway artwork.

Another area to consider is the Medical Center of the Americas, which is a destination for many visitors to El Paso and therefore a gateway of sorts to the city. The Public Art Program should monitor continued development of the MCA to determine if the opportunity for a gateway project presents itself.

## 7. New Urban Spaces

The Public Art Program should be attentive to opportunities for incorporating public art into new open spaces built by the City or through City partnerships. Since many large-scale projects proceed with City incentives, the City should consider providing incentives that encourage developers to include public art related to new urban spaces. One area to monitor in particular is the Medical Center of the Americas.

Northpark  
*(2015, CD4)*

Several years ago, the City acquired and cleaned up a 30-acre site at the intersection of Dyer Street and Diana Drive at a cost of \$10 million. The City is now negotiating with a developer who would create a mixed-use development with a park, stores, offices, apartments and condominiums. The current transit terminal on the site will be replaced with a transit terminal for the Dyer Avenue BRT Line; Jim Hirschfeld has already been chosen to create a public art project there.

An early concept for the project shows a new plaza there. Should a plaza be created, it would be a prime location for public art, funded by the developer if the space is privately owned, or funded by the Public Art Program if the space is owned by the City.

## 8. Temporary

*(2015, Future; CDs unknown)*

The Museums and Cultural Affairs Department has been increasingly successful in presenting temporary artworks downtown as part of its annual Chalk the Block program. Last year, interactive artworks by Christian Ristow, Jen Lewin and Austin Bike Zoo were among the highlights of the program.

The Public Art Program should consider expanding temporary projects from downtown into other areas of the city, such as parks that serve as major gathering places. The scheduling could be tied to other special events, providing an opportunity for broader audiences to encounter public art, and the pieces could be left up for a longer period of time.

The Program should consider starting by asking artists to install pieces that have already been presented elsewhere (as have most of the Chalk the Block projects), until the point at which the Program feels comfortable with original commissions.

Funding would come from sources other than the City's percent for art funding.

## **9. Portable Collection**

*(When the opportunity arises, CD unknown)*

The Public Art Program began acquiring two- and three-dimension artwork from local artists for display in the new City Hall in 2013, and has continued to do so with the relocation of City offices to the Texas and the Mulligan buildings. The acquisitions were juried.

The artwork exhibitions have generally been well-received.

The Public Art Program should continue with its acquisitions as new City buildings come on line. The Program should make sure that it has rigorous procedures for the registration, documentation, display, handling and storage of the art in the City's collection.

## 2.3.1 Project Opportunities, by Theme

### City and Neighborhood Image

*Projects with Citywide impact*

- 2A. El Paso Zoo / Event Tent Plaza, Asia Gateway, South America Gateway
- 2B. Airport Expansion
- 2C. TxDOT Infrastructure
- 2D. Sun Metro Infrastructure / Bus Shelters  
Sun Metro Infrastructure / Montana RTS
- 3C. Trailheads and Trail Markers
- 4B. Citywide Sidewalk Project
- 5. El Paso Iconic Artwork
- 6. El Paso Gateways
- 8. Temporary

*Projects with downtown impact*

- 1A. Downtown Pedestrian and Streetscape Projects / Digital Wall
- 1B. Multipurpose Arena  
Children's Museum  
Hispanic Cultural Center
- 1C. Downtown Public Spaces / Union Depot

*Projects with neighborhood impact*

- 3C. Trailheads and Trail Markers / Palisades Trail Head
- 3D. Libraries  
Richard Burges Regional Branch Library  
Irving Schwartz Branch Library
- 4A. Neighborhood Streetscapes
- 4C. Roundabouts

### Places of Gathering and Meaning

- 1B. Hispanic Cultural Center
- 3A. Parks and Recreation New Projects  
East Side Regional Park  
West Side Pool  
Chelsea Pool Relocation  
Chamizal Area Recreation Center / Library  
Alameda Area Recreation Center / Library  
Yucca Area Recreation Center
- 3B. Parks and Recreation Retrofits
- 3D. Libraries  
Richard Burges Library  
Irving Schwartz Library

### Emerging Urban Spaces

- 1C. Downtown Public Spaces / Union Depot
- 7. New Urban Spaces / Northpark

## 2.3.2 Project Opportunities, by Year

### Projects Launched in 2014

- 1A. Downtown Pedestrian and Streetscape Projects / Digital Wall
- 2A. El Paso Zoo / Event Tent Plaza Area
- 3A. Parks and Recreation New Projects
  - East Side Regional Park
  - West Side Pool
  - Chelsea Pool Relocation
- 3C. Trailheads and Trail Markers / Palisades Trail Head
- 3D. Libraries
  - Richard Burges Library
  - Irving Schwartz Library

### Projects to Launch in 2015

- 2A. El Paso Zoo (Africa Plaza, Chihuahuan Desert, Asian Exhibition Area)
- 3B. Parks and Recreation Retrofits
- 3C. Trailheads and Trail Markers / Urban Trails
- 4A. Neighborhood Streetscapes
- 4B. Citywide Sidewalk Project
- 8. Temporary

### Projects to Launch in Future Years

- 1A. Downtown Pedestrian and Streetscape Projects
- 1B. Multipurpose Arena
  - Children's Museum
  - Hispanic Cultural Center
- 2A. El Paso Zoo (Asia Gateway, South America Gateway)
- 3A. Parks and Recreation New Projects
  - Chamizal Area Recreation Center / Library
  - Alameda Area Recreation Center / Library
  - Yucca Area Recreation Center
- 3B. Parks and Recreation Retrofits
- 5. El Paso Iconic Artwork

### Projects to Launch in the Future, When Opportunity Arises

- 1C. Downtown Public Spaces / Union Depot
- 2B. Airport Expansion
- 2C. TxDOT Infrastructure
- 2D. Sun Metro Infrastructure / Bus Shelters
- 2D. Sun Metro Infrastructure / Montana RTS
- 4C. Roundabouts
- 6. El Paso Gateways
- 7. New Urban Spaces / Northpark
- 9. Portable Collection

## 2.3.3. Projects by Council District, 2014 +

### All CDs

These projects will occur in all Council Districts

- 2D. Sun Metro Infrastructure / Shelters
- 3A. Trails and Trailheads
- 3B. Parks and Recreation Retrofits
- 4A. Neighborhood Streetscapes
- 4B. Citywide Sidewalk Project

### CD1

- 3A. Westside Swimming Complex
- 3A. Palisades Trail Head

### CD2

- 2B. Airport Expansion
- 3A. Chelsea Pool Relocation

### CD 3

- 2B. Airport Expansion
- 2D. Sun Metro Infrastructure / Montana
- 3A. Alameda Recreation Center / Library

### CD 4

- 3C. Richard Burges Library
- 7. New Urban Spaces / Northgate

### CD 5

- 2D. Sun Metro Infrastructure / Montana
- 4A. East Side Regional Park

### CD 6

- 3C. Irving Schwartz Library

### CD 7

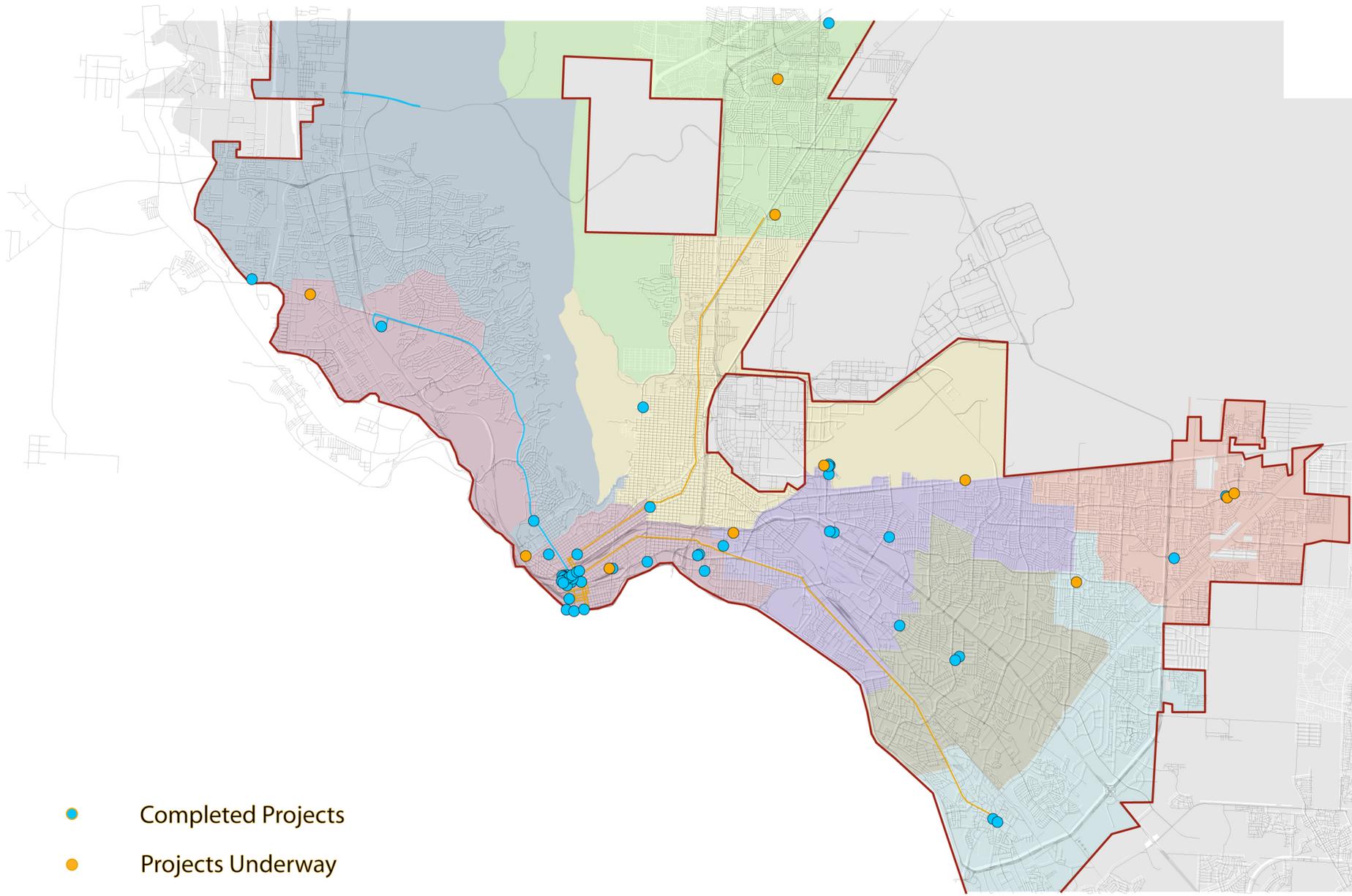
- 3A. Yucca Area Recreation Center

### CD 8

- 1A. Digital Wall
- 1A. Downtown Pedestrian and Streetscape Projects
- 1B. Downtown Venues
- 1C. Downtown Public Spaces
- 2A. El Paso Zoo
- 3A. Chamizal Recreation Center / Library

### CD to be Determined

- 2C. TxDOT Infrastructure
- 4C. Roundabouts
- 5. El Paso Iconic Artwork
- 6. El Paso Gateways
- 7. New Urban Spaces
- 8. Temporary
- 9. Portable Collection

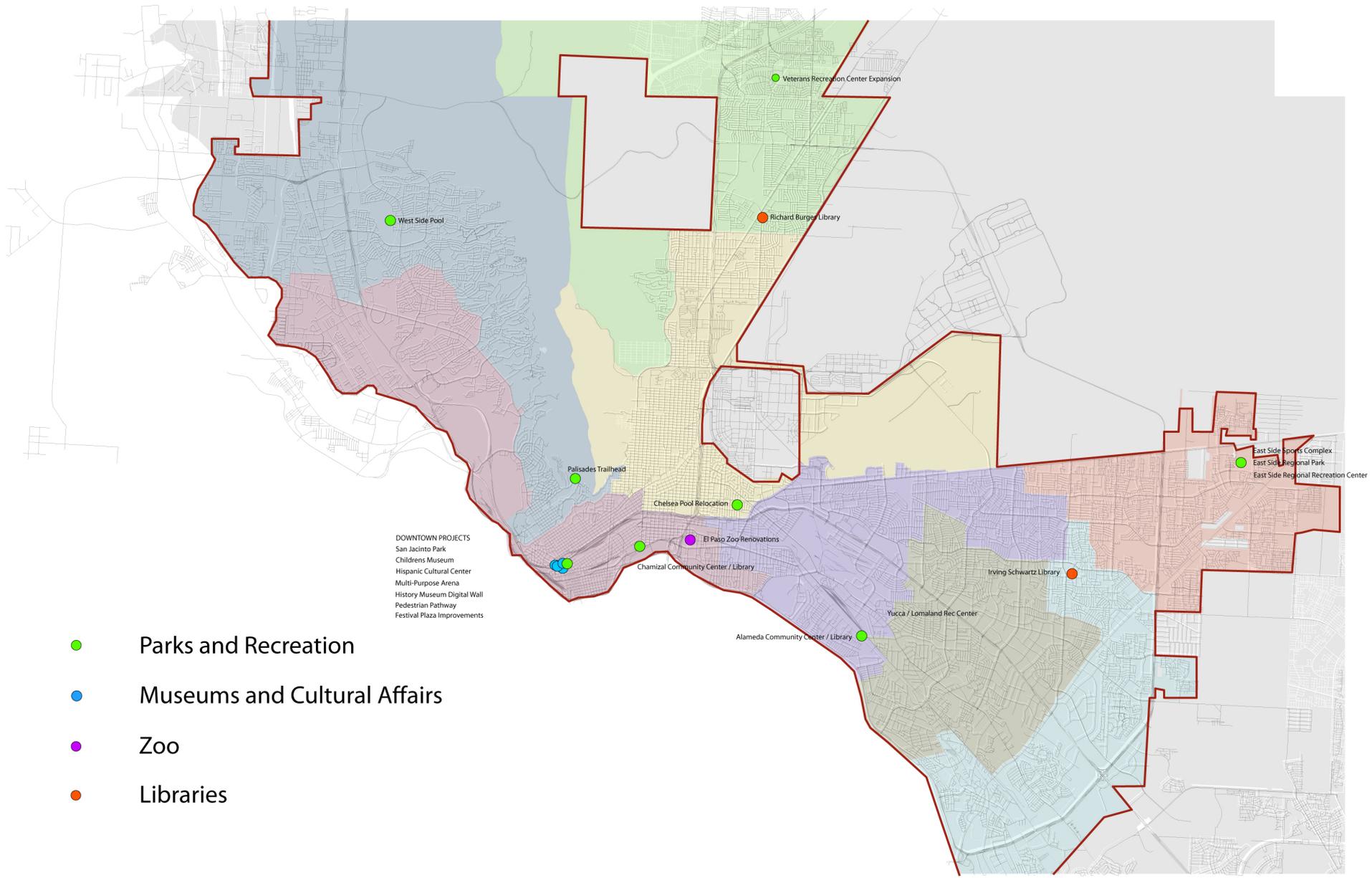


**PUBLIC ART COLLECTION**  
**El Paso Public Art Master Plan**  
 September, 2014



**VIA**

M C A D  
 City of El Paso  
 Museums and Cultural Affairs Department

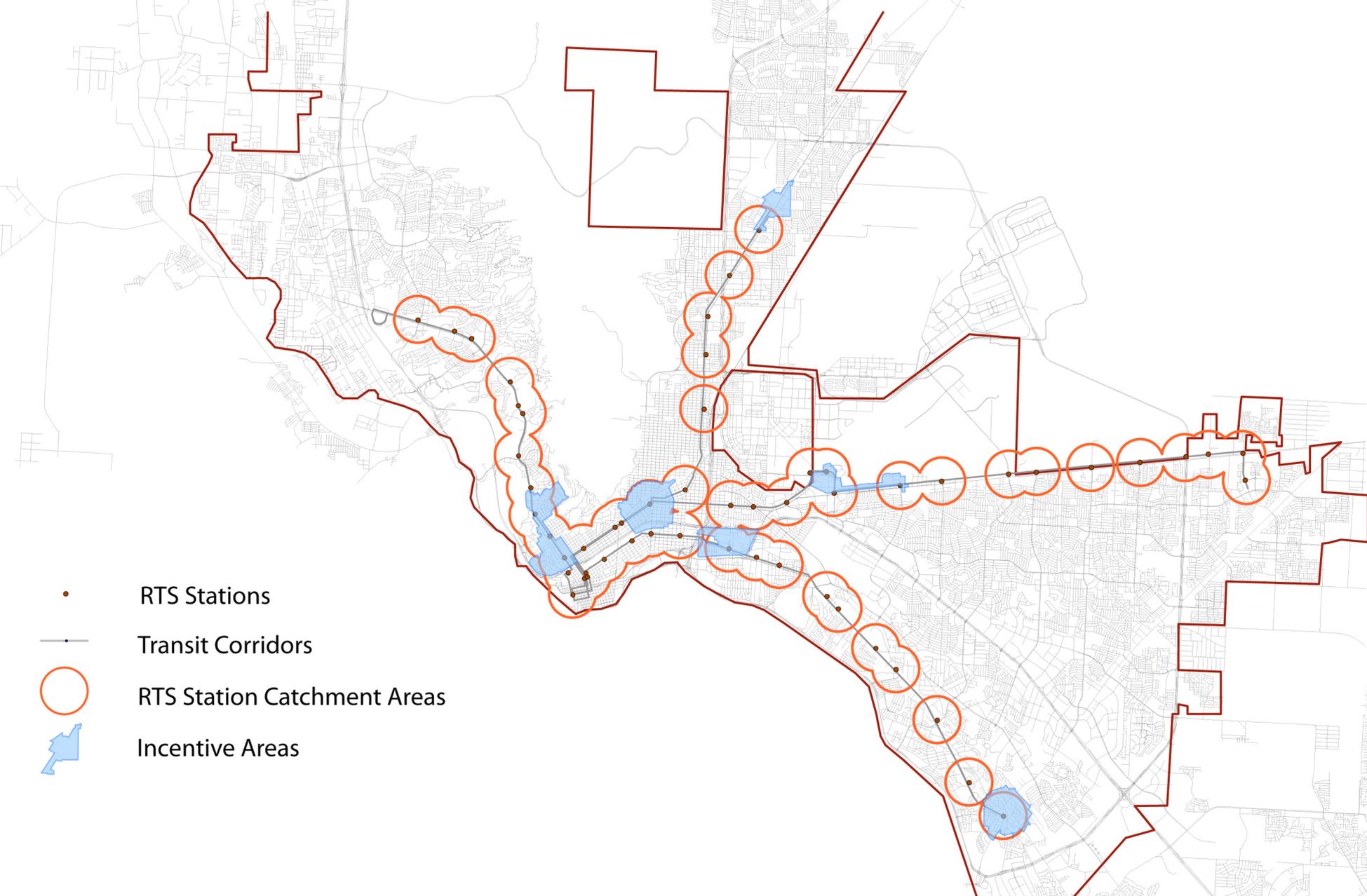


## QUALITY OF LIFE BOND, RECOMMENDED PUBLIC ART PROJECTS

### El Paso Public Art Master Plan

September, 2014





- RTS Stations
- Transit Corridors
- RTS Station Catchment Areas
- Incentive Areas

**FOCAL AREAS: URBAN CENTERS**  
**El Paso Public Art Master Plan**  
 August, 2014

### 3. Criteria for Selecting Projects

The vision, mission, goals and programmatic directions outlined in this Master Plan express broadly shared ideas about why the City of El Paso supports public art, and the impact that El Pasoans expect that public art will have on their city.

The focus of El Paso's Public Art Program will be on commissioning public art projects that best meet the City's vision, goals and directions for public art, following the guidance of this Master Plan, the City's public art guidelines, and the City's public art ordinance.

Therefore, the Program will pool its project funding to the fullest extent allowable by the ordinances that govern the program and specific debt issues, and will use the criteria outlined below to prioritize projects.

#### Process

MCAD staff works with the Public Art Committee (PAC) to develop an Annual Public Art Work Plan. The Work Plan outlines the projects for the coming year, including public art projects that will be commissioned in conjunction with capital projects, and public art projects that are commissioned with pooled or other funds. MCAD staff proposes projects for the Work Plan. The Work Plan is reviewed by the PAC. The PAC recommends the Work Plan to the MCAAB, which recommends the Work Plan to City Council for approval.

#### Project Identification Principles

MCAD staff and the PAC will use the following basic principles in determining which projects will be included in the Annual Public Art Plan.

- Funding will be consolidated so projects have adequate budgets for artist fees, project costs, community outreach process and other project components.
- Funding will be directed to projects where the physical integration of public art into the architecture, landscape architecture, infrastructure or general site will be carefully considered, rather than treated as an afterthought.
- Funding will be directed to projects for which there is adequate time for proper implementation of the public art process, including project definition, artist selection, community engagement, fabrication and installation.
- Funding will be directed to projects that can successfully address the technical considerations outlined below.
- Funding will be directed to projects that are already identified in the Council-approved Public Art Master Plan, or a previously-approved Annual Public Art Plan.
- The City's funding must always be used on City property.
- Over the duration of this Master Plan, projects will be distributed equitably throughout the city.

#### Project Evaluation Criteria

The Public Art Program will consider artworks only at locations that meet at least one of the following criteria:

- Places that are highly visible and where art will make a positive visual impact on the cityscape. These could include major transportation corridors and civic facilities such as the airport, zoo and proposed multi-purpose center.
- Places where public art will make a positive visual impact on neighborhood identity and character. This could include streetscape and sidewalk projects.

- Places that are focal points for pedestrian and community activity, where people can actively engage with the artwork. These could include neighborhood gathering places, such as existing clusters of community facilities, and emerging urban areas around transit centers.
- Places where the City is focusing its efforts on developing El Paso's future urban pattern. These could include areas where the City is investing in infrastructure such as BRT, creating public amenities such as trail systems, or entering into joint development ventures, such as Northgate.
- Places that have an important social context. This could include places with connections to history, culture and the arts, particularly places where it is possible to explore the bi-national culture with Ciudad Juarez.

## Special Considerations

In evaluating potential projects, special consideration will be given to the following:

- Projects in areas of the city that have fewer public art projects, compared to other areas. However, in assessing the distribution of artworks, the Public Art Program will consider that some projects (such as those downtown, or at the airport or zoo, or transit corridors) have an impact that is citywide, beyond any one community.
- Projects with approaches that can be replicated in neighborhoods throughout the city, such as integrating public art into transit corridors, streetscapes, sidewalks and existing clusters of community facilities.
- Projects that can provide opportunities for regional artists to grow their practice.

## Technical Considerations for Integrating Public Art into a Site

Once a location for a new artwork is selected, the following technical considerations will be used to evaluate how the art can be best integrated into the site. These considerations will be incorporated into the Individual Project Plan, and can be used by staff of the Public Art Program and the collaborating agency, design teams, and the artist, as appropriate.

- Visibility of the artwork, both to the users of the site and the public at large.
- Public accessibility to proposed artwork, both for the users of the site and the public at large.
- Visual relationship to architectural and natural features, landscape design, environmental impact and concerns, and future plans for the area.
- Functional relationship to the site, including predominant user activities, vehicular and pedestrian circulation, etc.
- The social context of the site, including user patterns and cultural and historical issues.
- Technical considerations related to how the artwork will be installed and maintained.
- The relationship to any other existing artwork within the proposed site vicinity.
- Public safety and liability issues.

## 4. Administrative Recommendations

### Summary

El Paso's Public Art Program is governed by an ordinance and a policy that were most recently updated in 2010. This Master Plan recommends a general updating of the public art policies, as well as the following recommendations for other policies and procedures that are not covered by the guidelines.

- Use *Individual Project Plans* as a new tool in the project development process. An “individual project plan” outlines the scope and process for each public art project, including overall goals, artist selection, community engagement, budget and timeline, and any other specific considerations. The purpose of an Individual Project Plan is to ensure there is a greater understanding between MCAD, collaborating departments, City Council Representatives and the community at large about the goals and process for each project, and to provide measures against which a project can be evaluated.
- Create a process to review public artworks commissioned by developers in exchange for an incentive or public benefit.
- Focus communications and marketing around four key messages, reinforced through various media.
- Continue and expand approaches to supporting local artists who want to create public art.
- Implement evaluation of projects and periodic evaluation of program.

#### 4.1 Revisions to Guidelines

The Appendix to this plan includes a proposed revision to the Public Art Guidelines. Following is a summary of the major revisions to the guidelines:

##### Added

- Additional definitions

##### Revised

- Updated Vision, Mission and Goals.
- Definitions, including definition of artist
- Guidelines for eligible uses of public art funds
- Expanded definition of selection committee to allow for a “standing” selection committee for City facilities, such as the Zoo, that will commission repeated projects over time

##### Re-organized

- A new *Roles and Responsibilities* section that includes the roles for City Council, the Museums and Cultural Affairs Advisory Board, the Public Art Committee, Artist Selection Committees, MCAD staff and artists.

##### Consolidated

- The *Procedure for Review of Gifts or Loans of Art* (currently a separate document) is now incorporated into the overall guidelines.

##### Documented

- A step-by-step outline of the artist selection process and art acquisition process, making this process easier to explain to program and project stakeholders.

##### Relocated

- The *Criteria for Selection of Projects* (formerly *Placement of Artwork*) has been substantially revised and placed in the overall Public Art Master Plan, rather than the guidelines.

## 4.2 Resources for Projects and Program Administration

### Current Resources

The El Paso Public Art Program currently receives project and program administration funds from capital funds that are set aside from the City's Capital Improvement Program for that purpose.

Capital funding is used for public art projects, as outlined in the public art ordinance and policy, with the provision that 15 percent of those funds can be spent on the Program's administrative costs. The current capital program for the City's Quality of Life Bonds and Street Infrastructure Bonds will generate approximate \$13 million in public art capital funds over the lifetime of those bond programs. Capital funding can only be used on permanent projects, and while the ordinance and guidelines provide the Program with flexibility in identifying projects, in practice there is a desire to keep funding within the departments where the funds are generated, and within the Council Districts in which the underlying capital projects are undertaken.

The El Paso Public Art Program currently has three staff members: a program manager and two project managers. The project managers have specialized responsibilities related to collection management, marketing and communications and cultivating local artists.

### Public Art Program Administrative Responsibilities

The administration of the Public Art Program can be broken down into six main categories of activity.

- **Planning and Budgeting.** The Public Art Program Manager takes the lead on planning activities related to public art, including developing the Annual Plan and Budget, and coordinating with the planning efforts of other City departments.
- **Staffing the Public Art Committee.** The Public Art Program Manager is responsible for staffing the Public Art Committee, including preparing and posting agendas, facilitating meetings, meeting follow-up and managing appointments of new members to the committee.
- **Individual Project Management.** The Public Art Program Manager, with the assistance of project managers, manages individual public art projects. This includes, but is not limited to, tasks such as developing individual project plans, recruiting artists, facilitating Artist Selection Panels, facilitating community engagement, managing artist contracts, monitoring fabrication and coordinating installation.
- **Collection Management.** The Public Art Program Manager, with the assistance of project managers, oversees the documentation, maintenance and conservation of the collection.
- **Marketing and Communications.** The Public Art Program Manager, with the assistance of project managers, oversees the marketing and public outreach for the program, including informational updates about projects, outreach to local artists and press relations.
- **Cultivating Local Artists.** The Public Art Program Manager develops initiatives aimed at connecting local artists with the Public Art Program. This includes managing the artist apprentice program, organizing professional development workshops, making studio visits and other efforts recommended elsewhere in this plan.

### Recommendations for Resourcing the Public Art Program

The Public Art Program's staffing and funding levels are sound for the foreseeable future. The main goal is to strengthen the Program's capacity from a qualitative point of view, and to provide more flexibility for the use of capital funds.

- **Staffing Level.** The Program should maintain its current staffing level, with the goal of building the expertise of the project managers. To handle expanded workload, the Program should hire consultants

or temporary employees. This will enable the Program to react more flexibly to variations in project volume, and bring in special expertise when needed.

- **Staffing Expertise.** The Program should support the professional development of all of its staff members in the areas of public art project development and management, urban planning and design, and marketing and communications. For tasks that require specialized expertise or temporary focus, such as marketing and communications, collections management or the management of a special cohort of projects, the Program should hire consultants or temporary employees.
- **Capital Funding Contribution to Public Art.** The Public Art Program and the Finance Department should clarify, as a matter of administrative procedure, how public art set-asides are calculated in relation to budgets for planned capital projects and overall bond issuance totals, and document this as a City policy.
- **Eligible Uses of Project Funds.** The Public Art Program and Finance Department should clarify that public art funding is to be used for artistic enhancements above and beyond base budget costs, and not to offset costs for design features that would otherwise be in a project budget.
- **Capital Funding Project Flexibility.** The City's public art ordinance, Public Art Policy, and recent bond ordinances place few restrictions on where public art capital funds can be spent. In general, funds merely need to be spent on projects related to the overall bond issuance that generated the funding. The Public Art Program should use the guidelines elsewhere in this plan to identify projects that have the widest possible public benefit.
- **Funding for Temporary Work.** The Public Art Program and Finance Department should develop strategies for determining the acceptable use of public art capital funds for temporary projects, and document this in the Public Art Policy.
- **Collaborate with Other MCAD Initiatives.** The Public Art Program staff should work with other MCAD staff to develop marketing and communications protocols and initiatives that support public art and other MCAD programs or goals. They should also work with other MCAD staff to develop programs that support career development for local artists, including those interested in public art.

### 4.3 Public Art in Private Development

El Paso is setting a course for new development that emphasizes compact urban patterns, with a focus on walkable streets and a range of civic spaces from parks to urban plazas.

The urban design goals and policies outlined in the City's General Plan, and the voluntary Smart Code, place a strong emphasis on this type of urban form. In addition, the City's economic development priority is to stimulate quality development, particularly that which promotes redevelopment and re-use within neighborhood cores, while not compromising the City's overall tax base.

Public art can support these goals. Carefully planned and integrated artworks can help make the streets and civic spaces envisioned in this type of development unique to El Paso and meaningful to the communities where they are located.

The Public Art Program and the City Development Department should collaborate to identify opportunities for incorporating public art into new civic spaces and street infrastructure built by private developers. There are several types of opportunities to consider:

- Developments that voluntarily implement the Smart Code and include a park, square, green or plaza, as defined in the Smart Code.
- Developments that receive City economic development incentives, such as those described below.
- Developments that provide street infrastructure and other public infrastructure that is dedicated to the City.

#### Goals for Public Art in Private Development

The City of El Paso and the Public Art Program should encourage developers to include public art in their projects because public art can help the City achieve a variety of its goals for economic development and placemaking. These goals include:

- Place public art in a wider range of locations, which increases the visibility of public art, provides opportunities for more people to experience public art, and builds a stronger impression of El Paso as a city that cares about art and design.
- Support the revitalization of El Paso's transit-oriented corridors and Sustainable City Centers through the creation of distinctive and desirable public spaces that help attract residents, businesses and further investment.
- Build a sense of community in areas of the city that are undergoing revitalization.

#### Opportunities for Public Art in Private Development

Currently, there are two major development areas in the city – Northpark and the Medical Center of the Americas – that are being developed with significant City participation. For these developments, and future developments of this scale, the City should follow of a public art strategy that includes the following urban design, financing and project implementation considerations.

##### Northpark

Several years ago, the City acquired and cleaned up a 30-acre site at the intersection of Dyer Street and Diana Drive at a cost of \$10 million. The City is now negotiating with a developer who would create a mixed-use development with a park, stores, offices, apartments and condominiums. The current transit terminal on the site will be replaced with a transit terminal for the Dyer Avenue BRT Line; Jim Hirschfield has already been chosen to create a public art project there.

An early concept for the project shows a new plaza there. Should a plaza be created, it would be a prime location for public art, funded by the developer if the space is privately owned, or funded by the Public Art Program if the space is owned by the City.

## Medical Center of the Americas

The Medical Center of the Americas covers about two thirds of a square mile in Central El Paso, anchored by Reynolds Street just south of I-10. The MCA includes medical facilities, including by the Texas Tech University Health Sciences Center and the El Paso Children’s Hospital, as well as a biomedical innovation park.

A master plan for the campus was approved in 2008, a Smart Code overlay was proposed in 2010, and a Chapter 380 economic development agreement between MCA and the City was established in 2012.

The master plan calls for a major civic space along Reynolds Street, through the center of the campus, as well as smaller civic spaces to anchor different facilities and precincts in the campus. It also states that one of the key goals is to “identify arrival to MCA.” These would all be opportunities for including public art in the development, funded by the developer if the space is privately owned, or funded by the Public Art Program if these spaces are eventually owned by the City.

## Financial Mechanisms for Public Art in Private Development

The City uses several mechanisms, individually or together, to provide incentives for economic development.

### Tax Increment Financing

From time to time, El Paso establishes a “tax increment reinvestment zone” (TIRZ) as an economic development tool in designated redevelopment areas or targeted infill areas.

In a TIRZ, some or all of future property tax increases are pledged to pay for public improvements, public infrastructure and other expenses permitted under state tax law. When the City employs this mechanism in the future, it should ensure that public art is considered as a “public improvement” that can be reimbursed through TIRZ proceeds.

To be approved, each TIRZ must demonstrate that it will meet certain City goals for economic impact and community revitalization. Public art can strengthen the case that the TIRZ will contribute to the outcomes that the City is seeking.

Each TIRZ application must demonstrate:

- “But for” the creation of a TIRZ, quality development is not likely to occur in the proposed area without financial assistance from a TIRZ. *Since most developments in El Paso don’t include public art, by catalyzing public art, the TIRZ will be enhancing the quality of development in El Paso.*
- How the planned investment will contribute to revitalization activities in the zone in question and/or the surrounding area of the community. *Investments in public art will help improve the identity and the sense of place in revitalizing areas.*
- How the input of nearby neighborhood residents and businesses has been solicited in the planning process. *Since it is typical for the community at large to be consulted in the development of a public art project, including public art in future developments will give the community an ongoing role in the implementation of redevelopment and revitalization.*

### 380 Agreements

Chapter 380 of the Texas Local Government Code authorizes municipalities to offer incentives designed to promote economic development such as commercial and retail projects. Specifically, Chapter 380 provides for offering loans and grants of City funds or services at little or no cost to promote state and local economic development and to stimulate business and commercial activity.

In developing so-called “380 agreements,” the City can establish certain requirements of developers. When the City employs this mechanism in the future for major developments, it should ensure that public art is considered as instrumental to stimulating business and commercial activity, and be included as a benefit that

developers provide in exchange for City financial incentives. In this manner, the agreement can be crafted to support the developer's costs for the public art.

#### Sustainable City Center Incentive Areas

The City offers a range of financial incentives to developments that are located in designated Sustainable City Centers and that follow the design guidelines outlined in Plan El Paso. Several of these areas (Five Points, Mission Valley, Glory Road, Northgate) correspond to areas served by transit corridors and transit terminals. The airport's southern industrial area and the Medical Center of the Americas are also considered Sustainable City Centers.

When possible, the City should request that developers who are seeking to use these incentives include public art in their projects. This should apply only to larger commercial and institutional buildings that are frequented by the public, and to the development of civic spaces. This should not apply to smaller infill projects.

#### **Approval of Public Art in Private Development**

If the development is receiving a financial incentive from the City, or if it ultimately will be dedicated to the City as a gift, the project should follow the "individual project plan" process and the artist selection requirements in the City's public art guidelines. The developer would be responsible for managing the public art process, but could retain the Public Art Program staff to do this for a project management fee.

The director of the Museums and Cultural Affairs Department, or the director's designee, should approve the developers Individual Project Plan, the selection of the artist and the artist's concept. The Public Art Program Coordinator, and the Public Art Committee, should review the project and advise the MCAD Director at each step.

If the project is dedicated to the City as a gift, the project should be accepted through the Public Art Program's gift and loan process.

## 4.4 Marketing, Communications and Education

### Organizing Around Four Messages

The El Paso Public Art Program should focus its education, marketing and communications activities around four main messages.

The first message is, simply:

*“The Public Art Program is doing its job, providing El Paso with public art that is beautifying the city with an authentic artistic voice, and working with a high degree of professionalism.”*

The purpose of this message is to sustain support for the program and for the projects that will be undertaken as a result of this Master Plan.

The second message is:

*“Public art makes El Paso distinct and interesting.”*

The purpose of this message is twofold, to convey that public art is part of what makes the city an attractive place to visit and explore, and to provide an educational resource.

The third message involves the stories behind the story:

*“El Paso’s public art projects involve rich stories of community engagement with the process, artist engagement with the site, and the general growth of El Paso’s arts and culture sector.”*

Where possible, the story behind the story should be documented and made available. This is a message that also needs to be conveyed to City leadership and the public at large.

The fourth message is:

*“The process of creating a public art project can be as interesting, and impactful, as the final artwork itself.”*

The goal of this messaging is twofold – to engage more people in the process through engagement with the artists, and to give the public real-time insight into how projects come together.

At the beginning of each project, MCAD staff should assess, as part of the project plan, what the unique communications opportunities are for the project. To the degree a project allows for “story behind the story” or “process” stories to be developed, they should be planned from the moment of project launching so that appropriate material can be collected.

### Audiences for Marketing, Education, Communication

- *City leadership.* The Public Art Program should provide timely information about workplan status and the accomplishments of the program, and should keep City leadership focused on the goals and strategies agreed to in the Master Plan and subsequent workplans. City leadership is a key audience for “story behind the story”
- *Public at-large.* The Public Art Program should seek to connect members of the public to the public art resources that have been developed. This can occur during the planning and development of projects (community engagement), and it can occur in regard to the completed and growing collection (community education).

- *Artists.* The Public Art Program should seek to engage local artists with the program in as many ways as possible. The goals for this are to allow artists to take advantage of as many of the program's opportunities as possible, both commissions and professional development resources, and to give artists an opportunity to learn more about the practice of public art in general.
- *Visitors / Tourists.* The Public Art Program should develop materials that encourage visitors and tourists to learn about the public art resources of the city while they are in El Paso.
- *Schoolchildren.* The Public Art Program should support the development of educational and curricular materials that make the City's public art collection a resource for youth arts education.

## **Tools for Marketing, Education, Communications**

### Print and Presentation Tools

- *Annual Report.* The Public Art Program should develop an annual report to the community, outlining its accomplishments. The format of this could be a digital slide show that is developed at the time that the Program submits its annual workplan, and disseminated through the Program's e-resources and various presentations given by staff.
- *Powerpoint Road Show.* The Public Art Program should develop standard presentations that staff can use when making presentations to community groups, civic groups, constituent meetings, etc. There should be several variants, such as one presentation that provides an overall collection overview, and one that offers the program's vision for the future.
- *Map.* The Public Art Program is developing an updated map of its collection. In designing this map, it should consider a web version, a self-standing print version, and a print version that can be incorporated into its collection publication.
- *Booklet / Brochure.* The Public Art Program should update the publication it has produced about its collection, and aim to update it annually or every other year. The publication should be designed for print and for viewing on smartphone and tablet.
- *Postcards.* Postcards can be sent and emailed for special announcements, such as community participation events, dedications, exhibitions, calls for artist registry.
- *Curriculum Kit.* A curriculum kit consists of teaching materials that allow the Public Art Program to be a teaching and learning resource for schoolchildren. It should be developed in collaboration with teachers.

### E-Resources

- *Web Site.* The Public Art Program's web site should be a hub for all the materials the program has available for the public. This would include annual reports, annual work plans, maps, publications, background on the collection, and links to project web pages (if there are any). Some projects might merit their own websites, initiated either by the City or by the artist. This should be decided on a case by case basis.
- *Museum Without Walls, Public Art Archive.* The Public Art Program currently links to the Museum Without Walls and the Public Art Archive for people who would like basic information about the Collection, including mapping. This strategy has the advantage of minimizing staff time, and linking to a broadly recognized resource for public art. The strategy has the disadvantage of not allowing very much customized content. The Program should ensure that there are easy links to these resources from its web page, and focus efforts and developing deeper, customized content for its web page.
- *Social Media.* The Public Art Program's social media presence, currently its successful Facebook page, should be used as the primary mechanism to push out messaging about events and activities related to the program. The Facebook page could also allow for public dialogue about the collection but at this point that would not be the priority function.

- *Blog.* Some specific projects might benefit from blogging about the process. This should be determined in advance of launching the project and involve the artist. In some cases the artist would want to establish a blog themselves. Blogs should be linked to the City’s public art web page. A project specific blog might be a better place for dialogue as it would be focused on a specific project.
- *Video.* Some specific projects might benefit from videos about the process, or the completed work. This should be determined in advance of launching the project, if possible, and involve the artist. Videos should be accessible from the overall website or project websites.

Press / Media

- *Press announcements.* The Public Art Program should send out media releases to announce its annual plan, community engagement events and project dedications.
- *Press feature stories.* The Public Art Program should cultivate feature stories that focus on “story behind the story” storylines, across all regional media

Funding for Marketing, Education, Communications

Public art staff currently do not have the capacity to take on this work, beyond identifying what the opportunities are and simple maintenance of the Facebook page.

The development of content, storylines and media (print and web) would need to be developed through part-time staff, free-lance consultants or the artists themselves.

Funding should come from overall public art administrative funding. Sometimes artists are willing to take on this aspect of a project; if they do, their fee should take into account this scope of work.

## Summary of Marketing, Communications and Education Recommendations

<b>Message</b>				
	The Public Art Program is doing its job, providing El Paso with public art that is beautifying the city with an authentic artistic voice, and working with a high degree of professionalism.	Public art is part of what makes El Paso distinct, and interesting.	El Paso's public art projects involve rich stories of community engagement with the process, artist engagement with the site, and the general growth of El Paso's arts and culture sector.	The process of creating a public art project can be as interesting, and impactful, as the final artwork itself.
<b>Target Audience</b>				
City leadership	•	•	•	
Public at large	•	•	•	•
Artists	•	•	•	•
Tourists / business visitors		•		
Schoolchildren		•	•	•
<b>Tools</b>				
Annual Report	•			
Powerpoint Road Show	•	•		
Map	•	•		
Booklet / Brochure		•		
Postcards	•			•
Curriculum Kit		•		
Web page	•			
Museum Without Walls		•		
Social media				•
Blog				•
Video			•	•
Press release	•			
Press features		•	•	•

## 4.5 Cultivating Local Artists

From the outset, El Paso’s Public Art Program has had a strong commitment to developing a public art collection with a distinctly regional voice, and to helping local artists develop their own practices in public art.

Cultivating local artists is a clearly articulated component of the Public Art Program’s mission going forward. However, the Program should focus its efforts directly on strategies that are related to its core mission, which is commissioning public art. The Program should support other approaches, such as workshops and other educational programs, through partnerships with other organizations that may be in a better position for service delivery.

### Goals for Cultivating Local Artists

Supporting local artists means much more than simply awarding local artists commissions. Rather, it means addressing a range of goals:

- Provide artists with opportunities to understand the both the creative aspects and pragmatics of public art practice, as opposed to other art careers.
- Provide artists with opportunities to hone a range of skills to support their public practice, including community engagement, development of concepts that respond to public spaces and situations, and the ability to design, build and install work in public space.
- Provide artists with opportunities to learn about the business aspects of a public art practice, such as marketing, budgeting and contracts.

### Public Art Program Initiatives

The Public Art Program has already started several initiatives to cultivate local artists through its processes of commissioning and acquiring public art. All of these should be continued and strengthened.

#### Continue Allied Artist Program

Each time the Public Art Program commissions a project with a value of \$125,000 or above, it asks the lead artist to mentor a less experienced local artist as part of the process. The Program sets aside an additional \$10,000 for the fee for the allied artist. So far, four lead artists have mentored eight local artists.

Based on interviews with both lead and allied artists, the key to the program’s success is its openness and flexibility. Each lead artist is allowed to choose the artist they would like to work with, and to set the parameters of the mentoring. There are several small improvements that could be made to the program:

- Make lead artists aware of the project upfront, in the initial Call to Artists.
- Give lead artists opportunity to write the job description for allied artists.
- Grow the pool of allied artists to give lead artists a broad range of artists to select from.
- Provide financial support for local artists to visit to out-of-town artist studios, if necessary.

In addition, the Public Art Program should consider developing communications material about the Allied Artist Program, addressing several of the key messages for public art in El Paso: *“The Public Art Program is doing its job, providing El Paso with public art that is beautifying the city with an authentic artistic voice, and working with a high degree of professionalism,”* and *“The process of creating a public art project can be as interesting, and impactful, as the final artwork itself.”*

#### Facilitate Fabrication and Installation

The Public Art Program can provide opportunities for artists to grow in their practice by supporting the fabrication and installation of projects for artists who don’t have experience in a particular media, or in doing public work in general. This approach requires an additional commitment of time for the Program’s

staff, in terms of identifying and managing fabrication and installation, so it should be considered only in limited circumstances, or resourced by temporary or part-time consultants.

#### Create Opportunities that Align with the Strengths of the Local Art Community

From time to time the Public Art Program should develop a scope for a public art opportunity that aligns with the strengths of the local art community, and recruit aggressively to ensure that there are local artists eligible and applying for the project. An example might be to identify opportunities for murals, knowing that there are many artists in El Paso who create murals. Or, another approach might be to look for opportunities where local artists who work in two-dimensional media might be paired with a fabricator to translate their work into glass, mosaic, terrazzo, enamel or other materials suitable for a public space.

#### Continue Building Portable Collection

Elsewhere, this Master Plan recommends that Public Art Program should continue to collect portable two- and three-dimensional works from El Paso artists, as necessary to provide artwork for display in the public spaces of new City office buildings. This will provide a wide range of artists with entrée into the Public Art Program and access to other opportunities, such as the apprentice program.

#### Studio Visits and Portfolio Reviews

The Public Art Program staff should continue to be in dialogue with local artists who are interested in public art. Studio visits and portfolio reviews by staff are important tools, both for staff and artists. Staff can learn more about the work and practice of local artists. Artists can learn about better understand the Public Art Program's artist selection process, the types of projects the Program is in the process of commissioning, and the skills and background the Program looks for in an artist.

#### MCAD Cultural Funding to Support Public Art Practice

MCAD currently offers grants directly to artists through the Cultural Funding programs, specifically the Artist Incubator Program and the Community Arts Program. The Public Art Program staff and PAC should work with the Cultural Funding staff to look at ways that these programs can be expanded or configured to attract applications from local artists to develop temporary public art installations. These installations would both support the vision of the Master Plan to give voice to the city's creative spirit, but would also give local artists practical experience working in the public realm and public art experience for their portfolios.

#### Artist Workshops

The Public Art Program currently hosts workshops for local artists when a Call for Artists goes out to update the Artist Roster. These workshops should continue, and perhaps be coupled with other efforts such as portfolio reviews or skill-building workshops.

### Public Art Program Collaborations

Several of the goals for cultivating local artists can be met through educational programs. The Public Art Program should support these programs through collaborations that focus on educating artists about public art practice, practical business skills for artists, or other topics that will help artists develop the skills they need to be successful public artists. The Public Art Program should partner with other MCAD initiatives, local colleges and universities, and arts organizations.

## 4.6 Portable Collection

El Paso's Public Art Program began assembling a Portable Collection in 2013, as a way of incorporating public art into the relocated City Hall. The collection includes 79 artworks, in both two- and three-dimensional media, acquired through direct purchases from El Paso artists. The collection is popular among people who work in and visit City Hall.

The Portable Collection directly supports four of the overarching goals of the Public Art Program:

- Enhance the quality of life of residents
- Support creative and professional growth of the arts community
- Enhance the experience visitors have of El Paso
- Promote authentic images of El Paso as a unique place, community and destination.

Goals for the Portable Collection

The goals for the development and maintenance of the Portable Collection are to:

- Enhance the office environment in public buildings, for both people who work in the buildings and the general public.
- Provide exposure for a wide range of El Paso artists who otherwise would not have their work exhibited in public space.
- Connect the Public Art Program with artists who have not yet established a public practice but could be candidates for future commissions.

Recommendations

The Public Art Program should continue to collect portable two- and three-dimensional works from El Paso artists, as necessary to provide artwork for display in the public spaces of new City office buildings.

The Public Art Program should develop policies and procedures for acquiring, cataloging, displaying, tracking and de-accessioning artworks in its portable collection. Key issues to consider include:

- The conditions under which artworks can be borrowed from their current location and displayed in other locations.
- The conditions for storing artworks that are not on display.
- A process for jurying the selection of future artworks.

The Public Art Program should develop print or Internet-based resources to allow broader public access to its portable collection. Communications about the Portable Collection should support the following recommended public art narratives: *"The Public Art Program is doing its job, providing El Paso with public art that is beautifying the city with an authentic artistic voice, and working with a high degree of professionalism,"* and *"Public art is part of what makes El Paso distinct, and interesting."*

The Public Art Program should pursue a collaboration with the El Paso Museum of Art in the acquisition, management and public display and interpretation of the portable collection.

## Milestones for Implementing the Plan

El Paso's Public Art Master Plan will be implemented through five main groups of actions:

- Approval of the Master Plan and amendments by the City Council.
- Approval of the revised Public Art Program Guidelines by the MCAAB.
- Implementation of project recommendations through the Annual Public Art Work Plan process.
- Development of internal and external partnerships, particularly around private development, cultivating local artists, long-term projects, and long-term planning.
- Drawing on specialized expertise for project development, project management and communications.

These are the specific milestones to be expected:

### 2013

Develop 2014 Annual Public Art Work Plan

### 2014

Initiate projects in 2014 Work Plan.

Adopt Master Plan.

Adopt Revised Public Art Policy.

Develop 2015 Work Plan incorporating projects recommended in the Public Art Master Plan.

Develop protocol for incorporating public art into the Northgate project.

### 2015

Develop Individual Project Plans for 2015 projects, including the following projects that incorporate public art into "city systems":

- Park retrofits
- Integrated transportation project
- Urban trails
- City sidewalks

Implement project plans.

Create partnerships for artist professional development

Create media tools to address messaging

Develop 2016 Work Plan incorporating projects recommended in the Public Art Master Plan

### 2016

Develop Individual Project Plans for 2016 projects.

Implement project plans.

Continue implementation of "city system" projects.

Continue implementation of "park retrofit" projects.

Develop 2017 Work Plan incorporating projects recommended in the Public Art Master Plan

### 2017

Develop Individual Project Plans for 2017 projects.  
Continue implementation of “city system” projects.  
Continue implementation of “park retrofit” projects.  
Evaluate plan progress, 2014 through 2016.  
Develop 2018 Work Plan incorporating projects recommended in the Public Art Master Plan.

## 4.7 Evaluation Criteria

After three years the Public Art Program should commission an external evaluation of how well it has been implementing the recommendations of the Public Art Master Plan, and what the impact of those recommendations has been. This evaluation should be undertaken by a public art consultant or an academic with public art experience. Following are the range of questions that should be considered in the evaluation; the specific questions, and the research and data-collection methodologies would be determined at the time of the evaluation.

### **Mission**

- Has the Program been able to commission artworks that expand the diversity of the collection?
- Has the Program been able to maintain and properly conserve its diverse collection of artworks?
- Has the Program been able to expand the inclusion of public art in private development and infrastructure built by others?
- Has the Program been able to promote the community's access to, appreciation of and enjoyment of visual art?
- Has the Program been able to draw on El Paso's diverse visual arts traditions and to support the emergence of a public art practice authentic to El Paso?

### **Public Art Trajectories**

- Has the Program been successful at commissioning projects in places that reflect the emerging urban future of El Paso? What has the impact of public art been in those places?
- Has the Program been successful at commissioning artworks in gathering places that are used by all segments of the El Paso community?
- Has the Program been successful at commissioning artworks that create a more visually appealing experience arriving in and moving around El Paso?
- Has the Program been successful at commissioning artworks that create identity for neighborhoods in El Paso?
- What has the impact of these artworks been?

### **Project Development and Support**

- Has the Public Art Program been able to develop the integrated city systems projects recommended in the Master Plan?
- Has the Public Art Program been able to support and manage new commissions adequately with staff or consulting expertise?
- Has the Public Art Program been able to undertake its other mission areas adequately with staff or consulting expertise?
- Does the Public Art Program have a regular inspection, maintenance and conservation plan?

### **Community Engagement**

- Has the Public Art Committee been involved as a valuable contributor to the project development process?
- Has the Public Art Program involved the communities where projects are located as valuable contributors to the project development and artistic development process?

### **Artist Development**

- To what degree have regional artists, especially those without public art experience, been included in the Portable Collection, Allied Artist program, or commissions?
- How has the Allied Artist program impacted the practice of both the established artists and the apprentice artists? Has the Allied Artist program resulted in built work?

### **Community Appreciation**

- What has the community's reaction been to the new artworks that have been commissioned? How do people feel the artworks have impacted their perception of the city?

### **Public Art in Private Development**

- Has the Public Art Program been able to establish relationships with any developers that have led to public art commissions? What has the impact of those projects been?

### **Communications**

- Determine the degree to which the key messages outlined in the “communications” section of this plan have been communicated and are understood.

*“The Public Art Program is doing its job, providing El Paso with public art that is beautifying the city with an authentic artistic voice, and working with a high degree of professionalism.”*

*“Public art is makes El Paso distinct and interesting.”*

*“El Paso’s public art projects involve rich stories of community engagement with the process, artist engagement with the site, and the general growth of El Paso’s arts and culture sector.”*

*“The process of creating a public art project can be as interesting, and impactful, as the final artwork itself.”*

## **Appendix A: Public Art Program Guidelines**

- I. Vision, Mission and Goals
- II. Definitions
- III. Funding for the Public Art Program
- IV. Roles and Responsibilities
- V. Guidelines for Planning for Public Art
- VI. Guidelines for Selecting Artists and Artwork
- VII. Guidelines for Reviewing Gifts and Loans of Artwork
- VIII. Maintenance, Conservation, Record Keeping and Ownership
- IX. Re-Siting and De-Accession
- X. Conflict of Interest
- XI. Review and Amendment

# I. Vision, Mission and Goals

## Vision

*What impact does the Public Art Program have on the city?*

El Paso's Public Art Program gives voice to the city's creative spirit – shaping El Paso's visual identity, defining places that anchor the community, and contributing to the city's evolution as a dynamic urban place.

## Mission

*What does the Program do?*

El Paso's Public Art Program:

- Commissions and maintains a diverse collection of public artworks,
- Supports the inclusion of public art in private development and infrastructure built by others,
- Promotes the community's access to, appreciation of and enjoyment of visual art, and
- Supports the emergence of public art practice in El Paso.

## Goals

*What does the Program seek to accomplish, in order to make the vision real?*

- Enhance the quality of life of residents,
- Support creative and professional growth of the arts community,
- Support economic growth,
- Enhance the experience visitors have of El Paso, and
- Promote authentic images of El Paso as a unique place, community and destination.

## II. Definitions

**Acquisition:** the addition of works of art to the City’s collection by purchase, exchange, or gift.

**Annual Public Art Plan:** an annual list of new and ongoing public art projects, outlining the location, selection process, requested allocation, artist (if selected), anticipated completion date and a brief description for each project. The Plan is developed by MCAD staff in consultation with relevant City departments, reviewed and recommended by the PAC and the MCAAB and approved by the City Council.

**Artist:** An individual or collective generally recognized by critics and peers as a professional practitioner of the visual, performing or language arts, based on a body of work, educational background, experience, exhibition history, publication and/or creation of artwork. For commissioning purposes, an artist cannot be:

- A member of the prime consulting firm, or of any sub-consulting firm, for the relevant capital project’s team.
- Undergraduate or graduate students doing the project as a class requirement.
- City employees or their immediate family members.
- A member of the Cultural Affairs Advisory Board, Public Art Committee or the relevant Artist Selection Panel.

**Artist Selection Panel:** a committee appointed by the Public Art Committee, upon the recommendation of the Public Art Program Manager, for the purpose of reviewing artist qualifications and proposals and reviewing proposals for gifts or loans of art for public places.

**Capital Improvement Program:** all projects financed by general obligation bonds, revenue bonds and certificates of obligation, except for capital acquisitions and the Plaza Theatre Project.

**Commission:** the selection and contracting of an artist or artist team to create a work of art for a fee.

**Conservation:** the regularly scheduled examination, documentation, treatment and preventative care of an artwork conducted by a professional art conservator.

**De-accession:** the permanent removal of a work from the City’s public art collection or portable collection by selling, donating or destroying it.

**El Paso Public Art Collection:** all works on the accession records/inventory of the City.

**Gift of Art:** a work of art donated free and clear to the City for inclusion in the El Paso Public Art Collection.

**Individual Project Plan:** a document, developed by MCAD staff in collaboration with relevant City Departments and the input of stakeholders, that outlines the work that must be done to undertake a specific public art commission or acquisition and establishes the goals against which the project will be reviewed. The Public Art Committee approves the Individual Project Plan prior to the commencement of a project.

**Loaned Art:** a work of art given without charge for use over a period of time, to be returned to the owner at the end of the use period.

**Maintenance:** the routine care and repair of works of public art that does not require specialized expertise (i.e.: dusting, washing, changing light bulbs, lubrication of moving parts, etc.).

**Museums and Cultural Affairs Advisory Board (MCAAB):** the board established to advise the Department of Museums and Cultural Affairs on matters pertaining to, but not limited to, the cultural funding program, public art programming, and other matters, as determined by the Director of MCAD.<sup>3</sup>

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<sup>3</sup> Section 2.40.060 of the El Paso City Code.

**Portable Collection:** smaller scale, non-site-specific artwork acquired by the Public Art Program for display in City facilities.

**Public Art Committee (PAC):** a committee of the MCAAB appointed to oversee quality control of the Public Art Program and projects and to recommend the scope of projects, artworks, and artists for the public art program.

**Public Art Master Plan:** a planning document developed by MCAD and approved by City Council that outlines a vision for public art in El Paso, and strategies for achieving that vision over an approximate five-year timeframe.

**Public Art Program:** the process for administering the provisions of the City Code related to public art, including the selection, approval, funding, acquisition or commissioning of public works of art.

**Project:** any construction activity undertaken pursuant to the Capital Improvements Program.

**Temporary Public Art:** works of art commissioned by or on loan to the City of El Paso for a public place for a limited period of time, generally less than five years.

**Work of Art:** Any public art project that is a work of visual art, including but not limited to, a drawing, painting, mural, fresco, sculpture, mosaic, photograph, work of calligraphy, work of graphic art (including etching), works in clay, textile, fiber, wood, metal, plastic, glass, stone, concrete, and like materials, or mixed media (including a collage assemblage, or any combination of the foregoing art media).

For projects that involve no structure, a work of art may include a combination of landscaping and landscape design (including some natural and manufactured materials such as rocks, fountains, reflecting pools, sculpture, screen, benches, and other types of streetscapes).

A work of art may include an artist participating in master planning, conceptual development, design development, construction drawings, or construction oversight for any municipal project.

Except as provided herein, the term “work of art” excludes the performing arts of dance, music, theatre, or the literary arts, unless expressed in or combined with a work of visual art or design.

## III. Funding for the Public Art Program

### A. Sources of Funds

1. El Paso's public art ordinance dedicates two percent (2%) of the net proceeds of any revenue bond or certificates of obligation issued for construction projects to fund the Public Art Program. These funds shall be calculated as part of every revenue bond or certificate of obligation issue, according to Financial Services Department Policies and Procedures.
2. Donations from the private sector or grants from the private or public sector shall be encouraged as a means to broaden the existing program potential. These funds shall be maintained in a separate fund for the Public Art Program.

### B. Funding Process

Funds will be dispersed in accordance with the Financial Services Department policies and procedures.

### C. Related Costs

Bond proceeds generated for public art projects may be spent for the commissioning or acquisition of artwork, including:

1. Artist's design fee
2. Operating and overhead costs
3. Labor and materials
4. Proposals, drawings or maquettes
5. City-required permits related to construction or erection of artwork
6. Project-related travel
7. Transportation of artwork to the site
8. Installation
9. Site preparation or modification when not included in base construction costs
10. Frames, mats, mounting, anchorage, pedestals, cases or other material necessary for the installation, display and/or security of the artwork (such as fire retardant or graffiti resistant treatment)
11. A portion of the budget for the artwork may be set aside for contingency at the beginning of a project and returned to the public art fund if unused.
12. Administrative costs, at fifteen percent (15%) of project funds, based on size and complexity of project, consisting of:

- a. *Public Art staff salaries and benefits*
  - b. *Office overhead*
  - c. *Cost of conducting a competition*
  - d. *Cost of conducting a search for work of art*
  - e. *Employing consultants for planning and research and project management*
  - f. *Education and marketing*
13. Architectural and engineering design services when not included in base construction costs.
  14. Insurance costs.
  15. Capital maintenance and restoration of artwork acquired through the Public Art Program.
  16. Storage and disposal costs for re-sited or de-accessioned artwork acquired through the public art program.
  17. Special projects and other purposes directly related to a specific Two Percent for Public Art project and recommended by the PAC for MCAAB approval.

#### **D. Exclusions**

No public art funds may be spent on:

1. “Art objects” that are mass produced or of standard manufacture, such as playground equipment, fountains, or statuary elements, unless incorporated into an artwork by a project artist.
2. Decorative or functional elements that are designed by the project design professionals such as architects, landscape architects, engineers or their consultants.
3. Directional elements such as signs, maps or color coding, unless designed or executed by an artist and integral to a specific public art project.
4. Any design features or functional elements of a project that have been eliminated from that project for cost-saving reasons. If public art is integrated into a design feature or functional element, then public art funds can be spent only on the portion of the cost of providing an artist-designed feature or element that is greater than the base cost of providing that feature or element had public art not been incorporated.
5. Utility costs.
6. Any design elements that have not been created by an artist, as defined in this policy, and which have not been commissioned and approved through the process outlined in Section 6 of this policy.

## IV. Roles and Responsibilities

### A. Public Art Committee

#### 1. Description

The PAC is a standing committee of the MCAAB that advises on the implementation of the public art program. With MCAAB approval, the PAC recommends the selection, placement, maintenance, relocation, and de-accession of artwork acquired through the public art program, and recommends revisions to the Public Art Guidelines.

#### 2. Appointment

The PAC shall consist of eleven (11) members appointed as follows: the chair of the MCAAB shall appoint three (3) members to the PAC from the MCAAB, one of which shall be appointed as Chair. The additional eight (8) members will be appointed by the Chair of the MCAAB from a list of qualified citizen candidates provided by the Museums and Cultural Affairs staff and approved by the MCAAB. Members are appointed to a three-year term (initially staggered one, two, and three years) and can be reappointed for one consecutive three-year term with each member serving no more than six consecutive years. Terms for the MCAAB members serving on the PAC will correspond to their MCAAB terms.

#### 3. Composition

All PAC members must be qualified credentialed professionals and represent the following: Four (4) members of the PAC shall be representatives of the visual arts, and the other four (4) members of the PAC shall be representatives of the architecture, landscape architecture, urban planning or engineering, construction or development industries.

#### 4. Meetings

The PAC shall hold regular meetings on a monthly basis, at a minimum. All meetings, minutes, and records of official action of the PAC shall be open to the public. When a member is absent from three consecutive meetings, the Chair, shall report this fact to the MCAAB so that consideration may be given to the removal of such member. See 2.04 El Paso Municipal Code.

#### 5. Responsibilities

- Recommend revisions to public art policies and procedures.
- Review and recommend Public Art Master Plan to MCAAB.
- Review and recommend Annual Public Art Plan to MCAAB.
- Review and endorse Individual Project Plans for implementation by the Department.
- Make recommendations to the Department for the appointment of Artist Selection Panels who will recommend artists and artworks.
- Serve on and chair Artist Selection Panels when appointed and make reports back to the PAC.
- Review and endorse recommendations of Artist Selection Panels for implementation by the Department.
- Review proposals received by the City for gifts or loans of Works of Art for public places, recommending to the City for acceptance or rejection of the artwork gifts or loans, except works of art acquired for the permanent collections of or exhibitions within the El Paso Public Library, the El Paso Museum of Art, El Paso Museum of Archaeology, and the El Paso Museum of History.

- Make recommendations to the Department for programs to educate the community on the Public Art Program and recommendation to the City of programs and activities to further the development and public awareness of art in public places.
- Review and make recommendations to MCAAB regarding the de-accession or relocation of artwork from the City's public art collection.
- Serve as public art ambassadors in the community.

## B. Museums and Cultural Affairs Department (MCAD) Staff

### 1. Description

The Director of the Museums and Cultural Affairs Department allocates department resources to ensure appropriate staffing and administrative support of the program, including the appointment of a Public Art Coordinator that oversees all activities related to the program.

### 2. Responsibilities

- Manage the Public Art Program and facilitate communication among the Museums and the MCAAB, PAC, Artist Selection Panels (ASP), other City Departments, artists and other stakeholders as related to the development and implementation of public art projects.
- Develop the Annual Public Art Plan in consultation with City Departments for review by the PAC and MCAAB and approval by Council.
- Identify public art project opportunities and develop Individual Project Plans for review and approval by the PAC.
- Initiate and coordinate each artist selection process so that its process is compatible with any related project timelines, including but not limited to: administering the artist recruitment and selection process; recommending the members of an Artist Selection Panel members for each project; facilitating selection Committee meetings; presenting selections to the PAC for approval, and providing report supporting finalist selection that PAC presents to MCAAB.
- Manage the implementation of public art projects, including but not limited to: preparing contracts, facilitating technical review, inspecting artwork prior to installation, and coordinating installation.
- Provide recommendations to MCAAB chair of potential members of the PAC.
- Oversee the El Paso Public Art Collection, including ensuring work is properly maintained; overseeing periodic conservation assessments, and maintaining an inventory of the collection.
- Facilitate review of gifts and loans of artwork and facilitates projects if approved.
- Ensure that any proposed gift or loan of a Work of Art requiring extraordinary operation or maintenance expenses receives consideration by the City Department responsible for maintaining the public land or facility on which the artwork is sited, or other entity responsible for such operation or maintenance.
- Establish and maintain a file of potential panelists to review and make recommendations regarding proposed gifts and loans of Works of Art, which shall contain information on the credentials and experience which qualify those individuals to serve as panelists.
- Oversee the documentation, registration, care and installation of all gifts or loans of Works of Art accepted by PAC.
- Facilitate review of de-accession and relocation of public artwork and manages de-accession or relocation if approved.
- Coordinate publicity with department having oversight responsibility for artwork.

- Direct the public relations and general education of the Public Art Program.
- Develop and oversee programs to develop the capacity of local artists to successfully complete public art projects

## C. Artist Selection Panels (ASP)

### 1. Description

A group of individuals, including artists, art and design professionals and non-artist citizen representatives that is created to select artists who will be commissioned to create a Work of Art or to provide services. The MCAD staff recommends and the PAC approves the composition of each ASP.

### 2. Composition

In general, the ASP shall be composed of three to five voting members, depending upon the size and complexity of the project. The majority of the Committee members shall be art and design professionals. All Panels shall include at least one representative from the community where the artwork(s) will be sited.

### 3. Advisors to the ASP

Whenever possible, each ASP will be assisted by non-voting advisors including, but not limited to, the project architect, the project manager and other representatives from the client department, the design team, the PAC, and the community.

### 4. Qualifications and Eligibility

The MCAD staff shall establish and maintain a file of potential ASP members containing information on the experience and expertise qualifying individuals to serve as Panel members. For each project, the PAC shall review staff recommendations and appoint ASP members.

- In general, it is the intent that an ASP be appointed for each artist selection process and a Public Art Committee member shall serve as an advisor to the ASP; however, in situations of extenuating circumstances, such as extreme time limitations, the PAC may serve as the ASP.
- At the discretion of the PAC, an ASP may be asked to serve on more than one artist(s) selection process or project.
- The City is committed to participation by multicultural and ethnic artists in public art. Therefore, the PAC will ensure that ASPs reflect the ethnic diversity of the population of the City.

### 5. Responsibilities

- Learn about the long-term goals and strategies for public art at the facility where the art will be located.
- For commissions, reviews artist qualifications and selects finalists.
- For commissions, reviews Concept Proposal(s) and/or interviews finalists and recommends final selection to the PAC.
- For acquisitions, reviews candidate artworks and makes a recommendation to the PAC.
- Provide to the PAC a report on the reasons for its selection(s), addressing the committee's stated objectives, parameters, and criteria outlined in the Individual Project Plan.
- Serve as public art ambassadors to the community.

## D. Standing Artist Selection Panels

### 1. Description

For some City facilities that will commission multiple projects over time, such as the Zoo, the Public Art Committee may recommend the appointment of a Standing Artist Selection Panel.

### 2. Composition

The composition will depend, in part, on the facility, but in general should consist of one member of the Public Art Committee, a representative from the City Department staff that operates the facility, an additional facility stakeholder, an artist, and at least one other person with a background in visual art, art history, architecture and/or landscape architecture. Though artist selections may occur over the period of multiple years, to the extent possible, the same people should be involved on the Standing Artist Selection Panel.

### 3. Responsibilities

- Learn about the long-term goals and strategies for public art at the facility where the art will be located.
- For commissions, reviews artist qualifications and selects finalists.
- For commissions, reviews Concept Proposal(s) and/or interviews finalists and recommends final selection to the PAC.
- For acquisitions, reviews candidate artworks and makes a recommendation to the PAC.
- Provide to the PAC a report on the reasons for its selection(s), addressing the committee's stated objectives, parameters, and criteria outlined in the Individual Project Plan.
- Serve as public art ambassadors to the community.

## E. City Council

### 1. Description

The El Paso City Council consists of eight members, elected for four-year terms. Council members are elected by Council district and may not be elected more than twice or serve for more than 10 years in their respective offices.

### 2. Responsibilities

- Approve Annual Public Art Plan and projects over \$50,000 that are added to the Plan in the course of the year.
- Approve individual artist contracts over \$50,000 if not in the Annual Public Art Work Plan.
- Approve the Public Art Master Plan.
- Approve policies related to public art.
- Approve de-accession of Works of Art from the Public Art Collection.

## F. Museums and Cultural Affairs Advisory Board (MCAAB)

### 1. Description

The MCAAB is an eighteen-member board that advises the Museum and Cultural Affairs Department on matters pertaining to, but not limited to, the culture funding program, public art programming, and other departmental matters as determined by the Director of MCAD. The MCAAB is composed of two members nominated by each district representative and the mayor.

## **2. Appointment**

The Chair of the MCAAB appoints three members to the PAC from the MCAAB, one of which shall be appointed chair.

The Chair appoints eight additional members to the PAC from a list provided by MCAD staff and approved by the MCAAB.

## **3. Responsibilities**

- Review and recommend the Annual Public Art Plan to Council.
- Review and provide recommendations for the establishment of policies and guidelines related to the public art program.
- Review de-accession of Works of Art from the Public Art Collection.

## V. Guidelines for Planning for Public Art

### A. Public Art Master Plan

The MCAD staff will develop a Public Art Master Plan that establishes a long-term vision, mission and goals for the program, identifies key linkages to upcoming capital projects, and establishes priorities for selecting future projects. The Public Art Master Plan will be approved by the Public Art Committee and MCAAB and forwarded to City Council for its approval.

### B. Annual Public Art Plan

The MCAD staff will develop an Annual Public Art Work Plan that outlines public art activities and the use of the Public Art Fund for the coming fiscal year. The Work Plan lists new and ongoing public art projects, including location, selection process, requested allocation, artist (if selected), anticipated completion date and a brief project description. The Annual Public Art Work Plan will be approved by the Public Art Committee and MCAAB and forwarded to City Council for its approval. Once a public art project is in an approved Annual Public Art Plan, MCAD staff may proceed with the commissioning or acquisition of artwork.

### C. Individual Project Plans

MCAD staff will develop an Individual Project Plan that guides each public art project. The Individual Project Plan should outline each aspect of the project, including:

1. A description of the project's location and other information regarding the proposed siting,
2. The project goals, and how the project relates to the overall vision for public art in El Paso, to the Public Art Master Plan, and the Annual Work Plan.
3. Evaluation criteria against which the artist selection and Concept Design can be evaluated,
4. The budget and funding sources,
5. The project schedule,
6. Project stakeholders,
7. The artist's scope of work,
8. The artist selection method,
9. Recommended Selection Committee members with alternates, and
10. A community outreach strategy.

The Individual Project Plan should be informed by the Public Art Master Plan and other planning documents related to the site.

The Individual Project Plan is developed by the MCAD staff in collaboration with relevant City Departments and the input of stakeholders. The Public Art Committee approves the Individual Project Plan prior to the commencement of a project.

## VI. Guidelines for Selecting Artwork and Artists

### A. Introduction

The MCAAB presents an Annual Public Art Plan to the City Council for review and approval. The Annual Public Art Plan includes recommendations for acquisition or commission of artwork for the public art collection. Once the project is approved as part of the Annual Public Art Plan, MCAD staff will develop and Individual Project Plan for the project, for approval by the PAC. The PAC will establish an Artist Selection Panel (ASP) for each project. The ASP will make a recommendation for artist/artwork selection to the PAC. The PAC will review the recommendation according to the review criteria and will accept, accept with conditions, or not accept the recommendation of the ASP. In case the recommendation is not accepted, the PAC will work with the ASP to resolve issues concerning the recommendation.

### B. Summary of Commissioning Process

In most cases, the City of El Paso will commission an artist to create a unique, new work of art. The selected artist is given a project brief that usually includes a site (or ideas around siting), a set of goals, a budget and a timeline. The artist develops a concept design that is responsive to the brief. Once approved, the artist is responsible for the final design of the artwork, and in some cases is responsible for the fabrication and installation of the artwork as well.

#### 1. Annual Public Art Plan

A project is identified in the Annual Public Art Plan, approved by the City Council. From time to time, a project may be added to the Plan. When this occurs, the new project must be presented to City Council for its approval. Projects with a total budget under \$50,000 do not need to be presented to City Council.

#### 2. Individual Project Plan / Artist Selection Panel

The first step for a public art project is to define the general parameters of the project in an Individual Project Plan, as described in the section “Guidelines for Planning for Public Art: Individual Project Plan.” At the same time, or later, an Artist Selection Panel is created. The members of the ASP are recommended by MCAD staff and approved by the Public Art Committee.

#### 3. Artist Selection

Each artist selection process should be uniquely designed to match the conditions of the project. However, the process should follow the basic procedures outlined below.

*a. Review Artist Qualifications. MCAD staff collects artist qualifications through one of the methods outlined in “Artist Solicitation Methods,” below. The staff presents artist qualifications to the designated Artist Selection Panel. Committee chooses one of the following:*

- 1) Selection of 3-5 finalists to submit a proposal
- 2) Selection of 3-5 finalists to interview
- 3) Selection of a single artist based upon their qualifications
- 4) Identify another pool of artists for consideration

*b. Review of Artist Proposals or Interviews. Finalists are invited to prepare a proposal or to interview with the designated Artist Selection Panel. The Panel recommends one of the following to the PAC:*

- 1) Selection of one of the finalist proposals
- 2) Selection of one of the artists based on the interview
- 3) Asking one or more of the artists to revise and re-submit their proposals
- 4) Not selecting one of the artists or proposals and going back to review qualifications of more artists

*c. Approval by the Public Art Committee. The Artist Selection Panel's recommendation to select an artist is forwarded to the Public Art Committee to endorse.*

#### **4. Artist Contract**

Upon the recommendation of an artist by the PAC, the MCAD staff will prepare a contract that includes the scope of work, fee, schedule, and relevant terms and conditions. The scope of work will vary depending on the project, but will generally include final design and engineering, fabrication of the artwork, and installation of the artwork.

#### **5. Concept Design (interviews only)**

If the artist is selected through an interview process, the initial step is to develop a Concept Design. MCAD staff organizes an informational kickoff meeting with the artist and relevant Departmental staff, contractors and consultants to allow the artist to become familiar with the site, project, and schedule. To develop the design, the artist may also need to meet with other project stakeholders. The concept design is presented to the Artist Selection Panel for its review and recommendation to the PAC for its approval.

#### **6. Final Design and Engineering**

Once the concept design is approved, the artist will develop final design and engineering drawings for review and approval by the City before proceeding with fabrication. MCAD staff will coordinate meetings with the appropriate City Departments to provide a technical review of the drawings.

#### **7. Re-design**

If the artist proposes any significant design changes from the original concept design, the MCAD will secure the approval of the Public Art Committee before approving changes, per the terms and conditions of the artist's contract. If the City requests any modifications due to changes in the project, MCAD staff will review the proposed changes with the artist. In either case, a formal change order should be submitted.

#### **8. Fabrication of Artwork**

Once the final design and engineering drawings have been approved by the City, the artist will proceed with the fabrication of the artwork. The fabrication may be done by the artist, or part or all may be done by subcontractors supervised by the artist. MCAD staff may request a studio visit, photographs or written updates from the artist. In some cases MCAD may elect to contract directly with a fabricator to fabricate the work, per contract with the artists.

## **9. Installation of Artwork**

In most cases, the artist will be responsible for the installation of the artwork. The MCAD coordinates installation with the artist and the appropriate City Department(s) and their contractors. In some cases MCAD may elect to contract directly with a contractor to install the work, per contract with the artists.

## **10. Communications, Submittal of Project Documentation and Project Closeout**

A communications strategy is planned and implemented by MCAD staff and the relevant City Department. The artist is required to submit all required paperwork, including all drawings and a maintenance and conservation worksheet, prior to project closeout and final payment.

## **C. Summary of Acquisition Process**

In certain cases, the City and Public Art Committee may determine that it is in the best interest of the City to acquire an artwork directly from an artist or from a gallery.

### **1. Individual Project Plan**

The first step for a public art project is to define the general parameters of the project in an Individual Project Plan, as described in the section “Planning Processes for Public Art: Individual Project Plan”. The reasons for purchasing a work instead of commissioning are to be outlined in the Plan.

### **2. Artwork Selection**

In most cases, an art acquisition will be the result of a competitive process. The City will invite artists and/or galleries to submit images and information about existing and available artwork. The information should include the artist’s basic qualifications (résumé or bio, portfolio), an image of the artwork, dimensions, materials, date fabricated, condition, provenance and asking price. The designated Artist Selection Panel will review the submissions of existing work based on the goals and criteria outlined in the Individual Project Plan. MCAD may choose to obtain an independent, qualified appraisal of the fair market value of the artwork and a professional art conservator’s report on the condition of the artwork.

### **3. Agreement of Sale**

The City will enter into an agreement of sale with the seller. The transaction will include a transfer of title from the seller to the City and an indemnification regarding past and future claims related to the provenance of the artwork.

### **4. Installation of Artwork**

Depending on the nature of the agreement with the seller, the City or the seller may be required to take full or partial responsibility for site preparation; the design and installation of foundations, landscape, hardscape and lighting; shipping the artwork to its new location and insurance for the transfer; and the installation of the artwork.

### **5. Communications, Documentation**

A communications strategy is developed with MCAD staff and the relevant City Department. The work should be photographed on site and all paperwork related to the acquisition should be archived by the City.

## **D. Methods**

El Paso’s Public Art Program can choose from a variety of methods for selecting art and artists: Open Competition, Limited or Invitational Competition, Direct Selection, Mixed Process and Pre- Qualified

Artists List. The method of selecting artists for individual projects shall be determined by the MCAD staff, in consultation with the PAC, in accordance with the adopted Public Art Program guidelines, and as outlined in the approved Individual Project Plan. Any of the following methods may be used, depending upon the requirements of a particular project.

### **1. Open Competition**

An open competition is a call to artists for a specific project in which artists are asked to submit evidence of their past work. Any artist may submit credentials, subject to any limitations established by the ASP or PAC. Calls for entries for open competitions will be sufficiently detailed to permit artists to determine whether their work is appropriate for the project under consideration.

### **2. Limited or Invitational Competition**

A limited number of artists shall be invited to submit credentials for a specific project. Artists shall be invited, based on their past work and demonstrated ability to successfully respond to the conditions posed by the particular project (i.e. water features, light works, paintings, sound works, landscape works, design team efforts, etc.) or based on other non-aesthetic Public Art Program goals (i.e. artists who reside in a particular community or neighborhood where a project is occurring, local artists or regional artists, etc.)

### **3. Direct Selection**

At times the PAC and MCAD staff may elect to recommend a direct selection in which it contracts with a specific artist for a particular project. Such an election may occur for any reason, but will generally occur when circumstances surrounding the project make either an open or limited competition unfeasible (for example: project timeline, community or social considerations, client demand, etc.)

### **4. Mixed Process**

A mixed process may include any combination of the above approaches.

### **5. Pre-Qualified Artists List**

MCAD staff will establish a pre-qualified list of artists for public art projects. The list will be updated every two years and will include categories for established as well as emerging artists. The list will include local, regional and national artists. Artists interested in being considered for City projects will be invited to submit their qualifications every two years. An ASP, composed of three to five people, will be appointed by the PAC to review applicants and select artists for the list based on the General Criteria for the Review of Qualifications. Once selected, artists will be able to remain on the eligibility list for four years before they need to re-apply.

## **E. General Criteria for Selecting Artists and Artwork**

Projects undertaken by artists or acquisitions of artwork whether by commission, purchase, gift, or other means should further the purpose and goals of the Public Art Program. The PAC will determine the appropriate recruitment strategy to establish a pool of artists for each project. The ASP will apply the following baseline criteria when selecting artists, considering acquisitions or siting artwork. Additional, project-specific criteria may be developed and should be included in the Individual Project Plan.

## F. General Criteria for the Review of Artist Qualifications

- a. *Meets the definition of Artist, as defined in the Public Art Master Plan and Guidelines.*
- b. *Demonstrates artistic excellence, innovation and originality as represented in past work and supporting materials.*
- c. *Demonstrates capacity for working in media and with concepts that are appropriate to the project goals and site.*
- d. *Demonstrates interest and capability in creating public artworks in collaboration with the City, MCAD, the design team (if applicable) and other project partners.*
- e. *Demonstrates interest and capability in engaging community representatives in a project.*
- f. *Demonstrates the ability to communicate effectively and elicit the ideas of team members; flexibility and problem-solving skills; and ability to work with architectural drawings and construction documents.*
- g. *Demonstrates experience in successfully completing works of similar scope, scale, budget and complexity, or articulates how he or she would be able to bring the necessary artistic and technical skills to this project.*
- h. *Demonstrates interest in and understanding of the project as outlined in the Individual Project Plan.*
- i. *Is available to perform the scope of the work in a timely and professional manner.*
- j. *Builds the diversity of the City's public art collection.*

## H. Criteria for the Review of Artist Concept Proposals

- a. *Meets the definition of Artwork as defined in the Public Art Master Plan and Guidelines.*
- b. *Demonstrates artistic merit, including excellence in aesthetic quality, workmanship, innovation and creativity.*
- c. *Demonstrates appropriateness in scale and form. and is of materials/media suitable for the site.*
- d. *Meets the project's goals as outlined in the Individual Project Plan.*
- e. *Demonstrates feasibility of construction and installation.*
- f. *Demonstrates feasibility in terms of budget, timeline, safety, security, durability, operation, maintenance, conservation, legal and ethical issues.*
- g. *Builds the diversity of the City's public art collection.*

## I. Criteria for Reviewing Acquisition of Existing Artworks

- a. *Clearly responds to the City's vision for public art.*
- b. *Meets the definition of Artwork, as defined in the Public Art Master Plan and Guidelines.*
- c. *Demonstrates excellence in aesthetic quality, workmanship, innovation and creativity.*
- d. *Demonstrates appropriateness in scale and form, and is of materials and/or media suitable for the site.*
- e. *Meets the project's goals as outlined in the Individual Project Plan.*
- f. *Demonstrates feasibility in terms of cost, timeline, safety, durability, operation, condition, maintenance, conservation, legal and ethical issues related to possession and use of Artwork, security, and/or storage and siting.*
- g. *Builds the diversity of the Port's public art collection.*

## J. Diversity

- a. *Artwork will be sought from artists of diverse ethnic and cultural identities; from local, regional, national, and international artists; and from emerging and experienced artists.*
- b. *The PAC encourages applications from artists working in both established and experimental art forms.*
- c. *Artists will not be eligible for more than two projects at any given time.*

## Rejection of Submissions

- a. *The PAC and ASP may recommend rejection of all submissions, if none are considered satisfactory, and request that a new pool of artists be established.*

## VII. Guidelines for Gifts and Loans of Art

### A. Procedure for Review of Gifts or Loans

#### 1. Proposals

Proposals for gifts and loans of artworks shall be submitted to the Public Art Committee in a written format established by the PAC for this purpose. At a minimum the proposals should include:

- a. *Title of the artwork, its dimensions, medium, and date of execution.*
- b. *Digital images of the artwork or other appropriate presentation materials*
- c. *Proposed site location(s), method of display and required site improvements.*
- d. *Resume or biography of artist.*
- e. *Warranty of originality (i.e., certification that existing work is an original creation or limited edition).*
- f. *Statement of appraised value of art.*
- g. *Maintenance and installation requirements, including a cost estimate for installation.*
- h. *Written explanation of legal issues, including but not limited to, certifying the current legal owner of the artwork(s) and, the existence of any copyrights, patents or other title rights in or to the artwork(s); and an explanation of any conditions or limitations on the donation of the artwork(s), such as any interests to remain with the Artist.*
- i. *Report of artwork's condition and of ongoing maintenance protocols.*

#### 2. Internal Review

Initial review of proposals shall be by MCAD staff, in consultation with other relevant City Departments, to ensure that the application is complete and to conduct an initial feasibility review of the proposal.

#### 3. Aesthetic Review

Once this initial review is complete and MCAD staff determines that the proposal is feasible, an aesthetic review of proposals shall be by an Artist Selection Panel, named by the Public Art Committee (PAC).

- a. *ASPs will range in size from three to five voting members, and should include, at minimum, one visual artist, one arts professional (curator, registrar, conservator, etc.) and one member representing the community at large. A member of the PAC, who serves as a non-voting facilitator, shall chair ASPs. Non-voting advisors to the review process may include representatives of and affected City Departments.*

- b. *ASP's evaluation of proposals will be coordinated and staffed by MCAD staff. A representative of the individual or organization making a proposal will be invited to make a brief informational presentation to the members of the Panel.*
- c. *The ASP shall evaluate proposals based on the following criteria:*
  - 1) *The artistic merit of the proposed artwork.*
  - 2) *Compatibility with the El Paso public art collection.*
  - 3) *Availability of the site.*
  - 4) *Maintenance and installation requirements and anticipated costs to the City.*
  - 5) *Artwork condition.*
  - 6) *Liability considerations.*
  - 7) *Donor conditions.*

#### **4. Conditions of the Gift or Loan**

The City shall accept gifts of art or loaned art only when accompanied by an appropriate warranty of originality and a legal instrument of conveyance of title in the case of a gift, or documenting the loan, in the case of a loan, enumerating any conditions of the gift or return to the donor for the gift or loan. MCAD shall keep on file copies of the conveyance of title and the stated insurance value of donated artwork(s) and the artwork(s) will become part of the City's public art collection. The stated value of any loaned artworks shall be provided to the City Risk Management division. The PAC shall not act as an agent for the purpose of selling, exchanging, or promoting the sale of any gifts of art or loaned work.

### **B. Installation of the Artwork**

#### **1. Siting**

Siting and location development of gifts of art or loaned artwork in public places will be coordinated by MCAD staff in conjunction with the appropriate officials. If possible, the artist who created the gifted or loaned artwork should be consulted regarding siting and installation issues.

#### **2. Coordination**

On-site activity in connection with the artwork installation will be coordinated between MCAD staff and the appropriate entity having jurisdiction over the site.

### **C. Exceptions**

These guidelines shall not apply to:

- a. *Artwork loaned to the City for one year or less.*
- b. *Artwork loaned for inclusion in temporary exhibitions in City facilities and City owned spaces managed by the City.*

- c. Artwork loaned or donated to City employees or appointed City officials for display in their personal offices.*
- d. Gifts of State presented to the City by other governmental entities (municipal, state, national, foreign).*
- e. Artwork loaned or donated to the private collections of nonprofit organizations that manage City entities, or included in temporary exhibitions at those facilities.*

## VIII. Maintenance, Conservation, Record-Keeping and Ownership

### A. Maintenance

1. Maintenance of public art shall be the responsibility of the City, not the artists, and the City shall commit to keeping the artworks in its collection in well-maintained condition.
2. Artists shall be required to submit working drawings of their project and a maintenance protocol. The City may request as part of the contract process that the artist or artist team include maintenance provisions for a term of one-year that includes repairs; otherwise, the artist will be allowed first-refusal rights on repair contracts with a fair-market rate of remuneration.

### B. Conservation

1. The Public Art Program shall evaluate the public art collection on a regular basis for purposes of assessing conservation needs, and develop a multiyear, prioritized plan for conservation of the collection.

### C. Ownership

1. The City shall have absolute, unrestricted rights incidental to its full ownership of the final artistic work to alter, change, modify, destroy, remove, move, replace, transport, or transfer in whole or in part, the final artistic work when the City deems necessary within its discretion in order to exercise the City's powers and responsibilities in regard to public works and improvements, in furtherance of the City's operations or for any other good cause. The artist may retain copyright and other intellectual property rights in and to the final design and the final artistic work itself.
2. In the circumstance where commissioned art is physically part of the building or landscape and is not an independent object or objects that can be safely removed, the City may require the artist to waive all rights that she/he may have under the Visual Artists Rights Act, 17 U.S.C. § 101 et seq. (1990) ("VARA") to protect the City's interest, in regards only to the destruction of the art piece. Prior to the destruction of the art, the City will attempt to contact the artist and secure advice on the future of the work that may include redesigning the art for the new situation. In the event that the remodeling of the building or landscape destroys part of the art, the City will de-accession the art and, at the request of the artist, remove any attribution to the artist.
3. The Artist shall grant to the City a perpetual, irrevocable license to graphically depict or display the final artistic work for any non-commercial purpose, unless otherwise specified by contract.

### D. Project Files and Records

The Public Art Program Coordinator shall maintain records on each project, which shall include, but not be limited to the following:

1. All materials in proposals submitted and other visual or written materials relating to the artist's design or method of execution as submitted or become available.
2. Conveyance of title enumerating any donor conditions.
3. Records of the PAC and City action bearing on the project.
4. Any agreements relating to the project.

5. Correspondence and memoranda relation to the project.
6. Records of all billings made in connection with the project.

## IX. Re-siting and De-accessioning

### A. Policies

1. While MCAD's intent is to commission and acquire artwork for long-term public display, circumstances and/or conditions may arise that make it prudent for MCAD, on behalf of the public interest, to remove an artwork from public display.
2. MCAD retains the right to re-site or de-accession any artwork in accordance with Visual Artists Rights Act, regardless of the source of funding or method of acquisition. MCAD will institute a review process that will ensure that re-siting or de-accessioning will be a seldom-employed action that operates from a strong presumption against removing artwork from the public art collection and insulates the collection from fluctuations in taste.

### B. Criteria for re-siting or de-accessioning an artwork

1. The PAC will recommend to the MCAAB that a specific artwork be re-sited or de-accessioned only if one or more of the following criteria are met:
  - a. *The site is being eliminated.*
  - b. *The site is being altered such that the artwork is no longer compatible with the site.*
  - c. *The security of the artwork can no longer be reasonably guaranteed at its current site.*
  - d. *The artwork has become a danger to public safety.*
  - e. *The cost of maintaining or updating the artwork's operation technology is cost prohibitive.*
  - f. *Significant adverse reaction to the artwork from the community has continued for an extended period of time (at least two years).*

### C. Procedures

1. Once the PAC has determined that an artwork meets one or more of the above criteria and with the approval of the MCAAB, the following process is initiated to determine if the work will be re-sited or deaccessioned:
  - a. *MCAD staff makes a good faith attempt to discuss re-siting with the artist. If the artist does not agree to the proposed re-siting; he/she will have the right to prevent the use of his/her name as the author of the artwork or to buy back the work as addressed in the artist contract.*
  - b. *If, in the opinion of MCAD staff, there is not another appropriate site, the artwork may be recommended for deaccessioning.*
2. If an artwork is to be deaccessioned, MCAD staff will:
  - a. *Commission a written appraisal by a qualified, disinterested third party for each proposed deaccessioned artwork with an estimated value exceeding Ten Thousand Dollars (\$10,000.00).*
  - b. *Prepare a written report of the reasons for the proposed deaccessioning and a recommendation*

*for the method of disposal.*

- c. Submit the report, and the recommendation of the PAC and the MCAAB to City Council, which must approve any deaccessioning.*
- d. If an artwork is de-accessioned, all rights will revert to the artist, where consistent with contractual agreements. If the artist waives those rights, MCAD will dispose of the artwork*
3. If the structural integrity or condition of an artwork, in the opinion of the PAC and MCAD staff, presents an eminent threat to public safety, the MCAD director may authorize its immediate removal, without MCAAB action or the artist's consent. The director would have the work placed in temporary storage. The artist and the MCAAB must be notified of this action within 30 days. The PAC will then recommend options for disposition (e.g. repair, reinstallation, maintenance provisions or de-accessioning) to the MCAAB for approval.
4. In the event that the artwork cannot be removed without being irreparably damaged or destroyed, and if artist rights are not waived in the contractual agreement, the MCAD staff must make a good faith effort to gain such written permission before proceeding. In the event that this cannot be accomplished before action is required in order to protect the public health and safety, the MCAD director will proceed according to the advice of the City's Legal Department.
5. The manner chosen for disposition of an artwork shall represent the best interest of the City and in accordance with City policy for the disposition of property. If objects are offered for sale, consideration will be given for sale at advertised public auction of the public marketplace. Artworks will not be de-accessioned directly or indirectly or in any manner that would personally benefit City employees, members of the MCAAB, the PAC, or of the City Council. Ethical considerations prohibit the acquisition of de-accessioned objects by City staff, members of the MCAAB, the PAC, or of the City Council.
6. Funds from artworks sold as a result of de-accession will be placed into the Public Art Fund.

## **X. Conflict of Interest**

This section supplements the City's Ethics Ordinance, as codified in Chapter 2.29 of the El Paso Municipal Code.

### **A. MCAD staff**

Employees of MCAD are ineligible for public art commissions or projects as long as they are employed by MCAD.

### **B. PAC members and PAC sub-committee**

A member of the PAC or of a PAC subcommittee, such as an Artist Selection Committee, having a financial interest in the outcome of any policy, decision or determination before the PAC or PAC subcommittee on which the member serves shall, as soon as possible after such interest becomes apparent, disclose to each of the other members voting on the matter and the nature of the financial interest in the issue, and such member shall be disqualified from participation in any debate or vote.

### **C. Other participants**

Members of the project management, project architect, or consulting firms and employees of City of El Paso are ineligible to receive public art funds for design services or public art commissions.

### **D. Artists**

1. Artists who were previously involved in the development of a public art project or public artwork plan may be eligible for consideration for that particular project or plan provided there is disclosure of the prior involvement and approval of the PAC.
2. An artist is ineligible to serve on the ASP while under consideration for a public art commission or project.
3. An artist is precluded from having his/her work considered for a public art commission or project once selected for or while serving on the ASP.

## **XI. Review and Amendment**

These guidelines are subject to periodic review and revision by the PAC and subsequent approval by the MCAAB.

## Appendix B: Survey Findings

The El Paso Public Art Program posted an online survey as one means of gathering public input for the public art Master Plan. It was accessible from December, 2013, through May, 2014, and 327 people answered the survey. Following is a summary of the results.

### Are you aware that El Paso has a Public Art Program?

67% yes

### What is the best-known public artwork in El Paso?

*The percentages reflect the percentage of people who said they recognized a picture of the artwork.*

91% *Los Lagartos*

65% *Silver Lining*

60% *Fray Garcia of San Francisco*

54% *Glory Road Transit Terminal*

50% *Calvary Man*

50% *Sombras y Luz*

### Most important goals for public art:

*Respondents were asked to choose 6 top answers from 16 answers provided.*

48% Support the development of local artists and art forms.

48% Give voice to the unique culture, history, and spirit of the El Paso.

43% Anchor gathering places and civic spaces.

42% Enhance the appearance of everyday infrastructure.

41% Reflect and draw attention to the natural beauty and unique landscape of El Paso.

41% Strengthen the identity of El Paso's distinct neighborhoods.

40% Welcome people to El Paso and let them know they have arrived

### Most important places for public art:

*Respondents were asked to choose 6 top answers from 13 answers provided.*

73% The downtown arts and culture district, around the Convention Center and museums.

59% Areas that are pedestrian-oriented (or are planned to be), such as Five Points, Mission Valley / Ysleta, Glory Road and the Northridge areas.

54% In community facilities, such as libraries, parks, recreation centers and senior centers.

53% In new plazas and public spaces, such as the downtown Pedestrian Path and the proposed square adjacent to Union Depot.

### Would like to see public art Downtown that:

*Respondents were asked to choose 3 top answers from 8 answers provided.*

45% Provides visual surprises for people walking around downtown.

43% Beautifies functional elements in the streetscape (artist designed benches, bike racks, crosswalks, manhole covers).

43% Animates public spaces and draws people from all over El Paso to downtown.

41% Helps attract visitors and tourists to the city.

#### **Would like to see public art in Parks and Open spaces that:**

*Respondents were asked to choose 3 top answers from 5 answers provided.*

61% Provides a playful and interactive experience.

57% Beautifies functional elements streetscape (artist designed benches, bike racks, crosswalks, manhole covers).

#### **Would like to see public art in Civic and Community Buildings that:**

*Respondents were asked to choose 3 top answers from 6 answers provided.*

59% Enhances the visual appearance of these facilities.

#### **Would like to see public art at major gateways and along major corridors that:**

*Respondents were asked to choose 3 top answers from 5 answers provided.*

69% Says something about the personality of El Paso

67% Can be enjoyed by drivers, transit riders, cyclists and pedestrians alike

64% Lets people know that they have arrived in a place that values creative, quality design.