

Memorandum



Date: June 6, 2017

Agenda Item No. 1(F)3

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Sunset Review of County Boards for FY 2017 – Art in Public Places Trust,
Department of Cultural Affairs

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2017 Sunset Review of County Boards Report for the Art in Public Places Trust, Department of Cultural Affairs. The Board approved the attached report at its meeting of December 13, 2016 and has recommended the continuation of its board.

A handwritten signature in black ink, appearing to read "Michael Spring", written over a horizontal line.

Michael Spring
Senior Advisor, Office of the Mayor

Date: December 13, 2016
To: Carlos A. Gimenez
Mayor
From: Sandi-Jo Gordon
Chairperson, Miami-Dade County Art in Public Places Trust
Subject: Sunset Review of County Boards for FY 2017 – Miami-Dade County Art in Public Places Trust

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2017 Sunset Review of County Boards Report for the Miami-Dade County Art in Public Places Trust for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of December 13, 2016.

It is recommended that the BCC approve the continuation of the Miami-Dade County Art in Public Places Trust.

BACKGROUND

The Miami-Dade County Art in Public Places was created in 1982 to administer the Art in Public Places program which has as its mission to make public buildings better through working with artists to commission and/or acquire works of art for public places. The principal goals of the program are:

- A. To enhance and preserve the artistic heritage of Miami-Dade County
- B. To enrich the public environment for both residents of and visitors to the area through incorporation of the visual arts
- C. To enable Miami-Dade County to attain recognition as a national leader in art in public places and in cultural life
- D. To increase public awareness of works of art, and to promote understanding and awareness of the visual arts in the public environment
- E. To enhance the climate for artistic creativity in Miami-Dade County
- F. To contribute to the civic pride of our community.

Since its inception, the Miami-Dade County Art in Public Places Trust has met the goals of the program as set forth in the originating legislation and should continue to function.


Sandi-Jo Gordon
Chairperson, Miami-Dade County Art in Public Places Trust

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I. GENERAL INFORMATION

1. Name of Board reporting: Miami-Dade County Art in Public Places Trust

2. Indicate number of board members, terms of office, and number of vacancies:
Number of Board Members: 15
Terms of Office: 4 Year Terms
Number of Vacancies: 2

3. Identify number of meetings and members' attendance (Attach records reflecting activity from Jan. 1, 2015 through December 31, 2016):
Number of Meetings: 18
Number of Meetings with a Quorum: 17
Attendance Records: See Attachment 1

4. What is the source of your funding?
Section 2-11.15 of the County Code and Administrative Order 3-11 are the basis for defining the kinds of capital projects and expenses covered by the Art in Public Places (APP) program. This legislation requires an APP contribution of no less than 1.5% of the cost of new local government buildings.

5. Date of Board Creation: December 12, 1982

6. Attach a copy of the ordinance creating the Board (Please include all subsequent amendments).
See Attachment See Attachment 2

7. Include the Board's Mission Statement or state its purpose:
The Art in Public Places Trust was created in 1982 to administer the Art in Public Places program which has as its mission to make public buildings better through working with artists to commission and/or acquire works of art for public places.

8. Attach the Board's standard operating procedures, if any. See Attachment 3

9. Attach a copy of the Board's By-Laws, if any. See Attachment 3

10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership.
Approved by the Art in Public Places Trust at its December 13, 2016 meeting. See attached Meeting Minutes.

II. EVALUATION CRITERIA

1. Is the Board serving the purpose for which it was created? (Please provide detailed information) Yes.

The Art in Public Places Trust was created in 1982 to administer the Art in Public Places program which has as its mission to make public buildings better through working with artists to commission and/or acquire works of art for public places. The principal goals of the program as set forth in the Master Plan for Art in Public Places are:

- To enhance and preserve the artistic heritage of Miami-Dade County
 - To enrich the public environment for both residents and visitors to the area through incorporation of the visual arts
 - To enable Miami-Dade County to attain recognition as a national leader in art in public places and in cultural life
 - To increase public awareness to works of art, and to promote understanding and awareness of the visual arts in the public environment
 - To enhance the climate for artistic creativity in Miami-Dade County and contribute to the civic pride of our community
2. Is the Board serving current community needs? (Please provide detailed information)

Yes.

The Miami Dade Art in Public Places Trust has over the last thirty-nine years acquired or commissioned over 750 works of art which contributed significantly to the appearance of public buildings and are installed county-wide at transit stations, PortMiami, Miami International Airport, Adrienne Arsht Center for the Performing Arts of Miami-Dade County, Marlins Park, Jackson South Community Hospital, fire stations, libraries, police stations, parks, Metrozoo, community health centers and other public facilities which form a part of the Miami-Dade family of services to the community. During this time, the department has gained national and international attention as a leader in its field.

3. What are the Board's major accomplishments?
- a. Last 24 months (below)

RECOGNITION FOR THE PROGRAM

Selina Roberts Ottum Award: Senior Advisor and Director Michael Spring honored by Americans for the Arts and the National Endowment for the Arts

May 31, 2016 – In recognition of his extraordinary leadership in the arts locally and nationally, Michael Spring, Senior Advisor to Miami-Dade Mayor Carlos A. Gimenez and Director of the Miami-Dade County Department of Cultural Affairs will be honored with the Selina Roberts Ottum Award, the highest honor in the field of local arts agencies. Presented jointly by Americans for the Arts, the nation's leading nonprofit organization for advancing the arts and arts education in America, and the National Endowment for the Arts, the Selina Roberts Ottum Award recognizes outstanding contributions in the local arts agency field.

NACo Achievement Award Received for "Assessment and Appraisal of the Miami-Dade County Public Art Collection" 2014-2015

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Established in 1973, Miami-Dade County Art in Public Places (MDAPP) has commissioned 770 works of art. Entrusted with the responsibility for developing and conserving this world class, invaluable public asset, MDAPP secured an expert, complete assessment and appraisal of the entire collection. One of the nation's leading independent advisory firms specializing in fine art valuation conducted the comprehensive appraisal, developed a prioritized master plan for future maintenance of the art works and documented Miami-Dade County's county-wide "museum" of art created by Miami-Dade based and international artists. Artworks are installed at diverse sites throughout the county (e.g., Miami International Airport, Metrorail/Metromover stations, PortMiami, Zoo Miami, Adrienne Arsht Center for the Performing Arts of Miami-Dade County, parks, police and fire stations, libraries, public housing developments, courthouses, senior and health centers, etc.).

ArtPlace America

In July of 2015, Art in Public Places in collaboration with Miami-Dade Parks, Recreation and Open Spaces Dept. and Friends of the Underline, a 501c3 organization, received an ArtPlace America grant to produce temporary public artworks on along the Underline, Miami's 10 mile long urban corridor located under the Metrorail parallel to US1. The projects were developed and executed during the grant period of August 1, 2015 through January 31, 2017. The Underline, a planned world-class linear park is designed to transform the underutilized land below Miami-Dade's Metrorail into an urban trail and art destination. These projects include four commissions by Miami-based artists Bhakti Baxter, Naomi Fisher, Nicolas Lobo, and Agustina Woodgate took place throughout a 9.7-mile corridor which includes eight Metrorail Station locations between the Brickell neighborhood and business district and Dadeland South.

Receiving the nationally competitive ArtPlace America grant is a first-time achievement for Art in Public Places. ArtPlace America (artplaceamerica.org) is a collaboration among fifteen foundations, eight federal agencies, and six financial institutions dedicated to strengthening the field of creative placemaking. Toward this end, ArtPlace has invested in projects in which artists and arts organizations play an explicit and central role in strategies to help shape their communities' social, physical, and economic futures. Participating foundations include the Barr Foundation, Bloomberg Philanthropies, Ford Foundation, the James Irvine Foundation, John S. and James L. Knight Foundation, the Kresge Foundation, the McKnight Foundation, the Andrew W. Mellon Foundation, William Penn Foundation, Rasmuson Foundation, The Rockefeller Foundation, Stavros Niarchos Foundation, Surdna Foundation, and two anonymous donors. Rockefeller Philanthropy Advisors, Inc. (RPA) serves as the fiscal sponsor for ArtPlace America.

Press Highlights

Art in Public Places attracted nationally competitive press for project on The Underline from the *New York Times*, (naming Miami one of the 10 places to see art in America in 2017) *Architectural Digest*, *Conde Nast Traveler* and *Hyperallergic*, as well as consistent local coverage in the *Miami Herald*, *Biscayne Times* and the *Miami New Times*. The *Miami Herald* featured artist Tom Otterness' series of sculptures with an article entitled *Miami-Dade's new Children's Courthouse Called 'Place of Hope'*. In

Winter of 2016, The Miami Rail featured Art in Public Places Curator Brandi Reddick and The Director of the Department of Cultural Affairs, Michael Spring in an extensive interview with artists Bhakti Baxter and Jim Drain for their recent achievements of new commissions at PortMiami, and in September of 2016, *The Biscayne Times* featured the new animal services facility with artworks by David Brooks and Carlos Betancourt & Alberto Latorre.

CAPITAL PROJECTS SIGNIFICANTLY ENHANCED WITH PUBLIC ART

New Commissions January 2015 – December 2016

The Nationally Acclaimed Art in Public Places Program Completes Important County Projects

Miami-Dade County's Art in Public Places program continues to emphasize the power of public art to make public buildings great. Major new art commissions and restoration projects demonstrate how artists can distinguish County facilities by integrating their work into important project building elements:

- ***Tom Otterness, Children's Courthouse***
155 NW 3rd Street, Miami, Florida 33128

Familia de Osos/Family of Bears was envisioned by world renowned artist Tom Otterness as a playful homage to justice and protection. The entrance lobby features a whimsical installation of bears and humans participating in a court session. The "Mama Bear" is the presider of the court and is in close proximity to her cubs, closely protecting them just as she would do in the animal kingdom. In the same way a bear cub can feel safe and looked after by its mother, the artist wants the children who enter the courthouse to feel cared for by the court. With a sense of security, the bear cubs are free to roam and can be found playing on the 11th and 12th floors, curiously climbing columns, peeking through windows and lounging on benches, creating a playful sanctuary for both children and adults.

- ***Matthew Geller, Mikyoung Kim, Zoo Miami***
12400 SW 152nd St, Miami, FL 33177

Zoo Miami's expansion features major public art works by artist Mik Young Kim who designed the lyrically misting plaza to the new zoo entrance and artist Matthew Geller who created an interactive children's water playground with a tropical Everglades motif:

Matthew Geller

Cypress Landing, the 10,000 sq. ft. new children's play area at Zoo Miami, includes the 32' tall misting and water showering Cypress tree, Cypress knees, 150' mural (by Diana Kinglsey) and the design of the entire 10,000 sq. ft. water feature and playground children's play area. Three of the knees have push buttons that each operate two water nozzles in the tree such that water streams down through the mist. Three other knees each have a push button and two water nozzles. The mist is in a constant state of flux, sensitive to the slightest changes in wind, temperature, and humidity, and can lower the air temperature by as much as 30°.

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Mikyoung Kim

The entryway to Zoo Mimai is intended as a both a fun and inspirational beginning of a day-long journey. Starting outside the zoo entrance plaza, leading from parking to the ticketing building, guests will encounter life-size sculptures of zoo animals depicted as stylized freestanding painted metal silhouettes. The size of the dot matrix convey a pattern of water movement. These laser cut paver blocks create a rich tapestry of shapes in the paving and integrate the earthen tones of the Everglades into the overall mosaic. In the center, mist creates a cloud of coolness through openings in the dot matrix. Interwoven between the mist and the animal cutouts are varying sizes of round glass block laser cut into the pavers. The glass block elements are illuminated from below with LED lights, while transforming the animals with color, mist and light at the destination watering hole.

- **Animal Services: Carlos Betancourt & Alberto Latorre, David Brooks
3599 NW 79th Ave, Doral, FL 33166**

Brooklyn-based artist David Brooks designed the entire façade of Animal Services' new Pet Adoption and Protection Center and Miami-based artists team Carlos Betancourt and Alberto Latorre created the entrance lobby and pet adoption promenade, transforming this former tile warehouse into a magical place for parents and kids to find the next, furry addition to their families.

Carlos Betancourt & Alberto Latorre

Adorning the interior lobby is a suspended sculpture composed of relics related to dogs and cats by the Miami-based artist collaborative Carlos Betancourt and Alberto Latorre. Their work extends throughout the pet adoption mall with a series of monitors that will display photographs of recently adopted pets and their new owners, all captured in an artist-designed photo booth that will be located in the lobby.

David Brooks

In February 2014, Brooklyn-based artist David Brooks was commissioned by Miami-Dade County Art in Public Places to design the facade of the new Animal Services Facility, which is inspired by Bernini's St. Peter's Square, Vatican City State. A series of seven-foot tall animal silhouettes will adorn the rooftop and will serve as "guardians" of the facility, while the façade will be wrapped with a metal screen featuring cut outs of playfully executed dogs and cats. The anticipated project completion is Fall 2015/Winter 2016.

- **Miami Beach Convention Center
1901 Convention Center Dr, Miami Beach, FL 33139**

Art in Public Places was secured by the City of Miami Beach to manage the highly competitive international selection process as well as implement the commissioning and production of artworks for the renovated Miami Beach Convention Center, with funds of 6.5 million dollars. A shortlist of internationally renowned artists was recommended for commissions including: Franz Ackerman, Joep van Lieshout, Michael Elmgreen & Ingar Dragset, Ellen Harvey, and Joseph Kosuth.

- *Fringe Projects – 2016*
Various Locations Downtown Miami

In 2016, Fringe Projects, Miami's premier agency for commissioning temporary public art, successfully executed a program of site-determined temporary public artworks in downtown Miami, including:

Cara Despain, Sea Unseen
Miami-Dade Wolfson Campus, Kyriakides Plaza

An abstracted audio narrative, *Sea Unseen* by Miami-based artist Cara Despain, borrowed from the language of mid-century radio dramas and film soundtracks; remixing collected sounds and music into a quasi-sci-fi score to carry an allegory about sea level rise. Situated on Miami-Dade College's Wolfson campus, small waterproof and wireless speakers were installed in storm drains along Kyriakides Plaza, projecting the piece from below.

Siebren Versteeg, small IS beautiful
InterContinental Miami, 100 Chopin Plaza Miami, FL 33133

small IS beautiful, a public artwork by New York-based artist Siebren Versteeg was situated on the exterior "digital canvas" of the InterContinental Miami. For this monumental artwork, Versteeg presented the entire text of the seminal book "Small is Beautiful: A Study of Economics as if People Mattered" by E.F. Schumacher word for word. For five evenings, large letters scrolled down the sides of the hotel at a pace that is comfortable to read, offering a complete public reading visible for miles on Miami's skyline over 55 hours.

JPW3, Zenjail
Bayfront Park
301 Biscayne Blvd

Zenjail by Los Angeles-based artist JPW3 was composed of cast aluminum, wood, and cut steel. *Zenjail's* design echoes the form of a Japanese-style construction and the contemplative spaces found within them. The structure, marked with a checkered exterior, functions as a site of dichotomies such as peace and violence, nature and architecture, or the presence of zen in jail. Drawing from "The Book of Tea" and other philosophical and aesthetic treatises linked to Teism and Zenism, the sculptural intervention invites visitors to contemplate a space where zen exists, trapped within the body and the installation.

Alan Gutierrez, UNTITLED (rain scene)
NE 1st Street & NE 1st Avenue

Untitled (rain scene) is a one-night outdoor performance by Miami-based artist Alan Gutierrez. Positioned within an environment of production equipment and a special effects crew, the artist will situate himself within a non-narrative and non-linear vignette, open to both a public and pedestrian audience. Interested in modalities of production which reveal the intersection of reality and theatricality, Gutierrez will create an open "set," resembling similarly to a movie set. The technical production attempts to immerse the audience in an effort- a required effort which will dictate the content, as opposed to the inverse, employing downtown Miami as the backdrop.

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In addition to the projects listed above, the following works of art were also accomplished through Art in Public Places from January 1, 2015 – January 1, 2017:

- Carl Latimore, NW 7th Avenue Transit Village Interior
- Michelle Weinberg, Utility Box Wrap
- Ivan Toth Depena, LAPSE Miami
- RCCL Innovations LAB, Carola Bravo
- Arcola Lakes Police Station

RESTORATION AND REPAIR: RETURN OF PRIZED ASSETS TO THE PUBLIC

- Rockne Krebs, The Miami Line (Miami River Metrorail Bridge)

The Art in Public Places completed a restoration of the iconic 1984 artwork *The Miami Line*, a site specific installation encompassing a line of colored neon lights that spans the Metrorail bridge over the Miami River. Restoration on the fragile, oft-damaged neon fixtures were replaced with more durable LED lights 2015, restoring the work to the identical specifications of its artist, Rockne Krebs in fall of 2016. Once again, this multi-colored line of lights serves as a gateway image for residents and visitors.

In addition to the commissions highlighted above, the following additional commissions were accomplished:

- Fred Eversley, Parabolic Flight, Miami International Airport
- Robert Huff, Argosy, SW Dade Regional Police Station
- Dixon Ervin, The Link, South Dade Fire Station
- Dixie Friend Gay, Ephemeral Glades, PortMiami

NEW/IMPROVED POLICIES, RELIABLE SYSTEMS AND FINANCIAL ACCOUNTABILITY

- **Updated Systems + Media Plan**
After a careful evaluation of systems in place to review and collect submissions from artists, APP determined that upgrading to Submittable would provide a better user experience for artists and administrators, as well achieve desired results with a highly cost efficient platform. Shifting to the Submittable platform for calls to artists also included the revitalization of the dedicated Art in Public Places email list which is now used to notify artists of open calls and other opportunities as well as the social media platforms of Facebook and Instagram, now with a dedicated account of @ArtinPublicPlacesMDC. Artists and interested parties are able to join the email list via the Art in Public Places website. Additionally APP has put in place a media plan for the purpose of circulating calls, expanding outreach and sharing the program's accomplishments on a local, national, and international level.
- **Procedural Guide to Art in Public Places** - This "Procedural Guide to the Art in Public Places Program" was developed by the department to provide County departments with

a user-friendly set of guidelines for implementing the art in public places requirements. In addition, the processes and procedures detailed in the guide have been incorporated in the County's Procedures Manual (procedure number 358). The information included in this procedural guide is based on Section 2-11.15 of the County Code ("Works of art in public places"), Administrative Order 3-11 ("Art in Public Places Program Implementation and Fund Transfer Procedure") and a set of County Attorney's Office opinions that have been issued over the years regarding the program's requirements. The Procedures Manual was recently updated to include sections for municipal compliance and for compliance by private sector development projects done on behalf of local government. In addition, to ensure uniform compliance with the public art requirement, the Procedures Manual now references the establishment of a capital project budget allocation worksheet to calculate the 1.5 percent public art allocation consistently. (Click [here](http://intra.metro-dade.com/procedures/library/358.pdf) or go to <http://intra.metro-dade.com/procedures/library/358.pdf> for procedure number 358, the APP section of the Procedures Manual)

- **Ensured Financial Accountability** - The department continues to work closely with the Office of Management and Budget (OMB) and other County departments to account for all funds committed to the APP program. The adopted FY 2014-2015 budget for the APP program is based on detailed accounting of funds contractually committed to ongoing projects, monies dedicated for repair and conservation of artworks, and costs for managing this work. Key project financial and accounting systems have been restructured to reflect exact APP revenues received from other departments and expenditures made by project, and to enable regular, up-to-date project tracking logs to be provided to departments upon request. Specific accounting of each APP allocation is provided to departments at the outset of a project, delineating an accurate and thorough calculation of art commission amount, the APP administrative cost, and the artwork repair and conservation appropriation (15 percent of the 1.5 percent public art allocation for each artwork is dedicated to a repair and conservation fund).
- **Implemented A System for Identifying New Projects** - The department and OMB have created a system to ensure that the APP allocation is properly calculated and planned for at the outset of all eligible capital projects and that a resulting budget line item specifying the public art contribution is built into capital budgets. APP staff attends annual OMB capital budget hearings for County departments and is taking an active role to ensure that all eligible capital projects properly adhere to the APP requirements. In addition, an APP line item/check-off has been included in the automated system for authorizing/tracking County capital projects.
- **Conducted Art in Public Places Training Sessions with County Departments** - The department continues its work to familiarize County departments regarding the proper implementation of the APP program and ensure all departments' adherence to the public art requirements. APP staff is collaborating with departments to demonstrate a "value-added" benefit to public art components, using artists and artworks to make better buildings through artist-designed elements that contribute directly to the quality of the building. The department continues to familiarize County departments with the proper implementation of the APP program and ensure all departments' adherence to the public art requirements.
- **Conducted Art in Public Places Training Sessions for Municipalities** - Department of Cultural Affairs staff is collaborating with municipalities to implement Building Better

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Communities General Obligation Bond (BBC-GOB), Safe Neighborhood Parks (SNP) and municipal funded capital projects that meet the public art eligibility criteria and must comply with the public art requirement. In order to comply with the APP requirement, municipalities have the option of administering their own public art projects or working collaboratively with the County to administer, manage and implement the public art components. APP staff has administered public art projects on behalf of the City of Aventura, City of Miami Gardens and City of Hialeah, and is currently working collaboratively with the City of Medley, City of Miami, City of Opa Locka, and City of Homestead, among others, to identify opportunities for public art and to begin project implementation on their behalf. It is important to note that the department is using these opportunities to remind our municipal partners that the County Code requires municipalities to implement the art in public places requirements for all of their eligible capital projects.

- ***Oriented New Art in Public Places Trust Members*** - The department has developed an orientation notebook for volunteer board members of the APP Trust that provides background information on all aspects of the program and outlines the responsibilities and requirements of service on the Trust. Orientation sessions have been held for all new APP Trust members on their responsibilities and requirements, and additional workshops have been held on the APP artists' contracting process. The volunteer Trust members have participated enthusiastically in these sessions and continue to demonstrate an outstanding commitment to the program. Appointments to the Art in Public Places Trust are being monitored by staff to ensure that vacancies on the Trust are filled without delay.
- ***Appointed New Professional Advisory Committee (PAC) Members*** - Pursuant to County Code, the APP program utilizes a Professional Advisory Committee (PAC) to guide and advise APP Trust when selecting work to be commissioned or acquired into the County's collection. The PAC is a panel composed of local and national luminaries in the field of art, architecture, art history and architectural history. PAC members are appointed by the Trust, serve two-year terms and may be re-appointed for up to a total of three consecutive terms. These members provide insights based on their knowledge of the community, reflect the prestige of visual arts professionals now working in South Florida and help provide the Trust with the efficiency of readily available candidates for PAC meetings.
- ***Created a New Message: Public Art Improves County Buildings*** - In addition to improving systems and methods that ensure the Art In Public Places requirements are applied and adhered to uniformly, the Department has emphasized the following messages:
 - public art is a value added strategy to improve the quality of departments' capital projects;
 - successful collaborations with other departments rely on identifying opportunities for artworks early in the design phase of their projects and engaging departments in the artist selection process; and

- art projects are developed so that they are meaningful and relevant to the particular department's services and needs.

SECURITY AND ACCOUNTABILITY OF THE COLLECTION

- **National Standards Set with Completed Inventory Evaluation and Assessment of Collection** - Miami-Dade County Art in Public Places is the nation's first public art program to complete a comprehensive valuation and assessment of its entire public art collection. Work began on April 7, 2014 with Gurr Johns International Fine Art Consultants, who deployed their chief appraisers to evaluate the entire 750 piece collection. This extensive report was completed in September 2014. The information gathered in this report will be used to properly assess the inventory, care, maintenance and repair schedules for the collection.
- **Launched New Website and Inventory Software System** - A significant grant from the John S. and James L. Knight Foundation made it possible to secure the services of Mediatrope, pioneers in interactive web design, content management, and online strategy, to create a state-of-the-art website and collections management software system. The acquisition of this custom-designed platform not only allows for the collection to be viewed by worldwide visitors, it also serves as the management system for the conservation and stewardship of the collection, including inventory and records-keeping functions.
- **Repair and Conservation Program** - Fifteen percent of the 1.5 percent generated by all new public art allocations is being dedicated to a repair and conservation fund that is being used for specialized tasks required to restore and/or repair works of art in its collection. These funds will be replenished on an ongoing basis with proceeds from new commissions. Several projects related to the care and preservation of the collection have been completed, including major restorations of several of the most prominent works in the collection, including Claes Oldenburg and Coosje van Bruggen's *Dropped Bowl with Scattered Slices and Peels* at the Stephen P. Clark Government Center; an outdoor sculpture by Isamu Noguchi *Slide Mantra*, at Bayfront Park; a major glass installation entitled *Ghost Palms* by artist Norie Sato at Miami International Airport; and significant artworks located throughout the Metrorail system, among others.
- **Coordinated Inventory** - Department of Cultural Affairs staff is continuing to work closely with Internal Services to ensure that APP records are coordinated and identical with Internal Services' inventory accounting of the APP collection.
- **Secured Artworks at Government Center and Other Locations** - Under the supervision of Department of Cultural Affairs' staff, a professional art installation technician completed the securing of all framed artworks in the Stephen P. Clark Center with anti-theft locks. Phase two of the installation project was completed in 2013 and all of the framed artworks located at various facilities throughout the County have been professionally secured with anti-theft locks. In addition, all of these works are affixed with APP inventory identification labels.

b. Since established Please see attached

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4. Is there any other board, either public or private, which would better serve the function of this board? No
5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (If "Yes", attach proposed changes)
The Ordinance was revised on December 21, 1982 and on February 8, 1994 allowing the department to operate more efficiently. The revisions created the Trust and a professional selection process through an advisory committee which now serves as a national model for public art agencies as evidenced in the national publication *Going Public: A Field Guide To Developments in Art in Public Places* which offers national models in ordinances, master plans, contracts and other technical issues of the field.
No changes to the Ordinance are recommended.
6. Should the Board's membership requirements be modified?
The board's membership requirements include that members be knowledgeable in public art, residents of Miami-Dade County and not operate, own or be employed by an art dealer, art gallery, artists' representative, museum or other entity which derives income from the sale or display of art work. These requirements meet the needs of the board, which should be representative of the community at large but avoid conflict of interest from any individual involved in a financial relationship in the business of art.
No changes to the membership requirements are recommended.
7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2013 and FY 2014)
The members of the Art in Public Places Trust serve in a fully voluntary capacity; there is no specific County budget for the board itself. County staff serves the County Mayor and the County Commission in developing and implementing County cultural policy. To the extent any costs can be directly attributed to the Art in Public Places Trust itself, these would be less than \$3,000 per year (including staff time dedicated to confirming monthly meetings, delivery of monthly agenda packages, tours of works-in-progress, etc.) The County is the direct beneficiary of the invaluable, incalculable contributions made by Trust members in the form of their time, expertise and voluntary efforts made in support of elevating and expanding the County's public art collection and defining policies for its preservation.
8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.
The Master Plan for Art in Public Places and the Department of Cultural Affairs' annual business plan define the principal goals and strategies developed and implemented by the Department and Art in Public Places Trust to advance their joint roles as creators and caretakers of an important public art collection and valuable public asset. The Trust guides each policy, action,

artist commission, artwork maintenance plan, and collection management system it develops to be in direct service of those goals.

MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS
ART IN PUBLIC PLACES

111 NW 1st Street, Suite 625

Miami, FL 33128

T 305-375-4636

MiamiDadearts.org / MiamiDade.gov

Carlos A. Gimenez, Mayor

APP Accomplishments Since Established

Miami-Dade County Department of Cultural Affairs/Art in Public Places Trust
Major Accomplishments
(last update: December 2014)

Miami-Dade Art in Public Places has created a collection of over 750 acquired or commissioned art works ranging from small two-dimensional pieces to large-scale installations by international and regional artists such as Claes Oldenburg, Ed Ruscha, Keith Sonnier, Carlos Alfonzo, Isamu Noguchi, Michele Oka Doner, Carlos Betancourt, Jose Bedía, Cundo Bermudez, Carlos Cruz-Diez, Red Grooms and Donald Lipski. Public art installations can be found throughout Miami-Dade County and include the following select locations:

Miami International Airport

- Mover Station Terminal Connector
Harmonic Convergence by Christopher Janney
- Concourse J
Foreverglades by Barbara Neijna
- South Terminal Meet and Greet Lobby
Coral Eden by Brad Goldberg
- South Terminal International Baggage Claim Area
Ghost Palms by Norie Sato
- Concourse D
A Walk on the Beach Phase I and II by Michele Oka Doner
Tropical Garden by Michele Oka Doner
Realm of Secrets by Carlos Betancourt, APM Station B
Got Any Jacks by Donald Lipski
From Seashore to Tropical Garden by Michele Oka Doner
Años Continuos by María Martínez-Cañas
- Concourse H
Flight Patterns by Roberto Calvo
Aqua/Botanica by Ed Carpenter
- Airport Toll Collection Plaza
Miami Wave by John David Mooney
- Airport Sound Attenuation Wall
36th Street Wall by Martha Schwartz.
- Airport Hellport
Miami Heliotrope by Keith Sonnier

Adrienne Arsht Center for the Performing Arts of Miami-Dade County

- Dolores and Sanford Ziff Ballet Opera House and John S. and James L. Knight Concert Hall
Untitled Lobby Floors and Balcony Railings by José Bedía
- Studio Theater, Dolores and Sanford Ziff Ballet Opera House
Ways of Performing by Cundo Bermudez
- Sanford and Dolores Ziff Ballet Opera House Exterior Plaza
Pharaoh's Dance by Gary Moore
- Plaza for the Arts- Fountain and Seating Elements
Water Scores by Anna Valentina Murch
- Dolores and Sanford Ziff Ballet Opera House
Hibiscus Grand Curtain by Robert Rahway Zakanitch
- John S. and James L. Knight Concert Hall
Green Lace Scrim by Robert Rahway Zakanitch

- Women's Park
Women's Park Gates and Fence by Lydia Rubio

Miami-Dade Transit

Eighteen public art installations at Metrorail stations and eight public art installations at Metromover stations, including the following:

- Miami Intermodal Center/Earlington Heights Connector
Sargassum by Michele Oka Doner
- Phase I of the *Ninth Street Pedestrian Mall*, an innovative, collaborative infrastructure project in Overtown. Designed by artist Gary Moore and landscape architect Gerald Marsten, this project has received two national awards and an international award including a federal US Department of Transportation and National Endowment for the Arts "Design in Transportation Award."
- Rockne Krebs' *Miami Line à 1340'* neon artwork over the Miami River which was a catalyst for the successful *Light Up Miami* Program.
- Miami-Dade Art in Public Places celebrated its Thirtieth Anniversary in 2003 with a ceremony and celebration at *The M*, located at the Riverwalk Metromover Station.
- Miami-Dade Art in Public Places completed the restoration of several artworks located along the Metrorail and Metromover Systems. With the partnership, generosity and commitment of Miami-Dade Transit, we were able to renew many of these artworks. Six works along the Metro system were restored to their original condition. The art works which have been repaired include the following: South Miami Station, Douglas Station, Coconut Grove, Station, Riverwalk Station, Santa Clara Station and Brownsville Station.

Jackson South Community Hospital

- Exterior Gardens and Landscape
The Ripple Project by Mikyoung Kim
- Interior Floor Design, Wayfinding System and Hanging Artworks
Vitality by Leonel Mathieu

Miami-Dade Fire Rescue Headquarters Facility

- Redesign of Exterior Façade
Light Symphony by Po Shu Wang and Louise Berterson (Living Lenses)
- Lobby of Training Facility
Untitled (Committed to Service and Grounded in Place) by Adler Guerrier
- Exterior Gates and Fences
Untitled (Escutcheons for Readiness and Commitment) by Adler Guerrier

Select public art installations include the following:

- *Dreaming Forever-Glades*, an installation of artist designed of lightweight-expanded foam PVC sheets which securely fasten to chain link fencing by Carlos Betancourt and Alberto Latorre, which resulted in a powerful transformation of the exterior façade of the Gran Via Elderly Housing Complex.
- An integrated series of friezes for the Fairchild Tropical Botanic Garden Visitor Center entitled the *Frieze Project* by artist Naomi Fisher
- Monumental 45' sculpture, entitled *Fingerprint*, installed on the exterior plaza of the Northside Police Station by artist Jefe Figueras Manuel
- An innovative light piece, entitled *Light Field* by artist Robert Chambers that illuminates the entire, translucent inner lobby wall of the South Miami-Dade Cultural Arts Center with changing designs

- *Knight Arts Partnership Grant Award (\$30,000)* for "Creating a Digital Public Art Program - Developing New Web-based Technology to Make the Art in Public Places Collection More Accessible" - a challenge grant from the John S. and James L. Knight Foundation.
- *Public Art Network Year in Review 2008* - recognized works at MIA and the Port of Miami, including Barbara Neiljna's *Foreverglades*, Norie Sato's *Ghost Palms*, Brad Goldberg's *Coral Eden*, Shan Shan Sheng's *Ocean Waves I and II* and Dixie Friend Gay's *Ephemeral Everglades*.
- *Public Art Network Year in Review 2007* - celebrated installations at the Arsht Center including Jose Bedia's *Untitled* terrazzo floors and balcony railings, Cundo Bermudez' glass tile mosaic mural, *Ways of Performing*, Gary Moore's *Pharaoh's Dance* exterior plaza, Anna Valentina Murch's *Water Scores* and Robert Rahway Zakanitch's *Hibiscus Curtain* and *Green Lace Scrim*.
- Two 2007 Terrazzo Honor Awards - given to Gary Moore and Jose Bedia for public art installations at Adrienne Arsht Center for the Performing Arts of Miami-Dade County.
- 2007 National Association of Counties (NACo) award for the educational and promotional campaign entitled *From Vision to Reality: Public Art at Carnival Center for the Performing Arts*.
- Miami-Dade Art in Public Places was awarded The American Institute of Architects (AIA) 1999 Institute Honors for Collaborative Achievement for exceptional contributions to the design and architecture community.
- Miami-Dade Art in Public Places received two National Association of Counties (NACo) 1999 Achievement Awards, one for its innovative educational outreach program Master Peace and the other showcasing Collaborative Projects at Miami International Airport
- National Design in Transportation award from U.S. Department of Transportation and National Endowment for the Arts for the "Ninth Street Mall" project.
- Recognition awards from NACo (National Association of Counties) for four of its 1995 projects including the Metromover installation; a Family Development Center art installation by Beryl Solla; the 9th Street Mall project; and an educational project A Dialogue/Artists Talking with Artists Series.
- Seven grants from the Florida Department of State Cultural Affairs Division.
- Grants from Dade County Cultural Affairs Council and the Coconut Grove Arts Festival '93/94.
- Grant for an educational project with the Dade County Public Schools from the Dade County Public School Board.

Education and Outreach:

- *Miami-Dade County Art in Public Places Continues to be at the Forefront of Innovation with the Launch of a Highly Experiential Website, www.miamidadepublicart.org* - The newly designed website of Miami-Dade Art in Public Places, www.miamidadepublicart.org, extends the accessibility of more than 650 works of art from the Miami-Dade County Public Art Collection. The site allows residents and visitors anytime-online access to images and documentation of the public art collection, the ability to create virtual tours and capabilities to search the collection by media, artist or location. In addition, the new website features expanded content, opportunities for artists, tools, resources and news items that will be constantly updated. (2012)
- A Major Exhibition of APP Projects at the ArtCenter / South Florida: *"Not the Usual Suspects: [New] Art in [New] Public [New] Places"* which featured forthcoming and recently completed projects commissioned by the Miami-Dade County Art in Public Places Trust. (2011)
- *Downtown Miami Public Art Tour* - In collaboration with the Downtown Development Authority, APP curated a walking tour of public artworks located in downtown Miami. Online and printed maps, a downloaded audio tour and website were created for this initiative, which is being used to promote culture in the downtown area.
- *Published a Procedural Guide to Art in Public Places* This "Procedural Guide to the Art in Public Places Program" was developed by the department to provide County departments with a user-friendly

- Produced national conferences and seminars including the National Association of Local Art Agencies' Going Public Art Symposium, 1992
- Published a Teacher Learning Package - a book containing information on the Art in Public Places program and related lesson plans for teachers.
- Produced two video tapes on the program - one of them winning the "Wolfson Media Award." (1991)
- Established an exhibition program at Miami International Airport to showcase South Florida photographers. (1997)
- Participated in the Dade County Public School's Museum Education Program - whereby a paid professional conducts tours of public art installations with art education classes of up to 200 tours per year representing some 4000 to 5000 students per year. (1987)
- Developed the *Artists Talking with Artist/Dialogue* workshop series (five workshops).
- Agency was one of ten nationwide, which participated in a dialogue at the federal level with administrators at the Federal Transit Administration to formulate new policy on infrastructure design.

MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS
ART IN PUBLIC PLACES

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Carlos A. Gimenez, Mayor

Attachment 1

Attendance Records

Art in Public Places Trust
Attendance RECORD

APP Trust Last	APP Trust First	Jan. 13, 2015	Feb. 10 2015	Mar. 17, 2015	Apr. 14, 2015	May. 12, 2015	Jun. 9, 2015	Jul. 14, 2015	Aug. 11, 2015	Sep. 8, 2015	Oct. 13, 2015	Nov. 10, 2015	Dec. 8, 2015
Ackley	Susan	E	P	P	P	**	P	**	E	P	P	**	**
Aguila	Raul	E	E	E	E	**	E	**	E	NM	NM	**	**
Alexander	Steven					**	P	**	P	E	E	**	**
Bierman	Mitchell	P	E	E	NM	**	NM	**	P	NM	NM	**	**
Damian	Carol	P	P	P	P	**	P	**	P	P	E	**	**
Duignan	Marie Jocelyn	E	E	NM	NM	**	NM	**	NM	NM	NM	**	**
Gordon	Sandi-Jo	P	P	P	P	**	P	**	P	P	P	**	**
Grabiel	Julio	P	P	P	E	**	P	**	P	P	P	**	**
Jacobs	Cheryl	P	P	E	P	**	E	**	E	P	P	**	**
Kaplan	Betsy	P	P	P	P	**	E	**	P	P	P	**	**
Lambeth	Penny	E	P	E	P	**	P	**	E	E	P	**	**
Levine	Dr. Paula	P	E	P	P	**	E	**	P	E	E	**	**
Migdal	Zammy	P	P	E	P	**	P	**	P	E	P	**	**
Mikesell	Kathryn					**		**			NM	**	**
Orosz	Kathryn	E	E	P	E	**	E	**	P	E	P	**	**
Code:	P=Present												
	A=Absent												
	E=Excuse												
	NM=Non Member												
	# = No Quorum												
	** = No Meeting												

Art in Public Places Trust
Attendance RECORD

APP Trust Last	APP Trust First	Jan. 12, 2016	Feb. 9, 2016	Mar. 8, 2016	Apr. 12, 2016	May. 10, 2016	Jun. 14, 2016	Jul. 20, 2016	Aug. 9, 2016	Sept. 13, 2016	Oct. 18, 2016	Nov. 15, 2016	Dec. 13, 2016
Ackley	Susan	E	P	**	P	**	P	P	#	P	P	P	P
Alexander	Steven	P	P	**	E	**	E	P	#	P	E	E	P
Damian	Carol	P	P	**	P	**	P	E	#	P	P	P	P
Ervin	Susan			**		**	NM	NM	#	NM	NM	NM	NM
Galblum	Jeff		P	**	P	**	P	P	#	P	P	E	P
Gordon	Sandi-Jo	P	P	**	E	**	P	P	#	E	E	P	P
Grabel	Julio	P	P	**	E	**	E	P	#	E	P	P	P
Jacobs	Cheryl	P	P	**	P	**	P	P	#	E	NM	NM	NM
Kaplan	Betsy	P	P	**	P	**	P	P	#	E	P	NM	NM
Lambeth	Penny	E	P	**	E	**	P	P	#	E	P	P	E
Levine	Dr. Paula	E	E	**	P	**	P	E	#	P	P	P	E
Migdal	Zammy	P	P	**	P	**	E	E	#	P	P	E	P
Mikesell	Kathryn	P	P	**	P	**	E	E	#	P	P	E	P
Orosz	Kathryn	P	P	**	P	**	P	E	#	E	P	P	P
Pierre	Bernadette												
Code:													
	P=Present												
	A=Absent												
	E=Excuse												
	NM=Non Member												
	# = No Quorum												
	** = No Meeting												

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Carlos A. Gimenez, Mayor

Attachment 2 Ordinance

MIAMI-DADE COUNTY ART IN PUBLIC PLACES ORDINANCE

Adopted: September 18, 1973
Amended: December 1, 1978
Revised: December 21, 1982
Revised: February 8, 1994

ORDINANCE NO. 94-12 ORDINANCE RELATING TO ART IN PUBLIC PLACES TRUST, AMENDED TERMS OF MEMBERSHIP, PROVIDING SERVERABILITY, INCLUSION IN CODE AND AN EFFECTIVE DATE

Section 1. Section 2-11.15 (2) (a), Code Miami-Dade Dade County, Florida is hereby amended to read as follows:

1. Art in Public Places Program

- a. **Appropriation for construction to include amount of works of art.** Miami-Dade County and each municipality in Dade County shall provide for the acquisition of works of art equivalent in value to not less than one and one-half percent (1½%) of the construction cost of new governmental buildings; provided that no funds may be appropriated for this purpose from the ad valorem tax operations fund. To the extent the total appropriation is not used for the acquisition of works of art for said buildings, the remainder may be used for:
1. Program administrative costs, insurance costs or for the repair and maintenance of any works of art acquired under this section: or
 2. To supplement other appropriations for the acquisition of works of art under this section or to place works of art in, on, or near government facilities which have already been constructed.
- b. **Waiver of requirements.** The requirements of subsection (a) may be waived by resolution of the Board of County Commissioners of Miami-Dade County when and if it appears to said board that a construction project covered hereunder is not appropriate for application of the above requirements.
- c. **Definitions.** For the purpose of this section, the following terms are hereby defined:
1. Works of art are defined as the application of skill and taste to production of tangible objects according to aesthetic principles, including, but not limited to, paintings, sculptures, engravings,

carvings, frescos, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs and drawings.

2. Construction cost is defined to include architectural and engineering fees, site work, and contingency allowances. It does not include land acquisition or subsequent changes to the construction contract.

2. Art in Public Places Trust

There shall be an Art in Public Places Trust to administer the program.

- a. **Purpose.** The Trustees of the Art in Public Places Trust shall act in the public interest upon all matters relating to the program and shall support the program's goals and objectives. The Trustees' responsibilities include the selection, maintenance, planning public education and curatage curating of all works of art acquired by the program.
 1. **Membership; qualifications.** The Trust shall be composed of fifteen (15) Trustees appointed to staggered three-year terms by the Board of County Commissioners, serving without compensation. Each Board member shall be appointed to a term which shall end concurrently with the last day of the term of the County Commissioner who appointed the Board member, as provided in Section 2-38.2 of this Code. If a vacancy occurs prior to the expiration of the Board member's term, the County Commissioners who appointed that member shall appoint a new member to fill the balance of the term. Additionally, the Mayor shall appoint two (2) members of the Board of County Commissioners to sit as ex officio Trustees. Each Trustee must be knowledgeable in public art, must be a resident of Dade County and may not operate, own or be employed by any art dealer, art gallery, artists' representative, museum or other entity which derives income from the sale or display of art work. Membership is governed by Section 2-11.38 and 2011.39 of the Dade County Code.
 2. **Term of office.** No Trustee shall serve more than eight (8) consecutive years on the council; provided that this limitation shall not be applicable to Trustees with unexpired terms on November 1, 1993 who were reappointed after that date. Nothing shall prohibit any individual from being reappointed to the Trust after a hiatus of two (2) years.
- b. **Professional Advisory Committee.** The Professional Advisory Committee shall be composed of eleven members appointed by the Trust, and shall be compensated for professional services in accordance with a

schedule established by the Trust, although this shall not preclude donations of such services.

1. **Membership, qualifications.** Each member of the Professional Advisory Committee shall be a professional in the field of art, architecture, art history, or architectural history. Members' reasonable expenses shall be reimbursed at a uniform rate to be established from time to time by the Trust.
 2. **Term of office.** Each Professional Advisory Committee member shall service a two-year term and may be reappointed for a total of three consecutive terms.
 3. **Duties.** The Professional Advisory Committee will screen submissions and will recommend to the Trust for each acquisition not more than three possible selections, which may be existing works of art or new commissions.
 4. **Proceedings.** For each acquisition the Trust shall direct the Professional Advisory Committee to act as a committee of the whole or in smaller subcommittees.
- c. **Selection of works of art.** All acquisitions will be in accordance with the Master Art Plan. Trustees shall approve each acquisition from those selections recommended by the Professional Advisory Committee. The County Manager will negotiate and execute appropriate contracts to acquire each approved work of art. Funds may be aggregated to acquire works of art.
1. **Selection criteria.** In the selection process the following principles shall be observed:
 - a. Works of art shall be located in areas where residents and visitors live and congregate and shall be highly accessible and visible.
 - b. Areas used by tourists, including the airport, seaport, beaches, parks and thoroughfares, shall each have a separate Master Plan which shall be incorporated as a portion of the Master Art Plan.
 - c. The Trustees should consider the inherently intrusive nature of public art on the lives of those frequenting public places. Artworks reflecting enduring artistic concepts, not transitory ones, should be sought.
 - d. The Trust's selections must reflect the cultural and ethnic diversity of this County without deviation from a standard of excellence.

e. Final selection shall also take into account appropriateness to the site, permanence of the work in light of environmental conditions at the site, maintenance requirements, quality of the work, likelihood the artist can successfully complete the work within the available funding, diversity of the artists whose work has been acquired by the Trust.

d. **Master Art Plan and Implementation Guidelines.** The Trustees shall adopt and publish a Master Art Plan and written uniform guidelines to govern the manner and method of submission of proposed works of art to the Professional Advisory Committee, the process by which the Professional Advisory Committee shall make recommendations to the Trustees and the process by which the Trustees shall approve acquisitions. These shall be approved the Board of County Commissioners. Purchase and commissions pursuant to such approved guidelines shall be reflected on the information selection of the Commission agenda, but shall not require Commission approval.

3. **Ownership and upkeep.** Ownership of all works of art acquired by the County under this section is vested in Dade County. The Art in Public Places Trust is charged with the custody, supervision, maintenance and preservation of such works of art. In each instance, the County shall acquire title to each work of art acquired.

4. **Personnel.** The County Manager shall provide adequate and competent clerical and administrative personnel as may be reasonably required by the Trust for the proper performance of its duties, subject to budget limitations.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and to word "ordinance" may be changed to "section", "article", or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of its enactment.

ART IN PUBLIC PLACES

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Carlos A. Gimenez, Mayor

Attachment 3 Standard Operating Procedures

ART IN PUBLIC PLACES (APP) PROCEDURES

SUMMARY

The Art in Public Places (APP) program is a requirement for all capital projects of Miami-Dade County and each municipality in Miami-Dade County that develop new government buildings that shelter people in a wholly or partially enclosed manner and serve a public purpose. New government buildings include newly constructed structures and existing buildings that are converted to a new use. The County Code requires that 1½% of the construction cost of new government buildings be dedicated to public art projects through the APP program. This procedure explains:

- how to work with the Department of Cultural Affairs to implement the APP requirement;
- the processes to follow for repairing, restoring and inventorying public art works;
- procedures for municipalities to comply with the APP requirement;
- procedures for private sector capital development on land owned by local government or on private property with the building owned by local government;
- procedures for accessioning and deaccessioning artworks in the Public Art Collection; and
- "Frequently Asked Questions" that are based on policies established by the department and a series of opinions issued by the Office of the County Attorney to help clarify the requirements of the APP program.

PROCEDURE

General Information for Implementing APP Projects

1. Contact the Department of Cultural Affairs to set up a meeting to confirm the eligibility of the capital project for the APP and to review a complete capital budget for the project and perform an accurate calculation of the APP contribution.
2. All capital costs are included in the calculation of the 1½% APP allocation, including but not limited to:
 - architectural and engineering fees;
 - specialty consulting fees;
 - construction costs (including all systems and features that make a facility functional);
 - site work;
 - allowance accounts (e.g., permitting, surveying, inspections); and
 - contingency allowance.The only exclusions are land acquisition and subsequent changes to the construction contract through change orders.
3. Departments convey funds to APP from the moment the department receives spending authority for the capital project, upon award of design contract and/or construction contract. APP will work with department to determine the best approach and timing for the conveyance of the funds to the Department of Cultural Affairs.

4. APP funds are used by the Department of Cultural Affairs for commissioning works of art, APP program administrative costs, and repair and restoration expenses.
5. Municipal, state, federal, private and other non-County funds for a capital project are subject to the 1½% public art requirement.
6. APP may use funds generated from a construction project for acquisition of art works for other government facilities throughout the County. Every effort is made to use funds generated by a department's project within that department.
7. Projects done through development agreements (i.e., the County contracts with another party to develop a building that the County will own now or in the future) are subject to the APP requirement.
 - Development agreements must include language provided by APP regarding the requirement to transfer public art funds to Art in Public Places.

Tools for Departments to Implement APP

1. A completed APP Capital Project Budget Allocation Worksheet must be submitted by departments to the Department of Cultural Affairs as soon as a capital project budget is developed and prior to design contract and construction award. APP staff will confirm the accuracy of the calculation of the APP requirement for the project (see sample "APP Capital Budget Allocation Worksheet" at <http://www.miamidadepublicart.org/#tools>; this form also is available from APP staff).
2. APP will provide appropriate language to departments for inclusion under the "General Conditions Section 01042 - Art in Public Places Coordination" of the departments' capital projects contracts with architects, engineers, consultants, outside project management services, construction and development agreements.
3. Examples of prior APP projects, the list of members of the APP Trust and other APP background information can be found at www.miamidadepublicart.org.

The APP Artists Selection Process

1. APP works collaboratively with departments on developing the artists' selection process:
 - To identify opportunities for public art in a project (with departments' project managers, planners and architects);
 - To understand the unique features of the department's capital project (e.g., community impact, timetable requirements, etc.); and
 - To draft the "Call to Artists" (i.e., the APP request for artists' qualifications and/or proposals).
2. An APP Professional Advisory Committee (PAC) is convened to review artists' submissions and to make commission recommendations to the APP Trust. Committee members are arts professionals appointed by the APP Trust.
 - Departments attend and participate in the PAC selection process (especially, project managers/architects/engineers and representatives from the specific users of the building).
 - Community representatives can participate at the departments' and APP's discretion.
 - The size and scope of the project helps determine the opportunities identified for public art and the number of artists that may be selected to work on a project.
3. The PAC's recommendations of artists are approved and finalized by the Art in Public Places Trust (a 15-member board appointed by the Board of County Commissioners).

4. APP staff manages the work of the selected artists and closely coordinates this work with departments' project managers, architects/engineers/specialty consultants and contractors.

Keys to Successful APP Projects

1. Calculation of APP project funds must be done by using the APP Capital Budget Allocation Worksheet in consultation and concurrence with APP staff and based on actual A&E, consultants' and contractors' contract awards.
2. It is essential to contact APP as soon as capital project planning begins so that the timetable for the artists' selection process can be coordinated with the overall project's early design work.
3. Departments' full involvement with APP in identifying opportunities for art works, participating in the selection process and developing the art projects helps ensure that departments' needs can be addressed.
4. Departments must include APP requirements and contractual language in all capital projects agreements and contracts.
5. Representatives from departments must be identified for clear, consistent and regular communication and coordination with APP staff for each stage of the work - planning, A&E selection, design, construction and commissioning; these representatives must have direct access to decision-making authority for APP issues.
6. Departments must keep APP fully informed of capital project developments and especially of changes in order to avoid additional APP costs (e.g., redesign of art works, artists' delay claims, storage costs for art works, etc.); costs associated with failure to communicate with APP are the responsibility of the department.
7. The APP project manager must be included on the department's project management team, the artist(s) on the A&E team and the artist's fabricator/installer on the contractor's team; this is essential to ensure that departments' capital projects and the development of art works remain interlocked (e.g., planning, design and construction of the building is coordinated closely with the development and installation of the art work).

Repair and Restoration

1. Art in Public Places will dedicate 15% of all new public art allocations to a repair and restoration fund that will be utilized for specialized tasks required to restore and/or repair works of art in its collection (i.e., these funds are allocated from within the 1½% of APP funds generated by the capital project). These funds will be replenished on an ongoing basis with proceeds from new commissions.
2. Regular maintenance requirements of the commissioned artwork are discussed and coordinated with the department in advance of the project completion to ensure the long-term care of the work and are the responsibility of the department.
3. Contact APP before undertaking maintenance and/or repair of any art work. Works of art may require specialized treatment for upkeep and qualified professionals for maintenance or repair.
4. When a work of art is designed as an integrated part of a building, it simply may require that the department conduct standard cleaning procedures. For example, an artist-designed terrazzo floor typically requires the same kind of maintenance as a regular terrazzo floor and the department is responsible for doing the maintenance. Please call APP if there is any question about the care of a department's integrated art work.

5. Art works fabricated from special materials may require specialized maintenance treatment. For example, a bronze or stone work of art must be cleaned and treated with a specific maintenance product of a certain brand. Please call APP for guidance regarding the maintenance of art works made of special materials.
6. It is the departments' responsibility to train cleaning crews regarding the treatment of public art works to ensure proper care; APP is available to provide guidance for this training.
7. It is the departments' responsibility to inform tenants and lessees of their facilities about the care and requirements of public art works and to include provisions in tenant and lease agreements that make tenants and lessees responsible for the cost of repairing damages to public art works that are the result of negligence by the tenant or lessee.

Repair

1. Never attempt to repair an art work.
2. Contact APP immediately to report any damage to an art work and an APP staff member will be responsible for assessing the damage and determining the repair procedures.

Inventory: Departments' Responsibilities

1. Departments are responsible for conducting an annual inventory of their public art works and for reporting the results to APP.
2. Departments must appoint an APP liaison responsible for the annual inventory and annually inform APP regarding contact information for this individual.
3. Departments cannot move or relocate works of art; APP must be contacted if a department wants to move or relocate a work of art.

Inventory: APP's Responsibilities

1. APP annually will provide departments with a list of the art works and locations of the works in the departments to initiate the annual inventory.
2. APP will provide departments with contact information for its Collections Manager who is responsible for the inventory results.
3. APP will respond to departments' requests to move or relocate art works.

Information for Municipalities to Implement APP Projects

1. Municipal governments are required to implement the APP provision set forth in the County Code.
2. Municipalities have the option of administering their own public art projects or working collaboratively with Miami-Dade Art in Public Places to administer, manage and implement the public art projects.
3. If the municipality chooses to implement its own public art projects, it is responsible for adhering to the program's requirements, as outlined in these procedures and highlighted as follows:
 - 1½% of the total capital cost of new government buildings must be allocated for the commission or purchase of artworks as defined in these procedures;
 - a competitive, quality-based artist selection process must take place and a selection committee with knowledge and expertise in the visual arts must select the art work;
 - APP funds must be used solely for commissioning works of public art and a professional artist must be contracted with to implement the public art project;

- a percentage of the APP funds may be set aside for program administrative costs and repair and restoration expenses for the public art project. It is recommended that up to 15% of the total public art allocation be set aside for costs associated with administering the project and up to 15% be set aside for costs associated with the future repair or restoration of the public art project;
 - Miami-Dade County Department of Cultural Affairs and its APP staff are available to work with municipalities to assist them and confirm that they are meeting the APP program's requirements;
 - for General Obligation Bond-funded (GOB) projects, APP funds must be spent within the project that generates the APP funds; and
 - if a municipality chooses to implement its own public art projects, but requires the technical assistance of Miami-Dade County APP, a negotiated administrative fee can be determined based upon the complexity and duration of the project.
4. If the municipality chooses to work collaboratively with Miami-Dade APP to implement the public art requirements, Miami-Dade APP will oversee and provide services, highlighted as follows:
- work collaboratively with the municipality and its project team to identify opportunities for public art in the facility;
 - draft and distribute Call to Artists;
 - administer artist selection process;
 - coordinate the submission of the recommended artist(s) to the Miami-Dade APP Trust;
 - provide contract language for municipality's architect and contractor contracts to ensure APP coordination;
 - provide technical assistance to the selected artist(s) and serve as liaison between the artist(s) and commissioning municipality and its project team;
 - manage contract negotiations and process payments with artist(s);
 - coordinate installation of art work(s) with the municipality's project managers, architects/engineers/specialty consultants and contractor;
 - if a municipality chooses to work collaboratively with Miami-Dade APP, 15% of the total public art funds will be allocated to Miami-Dade Department of Cultural Affairs for costs associated with its administration of the public art project; and
 - if required by the municipality, the selected artist(s)/artwork(s), along with an alternate recommendation, will be presented to and reviewed by the municipality's governing body prior to the final approval of the Miami-Dade APP Trust.
5. Municipalities will own the resulting public art works and will be responsible for the maintenance, repair (as necessary), and inventorying of public art works. Municipalities can consult with Miami-Dade APP for technical assistance with these responsibilities.

Information for Private Sector Capital Development on Land Owned by Local Government or on Private Property with the Building Owned by Local Government

1. Capital projects done through agreements with a private entity, including but not limited to leases or development agreements (i.e., the local government contracts with another party to develop a building that the local government will own now or in the future), are subject to the APP requirement if:
- The project meets the eligibility criteria for the public art requirement (e.g., it is a building that shelters people in a wholly or partially enclosed manner); and

- The project serves a public purpose whether operated by local government or on its behalf, by a private operator; and/or
- The project relies on surrounding or adjacent local government buildings to function and is an integral component of the overall infrastructure of a public complex (e.g., a cargo facility at the airport); and/or
- The project enhances a patron experience at a local government facility (e.g., a restaurant).

Capital projects that are done through agreements with a private entity, including but not limited to leases or development agreements (i.e., the local government contracts with another party to develop a building that the local government will own now or in the future), to be operated by the private entity, may not be eligible for the art in public places requirement if the project meets the following criteria:

- The agreement between the local government and the private entity has a provision that allows the private entity the option to purchase the facility; and/or
 - The project has no public purpose and is not part of a complex of surrounding or adjacent local government buildings that function as a public complex and/or does not enhance a patron experience at a local government facility.
2. Capital projects that include complexes in which one or more of the buildings and/or a portion of a building meet the criteria for the APP requirement need to comply with the APP requirement for those eligible buildings and/or eligible portions of the building (e.g., a public parking garage built as a part of a private development complex that otherwise may not be subject to the APP requirement).
 3. Determinations as to the applicability of the public art requirement are made by the Director of the Miami-Dade Department of Cultural Affairs, are based on the section 2-11.15 of the County Code, Administrative Order 3-11 and the Miami-Dade Procedures Manual (Procedure No. 358), and may be considered by the Review Committee as set forth in Administrative Order 3-11, prior to consideration of the Board of County Commissioners.
 4. Private entities must work collaboratively with Miami-Dade APP to oversee the artist commissioning process to ensure the highest level of artistic quality and adherence to the program's requirements, as outlined in these procedures. APP will oversee and provide services, highlighted as follows:
 - work collaboratively with the private entity and its project team to identify opportunities for public art in the facility;
 - draft and distribute the Call to Artists;
 - administer the artist selection process;
 - coordinate the submission of the recommended artist(s) for the review and approval of the Miami-Dade APP Trust;
 - provide contract language for private entity's architect and contractor contracts to ensure APP coordination; and
 - provide technical assistance to the selected artist(s) and serve as liaison between the artist(s) and commissioning private entity and its project team.Once an artist is commissioned, the private entity may choose to oversee the implementation of approved public art projects or work collaboratively with Miami-Dade APP for it to oversee and provide services for the project's implementation. If APP administers the entire project, the private entity shall remit 15% of the total public art funds to the Miami-Dade Department of Cultural Affairs for costs associated with its

administration of the public art project. Should the entirety of the APP management services not be required, a negotiated administrative fee can be determined based upon the level of APP services required and the complexity and duration of the project. If APP oversees the implementation, APP's services are highlighted as follows:

- manage contract negotiations and process payments with artist(s);
 - coordinate the installation of art work(s) with the private entity's project managers, architects/engineers/specialty consultants and contractor; and
 - oversee the artist's work on design, fabrication, installation and commissioning of the art work(s).
5. The private entity must commit 15% of the total public art allocation for costs associated with the future repair and restoration of the public art project and remit the funds to the Miami-Dade County Department of Cultural Affairs for this purpose, no later than the art work's completion.
 6. Miami-Dade County will own the resulting public art work(s) and will be responsible for costs associated with the implementation of repairs (as necessary and as long as repairs are not the result of negligence on the part of the private entity, in which case the cost of repairs is the responsibility of the private entity), and inventorying of the public art work(s).
 7. Regular maintenance requirements of the commissioned art work(s) are the responsibility of the private entity. These needs will be discussed and coordinated with the private entity in advance of the project completion to ensure the long-term care of the work.

Accession Procedures

1. Accessioning is the formal acceptance of an artwork into the Miami-Dade County Art in Public Places Collection (Collection). Accessioning artwork into the Collection indicates the intent to apply professional standards of care, display, and maintenance over the life of the artwork, or until the artwork is no longer displayable and is deaccessioned from the Collection.
2. Artworks will be entered into the Collection inventory as soon as a commissioning or purchasing contract is executed and these inventory entries will be annotated as "works in progress" with periodic updates included as necessary to describe the status of completion accurately. Artworks will be annotated as fully accessioned in the Collection inventory only upon completion of all facets of the commissioning or purchasing contract or of the required review process for gifts and other artworks. Conditions, restrictions, or limitations cannot be attached to the accessioning that would limit the use of the artwork.
3. The signed contract transferring title for the artwork and clearly defining the rights and responsibilities of all parties will accompany every acquisition.
4. Acquisitions result from:
 - Projects of the Miami-Dade County Art in Public Places Program pursuant to Section 2.11.15 of the Miami-Dade County Code;
 - Gifts with a fair market value greater than \$1,000, which will be reviewed and accessioned in accordance with the Miami-Dade County Administrative Order No. 1-3;
 - Gifts with a fair market value less than \$1,000 that are reviewed and accepted by the Art in Public Places Trust; or
 - Other artworks, including but not limited to work that are un-accessioned items found in the existing Public Art Collection or in the possession of Miami-Dade County government that are determined to have sufficient artistic merit and recommended for inclusion in the Miami-

- Dade County Public Art Collection. Factors considered in making this recommendation include: the quality of the work; the artist's intent for the work to be considered a stand-alone art work; the degree to which the design, materials and execution of the work constitutes a finished work of art; the suitability of the work to be placed on public display in furtherance of the mission of the APP program; and the commitment to exercising accountability and care for works of art created through the APP commissioning process and/or owned by the County. These artworks must be reviewed and accepted by the Art in Public Places Trust.
5. All acquisitions will be entered into the Collection inventory and added to the Internal Services Department (ISD) Capital Inventory Record.
 6. Once the Art in Public Places program takes possession of an artwork, it should have the sole right to determine how and when that artwork is shown, safeguarded, or deaccessioned, subject to its professional practices and policies and in accordance with County policy.

Deaccession Procedures

1. The deaccessioning of artwork is the removal of an object from the Miami-Dade County Art in Public Places Collection. This includes the removal of the artwork from its public site, removal from the maintenance cycle, and moving of records, both hard copy and electronic, into a Deaccessioned Collection file and as required by Miami-Dade County Administrative Order No. 8-2, transferred into the archived portion of the ISD Capital Inventory Record. Deaccessioning will be considered only after a careful evaluation of the artwork within the context of the Collection as a whole and will be consistent with Miami-Dade County Administrative Order No. 8-2 – Care, Control and Disposal of County Property. Only the Miami-Dade County Art in Public Places Trust has the authority to deaccession artworks in the Art in Public Places Collection.
2. Once an artwork has been accessioned, it may not be deaccessioned on the basis of content.
3. An artwork may be considered for deaccession under the following conditions only:
 - The artwork cannot be located after reasonable and diligent searches. As required by Miami-Dade County Administrative Order No. 8-2, a police report must be filed for unlocated artwork(s) and an investigation report and recommendation must be submitted to ISD;
 - The artwork has been damaged beyond repair, damaged to the extent that it no longer represents the artist's intent, or damaged to the extent that the expenses of restoration and repair are found to equal or exceed current market value of the artwork. As required by Miami-Dade County Administrative Order No. 8-2, a police report must be filed for damaged or destroyed artwork(s) and an investigation report and recommendation must be submitted to ISD;
 - The artwork is not, or is only rarely, on display due to lack of a suitable site;
 - For site-integrated or site-specific artworks, the site for which the artwork was specifically created is structurally or otherwise altered and can no longer accommodate the artwork, is made publicly inaccessible as a result of new construction, demolition, or security enhancement, or has its surrounding environment altered in a way that significantly and adversely impacts the artwork;
 - For site-integrated or site-specific artworks, the site for which the artwork was specifically created is sold or acquired by an entity other than Miami-Dade County;

- The artwork was purchased as a semi-permanent acquisition and the County's predetermined period of obligation is terminated;
 - There is a documented history of incident(s) that shows the artwork is a threat to public safety;
 - The artist legally exercises the right of disassociation granted by the Visual Artists Rights Act of 1990, preventing the use of his or her name as the creator of the artwork;
 - The artwork requires excessive maintenance and/or the condition or security of the artwork cannot be reasonably guaranteed;
 - The artwork has been determined by the Art in Public Places Trust deaccession process to be of inferior quality relative to the quality of other works in the Collection or the County wishes to replace the artwork with a work of more significance by the same artist; and/or
 - At the time of accessioning, complete information on the provenance of the artwork was not available, or more information has since become available, indicating that the artwork should not be part of the Miami-Dade County Art in Public Places Collection.
4. Department of Cultural Affairs staff will prepare a written recommendation for deaccession of artworks from the Collection based on one or more of the conditions in Section 3 above for review and evaluation by the Miami-Dade County Art in Public Places Professional Advisory Committee (Professional Advisory Committee), and subsequent review, evaluation and action by the Art in Public Places Trust. The staff reserves the option of hiring a consultant for advice on specific elements of the artwork being considered through the deaccession process.
 5. Artists whose work is being considered for deaccession shall be notified by mail using the current address provided by the artist. Artists also shall be notified of the recommendation of the Professional Advisory Committee and of the Art in Public Places Trust meeting scheduled to consider this recommendation.
 6. All legal documents relating to the artwork, including but not limited to contracts with the artist and agreements related to a donation of the artwork as applicable, will be consulted as part of the deaccession process. When applicable and feasible, the donor of an artwork under consideration for deaccessioning will be notified.
 7. At a Professional Advisory Committee meeting, Miami-Dade County Department of Cultural Affairs staff will present reports on artworks to consider for deaccession that include:
 - Reasons for the suggested deaccession accompanied by such other documentation and information as may be relevant;
 - Acquisition method, cost, and estimated current market value;
 - Documentation of correspondence with the artist;
 - Photo documentation of site conditions (if applicable);
 - In the case of damage, a report that includes the official police and investigation reports and recommendation, and documents the original cost of the artwork, estimated market value, and the estimated cost of repair; and/or
 - In the case of theft or loss, the official police and investigation report and recommendation, including when possible, a report prepared by the agency responsible for the site of the loss.
 8. The Professional Advisory Committee will then make a recommendation to the Miami-Dade County Art in Public Places Trust, including actions regarding the disposition of the artwork pursuant to Section 9 below. If the Professional Advisory Committee recommends that an

- artwork be retained, an explanation stating the Committee's reasons and recommendations shall be set forth in the minutes of the Committee's meeting and shall be submitted to the Art in Public Places Trust. The Trust may decide to seek additional information.
9. The decision to deaccession artwork will result from a resolution requiring a majority vote by the Miami-Dade County Art in Public Places Trust. Upon this decision to deaccession artwork, the Trust will consider what action should be taken, with priority given to public benefit from the Collection. Every step will be taken to arrive at a mutual balance between observing the rights of the artist and public benefit. Actions will be consistent with Miami-Dade County Administrative Order No. 8-2 and may include:
- Trade through artist, gallery, museum, or other institutions for one or more other artwork(s) of comparable value by the same artist or to reduce the purchase price of a replacement artwork;
 - Long-term or permanent loan offered first to other governmental units and then, to eligible community based organizations, such as museums or educational/non-profit institutions, subject to being afforded equal participation opportunity to review and select the artwork(s);
 - Donation first to other governmental units and then, to eligible community based organizations, such as museums or educational/non-profit institutions, subject to being afforded equal participation opportunity to review and select the artwork(s);
 - Sale to interested potential bidders with "first offer" right to governmental units located within Miami-Dade County, in compliance with Administrative Order No. 8-2 governing surplus County property. Any pre-existing contractual agreements between the artist and the County regarding resale shall be honored, including but not limited to the original artist's having first right of refusal to purchase his or her artwork at its current market value;
 - In special situations, the Miami-Dade County Art in Public Places can negotiate the transfer of an artwork to another entity. For site-integrated or site-specific artworks, when the site for which the artwork was specifically created is sold or acquired by an entity other than Miami-Dade County, the ownership of the artwork can transfer to that entity. Artwork in the Public Art Collection should be in exhibitable condition and continue to reflect the artist's original intent. Should the artwork selected for transfer need to be repaired cleaned, or restored, the negotiated transfer will include conservation provisions and, unless negotiated otherwise, the receiving entity pays for the restoration. The receiving entity should have an art plan that defines their commitment to the artist and the continued care of the artwork; and/or
 - For artwork(s) not able to be disposed of by the methods outlined above, destruction or recycling of materials comprising the artwork, in accordance with Chapter 274 of the Florida Statutes, so that no piece is recognizable as part of that artwork.
10. In the event the artist disagrees with the decision of the Miami-Dade County Art in Public Places Trust, the artist may request reconsideration of the deaccession. This request must be filed in writing with the Miami-Dade County Department of Cultural Affairs within 30 days of the Trust's deaccession decision, and it must be based on information that was not considered during the Professional Advisory Committee's and the Art in Public Places Trust's meetings on the deaccession.
11. The Miami-Dade County Department of Cultural Affairs will work cooperatively with the Internal Services Department, Fixed Assets & Division Operations section of the County

- regarding the implementation of this policy for deaccessioned artworks and will notify ISD about all actions under formal consideration and taken by the Miami-Dade County Art in Public Places Trust affecting artwork(s) in the County's inventory.
12. A report will be sent to the County Mayor, Board of County Commissioners and ISD regarding the Miami-Dade County Art in Public Places Trust's action(s) regarding deaccessioned artworks.
 13. The artwork, or its remains, shall be disposed of by the Miami-Dade County Art in Public Places staff, or its agents, upon deaccession action. It is the obligation of the Miami-Dade County Art in Public Places Program to ensure that all disposals with regard to the Collection be formally and publicly conducted and adequately documented in accordance with applicable provisions of the Florida Statutes and the Code of Miami-Dade County utilizing a variety of disposal methodologies.
 14. A permanent record of the artwork's inclusion in the Miami-Dade County Art in Public Places Collection, and reasons for its removal, shall be maintained in a Deaccessioned Collection file, and will be kept as a separate section of the Miami-Dade County Art in Public Places Collection records. Miami-Dade County Department of Cultural Affairs staff will notify ISD Fixed Assets & Division Operations section of all deaccessioned artwork(s) so that the artwork(s) can be deleted from the Department's Capital Inventory Record.
 15. No artworks shall be sold or traded to a member of a governing body or staff of Miami-Dade County government including the members of the Miami-Dade County Art in Public Places Trust and its Professional Advisory Committee, consistent with Miami-Dade County conflict of interest policies.
 16. All proceeds from the sale of any artwork from the Miami-Dade County Art in Public Places Collection shall be deposited in the Art in Public Places Trust Fund. Funds from artwork sales may be used in any manner consistent with the enabling legislation of the Art in Public Places program and County policies regarding public artwork.

Frequently Asked Questions

1. Applicable Projects and Costs.
 - What if we are uncertain about whether the APP requirement applies to a project or components of a project?
 - Call the APP staff if you have any questions about the APP requirements. In addition, the FAQs below may provide answers to your questions.
2. Contingency Allowances.
 - Are contingency allowances covered by the APP requirement, even if eventually they are not used or fully used for the project.
 - Yes. The APP allocation is calculated and transferred to APP upon the award of the contract.
3. Inspector General.
 - In calculating the APP allocation, should the Inspector General cost be included in the base for the APP calculation?
 - Yes, the APP calculation is taken against the total contract amount.
4. Capital Outlay Reserve Funds (CORF).
 - Are construction projects funded by the Capital Outlay Reserve Fund covered by the APP requirement?
 - Yes. The APP requirement applies to all County construction projects for new buildings.

5. Funding Sources That Disallow Public Art.
 - Does the APP requirement apply to construction projects that are funded by grants or other sources which disallow public art?
 - If a grant or another funding source specifically prohibits the use of funds for compliance with the APP requirement, the department must use other funds to satisfy the APP requirement.
6. General Obligation Bond (GOB) Projects.
 - Does the APP requirement apply to GOB projects?
 - Yes, the APP requirement applies to all County construction projects for new buildings. In addition, the APP requirement applies to GOB projects for new buildings done by municipal governments.
7. Capital Work Done by the County.
 - Does the APP requirement apply to the cost of architectural and engineering services performed by County personnel and to the cost of in-house construction labor, materials, and/or machinery?
 - Yes. The APP requirement applies to the construction cost of new government buildings regardless of the source of funds for the project.
8. Private Sector-Funded Projects.
 - Does the APP requirement apply to buildings financed and constructed on County property by private sector investors?
 - Yes. The APP requirement applies to the construction cost of new government buildings regardless of the source of funds for the project. Please see the section, "Information for Private Sector Capital Development on Land Owned by Local Government or on Private Property with the Building Owned by Local Government."
 - What happens if the APP funds are not included in the development agreement with the private sector and/or are not collected by the department from the private sector?
 - The department will need to convey the funds for the APP requirement from another revenue source.
9. Conveyance of APP Funds.
 - When are funds conveyed to APP? Whom do we contact for details about conveying funds?
 - Funds are conveyed to APP when the department receives spending authority for the capital project. For example, when an A&E contract is authorized, 1½% of the contract must be conveyed to APP. Please contact Deborah Margol, Deputy Director, Department of Cultural Affairs, for instructions to convey funds (305-375-2577; debo@miamidade.gov).
10. Demolition.
 - Does the APP requirement apply to demolition costs?
 - Yes, if demolition is part of a construction project that is covered by the APP requirements.
11. Building Additions.
 - Are additions to an existing structure covered by the APP requirement?
 - Yes, additions are considered to be "new government buildings."
12. Building Adaptations.
 - a. Are existing buildings that are acquired and converted for a new governmental use covered by the APP requirement?

- b. Yes, the acquisition cost of the building (excluding the estimated cost of the land) and the capital costs of the conversion of the building for a new governmental use are covered by the APP requirement.
13. Equipment.
- Are equipment costs subject to the APP requirement?
 - Yes. The APP requirement covers all systems and features that make a facility functional, even if the equipment is acquired through a separate contract.
14. Parking Garages.
- Does the APP requirement apply to a parking garage?
 - Yes.
15. Roadways and Sidewalks.
- Does the APP requirement apply to roadways and sidewalks?
 - Yes, if the roadways and sidewalks are part of a construction project that is covered by the APP requirement.
16. Selection of Art Must Be by APP.
- Can a department satisfy the APP requirement by selecting and purchasing an artwork itself?
 - No. Works of art must be selected in compliance with the process required by the APP program and overseen by the APP Trust and staff. Please see the section, "The APP Artists Selection Process" on page 2.
17. Adherence to the Art in Public Places Requirement.
- Can departments waive the APP requirement?
 - No. Section 2-11.15 of the Miami-Dade County Code sets forth the requirements for the APP program and provides that only the Board of County Commissioners has the authority to waive the APP requirement. Administrative Order 3-11 prescribes a process involving a Review Committee which can be convened to conduct a hearing of a request for a waiver and states that the Review Committee will evaluate such requests as follows: "If the facility does not conform to the definition of 'new governmental building' a waiver will be recommended to the Board of County Commissioners. Only the BCC is authorized to grant waivers. Waivers must be secured prior to the award of the construction contract."
18. Unsuitable Locations.
- Does the APP requirement apply to a new building that may not provide a suitable location for a public artwork and may the APP funds be transferred for expenditure to another site?
 - Yes. The APP requirement covers all new government buildings. There is no requirement in Section 2-11.15 of the Miami-Dade County Code that artworks be located at the site of the project that funded the artwork. APP will work with departments to identify suitable alternative locations.
19. Donations of Artwork.
- What is the process for departments to accept donations of art work(s)?
 - The process for accepting gifts of art works is covered by Administrative Order No. 1-3. It requires that the APP Trust and its Professional Advisory Committee review and provide the department with a recommendation for all donations of artwork or commemorative and/or memorial structures of artistic merit, valued in excess of \$1,000.

CONTACT(S):

Department/Division
Department of Cultural Affairs

REFERENCE DOCUMENT(S):

Section 2-11.15 of the Miami-Dade County Code
Administrative Order 3-11, Art in Public Places Program Implementation and Fund Transfer
Procedure
Administrative Order No. 8-2, Care, Control and Disposal of County Property
Administrative Orders No. 1-3, Gifts to the County
Copies of all County Attorney Opinions related to these procedures are maintained by the
Department of Cultural Affairs

MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS
ART IN PUBLIC PLACES

111 NW 1st Street, Suite 625

Miami, FL 33128

T 305-375-4636

MiamiDadearts.org / MiamiDade.gov

Carlos A. Gimenez, Mayor

Attachment 4 By-Laws

BYLAWS OF MIAMI-DADE COUNTY ART IN PUBLIC PLACES TRUST

ARTICLE I Authority and Scope

Section 1. Authority. Miami-Dade County Art in Public Places Board was created by Ordinance No. 73-77 adopted on September 18, 1973. The Art in Public Places Trust (the "Trust") is part of the Government of Dade County, Florida, having been established by Ordinance No. 82-112, adopted by the County Commission on December 12, 1982 and amended by Ordinance No. 94-12 on January 18, 1994.

The Ordinance empowered the Trust with the task of administering the Art in Public Places program, established qualification for Trust membership, its term of office and duties. The Ordinance further set forth certain powers for the Trust, provided for its funding and other various matters pertaining to its operations. The Ordinance instructed the Trust to adopt a Master Art Plan and Implementation Guidelines for acquiring art work, with the advice of a Professional Advisory Committee ("PAC") supervision, maintenance and preservation of art work property of Dade County. These Bylaws are adopted pursuant to the authorization contained in the Ordinance Section 2, paragraph (a) which empowers the Trust to "act in the public interest upon all matters relating to the (Art in Public Places) program."

Section 2. Scope. These Bylaws are intended to supplement the matters covered by the Ordinance and not to supersede or modify any of its provisions. In the event of any conflict between the Ordinance and the Bylaws, the text of the Ordinance or any other application ordinance or law, shall govern.

ARTICLE II Meeting of the Trust

Section 1. Public Meetings. All meetings and business of the Trust shall comply with all requirements of Florida Chapters 119 and 286 and any amendments thereto and shall be open to the public at all times. Meetings shall be conducted according to the Roberts Rules of Orders (newly revised), unless waived.

Section 2. Regular Meetings. Regular meetings of the Trust shall be held monthly, unless waived by the majority of the Trust or Executive Committee and at such place within Dade County as shall be determined by the Trust Chairperson and the Trust.

Section 3. Special Meetings. Upon the call of the Chairperson, Executive Committee or any five members or a vote by the Trust, other meetings of the Trust may be held at any time upon notice by letter, telegram or in person, sent not later than five days before such a meeting and in compliance with Florida Chapter 286 (see Section 1).

Section 4. Agenda. The agenda for all meetings of the Trust shall be prepared by the Executive Director after consultation with the Chairperson and Executive Committee. Additional agenda items may be proposed by any member of the Trust. Copies of the agenda shall be sent to members prior to the date of the meeting.

Section 5. Voting. Each member shall be entitled to one vote on matters coming before a meeting of the Trust. No member may vote by proxy. The Trust shall act as a body in making its decisions. No member present at a meeting may abstain from voting except in cases of conflict of interest.

Section 6. Quorum. Half of the Trust members constitute a quorum. During the months of June, July and August, six members of the Trust will constitute a quorum. Provided there is a quorum, a majority of those present and voting shall be required to adopt a motion.

Section 7. Conduct of Meetings. All meetings shall be open to the public but participation in discussions by members of the public shall be at the sole discretion of the Chairperson of the meeting. The Trust by a majority vote can override the Chairperson's decision. The agenda shall be followed to the extent possible but other matters may be considered at the discretion of the majority of the Trust.

Section 8. Public Appearances and Requests. Any Dade County resident or organization shall be entitled to request to appear before the Trust. Such request shall be made in writing and shall be delivered to the Trust office at least 15 days before the day of the regular meeting of the Trust with a copy mailed to the Chairperson. The written communication shall include all relevant facts concerning the personal appearance or request. Scheduling of the appearance or the request shall be at the discretion of the Chairperson and the Executive Director.

Section 9. Records. Minutes of the business conducted at all meetings of the Trust shall be kept and shall be open for public inspection. The minutes of each meeting shall be subject to approval by the Trust and shall be signed by the Chairperson and an officer for the Trust. The minutes shall be forwarded to each Trust member prior to the next subsequent meeting for approval and action at such subsequent meeting.

ARTICLE III Organization

Section 1. Membership. The Art in Public Places Trust shall be composed of 15 members appointed by the Board of County Commissioners to a term which shall end concurrently with the last day of the term of the County Commissioner who appointed the board member. Two members of the Board of County Commissioners, appointed by the Mayor, shall sit as ex officio members. Each member must be knowledgeable in public art, must be a resident of Dade County and may not operate, own, or be employed by any art dealer, art gallery, artist's representative, museum or other entity which derives income from the sale or display of art work.

Section 2. Vacancies. Vacancies are filled by the County Commissioners who appoint one Trustee per commissioner and two at-large by vote of the County Commissioners.

Section 3. Resignation/Termination. Any member may resign at any time by delivering written notice of such resignation to the Chairperson of the Trust. A person appointed in place of the member who resigned shall serve the unexpired term of the original appointment.

Section 4. Reappointment. No Trustee shall serve more than eight (8) consecutive years on the Trust; nothing shall prohibit any individual from being reappointed to the Trust after a hiatus of two (2) years.

Section 5. Compensation. Members shall receive no compensation for service on the Trust, but may be reimbursed for parking expenses for attending duly advertised Trust meetings.

Section 6. Attendance. Attendance shall be governed by Article 1B, Section 2.11.39 of the County Code. Members' absences from Trust meetings shall be excused by vote of the Trust.

Section 7. Conflict of Interest. Members shall observe requirements of the County Conflict of Interest Ordinance and shall abstain from voting on matters in which their vote could be constitute conflict of interest. The determination of a possible conflict of interest shall be made by the Trust's counsel, when members shall ask for guidance in such cases.

Section 8. Financial Disclosure. Members shall submit annually to the County their financial disclosure statements on or before July 15th.

Section 9. Sunshine Law. Members in their public and private actions that concern Trust business shall observe the provisions of the Florida "Sunshine Law".

ARTICLE IV Officers

Section 1. Number. The officers of the Trust elected by members shall be Chairperson, Vice-Chairperson, and Secretary-Treasurer.

Section 2. Executive Committee. The Executive Committee shall be composed of the officers of the Trust and two at-large members who shall be elected by the membership. Other officers may be elected from time to time if the majority of the Trust determines it be necessary or desirable for the efficient administration of the Trust. The Executive Committee shall recommend actions to be taken to the Trust and shall function according to the rules governing the Trust. The Chairperson of the Trust shall be the Chairperson of the Executive Committee.

Section 3. Operations of the Executive Committee. The Executive Committee shall meet at least once a month, or more often when the Trust business so requires unless waived by a majority of the Executive Committee. A meeting of the Executive Committee shall be called when requested by at least two of its five members, or the Chairperson. Three members shall constitute a quorum and a majority of those present shall be required to adopt a motion. The meeting of the Executive Committee shall be always open and shall be held at the offices of the Trust, or any appropriate public place.

Section 4. Legal Counsel. The Trust shall have a legal counsel, appointed by the County Attorney, who shall be available for consultation by the Executive Committee and Trust members in legal matters concerning the Trust and its operations.

Section 5. Term of Office. Each officer of the Trust shall be elected for a one-year term and may be re-elected as desired by the Trust.

Section 6. Duties.

- (a) The Chairperson of the Trust shall be the Chief Executive Officer of the Trust. The Chairperson shall preside at all full Trust meetings, shall sign all documents requiring an official signature on behalf of the Trust, including its annual report to the Board of County Commissioners. The Chairperson shall see to it that the transaction of all Trust business in accord with the law, the Ordinance, these bylaws and the conflict of interest statement. The Chairperson and the Executive Committee shall recommend and the Trust shall approve Chairperson and members to serve on the various standing and special committees of the Trust except that the Liaison Committee described in Section III of the Implementation Guidelines shall be recommended to the full Trust by the Executive Director. No pronouncements made by the Chairperson as spokesman or representative of the Trust shall obligate or commit the Trust except as provided by these bylaws and specifically authorized by the Trust.
- (b) The Vice-Chairperson shall act in the absence of the Chairperson in the conduct of meetings or otherwise shall perform such duties as may be delegated by the Chairperson of the Trust.
- (c) The Secretary-Treasurer shall be the secretary and the chief financial officer of the Trust responsible for overseeing the budget, prepared by the Executive Director, funds and other assets which are property in the care of the Trust. The Secretary-Treasurer shall supervise the keeping of all necessary financial records to ensure the safety of the financial and other assets in the care of the Trust to satisfy all Dade County ordinances applicable thereto. The records shall be kept at the office of the Trust and shall be open to inspection at reasonable time. No bond shall be required of the Secretary-Treasurer unless decided by vote of a majority of the Trust. The Secretary-Treasurer may recommend opening a special banking account, by the Trust for depositing private sector donations to the Trust. No Trust monies may be withdrawn, nor assets transferred without the signature of any two of the five officers of the Trust.

Section 7. Removal. Any officer may be removed from office upon 2/3 vote of the remaining members of the Trust at a regular meeting, or a special meeting called for that purpose, provided that in the case of a special meeting the notice of the meeting shall specify the purpose thereof.

ARTICLE V Committees

Section 1. Standing Committees. The following Standing Committee of the Trust shall be constituted:

- (a) Budget and Finance
- (b) Community Relations and Public Information

The committees shall consist of a minimum of three members of the Trust. The committees shall operate in accordance with the law, the Ordinance and these bylaws and are empowered only to make recommendations to the Trust.

Section 2. Duties of the Standing Committee.

- (a) The Budget and Finance Committee shall oversee the finances and budget of the Art in Public Places Trust prepared by the Executive Director and staff.
- (b) The Community Relations and Public Information Committee shall oversee the development and implementation of a comprehensive, multi-media public information program both on the local and national levels to acquaint the community and the country with the goals and accomplishments of Dade County's Art in Public Places Trust.

Section 3. Special Committees. Special and ad-hoc committees dealing with specific matters may be constituted by the Trust. The Nominating Committee shall be an ad-hoc committee, constituted annually to recommend new Trust appointments and officers of the Trust. Its duties shall be as follow:

- (a) The Nominating Committee shall review all applications to Trust membership and make recommendations to the Trust in writing and in advance of the meeting at which these recommendations are to be acted upon.
- (b) Following the annual appointment of new members, the Nominating Committee shall submit recommendations for officers to the Trust in writing and in advance of the meeting at which these recommendations are to be acted upon. Candidates other than those nominated by the Committee may be nominated from the floor.

Members of the public other than Trust members may be asked to serve in non-voting advisory capacity to special committees.

ARTICLE VI
Miscellaneous

Section 1. Fiscal Year. The fiscal year of the Trust for all purposes shall coincide with that adopted by the County.

Section 2. Amendments. The Trust, by a majority vote of all its members, shall have the power to amend or repeal these bylaws or to adopt new bylaws.

Amended: November 12, 1995
Amended: January 18, 1994
Amended: May 12, 1987

MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS
ART IN PUBLIC PLACES

111 NW 1st Street, Suite 625

Miami, FL 33128

T 305-375-4636

MiamiDadearts.org / MiamiDade.gov

Carlos A. Gimenez, Mayor

Attachment 5

Minutes from Board Meeting approving completed Sunset Review, including a vote of membership

**MINUTES OF THE
MIAMI-DADE COUNTY ART IN PUBLIC PLACES TRUST
December 13, 2016**

A meeting of the Miami-Dade Art in Public Places Trust was held at the Stephen P. Clark Center, 111 NW 1st Street, Miami, FL.

MEMBERS PRESENT

Sandi-Jo Gordon, *Chairperson*
Susan Ackley, *Vice Chairperson*
Steven Alexander
Carol Damian
Susan Ervin
Julio Grabiell
Cheryl Jacobs
Kathryn Mikesell
Kathryn Orosz

MEMBERS NOT PRESENT

Dr. Paula Levine
Zammy Migdal
Bernadette Pierre

STAFF

Carolina Alfonso
Lydia Lopez
Deborah Margol
David Martinez-Delgado
Patricia Romeu
Amanda Sanfilippo
Michael Spring

Chairperson Sandi-Jo Gordon called the meeting to order at 12:30 p.m.

Requests for Excused Absences for December 13, 2016

Requests for excused absences submitted by Dr. Paula Levine, Zammy Migdal and Bernadette Pierre were approved unanimously (motion by Steven Alexander, seconded by Susan Ackley).

ITEMS FOR APPROVAL

Approval of the November 15, 2016 Trust Minutes

The Trust minutes of the November 15, 2016 meeting were approved unanimously (motion by Carol Damian, seconded by Julio Grabiell).

Approval of the December 7, 2016 Professional Advisory Committee (PAC) Minutes

The PAC Minutes of the December 7, 2016 meeting were approved unanimously (motion by Kathryn Mikesell, seconded by Cheryl Jacobs).

Trust Resolution No. APPT 16-29 *Miami-Dade Empowerment Center, Proposal Contracts*

Art in Public Places (APP) Project Manager Carolina Alfonso reiterated that the meeting of the PAC held on December 7, 2016 was for the purpose of selecting artists to complete proposals for the new Miami-Dade County Empowerment Center. As Ms. Alfonso noted, shortlisted artists will be invited to create proposals including but not limited to outdoor hardscape, perimeter walls, and features related to a meditation garden. Ms. Alfonso noted the purpose of the facility is to be a welcoming, accessible environment to empower survivors of domestic violence and their children by meeting their needs for self-determination, security, and dignity.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 16-29 recommends Proposal Contracts with the following six artists in a not-to-exceed fee of \$1,000 for each artist for a combined total expenditure amount not-to-exceed \$6,000 for the Empowerment Center (from Homeless Trust Art Funds):

1) Felecia Carlisle; 2) Dara Friedman; 3) Brookhart Jonquil; 4) Monica Lopez De Victoria; 5) Karen Rifas; 6) Philip Smith; and 7) Michelle Weinberg.

The motion to adopt Trust Resolution No. APPT 16-29 was approved unanimously (motion by Ms. Ackley, seconded by Ms. Mikesell).

Trust Resolution No. APPT 16-30 *Parks, Recreation and Open Spaces (PROS): Father Gérard Jean-Juste Community Center at Oak Grove Park, Proposal Contracts*

APP Project Manager Patricia Romeu noted that the meeting of the PAC that was held on December 7, 2016 also was for purpose of selecting artists to complete proposals for the Father Gérard Jean-Juste Community Center at Oak Grove Park. APP Curator Amanda Sanfilippo noted that possible artworks include but are not limited to elements for the pool deck and splash pad, and a privacy wall and fence encircling the pool area. The park is named after an important Haitian-American figure, Father Gérard Jean-Juste, who is being honored for his work with Haitian refugees.

Michael Spring, Director of the Department of Cultural Affairs, noted that the PAC meeting included representatives from PROS and the project architects who were

invited to share feedback. Mr. Spring noted that there was a conversation regarding the fact that not many artists of Haitian descent were in the shortlisted group, with Vickie Pierre as the only Haitian-American artist selected. There was concern, as this project is a major achievement for Commissioner Monestime who has been advocating for the project for years within his district encompassing large Haitian-American population. Mr. Spring noted that following the PAC meeting where the shortlist was determined, feedback from Commissioner Monestime's office included the respectful request to add another artist to this list, Philippe Dodard, a well-established Haitian artist with a track record of museum exhibitions internationally. APP Curator Amanda Sanfilippo shared a presentation of the work of Port-au-Prince-based artist Philippe Dodard, and Trust Member Carol Damian noted her familiarity and past experience with the artist at the Art Museum at Florida International University.

Mr. Spring asked the Trust to consider adding Philippe Dodard to the list of artists who would compete for the commission, which would be within the purview of the Trust.

Ms. Gordon presented Trust Resolution No. APPT 16-30 recommending Proposal Contracts in substantially the form attached with artists:

1) Alejandro Contreras, Inc.; 2) Emmett Russell Lott Moore; 3) Nice N' Easy (artists team of Allison Matherly and Jeffrey Nobel); 4) Jessy Nite; 5) Vickie Pierre; 6) Michelle Weinberg; and 7) Philippe Dodard in the fixed fee amount of \$800.00 each, and a travel stipend for Mr. Dodard up to \$1000 for a combined total expenditure amount not-to exceed \$6,600.00 for the Father Gérard Jean-Juste Community Center at Oak Grove Park (from Parks, Recreation and Open Spaces Public Art Trust Funds.)

The motion to adopt Trust Resolution No. APPT 16-30, was approved unanimously (motion by Mr. Alexander, seconded by Ms. Jacobs).

Trust Resolution No. APPT 16-31 *Tropical Park Equestrian Center, Proposal Development*

As Project Manager Patricia Romeu reported, on August 19, 2016 a PAC reviewed artist Carlos Enrique Prado's professional qualifications and unanimously recommended him for development of a site specific proposal for this project. Upon approval of Trust Resolution No. APPT 16-17, Mr. Prado started the work on a sculptural proposal depicting the close and well-known relationship of former President Ronald Reagan to the equestrian world. Ms. Romeu presented Mr. Prado's proposal including detailed considerations of the site incorporating a plinth and the figure of President Reagan standing beside a horse.

As presented by Ms. Gordon, Trust Resolution No. APPT 16-31 recommends a Professional Artist Service Agreement in substantially the form attached with artist

Carlos Enrique Prado in the fixed fee amount of \$60,000.00 for the Tropical Park Ronald Reagan Equestrian Center Sculpture project (from Parks, Recreation and Open Spaces Public Art Trust Funds.)

The motion to adopt Trust Resolution No. APPT 16-31 was approved unanimously (motion by Ms. Jacobs, seconded by Kathryn Orosz).

Sunset Review of County Boards, Art in Public Places Trust

As Mr. Spring reported, there is a requirement that all County advisory boards undergo a Sunset Review every two years, whereby County advisory boards are asked to evaluate whether or not they are still an effective mechanism for carrying out the business they are charged with. Mr. Spring noted that APP requires a formal action from the Trust to recommend the continuation of the Trust for the next two years, to be approved by the County Commission. APP staff will include the Trust's recommendation within a full report of APP's recent accomplishments and records.

The motion to approve the continuation of the APP Trust for the next two years in accordance with the Sunset Review was approved unanimously (motion by Mr. Alexander, seconded by Ms. Jacobs).

REPORTS AND DISCUSSION ITEMS

New Projects

Public Housing

As Ms. Romeu reported, as a result of APP working with the Liberty Square Rising housing development in Liberty City, conversations and meetings with the Public Housing and Community Development Department have helped to identify at least three additional new housing projects, all eligible for public art. Ms. Romeu noted that APP will continue to develop a portfolio of these upcoming projects in addition to the large project currently underway for Liberty Square Rising. Both the Liberty Square Rising and new housing projects are public-private partnerships that take place on public land and thereby, have the requirement for public art.

Mr. Spring noted that regarding Liberty Square Rising, APP has met with the project architects and developer, the Related Group, as well as attended town meetings, to develop the opportunities for public art. Mr. Spring noted the location of the new Liberty Square Rising housing development is in close proximity to the African Heritage Cultural Arts Center and the Audrey M. Edmonson NW 7th Avenue Transit Village; all contributing to a new wave of art and culture in Liberty City.

Jackson Health Trust

Ms. Romeu noted that APP staff has been given notice to proceed to create a call to artists for the Jackson Health System, relating to their main campus expansion

at the civic center. With the entire Jackson capital program generating approximately \$8 million in funds for public art, Ms. Romeu noted that APP will begin with the main campus and west campus, where a new hospital will be built at NW 23rd Street and 79th Avenue in the Doral area.

Opa-Locka

Ms. Romeu reported that APP has begun meetings to discuss a large development at the Opa-Locka Airport for a new public-private project on this County property.

Project Updates

Royal Caribbean Innovations LAB – Carola Bravo

Ms. Romeu reported that the commission for the selected artist Carola Bravo is underway and the mock-up of the floor and of Ms. Bravo's video for the walls has been completed. Ms. Romeu noted that Ms. Bravo's proposal for the roof is still under consideration in terms of budget. The project is scheduled for completion in late January of 2017, an aggressive timeline which APP has been able to accommodate.

Royal Caribbean – Terminal A

Ms. Romeu noted that this week, APP would host the artist orientation for the Royal Caribbean Terminal A commission, including 12 artists from around the world, the Royal Caribbean design team, and project architects. The purpose of the meeting is to help the artists prepare for the development of their proposals, which will be due in late January of 2017. Ms. Romeu noted that this is also a very fast-track project, and that because of the aggressive timeline and high-profile artists involved, APP is making all efforts to create good relations.

Miami Beach Convention Center

Ms. Romeu noted that the agreement has been finalized with artist Franz Ackermann, a major accomplishment because of lengthy contract negotiations with the artists' gallery. Additionally contracts are finalized with the studios of Joseph Kosuth and Ellen Harvey. There are two projects, including the artist team Elmgreen & Dragset, which are tied into the park development across from the convention center. As the structures in the park are still being defined and final layout to be realized, the contracts for these remaining artists have not been finalized. The commissions for the Miami Beach Convention Center total around \$6.5 million, a major project in APP's portfolio. Ms. Romeu noted that the contracted artists will be installing January – April 2018, and the full convention center will be ready for a major opening in December of 2018.

Terminal F

Ms. Romeu noted that a new project will be taking place at Terminal F at PortMiami, with around \$500,000 generated for public art. The APP team will be attending a meeting this week to discuss the creation of the call to artists and scope.

NW 7th Avenue Audrey M. Edmonson Transit Village

Ms. Romeu noted that shortlisted artists are scheduled to make proposals in February of 2017.

The Underline

APP Project Manager David Martinez-Delgado mentioned that the series of temporary public artworks commissioned for the Underline are at 70% fabrication completion. The opening reception will be January 14, 2017, from 2-5pm at the Brickell Metrorail Station.

Westchester Cultural Arts Center

Mr. Martinez-Delgado noted that the selected artist, Lynne Golub Gelfman is in the final phase of design, and is working through the budget with the APP team.

African Heritage Cultural Arts Center

Mr. Martinez-Delgado noted that the artist orientation for the Center took place on a December 6th site visit, and that shortlisted artists are scheduled to make proposals in February of 2017.

Sea Level Rise – University of Miami

Mr. Martinez-Delgado mentioned that these temporary site-specific projects are in process and due to launch in spring of 2017.

Collection Updates

Robert Huff, *Argosy*, 1976

Mr. Martinez-Delgado reported that the restoration of Robert Huff's *Argosy* sculpture has been completed at SW Dade Regional Police Station. Mr. Martinez-Delgado reported that Barbara Young, the widow of Mr. Huff, has requested that river rocks be placed at the base of the sculpture which APP is in the process of completing.

PortMiami Terminal F Renovations

Mr. Martinez-Delgado mentioned that PortMiami is renovating their baggage carousel at Terminal F, which requires finding a new home for the existing artwork at that site, *The Journey: Water Project & Suitcase Project*, 2002, by Carolina Sardi. APP has found a location to move it to at terminal D, a sister terminal.

Dixon Ervin, *The Link*, 1975

Mr. Martinez-Delgado explained that restoration of the sculpture by Dixon Ervin located at South Dade Fire Station, Station 34 is nearing completion, noting that APP has finalized resurfacing the concrete and is in the process of completing the painting.

Jon Hudson, *Polaris*, 1979

The artwork *Polaris* by artist Jon Hudson is being relocated from the Homestead Library to the Downtown Miami Main Library. A new library is being built in Homestead, and by relocating the work, APP will ensure good stewardship of the sculpture.

Director's Report

Art in Public Places Orientation for Mayor's Senior Staff

Mr. Spring reported that APP has completed scheduled orientations for all of the Mayor's senior staff and Deputy Mayors in regards to complying with the public art requirement, as well as completed two separate sessions for the County Department Directors. Mr. Spring noted that these orientations include a complete review of the benefits, requirements, guidelines, and program accomplishments of the Art in Public Places program, and they were very favorably received.

New Trust Appointments

Mr. Spring noted that Ms. Bernadette Pierre, Chairman Monestime's appointment would be joining the Trust for our upcoming meetings, and welcomed Susan Ervin, the new appointment by Commissioner Barriero.

Coconut Grove Playhouse

In response to an inquiry from the Trust, Mr. Spring elaborated upon present developments with the Coconut Grove Playhouse. Mr. Spring noted that the County, in partnership with Florida International University, has taken on a 99-year lease with the State of Florida for the Coconut Grove Playhouse property. In order to attain the lease, the County needed to provide a specific proposal for the development and use of the site. That proposal, subsequently incorporated into the lease, included providing a 300-seat theater managed by GableStage, the potential to develop a parking garage, retail and restaurants, and to hire a design team to implement the work. Mr. Spring noted that though a competitive process, the County has hired team led by the firm Arquitectonica, and including noted historic preservation architect, Jorge Hernandez. Additional consultants include Fischer Dachs Associates, experts in theatre planning and design, and Douglas Wood Associates, structural engineer and Venue, cost estimators.

With this team assembled, the County created a master plan that satisfied three key objectives: respect or the historic nature of the site; creation of a 300-seat theatre that is suitable for 21st century stage productions; and adherence to the \$20 million project budget. Mr. Spring noted given the complexity of achieving these objectives, the design team conducted an extremely detailed and thorough approach in regards to historic review and design work. Mr. Spring noted that the firm Kiehnel and Elliott built the Playhouse in 1927, and that the original structure incorporated three buildings, each structurally independent. Mr. Spring noted that during subsequent renovations, the historic integrity of the Playhouse was compromised, and that the County's proposal is to restore the historic front building

to its original use which includes retail and restaurants, offices and/or residences. Additionally the County proposes to re-establish the footprint of the original crescent lobby as an open-air plaza space, which would be publically accessible and exhibit information about the theater's history. The parking garage is proposed to be developed and costs covered by the Miami Parking Authority. The County and its design team is working with the State of Florida Division of Historical Resources on a National Register of Historic Places application, and is considering an approach that would establish a Kiehnel and Elliott "district," as Main Highway includes additional buildings by the firm in close proximity to the Playhouse.

Science Museum

Mr. Spring noted that the Science Museum is approximately 87% complete, remains on budget, and that the remaining work largely entails finishes. Mr. Spring noted that a temporary certificate of occupancy is expected in January/February, and that subject to this, the museum is considering introductory public openings in March of 2017, with likely full public openings in the summer.

Trust Member Reports

Miami Center for Architecture & Design (MCAD)

APP Trust Member Cheryl Jacobs noted that MCAD currently has on view an exhibition of photography of Dutch Architecture in conjunction with The Wolfsonian. Ms. Jacobs also noted that MCAD is launching annual art and architecture trips, with the first taking place in March of 2017 to visit Cuba in collaboration with the Copperbridge Foundation.

With no further business, Ms. Gordon made a motion to adjourn, seconded by Ms. Mikesell, and approved unanimously by the Trust.

Respectfully submitted,

Amanda Sanfilippo
APP Curator

**MINUTES OF THE
MIAMI-DADE COUNTY ART IN PUBLIC PLACES TRUST
FEBRUARY 14, 2017**

A meeting of the Miami-Dade Art in Public Places Trust was held at the Stephen P. Clark Center, 111 NW 1st Street, Miami, FL.

MEMBERS PRESENT

Sandi-Jo Gordon, *Chairperson*
Susan Ackley, *Vice Chairperson*
Carol Damian
Sandy Dorsainvil
Cheryl Jacobs
Kathryn Mikesell
Kathryn Orosz

MEMBERS NOT PRESENT

Steven Alexander
Julio Grabiell
Dr. Paula Levine
Zammy Migdal
Bernadette Pierre

STAFF

Carolina Alfonso
Lydia Lopez
Deborah Margol
David Martinez-Delgado
Patricia Romeu
Amanda Sanfilippo
Michael Spring

Chairperson Sandi-Jo Gordon called the meeting to order at 12:30 p.m.

Requests for Excused Absences for February 14, 2017

Requests for excused absences submitted by Dr. Paula Levine, Zammy Migdal and Bernadette Pierre were approved unanimously (motion by Kathryn Mikesell, seconded by Cheryl Jacobs).

Approval of the December 13, 2016 Trust Minutes

The Trust minutes of the December 13, 2016 meeting were approved unanimously (motion by Carol Damian, seconded by Cheryl Jacobs).

Approval of January 24, 2017 Professional Advisory Committee (PAC) Minutes [ASPCA® / ASD Liberty City Animal Clinic Artist Pre-Qualifications, Artwork Accession]

The PAC Minutes of the January 24, 2017 meeting were approved unanimously (motion by Kathryn Orosz, seconded by Cheryl Jacobs).

Approval of January 30 & 31, 2017 PAC Minutes [Royal Caribbean Cruise Line Ltd. (RCCL) Miami Terminal Artist Presentations]

The PAC Minutes of the January 30 & 31, 2017 meeting were approved unanimously (motion by Kathryn Mikesell, seconded by Carol Damian).

Approval of February 10, 2017 PAC Minutes [Audrey M. Edmonson NW7th Avenue Transit Village Artist Proposals (Phase I) & Artist Pre-Qualification (Phase II), RCCL Artist Pre-Qualification, African Heritage Cultural Arts Center Artist Proposals, ASPCA® / ASD Liberty City Animal Clinic Artist Pre-Qualifications]

The PAC Minutes of the February 10, 2017 meeting were approved unanimously (motion by Susan Ackley, seconded by Cheryl Jacobs).

Trust Resolution No. APPT 17-1 *Miami-Dade County ASPCA® / ASD Liberty City Animal Clinic - Proposal Contracts*

Art in Public Places (APP) Project Manager Carolina Alfonso reported that a meeting of the PAC on January 24, 2017 was held for the purpose of selecting artists to complete proposals for the new ASPCA Clinic. Ms. Alfonso noted that additionally, on February 10, 2017 a PAC was held in which APP staff recommended the addition of two artists to the shortlist, in an effort both to address the diversity of the shortlist of artists and to ensure a sufficient number of proposals for selection options.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 17-1 recommends approving proposal contracts in substantially the form attached with artists: 1) Studio AMLgMATD, 2) David I. Brooks, 3) Jessica Laino, 4) John Robles, 5) Onajide Shabaka, 6) Kelly Breez, 7) Michelle Lisa Polissaint, and 8) Asser Saint-Val in the fixed fee amount of \$500.00 for each artist for a combined total expenditure amount not-to-exceed \$4,000.00 for the ASPCA / ASD Clinic in Liberty City (from the ASPCA project art funds).

The motion to adopt Trust Resolution No. APPT 17-1 was approved unanimously (motion by Ms. Ackley, seconded by Ms. Jacobs).

Trust Resolution No. APPT 17-2 *Artwork Donation: Ciro Quintana, Pedro Vizcaíno, Néstor Arenas*

APP Curator Amanda Sanfilippo reported that a meeting of the PAC was held on January 24, 2017 for the purpose of recommending the accession of donated artworks from the Kendall Art Center into the APP collection, encompassing limited edition prints from three internationally-recognized Cuban-American artists, Ciro Quintana, Pedro Vizcaíno, and Néstor Arenas.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 17-2 recommends the accession of donated artworks from the Kendall Art Center into the APP collection, encompassing limited edition prints from three internationally-recognized Cuban-American artists, Ciro Quintana, Pedro Vizcaíno, and Néstor Arenas. These artworks will carry the attribution as being donated by the Kendall Art Center.

The motion to adopt Trust Resolution No. APPT 17-2 was approved unanimously (motion by Ms. Damian, seconded by Ms. Jacobs).

Trust Resolution No. APPT 17-3 *PSA Hank Willis Thomas Studio, LLC / NW7th Avenue Transit Village Phase I*

As APP Project Manager Patricia Romeu reported, a meeting of the PAC was held on February 10, 2017 to review artists' design proposals for Phase I of the Audrey M. Edmonson NW 7th Avenue Transit Village project. The PAC unanimously recommended the commissioning of renowned artist Hank Willis Thomas in collaboration with artist Nekisha Durrett for their wall sculpture concept "I See Myself in You..." The recommended proposal combines a three dimensional large-scale aluminum collage of an elegant woman's face wearing mirror reflective sunglasses and accompanied by the handwritten poetic title of the work – in a double edge neon sign.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 17-3 recommends authorizing a Professional Artist Services Agreement in substantially the form attached with Hank Willis Thomas Studio, LLC (artist team of Hank Willis Thomas and Nekisha Durrett) in the fixed fee amount of \$245,000.00 for the fabrication and installation of the recommended artist's proposal.

The motion to adopt Trust Resolution No. APPT 17-3 was approved unanimously (motion by Ms. Ackley, seconded by Ms. Orosz)

Trust Resolution No. APPT 17-4 *PSA with CJL International, Inc. / NW7th Avenue Transit Village Phase II*

As APP Project Manager Patricia Romeu reported, after a series of meetings with the developer and community stakeholders, consensus was reached to pursue the commissioning of an internationally renowned artist for the Phase I portion of the development to activate the theatre and transit village building façade and to commission a local artist for the Phase II portion who could collaborate with the

project team to integrate an artwork design in the building's architecture. At a meeting held on February 10, 2017, the PAC recommended the commissioning of artist Carl J. Latimore to implement his proposal for the Phase II portion of the development project.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 17-4 recommends that the Art in Public Places Trust approve a Professional Artist Services Agreement in substantially the form attached with CJL International, Inc. (lead artist Carl J. Latimore) in the not-to-exceed amount of \$200,000.00 for the Audrey M. Edmonson NW 7th Avenue Transit Village Phase II Artwork Project.

The motion to adopt Trust Resolution No. APPT 17-4 was approved unanimously (motion by Ms. Jacobs, seconded by Ms. Mikesell).

Trust Resolution No. APPT 17-5 *PSA with PhenomenArts, Inc. (Christopher Janney) / MDAD North Terminal APM*

As Ms. Romeu reported, Miami-Dade Aviation Department (MDAD) has requested the possibility of extending the visual concept of Christopher Janney's Harmonic Convergence to the North Terminal's APM trains. APP staff has identified a not-to-exceed budget amount of \$50,000.00 of unencumbered public art monies from MDAD's North Terminal Development project to cover the initial costs of design, fabrication, installation, and minimal maintenance of a film-based artwork with a temporary life-span of approximately 3-5 years. On February 10, 2017, a PAC reviewed and unanimously recommended extending an invitation to artist Christopher Janney to develop a site specific proposal that would effectively address the MDAD's request.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 17-5 recommends approving a Proposal Contract in substantially the form attached with Phenomenarts, inc. (lead artist Christopher Janney) in the not-to-exceed amount of \$3,000.00 for the Miami International Airport North terminal automated people mover project (from Miami-Dade Aviation Department Public Art Trust funds).

The motion to adopt Trust Resolution No. APPT 17-5 was approved unanimously (motion by Ms. Mikesell, seconded by Ms. Jacobs).

Trust Resolution No. APPT 17-6 *Miami-Dade County, African Heritage Cultural Arts Center, Artist Recommendation (Xaviera Simmons)*

As APP Project Manager David Martinez-Delgado reported, on February 10, 2017 a PAC meeting was held to review proposals for the African Heritage Cultural Arts Center (AHCAC) marquee and plaza projects. After careful deliberation, the PAC unanimously recommended artist Xaviera Simmons for the AHCAC artwork commission in the amount of \$225,000.00. Ms. Simmons's proposal comprised text elements of her artwork transferred to a cutout metal backlit façade. The

exterior metal structure will integrate a new digital LED screen to serve as the new marquee for the center. The artist also proposed a similar cutout metal structure spanning between two buildings at the courtyard to be used as shading element.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 17-6 recommends authorizing a Professional Artist Service Agreement in substantially the form attached with Xaviera Simmons in the fixed fee amount of \$225,000.00 for the design, fabrication, and installation of a new digital marquee with integrated metal panels, and a new shading structure at the courtyard of the African Heritage Cultural Arts Center (from African Heritage Cultural Arts Center Art In Public Places Trust Fund).

The motion to adopt Trust Resolution No. APPT 17-6 was approved unanimously (motion by Ms. Mikesell, seconded by Ms. Damian).

Trust Resolution No. APPT 16-29 *Miami-Dade County, Empowerment Center, Amendment to Proposal Contracts*

As Ms. Alfonso reported, a meeting of the PAC was held on December 7, 2016 for the purpose of selecting artists to complete proposals for the new Empowerment Center. Due to a clerical error, one of the artists, Monica Lopez De Victoria, was omitted from the original resolution presented at the meeting of the Art in Public Places Trust on December 13, 2016.

As presented by Chairperson Sandi-Jo Gordon, amended Trust Resolution No. APPT 16-29 recommends Proposal Contracts in substantially the form attached with artists: 1) Felicia Carlisle, 2) Dara Friedman, 3) Brookhart Jonquil, 4) Karen Rifas, 5) Philip Smith, 6) Michelle Weinberg, and 7) Monica Lopez De Victoria in the fixed fee amount of \$1,000.00 for each artist for a combined total expenditure amount not-to-exceed \$7,000.00 for the Empowerment Center (from The Internal Service Department Art Funds).

The motion to adopt amended Trust Resolution No. APPT 16-29 was approved unanimously (motion by Ms. Jacobs, seconded by Ms. Mikesell).

Trust Resolution No. APPT 17-8 *PSA with Studio Tomás Saraceno / RCCL Miami Cruise Terminal*

As Ms. Romeu reported, a meeting of the PAC was held on January 30-31, 2017 to review artists' design proposals for the Royal Caribbean Cruises, Ltd new Miami Cruise Terminal project at PortMIAMI. The PAC unanimously recommended the commissioning of internationally renowned artist Tomás Saraceno (Studio Tomás Saraceno GmbH) to develop a scaled iteration of his most recent world-acclaimed series "Cloud Cities."

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 17-8 recommends authorizing a Professional Artist Services Agreement in substantially the form attached with Studio Tomás Saraceno GmbH (lead artist Tomás Saraceno) in the not-to-exceed amount of \$90,000.00 for design development services of the recommended proposal (from SMBC Leasing and Financing, Inc. Art Funds).

The motion to adopt Trust Resolution No. APPT 17-8 was approved unanimously (motion by Ms. Orosz, seconded by Ms. Jacobs).

Trust Resolution No. APPT 17-9 *PSA with Paramedia, LLC (Erwin Redl) / RCCL Miami Cruise Terminal*

As Ms. Romeu reported, a meeting of the PAC was held on January 30-31, 2017 to review artists' design proposals for the Royal Caribbean Cruises, Ltd new Miami Cruise Terminal project at PortMIAMI. The PAC unanimously recommended the commissioning of renowned light-based artist Erwin Redl (Paramedia, LLC) to redesign his concept for the new Terminal atrium. The artist's original design comprised hundreds of custom-made light fixtures suspended from the atrium ceiling in three distinct configurations that would be highly visible throughout the day and night. Given the tight timeframe and budgetary constraints of this project, the client suggested that APP work closely with the artist to potentially reimagine his light art concept as an integrated work of art complementary to the client's proposed lighting scheme for the Terminal building.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 17-9 recommends authorizing a Professional Artist Services Agreement in substantially the form attached with Paramedia, LLC (lead artist Erwin Redl) in the not-to-exceed amount of \$50,000.00 for design development phase of the RCCL new Miami Cruise Terminal project (from SMBC Leasing and Financing, Inc. Art Funds).

The motion to adopt Trust Resolution No. APPT 17-9 was approved unanimously (motion by Ms. Jacobs, seconded by Ms. Mikesell).

REPORTS AND DISCUSSION ITEMS

New Projects

Jackson Health Trust

Ms. Romeu noted that APP staff is in the early phases of drafting a call to artists for the Jackson Health System regarding their expansion program.

PortMIAMI, Terminal F

Mr. Martinez-Delgado noted that an expansion and renovation of Terminal F at PortMIAMI is underway and has generated funds for public art. Ms. Sanfilippo

noted that the APP team has conducted meetings with the Port, and are working to finalize the call to artists to meet an aggressive deadline of December of 2017.

Doral Police Training Facility

Mr. Martinez-Delgado noted that a kick-off meeting was conducted with the Internal Services Department and the client to determine the scope of work and project timeline.

Senator Villas

Ms. Alfonso noted the new housing development project has come to the attention of APP, with approximately \$58,000 worth of funds for public art.

Project Development

Upcoming PAC Meetings

Ms. Sanfilippo noted that upcoming PAC meetings would be held in early March for the artist presentations for the Father Gérard Jean-Juste Community Center at Oak Grove Park, and for the Miami-Dade County Empowerment Center.

Adrienne Arsht Performing Arts Center of Miami-Dade County

Ms. Sanfilippo noted that a successful artist orientation meeting was conducted in January of 2017, with another planned for late February of 2017 for the purpose of conducting a detailed walk-through of the facility while at peak use during the weekend performance schedule. Representatives from the client team participated to help determine opportunities for public art and orient the local, national and international artists to the project. Ms. Sanfilippo noted that artist presentations would take place in early April of 2017.

ASPCA / ASD Animal Clinic / Liberty City

Ms. Alfonso noted that an artist orientation meeting is planned for later in February of 2017 with the purpose of familiarizing artists to the project and offering the client the opportunity to share the opportunities for public art.

The Underline

Mr. Martinez-Delgado reported on the successful opening weekend and reception for the temporary public art projects on The Underline on January 14, 2017. Mr. Martinez-Delgado presented images of completed works by Miami-based artists Agustina Woodgate, Bhakti Baxter, Nicolas Lobo, and Naomi Fisher. Ms. Sanfilippo reported that selected artworks would be on view through April 1, 2017, and noted that the projects were commissioned through a nationally competitive grant from ArtPlace America awarded to Art in Public Places in conjunction with the Miami-Dade County Parks, Recreation and Open Spaces Department and the private, not-for profit organization Friends of the Underline. Ms. Sanfilippo noted that the projects attracted press in the *New York Times*, *Architectural Digest*, and *Conde Nast Traveler*, among others.

With no further business, Ms. Gordon made a motion to adjourn, seconded by Ms. Mikesell, and approved unanimously by the Trust.

Respectfully submitted,

Amanda Sanfilippo
APP Curator

The next Miami-Dade Art in Public Places Trust Meeting is March 14, 2017