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Memorandum



Date: September 4, 2019

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

Agenda Item No. 1F1

From: Carlos A. Gimenez
Mayor

Subject: Sunset Review of County Boards for FY 2019 – 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 2019 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 February 12, 2019 and has recommended the continuation of its board.

Michael Spring
Senior Advisor, Office of the Mayor

Date: May 14, 2019
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 2019 – 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 2018 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 February 12, 2019.

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 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 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: 1
3. Identify number of meetings and members' attendance (Attach records reflecting activity from **Jan. 1, 2017** through **December 31, 2018**):
Number of Meetings: 28
Number of Meetings with a Quorum: 23
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

Attach a copy of the Board's By-Laws, if any. See Attachment 3
9. 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 February 12, 2019 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 Trust is continuing to accomplish the principal goals of the program as set forth in the Master Plan for Art in Public Places which 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 of 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 have 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 County family of services to the community. During this time, the Department of Cultural Affairs has gained national and international attention as a leader in its field.

3. What are the Board's major accomplishments?
- a. The following are highlights of the Board's accomplishments for the last 24 months:

RECOGNITION FOR THE PROGRAM

The Nationally Acclaimed Art in Public Places (APP) Program is Recognized for Excellence: January 2017 – December 2018

Miami-Dade County's Art in Public Places program continues to garner acclaim in the form of nationally competitive awards and grants, educational programs, and press.

2017 National Association of Counties (NACo): Restoration of the Miami Line

The National Association of Counties (NACo) granted Miami-Dade County a 2017 Achievement Award for its program titled "Restoration of *The Miami Line*, the iconic light-based artwork over the Miami River Metrorail Bridge" in the category of Arts and Historic Preservation. The Miami-Dade County Department of Cultural Affairs through its Art in Public Places program

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collaborated with the Miami-Dade County Transportation and Public Works Department to successfully complete *The Miami Line* retrofitting project which required a complete electrical overhaul of the work to replace old neon technology with a durable state-of-the art LED system. Originally commissioned in 1984, *The Miami Line*, created by artist Rockne Krebs, is a highly visible light-based sculpture with a double-sided multicolored light sequence that spans above the Miami River.

Knight Arts Challenge Grant: Creative Time Summit Miami 2018

In December of 2017, Art in Public Places of the Miami-Dade County Department of Cultural Affairs was awarded a \$125,000.00 matching grant from John S. and James L. Knight Foundation to bring the Creative Time Summit to South Florida for the first time. Between November 1-3, 2018, Creative Time and Art in Public Places co-presented the 11th Creative Time Summit, titled *On Archipelagos and Other Imaginaries: Collective Strategies to Inhabit the World*. Over the course of three days, leading artists, activists, and thinkers convened to explore strategies addressing pressing issues faced by local and global communities, including climate justice, immigration and border politics, and displacement.

The Summit was hosted in key Miami-area cultural institutions, from iconic performance venues like the Knight Concert Hall of the Adrienne Arsht Center for the Performing Arts of Miami-Dade County and the New World Center at SoundScape Park, to leading contemporary art museums like the Pérez Art Museum Miami (PAMM), as well as across an array of venues that included community centers, urban farms, artist studios, exhibition spaces, and public parks. The result of the 11th Summit's open call for proposals for breakout sessions resulted in over 30 sessions, the majority of which were organized by artists, activists, writers, and community leaders from the Greater Miami area, while others were organized by Summit advisors and presenters. In conjunction with the Summit's co-presenter Art in Public Places of the Miami-Dade County Department of Cultural Affairs, 71 individuals including art professionals, artists and interested citizens applied for and received scholarship passes. Amanda Sanfilippo Long, Curator and Artist Manager of APP was included among the advisory committee for the Summit and presented new Fringe Projects commissions in conjunction with the conference including those by Tschabalala Self, Antonia Wright, and Keith Allyn Spencer.

Miami-Dade County is Finalist in Bloomberg Philanthropies \$1 million Public Art Challenge

In 2018, the Miami-Dade County Department of Cultural Affairs was selected as a finalist as part of the nationally-competitive Bloomberg Philanthropies Public Art Challenge, a program that aims to foster creative collaboration, address civic issues, and support local economies through public art. More than 200 cities applied, and Miami-Dade County, along with 13 other communities, was invited to submit a full proposal. The Miami-Dade County Department of Cultural Affairs' proposal, "Climate Sync Miami," identified the urgent issue of

rising seas and its impact on Miami through a series of site-specific temporary public art interventions.

ArtPlace Summit 2017

Art in Public Places was invited to represent Miami-Dade County and The Underline at the annual ArtPlace America Conference (ArtPlace Summit) in May of 2017 in Seattle, WA. With support from an ArtPlace America Grant award, Art in Public Places inaugurated (4) different temporary works of art along the future path of The Underline, a planned world-class linear park designed to transform the underutilized land below Miami-Dade's Metrorail into an urban trail and art destination.

Press Highlights January 2017 – December 2018

Art in Public Places attracted outstanding local, national and international press for its public art commissions and programs.

- In 2017, Miami-Dade County was highlighted as one of the 10 places to see art in America by *New York Times Style Magazine*, and received features in *Architectural Digest*, *The Guardian*, *Conde Nast Traveler* and *Hyperallergic* in response to its temporary public art commissions along The Underline with Miami-based artists.
- APP received features in *Art in America*, *The Miami Herald* and the *Art Newspaper* in response to its series of temporary public art commissions titled *Sea Level Rise* featuring Miami-based artists Domingo Castillo, Misael Soto, Hannes Bend, Agustina Woodgate, and Tom Scicluna, as well as the Fringe Projects initiative highlighting the commission by Miami-based artist duo Rosario Marquardt and Roberto Behar.
- *CODAworx Magazine* featured APP commission "Cypress Landing" by Matthew Geller at Zoo Miami in its July Issue.
- APP, in conjunction with its co-presenter New York-based public art non-profit Creative Time, received widespread press coverage for the 2018 Creative Time Summit, including an Op-Ed in the *Miami Herald* by Amanda Sanfilippo Long, APP Curator & Artist Manger and in *Hyperallergic*, *Cuban Art News*, *The New York Times*, *The Miami Herald*, *the Miami New Times*, *V Magazine*, *The Haitian Times*, *Vogue Mexico & Latin America*, *Cultured Magazine*, *The Bahamas Tribune*, *Artfoum*, *Artinfo*, *Art is About*, *Fresh Art International*, *Artnet News*, *Paper City*, and the *Art Newspaper* among others.

CAPITAL PROJECTS SIGNIFICANTLY ENHANCED WITH PUBLIC ART

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 permanent commissions, acquisitions, and restoration projects demonstrate how artists can distinguish County facilities by seamlessly integrating their work of art into the building's architectural fabric:

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- ***Two Monumental Artworks Installed at PortMiami: Terminal A, Royal Caribbean Cruise Terminal***
 - Tomás Saraceno, *Space Moving Light*, 2018 [painted stainless steel tubing, mirror panels, and mesh]
 - Erwin Redl, *Volume Miami*, 2018 [LED fixture and electrical components]

Art in Public Places completed two monumental public art commissions at PortMiami by internationally renowned artists. *Space Moving Light* by Tomás Saraceno and *Volume Miami* by Erwin Redl were both completed in November 2018 as part of Royal Caribbean's construction of its newest terminal, the Crown of Miami (PortMiami –Terminal A.) For both artists, these new commissions represent their largest permanent public artworks in the United States, and represent this County program's first major public commission completed in partnership with a private international entity. Both installations were fully realized from concept to implementation in a record-setting construction timeframe short of 18 months. The works were designed, fabricated, and installed through a highly coordinated effort of a multi-disciplinary team comprised of the Berlin and New York-based artist teams, Art in Public Places staff, terminal owner and operator, architects, engineers, and the building contractor.

Emerging from Tomás Saraceno's longstanding concern with multidisciplinary collaborations between science and art, architecture and the future of urbanism, *Space Moving Light* work represents the artist's utopian vision of "Cloud Cities" — airborne habitats suggesting future modes of living in their approach to mobility, adaptability, networks of knowledge, and innovation. *Space Moving Light* is a monumental iteration of the artist's signature *Cloud Cities* series, consisting of three major geometric orbs fabricated from custom painted stainless steel frames, high polished mirror panels, and complex networks of knotted string, activating a prime location in the third floor of the new Terminal's embarkation area. The sculpture represents a significant contribution to the oeuvre of an artist regarded as one of the most important creators of our time, with exhibitions and acquisitions throughout the world's leading cultural institutions, and who has been compared to Leonardo da Vinci by *The New York Times*.

In Erwin Redl's *Volume Miami*, the immense spatial volume of the new Royal Caribbean Cruise Terminal becomes the primary medium of the light-based installation. Charging the emptiness of this space with an all-encompassing aesthetic meaning by elegant, minimal means was the artist's objective. The 650 white, cylindrical light fixtures appear to be placed randomly at first but then unfold as precise delineators aligned to the

building's axes and the grid of the enormous building glass façade. Various undulating light sequences designed by the artist unfold over time to illuminate different aspects of the architecture. Visitors to the Terminal are invited to explore the space by meandering through the building; their presence is part of a performative unity as they interact with the movement of the lights. The glittery lighting effects are brilliantly visible nightly from the MacArthur Causeway providing an enormous public audience for the work.

- ***Artist-Designed Floor and Interactive Wall Panels Completed at Royal Caribbean Innovations Lab, PortMiami***

- Carola Bravo *Wave of Ideas*, 2017 [epoxy paint and LED panels]

The Art in Public Places Program commissioned *Wave of Ideas*, a site-specific installation by Venezuela-born, Miami-based artist Carola Bravo for the Royal Caribbean Innovation Lab at PortMiami. Intended to be a hyper-creative space for Royal Caribbean designers and engineers as well as a resource for local students, the high-tech Innovation Lab facility includes a “virtual reality cave” and environmental design to promote creativity and collaboration. Bravo’s major work within the Innovation Lab, *Flow Floor*, encompasses a large-scale floor painting inspired by Miami’s seafloor topographies, using industrial grade epoxy paint directly applied and sealed by roller and brush to the polished concrete surface. Located in close proximity to the water, *Flow Floor* takes inspiration from the Bathymetric Chart of Miami’s Biscayne Bay. In addition, Bravo installed two large video-based artworks using Philips textile luminous panels, intended to dislocate viewers in a sense of the sublime. The works, entitled *Movable Paintings* are Bravo’s re-interpretation of two renowned artists’ works: “Untitled” (Blue) 1969 by Mark Rothko and “Moveable Blue” 1973 by Helen Frankenthaler. Through the use of video technology the artist reimagined both works, with the element of water as their unifying theme, to create an ever-changing canvas that draws in viewers.

- ***Miami-based Artist Transforms Seating Area at Arcola Head Start Center***

- Sinisa Kukec, *And Yet Another Gravities Rainbow*, 2017 [mixed media]

Miami-based artist Sinisa Kukec created surprising and delightful encounters for visitors to the Arcola Head Start Center of the Community Action and Human Services Department. Kukec enclosed the bottom portion of two exterior benches, camouflaging them with random flowing patterns of an epoxy-based outdoor paint. Kukec worked with Head Start students and staff to create this artwork as a “live performance” where the final outcome was simply a process of chance. The new Arcola Lakes Head Start Facility, located at 770 NW 83rd Street, provides comprehensive child-development services for low-income children and families. The program is open to children from new born through age 5 and provides care and instruction in a classroom setting.

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- ***Art in Public Places of Miami-Dade County contracted by the City of Miami Beach to manage the implementation of their \$6.4 million public art program at the new Miami Beach Convention Center.***

APP staff partnered with the City of Miami Beach Art in Public Places to manage the complete cycle of the public art commissioning process starting with the Call to Artist through the installation of the following six (6) monumental commissions:

- Atelier Van Lieshout, *Humanoids* (in progress) Series of 9 monumental cast aluminum sculptures sited throughout the 21st Street Canal Park with a total project budget of \$500,000.00
 - Elmgreen & Dragset, *Bent Pool* (in progress) – monumental sculpture sited at the intersecting corner of Convention Center Drive and the Convention Center Park, home to Design Miami with a total project budget of \$1.1 million
 - Ellen Harvey, *Atlantis 2019* - 2 monumental, hand-drawn glass murals installed at the main entrances of the pre-function lobby to the new Grand Ballroom with a total project budget of \$750,000.00
 - Joseph Kosuth, *Located World* (in progress) – Neon artwork installation expanding the entire interior façade of the Convention Center West Lobby walkway with a total project budget of \$2 million
 - Sara Morris, *Morris Lapidus* (in progress) – custom tile mural spanning over an area of 4700 sq ft across three different exterior walls in the northeast corner of the convention center with a total project budget \$1 million
 - Franz Ackermann, *About Sand 2018* – monumental exterior mural on the exterior southeast walls of the new building with a total project budget of \$750,000.00 The work derives from the artist's long-standing and internationally renowned concept of "Mental Maps" series, a body of work combining the factual precision of traditional street maps with the artist's own interpretation of the local environment. Rendered in vibrant colors and abstracted forms of sand, hourglasses and roadways, *About Sand* is his impressions of the city's tourism industry, commerce, urbanism and daily life.
- ***Public Artworks Installed at Audrey M. Edmonson NW 7th Avenue Transit Village in collaboration with the housing developer team***
 - CJ Latimore, *Liberty City Family Album Mural*, 2018 [archival photographic paper on board]
 - Hank Willis-Thomas & Nekisha Durrett – *I See Myself in You*, mixed media and neon exterior wall sculpture (In-progress)
 - CJ Latimore, *7th Avenue Transit Mosaic Mural*, 2019 [mosaic tile]

- ***Art in Public Places partnered with the Miami-Dade Water and Sewer Department for the commissioning of an integrated artwork in a new sidewalk representative of the department's water conservancy efforts***
 - *Agua Quilts* by Carlos Alves, 2018, WASD LeJeune Road Headquarters [mosaic tile]

- ***Art in Public Places of Miami-Dade County contracted by City of Miami for managing their public art commissions at selected parks facilities:***
 - Sinsia Kukec, *And Yet Another Fast Track Frequency*, 2017, Gibson Park Gymnasium Lobby [mixed media]
 - Christina Pettersson, *Hidden Glades*, 2017, Sandra Delucca Developmental Center at Kinloch Park [water-jet cut acrylic]
 - Loriel Beltran, *Swaying Palms*, 2017, Antonio Maceo Park Community Building [epoxy and water-based paint]
 - Agustina Woodgate, *Concrete Poetry*, 2018, District 11 [stamped concrete]

- ***Art in Public Places collaborates on innovative sidewalk art***

Agustina Woodgate was awarded a Knight Art Challenge Grant for her proposal *Concrete Poetry*, an art installation transforming sections of concrete sidewalks into playful streetscapes of visual poetry inspired by the board game Scrabble. The project was a collaboration between the artist, the Miami-Dade County Department of Transportation and Public Works, District 11 Commission Office, and APP.

- ***Commemorative Sculpture Installed at Tropical Park Equestrian Center to honor President Ronald Reagan***
 - Carlos Enrique Prado, *Ronald Reagan*, 2018 [bronze]

- ***Artwork Acquisitions & Donations***
 - Edouard Duval Carrie, *Landscape 2010*, and *The All Seeing Eyes*, 2009, purchased from the Carlos Cruz-Diez Acquisition Fund.
 - Robert Huff, *Untitled (HR Day Trip)*, 2008, purchased with funds from the Carlos Cruz-Diez Acquisition Fund.

Celebrated Miami-based artist Robert Huff's work *HR Day Trip* was acquired in memory of the late Mrs. Cindi Nash, APP Trust Chairperson, in honor of her service to the Trust and dedication to the artistic community of Miami-Dade County. This work was also considered for acquisition in deference to the deaccessioning from the Art in Public Places Collection of the Robert Huff integrated tile work *Transpontine* which required demolishing as part of the Miami International Airport North Terminal Expansion.

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- **Ciro Quintana, Pedro Vizcaíno, Néstor Arenas, 2018 Donations by Kendall Art Center**

TEMPORARY PUBLIC ART PROJECTS ADDRESS TIMELY ISSUES IN MIAMI-DADE COUNTY

Art in Public Places Continues to Innovate and Leverage the Impact of Temporary Public Artworks:

Art in Public Places continues to embrace new modes of public art, and in recent years has taken on a series of groundbreaking temporary public art initiatives in partnership with the John S. and James L. Knight Foundation, the University of Miami, and ArtPlace America in an effort to serve a more diverse range of artists and artists' practices.

The Underline

In July of 2015, Art in Public Places in collaboration with Miami-Dade Parks, Recreation and Open Spaces Department and Friends of the Underline, a 501c3 organization, received an ArtPlace America grant to produce temporary public artworks along the Underline, Miami's 10 mile-long urban corridor located under the Metrorail parallel to US1. The public art projects were developed and executed during the grant period of August 1, 2015 through April 2017. These projects included four commissions by Miami-based artists Bhakti Baxter, Naomi Fisher, Nicolas Lobo, and Agustina Woodgate and took place throughout a 9.7-mile corridor which includes eight Metrorail Station locations between the Brickell neighborhood and business district and Dadeland South. The projects were made possible by Friends of the Underline Art Advisory, ArtPlace America, Miami-Dade County Department of Cultural Affairs' Art in Public Places in collaboration with Miami-Dade County Parks, Recreation, and Open Spaces and in cooperation with Miami-Dade County Transportation and Public Works Department. Commissions included:

- **Bhakti Baxter** *Metro Flower Power*, 2016-2017, Eight (8) Metrorail Stations
- **Naomi Fisher** *#PUZZLED*, 2016-17, Brickell Metrorail Station
- **Nicolas Lobo**, *The Brutal Workout*, 2016-17
- **RadioEE.net with Agustina Woodgate**, *CICLO*, 2017; Live radio broadcast on RadioEE.net & participatory activation

SEA LEVEL RISE

In 2015, Art in Public Places was awarded a grant from the John S. and James L. Knight Foundation in partnership with the University of Miami School of Communication to produce a series of site-specific temporary public art interventions exploring the topic of rising seas and its impact in South Florida. These projects were successfully realized and launched in the spring of 2017 and unfolded throughout a year of programming, from installations to film

screenings and event-based interventions. Located at scattered sites throughout Miami-Dade County, the selected artists worked closely with APP to determine the site, scope, duration, and audience experience of each of the artworks.

Continuing a trajectory of contemporary artists' radical engagement with ecology and environmentalism and in an effort to bring broader awareness to the topic, each artist was paired with a student(s) from the University of Miami School of Communication to produce a short documentary video on each project as part of their class curriculum. Art in Public Places will mount an exhibition presenting the documentation and content created by these commissions in FY 19-20. Commissions included:

- **Hannes Bend**, *Seaing Breath*, 2017-2018, Virtual Reality technology with biofeedback
- **Tom Scicluna** *Climate Sync*, 2017-2018, Outdoor LED time and temperature display unit and GPS tracker, 924 Lincoln Rd, (Art Center South Florida) Miami Beach
- **Domingo Castillo**, *Tropical Malaise: Prologue*, 2016-17, HD Video and Site Specific Screening, New World Symphony Wallcast
- **RadioEE.net with Agustina Woodgate**, *Aguas Altas*, 2017; Live radio broadcast on RadioEE.net and participatory activation
- **Misael Soto**, *Flood Relief*, 2017, Site Specific Installation and Performance, Museum Park adjacent to Pérez Art Museum Miami, 1075 Biscayne Boulevard

Fringe Projects

Art in Public Places has sustained a commitment to temporary public artworks through its ongoing support of the nonprofit initiative Fringe Projects. Through this effort, more than 35 site-specific temporary commissions have been realized at sites determined by the artists for flexible durations, including local, national, and internationally-based artists, offering both unexpected and delightful encounters for visitors and residents alike. This initiative has been supported by the Department of Cultural Affairs since 2013 through the Art in Public Places Trust as well as by various grants including those from the Miami Downtown Development Authority and the John S. and James L. Knight Foundation. Commissions included:

- **Rosario Marquardt and Roberto Behar, R & R Studios**, *FLOWER POWER* 2017, Site Specific Installation incorporating 20' X 30" handcrafted flag, 4000 silk flowers at sites Bayside Marketplace and South East Financial Center
- **Hew Locke**, *Reversal of Fortune*, 2017-2018. Site Specific Installation incorporating bank vault, The Alfred I. duPont Building
- **American Fantasy Classics**, *HEX LINK*, 2017, Site specific installation incorporating functioning payphone and sound installation accessible from mobile phones
- **Keith Allyn Spencer**, *Find the 2 and you will be kissed tomorrow. 5555...*, 2018. Original paintings on automobile covers installed at specific

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locations in downtown Miami on the Occasion of DWNTWN Art Days, The Creative Time Summit, and Miami Art Week

- **Tschabalala Self**, *Lee's Oriental Market*, 2018 – Ongoing, Lee's Deli & Market, 28 SE 1st Avenue
- **Antonia Wright**, *AMERICA STANDS BEHIND US*, 2018, Site specific installation in a public plaza Stephen P. Clark Government Center 111 NW 1st Street

PERMANENT PUBLIC ART COMMISSIONS IN PROGRESS, JANUARY 2017 – DECEMBER 2018

The Nationally Acclaimed Art in Public Places Program Works To Complete Important County Projects Secured Through APP Trust Resolutions and Executed Contracts with Artists

- ***Major Commissions to Bring Landmark Identity to Carrie Meek International Business Park at Opa-Locka Executive Airport***
 - Ruben Ochoa
 - Onajide Shabaka
 - Michelle Lisa Poilssaint
 - Olalekan Jeyifous
 - Morel Doucet
 - Michael Vasquez
- ***Celebrated Miami-Based Artist Creates Identity for the new Father Gérard Jean-Juste Community Center at Oak Grove Park***
 - Edouard Duval-Carrié
- ***Walkable Labyrinth and Integrated Sculpture at Miami-Dade Empowerment Center & Homeless Trust by Internationally Renowned Miami-based Artists***
 - Dara Friedman, *Mother and Child Labyrinth*
 - Brookhart Jonquil, *Truth & Beauty*
- ***Award-Winning Local Artist Design Selected for Monumental Glass Mosaic Tile Wall for Westchester Cultural Art Center, Tropical Park***
 - Christina Lei Rodriguez
- ***New Façade of African Heritage Cultural Art Center and Renovation Led by Internationally Renowned Artist***
 - Xaviera Simmons

- ***Miami-Based Artist Designs Garden Experience at Senator Villas, a Seniors Housing Project in Collaboration with the Miami-Dade Department of Housing and Community Development***
 - Felice Grodin

- ***Four Miami-based Artists Develop Dynamic Living Environment for Seniors at Caribbean Village, Miami-Dade Department of Housing and Community Development***
 - Karen Rifas
 - Deon Rubi
 - Magnus Sodamin
 - Christina Pettersson

- ***Miami-based Artist Team to Activate New ASPCA Clinic in Liberty City with Mural and Integrated Custom Breeze-Blocks***
 - Studio AMLgMTD

- ***Integrated Mural to Depict Local Histories at New Richmond Heights Shopping Center***
 - Robert McKnight

- ***“Cloudlike” New Façade and Entryway Feature to be Installed along with the Renovation of the Joseph Caleb Auditorium***
 - James Brazil

- ***Internationally Renowned Artists to Develop Commissions for New Norwegian Cruise Line Terminal B at PortMiami***
 - Jorge Pardo
 - Claudia Comte
 - Mark Dion
 - Eduardo Arranz Bravo
 - Reynier Ferrer

- ***Local Artist Awarded Commission at Terminal F, PortMiami***
 - Typoe Gran

- ***Live Like Bella Park to Incorporate Designs By Miami-Based artist***
 - Ernesto Kunde

- ***Adrienne Arsht Center Contracts with APP to Manage the Implementation of a Private Artwork Commission in Recognition of the Center’s Next Major Donation Campaign***
 - Deon Rubi
 - Integrated Visions

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- ***Internationally Acclaimed Artists to Create Public Art for Jackson Health Facilities Including New Construction of the Christine E. Lynn Rehabilitation Center for The Miami Project to Cure Paralysis at UHealth/Jackson Memorial, Renovation and Expansion Projects at the Jackson Memorial Hospital Emergency Department, New Construction of the Jackson West Medical Center, and Renovation at the Jackson North Medical Center***
 - Brian Bress
 - Rob Pruitt
 - Nice N' Easy (Allison Matherly & Jeffrey Noble)
 - assume vivid astro focus & Bureau V (Eleizer Sudbrack Simoes & Peter Zuspan)
 - Cheryl Pope
 - Karl Haendel
 - Ellen Harvey & Blane de St. Croix
 - Jen Stark
 - Olaf Breuning
 - David Brooks (pending)
 - Aziz & Cucher (pending)

RESTORATION AND REPAIR: RETURN OF PRIZED ASSETS TO THE PUBLIC

- **Ivan Toth Depeña, *Reflect*, Stephen P. Clark Government Center**

Art in Public Places completed a restoration and maintenance plan of *Reflect* (2011), an interactive technology-based artwork within in the lobby of the Stephen P. Clark Government Center by Miami-born, Charlottesville-based artist Ivan Toth Depeña. Issues related to *Reflect* are attributed to power surges in the building, noting that the surges have created a need to manually re-start the computer program which controls the work. APP staff conducted research to identify the need to retrofit and replace various power sources and dedicated computer equipment, and continues to seek long-term solutions and maintain the work in partnership with the building management, artist, and technology provider Color Kinetics.
- **Michelle Oka Doner, *A Walk on the Beach*, Miami International Airport**

Art in Public Places has completed the restoration of a seminal artwork within the APP Collection, *A Walk on The Beach* by celebrated artist Michele Oka Doner, incorporating terrazzo floor with brass inlays at Miami International Airport. Since its original installation in 1992, twenty-five years of heavy passenger traffic, excessive supply hauling, and significant architectural modifications to the Concourse D have taken a toll on the structural and aesthetic integrity of this terrazzo artwork. After significant research, APP moved to demolish and completely replace the entire first phase of *A Walk on the Beach*, a floor area extending from Gates 1 through 16 in Concourse D. APP worked with the artist to redesign the main corridor areas as a floor painting using the various natural stone aggregates found in epoxy terrazzo

and generous quantities of mother of pearl to create "Waves," a concept that recreates the ever changing nature of breaking of waves along the beach shoreline, a condition inferred by the edge of the linear corridors framed by the moving walkways between gates. Additionally, the artist redefined the end of the artwork at D1 with a "circular conclusion" that has a similar movement and pattern to that of the two rotundas designed to seamlessly interconnect the black and white color variations found throughout the multiple expansion phases of Concourse D.

Additional Restorations Completed or In-Progress:

- Beverly Buchanan, Blue Station Stones, Earlington Heights Metrorail (1986)
- Richard Hunt, Ascending-Descending Form, Caleb Center (1977)
- Gene Kangas, Tracks, Allapattah Metrorail Station (1983)
- Gary Kleiman, Play Forms, Culmer Place (1977)
- Rosario Marquardt & Roberto Behar, R & R Studios, Red M, Riverwalk Metromover Station (1996)
- Jean Claude Rigaud, Prosperity, Golden Glades Library (Year TBC)
- Jean Claude Rigaud, Optical Illusion, Brownsville Metrorail Station (1984)
- Henry Small, Yin and Yang, Rockway Park (1977)
- John T. Young, The Fin Project: From Swords into Plowshares, Pelican Harbor Marina (2003)

NEW / IMPROVED POLICIES, RELIABLE SYSTEMS AND FINANCIAL ACCOUNTABILITY

• ***Updated Systems + Media Plan***

After a careful evaluation of systems in place to review and collect artists' submissions and applications to APP's Call to Artists, APP determined that upgrading to the platform of *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 of Cultural Affairs 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

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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 governments. 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 or go to <http://intra.metro-dade.com/procedures/library/358.pdf> for procedure number 358, the APP section of the Procedures Manual*) or <https://miamidadepublicart.org/#tools>

- **Ensured Financial Accountability** - The Department of Cultural Affairs 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. Each fiscal year’s adopted budget for the APP program is based on detailed accounting of funds contractually committed to ongoing projects, monies dedicated for repair and restoration 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 restoration appropriation (15 percent of the 1.5 percent public art allocation for each artwork is dedicated to a repair and restoration fund).

- **Implemented A System for Identifying New Projects** - The Department of Cultural Affairs and OMB have created a system to ensure that the APP allocation is properly calculated and planned for at the onset of all eligible capital projects and that a resulting budget line item specifying the public art contribution is built into capital budgets. In addition, an APP line item/check-off has been included in the automated system for authorizing/tracking County capital projects. Furthermore, APP staff actively monitors and tracks County Commission agenda items for potential impact to APP so that the program can swiftly intersect eligible capital projects and ensure their compliance on a uniform and consistent basis.

- **Conducted Art in Public Places Training Sessions with County Departments** - APP 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** - Art in Public Places staff continues to work collaboratively with municipalities to ensure compliance of their own municipal projects with the County's Art in Public Places Ordinance. 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 Miami Beach, Town of Medley, and the City of Miami. Furthermore, APP staff has provided expert guidance on public art best practices and has shared significant technical resources with municipalities such as City of Miami and City of Coral Gables to propel their own public art programs.
- **Oriented New Art in Public Places Trust Members** – APP staff 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 fields 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.
- **Communicated a Consistent 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;

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- 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

- **Adherence to 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 is continuing to be used to properly assess the inventory, care, maintenance and repair schedules for the collection.
- **Maintain 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. This is a valuable tool regularly maintained by the program to keep the community informed on APP related activities and opportunities for new commissions.
- **Repair and Restoration Program** - Fifteen percent of the 1.5 percent generated by all new public art allocations is being dedicated to a repair and restoration fund that is being used for specialized tasks required to restore and/or repair works of art in its collection. These funds are 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 Edward Rusha, *Lunettes* at the Main Library, Michele Oka Doner's *A Walk on the Beach* at Concourse D at Miami International Airport, and the current restoration of signature Metrorail works such as *M* by Roberto Behar and Rosario Marquardt and *Leaning Arches* by Athena Thaca
- **Coordinated Inventory** - APP 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 APP staff, a professional art installation technician completed the relocation of two-dimensional works at the request of County departments and Commissioner's Office staff. Through this process, all works are secured and labeled for inventory control.

b. Since established Please see attached

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)

No changes to the Ordinance are recommended.

The Ordinance and Procedures Manual were revised in January of 2019. Please see enclosed the February 12, 2019 Minutes of the APP Trust detailing the updates which entail clarification that County APP requirements take precedence over any municipality's requirements, that artworks commissioned by a municipality are owned and maintained by that municipality, and that private development on public land must comply with APP requirements. Previously, the Ordinance was revised on December 21, 1982 and on February 8, 1994 allowing the program 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.

6. Should the Board's membership requirements be modified?
No changes to the membership requirements are recommended.

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.

7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2017 and FY 2018)

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

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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.

ART IN PUBLIC PLACES ACCOMPLISHMENTS SINCE ESTABLISHED

Major Accomplishments Since Established, Updated May 2019

Miami-Dade County Department of Cultural Affairs/Art in Public Places Trust
Major Accomplishments Since Established
(Last Update: May 2019)

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 local, national, and international artists including Tomás Saraceno, Beverly Buchanan, Claes Oldenburg & Coosje van Bruggen, Ed Ruscha, Carlos Alfonzo, Isamu Noguchi, Michele Oka Doner, Olga de Amaral, Jose Bedia, Cundo Bermudez, Carlos Cruz-Diez, Red Grooms, Edouard Duval Carrie, Jim Drain, and Forrest Myers.

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 Maria Martinez-Cañás
- 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 Heliport
Miami Heliotrope by Keith Sonnier

Major Accomplishments Since Established, Updated May 2019

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 Bedia
- 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
- *The Culture of the Structure* by Konstantia Kontaxis and Ed Talavera, 55 min. Documentary Film

PortMiami

- Terminal A – Royal Caribbean Cruise Line
Space Moving Light by Tomás Saraceno
Volume Miami by Erwin Redl
- Carola Bravo, *Wave of Ideas*, Royal Caribbean Innovations Lab at PortMiami
- PortMiami Campus
The Bollard Project by Jim Drain
- Toll Collection Booths
Coral Reef City by Bhakti Baxter
- Terminal D
Ocean Waves I and II by Shan Shan Sheng
- Terminal E
Ephemeral Everglades by Dixie Friend Gay
- Cruise Terminal G
Miami on the Wild Side by Deborah Brown
Aquascapes: Miami Seaport Project
- Cruise Terminal F
Listening Benches by Nitin Jayaswal, Entrance Area
All Night Long, We Heard Birds Passing by Lydia Rubio
The Journey: Water Project & Suitcase Project by Carolina Sardi

Major Accomplishments Since Established, Updated May 2019

Marlins Park

- Home Run Feature
Homer by Red Grooms
- Stadium Entrance Plaza
Chromatic Induction in a Double Frequency by Carlos Cruz-Diez
- Commemorative Marker-East Plaza Entrance
A Memorial Bowling by Daniel Arsham/Snarkitecture
- Lighting of Super-Columns
Beacons by Daniel Arsham/Snarkitecture
- City of Miami/Marlins Park Parking Garages
Spectators by Christian Moeller

Miami Dade Parks, Recreation and Open Spaces

- Arcola Lakes Senior Center
Confetti Floor by Aramis O'Reilly
- Kendall Soccer Park
September Trophy by Leyden Rodriguez-Casañova
- Deering Estate
Light Forms by Silvia Lizama
Wishing Stone by Richard Medlock
- Crandon Park Golf Course Clubhouse, Key Biscayne
Vistas by Luciana Abait
- Metrozoo
Animals of Asia by Joe Walters
Monolophosaurus by John Payne
Harpy Eagle by Peter Busby
Still Life Zoo by Carlos Betancourt
- African Heritage Cultural Center
Aromatic by Gary Moore
- 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

Major Accomplishments Since Established, Updated May 2019

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* a 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 Matheu

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:

- Franz Ackermann, *About Sand*, Miami Beach Convention Center
- Sinisa Kukec, Arcola Head Start Facility
- Tom Otterness, Children's Courthouse: *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.

Major Accomplishments Since Established, Updated May 2019

- Matthew Geller's *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.
- Brooklyn-based artist David Brooks was commissioned to design the facade of the new Animal Services Facility, which is inspired by Bernini's St. Peter's Square, Vatican City State.
- *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 Jefre 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 created by computer-programmed LED fixtures. In addition, the lobby features two large-scale marble sculptures also created by Chambers entitled *Orbitals I* and *II*.
- A collection of five mini gardens for the central plaza of the Verde Gardens Housing Project by artists Carlos Alves and JC Carroll.
- An interactive, new media project for the main lobby of the Stephen P. Clark Government Center entitled *Reflect* by artist Ivan Toth Depeña.
- An exterior entrance plaza entitled *Shadow Canopy* and interior rug by Michelle Weinberg at GSA Trades Shop Facility.
- A photo installation entitled *Horizon* by Dennis Adams at the Miami-Dade Water and Sewer Department.
- An installation by Angi Curreri entitled *Hearts of Hope* at the Domestic Violence Shelter.
- Installation at North Dade District Police Station #9 by Val Carroll titled *Seals of Excellence*.
- Project at Fairchild Tropical Garden by Roberto Behar and Rosario Marquardt, *Paradise Room*.
- Two sculptures by Ralph Helmick and Stewart Schechter at the American Airlines Arena titled *Double Vision*.
- Two projects at Caleb Center. Artists worked closely with a Community Advisory Committee led by the Hon. Beth Bloom and Yvonne Caleb to create the projects.
 - *Caleb Memorial Mural* by Charles Humes
 - *Heart House* by Angi Curreri
- Sculpture installation at West Little River Fire Station by artist Dinizulu Gene Tinnie titled *A Gathering of Spirits*.
- Four banner projects at the Miami Arena by artists Toni Lawson Chipenda, Alberto Donat, Meme Ferre and Ken Falana.

Major Accomplishments Since Established, Updated May 2019

- Sculpture Walk at Miami Dade College-Wolfson Campus. Installed eight sculptures by accomplished American sculptors donated to Art in Public Places by the Lannan Foundation.
- Key Biscayne Gardens Master Plan, 1989.

Temporary Public Art Commissions

Art in Public Places continues to embrace new modes of public art, and in recent years has taken on a series of groundbreaking temporary public art initiatives in partnership with the John S. and James L. Knight Foundation, the University of Miami, and ArtPlace America in an effort to serve a more diverse range of artists and artist's practices.

- *Fringe Projects 2013-2018; featuring Dara Friedman, Hew Locke, Cara Despain, Alan Gutierrez, Tschabalala Self, Emmett Moore, Antonia Wright, R & R Studios, Siebren Versteeg, and more.*
- *Sea Level Rise: featuring Domingo Castillo, Misael Soto, Radioee.net. Tom Scicluna, Hannes Bend*
- *The Underline: featuring Nicolas Lobo, Naomi Fisher, Bhakti Baxter, Radioee.net*
- *Ivan Toth Depena, Lapse Miami Augmented Reality Commission*

Awards:

- *Knight Arts Challenge Grant: Creative Time Summit Miami 2018:* In December of 2017, Art in Public Places of the Miami-Dade County Department of Cultural Affairs was awarded a \$125,000 matching grant from John S. and James L. Knight Foundation to bring the Creative Time Summit to south Florida for the first time.
- *2017 National Association of Counties (NACo): Restoration of the Miami Line* The National Association of Counties (NACo) granted Miami-Dade County a 2017 Achievement Award for its program titled "Restoration of The Miami Line, the iconic multicolored sculpture at the Miami River Metrorail Bridge" in the category of Arts and Historic Preservation.
- *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.
- *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 a \$200,000 ArtPlace America grant to produce temporary public artworks on along the Underline, Miami's 10 mile long urban corridor located under the Metrorial parallel to US1.
- *Knight Foundation Grant: Sea Level Rise* In March of 2015, Art in Public Places in collaboration with the University of Miami School of Communication received a Knight Foundation grant in the amount of \$65,000 to engage audiences with a series of site-specific art interventions examining sea level rise and its potential impact on Miami-Dade County.

Major Accomplishments Since Established, Updated May 2019

- *NACo Achievement Award Received for "Assessment and Appraisal of the Miami-Dade County Public Art Collection" 2014-2015* 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.
- *Public Art Network Year in Review 2014* - two Miami-Dade public art projects were selected out of a field of 340 entries, with only the top 37 projects in the nation being showcased. Miami-Dade projects featured in the Public Art 2014 Year in Review were Bhakti Baxter's *Coral Reef City* and Jim Drain's *The Bollard Project*.
- *National Association of Counties (NACo) Award 2013* - Miami-Dade County Art in Public Places received a 2013 National Association of Counties (NACo) award for its newly designed website, www.miamidadepublicart.org.
- *Knight Arts Challenge Grant Award (\$50,000)* – In collaboration with Miami-Dade County Art in Public Places, artist Ivan Toth Depeña received Knight Art Challenge Grant to launch the nation's first augmented reality public art program.
- *Public Art Network Year in Review 2012* - three Miami-Dade public art projects were selected out of a field of 429 entries, with only the top 50 projects in the nation being showcased. Miami-Dade County received recognition for the highest number of public art projects of any single community in the nation. Miami-Dade projects featured in the *Public Art 2012 Year in Review* were Ivan Toth Depeña's *Reflect*, Christopher Janney's *Harmonic Convergence*, and *Ripple Gardens* by Mikyoung Kim.
- *Public Art Network Year in Review 50-Year Retrospective* recognized *Peacock Curtain* by Robert Zakantich and *Water Scores* by Anna Valentina Murch as two of the most exemplary public art projects completed over the past fifty years in the United States.
- International Art and Artworks Award (2010) presented at the World Architecture Festival honored Barbara Neijna's *Foreverglades* at Miami International Airport, Concourse J.
- *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 Neijna'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, Condo 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.

Major Accomplishments Since Established, Updated May 2019

- 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 set of guidelines for implementing the art in public places requirements. In addition, the processes and

Major Accomplishments Since Established, Updated May 2019

procedures detailed in the guide have been incorporated in the County's Procedures Manual (procedure number 358).

- Published "Selections from the Miami-Dade County Art in Public Places Collection, "a brochure highlighting the excellence of the APP Collection. "Selections" also promotes self-guided tours of the collection and increases awareness of our county-wide "museum." (2008)
- Miami-Dade Art in Public Places published a full color catalogue highlighting the public art projects at Carnival Center for Performing Arts entitled *From Vision to Reality: Public Art at Carnival Center for the Performing Arts*. (2006)
- An exhibition entitled *From Vision to Reality: Public Art at Carnival Center for the Performing Arts* was held in the lobby of the Miami Herald during Art Basel Miami Beach 2006. Guided tours of the public art projects at the Carnival Center were held with artists on site to speak to the public about their works.
- Miami-Dade Art in Public Places participated in the 2006 Public Art International Symposium in Taipei, Taiwan and presented a lecture on Public Art Education and Training.
- In 2004, Miami-Dade Art in Public Places purchased forty works of art for the Artbank Collection. The purchases were highlighted in an exhibit entitled *Recent Acquisitions: Artbank Collection* in the lower lobby of the Stephen P. Clark Center. In addition, a full color catalogue was published to accompany the exhibition.
- In collaboration with Miami-Dade Transit, APP produced a promotional brochure entitled *Art en Route*, which highlights the public art projects along the Metrorail and Metromover stations. (2003)
- Artist-in-residency project with artist Amalia Padilla-Gregg at North Dade Center for Modern Languages, an elementary school in Opa-locka.
- Project by artist Sebastian Spreng honoring local citizens with disabilities.
- AIDS Information Stands - a project with the Center for the Fine Arts, National Foundation for the Advancement of the Arts, the Public Works Department and Body Positive 93/94.
- Domestic Violence Initiative project as part of the Liz Claiborne "Women's Work Project" 93/94.
- Completed a Videodisc, CD ROM and software program containing in-depth information on many new and old Art in Public Places projects, and containing video games and classroom exercises on the Art in Public Places program.
- Art in Public Places was featured in a major exhibit called *Art + Architecture = Miami* at the North Miami Museum of Contemporary Art.
- The agency completed the S.O.S.! (Save Outdoor Sculpture) survey, a survey of all outdoor sculptures in Dade County, made possible through a grant from the Smithsonian Institution. As a result, the department created the Adopt-an-Artwork program. The program enables corporate and community agencies to provide maintenance of an artwork for a period of a year.
- Several major exhibitions and catalogues published:
Selections from the Miami-Dade County Art in Public Places Collection - 2008

Major Accomplishments Since Established, Updated May 2019

From Vision to Reality: Public Art at the Carnival Center for the Performing Arts-2006

Artbank: Recent Acquisitions-2004

Art en Route-2003

Public Art Process -1985

Venice Biennale - 1988

South Florida in the Eighties-Selections from the Artbank at Miami-Dade Center 1989

MetroMover proposals exhibit 1991/92 Main Branch Miami Dade Library Art + Architecture = Miami - 1995

- Art in Public Places was one of the first public art programs in the country to create a full-time education program.
- 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.

ATTENDANCE 2017 & 2018

App Trust Last	App Trust First	Feb. 14, 2017	Mar. 14, 2017	Apr. 11, 2017	May 9, 2017	June 7, 2017	July 11, 2017	Aug. 8, 2017	Sep. 12, 2017	Sep. 26, 2017	Oct 24, 2017	Nov. 14, 2017	Dec. 12, 2017	Dec. 21, 2017
Ackley	Susan	P	#	P	P	**	P	P	P	P	P	P	#	P
Damian	Carol	P	#	E	P	**	E	E	P	P	P	P	#	P
Dorsainvil	Sandy	P	#	P	E	**	A	**	P	P	P	E	#	P
Gordon	Sandi-Jo	P	#	P	P	**	P	**	P	E	E	P	#	P
Grabiel	Julio	E	#	P	P	**	E	**	E	P	P	P	#	P
Hernandez	Maggie	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Jacobs	Cheryl	P	#	P	P	**	P	**	P	P	E	P	#	P
Levine	Dr. Paula	E	#	E	E	**	E	**	P	P	P	P	#	E
Marrero	Asael "Ace"	NM	NM	NM	NM	**	NM	NM	NM	NM	NM	NM	NM	NM
Migdel	Zammy	E	#	P	P	**	E	**	E	E	E	P	#	E
Mikesell	Kathryn	P	#	P	P	**	E	**	P	P	P	P	#	P
Orosz	Kathryn	P	#	E	P	**	P	**	P	P	P	E	#	E
Pierre	Bernadette	E	#	P	P	**	P	**	E	E	E	E	#	E
Robertson	Tracey	NM	NM	NM	NM	NM	NM	**	P	E	E	E	#	E
Code:	P=Present													
	A=Absent													
	E=Excuse													
	NM=Non Member													
	# = No Quorum													
	** = No Meeting													

APP Trust Last	APP Trust First	Jan. 18, 2018	Feb. 13, 2018	Mar. 13, 2018	Apr. 10, 2018	May 18, 2018	May 22, 2018	Jun 12, 2018	Jul 10, 2018	Aug. 21, 2018	Sep. 18, 2018	Oct. 9, 2018	Oct. 16, 2018	Nov. 13, 2018	Dec. 11, 2018
Ackley	Susan	P	P	#	P	#	P	P	P	P	P	P	E	P	P
Damian	Carol	P	P	#	P	#	P	P	P	P	P	P	E	P	P
Dorsainvil	Sandy	P	E	#	P	#	A	P	E	P	P	P	P	P	E
Gordon	Sandi-Jo	P	P	#	P	#	P	P	P	P	P	P	P	P	P
Grabiak	Julio	P	P	#	P	#	P	P	E	P	P	NM	E	P	E
Hernandez	Maggie	NM	NM	#	NM	#	NM	NM	NM	NM	NM	NM	NM	NM	NM
Jacobs	Cheryl	P	P	#	E	#	P	E	P	E	E	P	P	P	P
Levine	Dr. Paula	E	P	#	P	#	E	P	E	E	P	E	E	P	P
Marrero	Asael "Ace"	NM	NM	#	NM	#	NM	NM	NM	NM	NM	NM	P	P	P
Migdall	Zammy	P	E	#	E	#	E	E	E	P	P	E	P	P	P
Mikesell	Kathryn	E	E	#	P	#	P	P	P	E	P	P	E	P	E
Orosz	Kathryn	P	E	#	P	#	E	P	P	E	P	E	P	E	P
Pierre	Bernadette	E	E	#	E	#	A	A	P	E	P	P	E	E	A
Robertson															
Carter	Tracey	P	P	#	E	#	E	E	E	P	P	E	P	E	E
Code:															
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ORDINANCE

ART IN PUBLIC PLACES

MIAMI-DADE COUNTY ART IN PUBLIC PLACES ORDINANCE

Adopted: September 18, 1973

Amended: December 1, 1978

Revised: December 21, 1982

Revised: February 8, 1994

Revised: February 5, 2019

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:

Sec. 2-11.15. - Works of art in public places.

1. This section shall be known, and may be cited, as the "Miami-Dade Art in Public Places Ordinance."
2. *Art in public places program.*
 - (a) *Applicability and Jurisdiction over County facilities.* Subject to the provisions of paragraph (2)(e) below, this section is intended to, and shall, govern art in public places in the incorporated and unincorporated areas of the County. County facilities located, or intended to be located, within the boundaries of a municipality shall be governed solely and exclusively by the Miami-Dade Art in Public Places Ordinance with respect to matters covered in this section, including with respect to the collection, payment, and allocation of funds for the acquisition and display of works of art relating to said County facilities, and shall not be within the jurisdiction of the municipality for such purposes.
 - (b) *Appropriation for construction to include amount for works of art.* Miami-Dade County and each municipality in Miami-Dade County shall provide for the acquisition of works of art equivalent in value to not less than one and one-half (1½) percent 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.
 - (c) *Waiver of requirements.* The requirements of paragraph (b) 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.
 - (d) *Definitions.* For the purpose of this section, the following terms are hereby defined:
 - (1) *Works of art* is 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, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, lighting designs 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. All construction costs shall be calculated as of the date the contract is executed.
 - (3) *County facility* is defined as any facility, building, structure, improvement, or infrastructure, whether subterranean, above-ground, or overhead, that is (i) owned, leased, or operated by, or (ii) constructed upon land owned or leased by, the County or any of its agencies or instrumentalities, including Public Health Trust of Miami-Dade County.
 - (e) *Option for municipalities to enact art in public places ordinances.* Any municipality within the County may opt out of this section by enacting and administering its own art in public places ordinance for non-County facilities located within its municipal boundaries. This section sets forth the minimum standards for any municipal ordinance and any such municipal ordinance shall be consistent with the minimum standards of this section. The municipality shall provide written notice of the municipality's intent to opt out of this section and a copy of the proposed ordinance to the Office of the County Mayor and to the Art in Public Places Trust at least 30 days prior to the scheduled adoption of any such municipal ordinance so that the County Mayor or County Mayor's designee can advise the municipality whether or not the proposed ordinance is consistent with the minimum standards set forth in this section. Within 30 days following the adoption by a municipality of an art in public places ordinance, the municipality shall provide a copy of the adopted ordinance to the County Mayor and the Art in Public Places Trust. Any municipality that, prior to March 30, 2019, has adopted an art in public places ordinance and seeks to use said ordinance to opt out of this section, shall provide a copy of said ordinance to the County Mayor and the Art in Public Places Trust so that the County Mayor or County Mayor's designee can advise the municipality whether or not the adopted ordinance is consistent with the minimum standards set forth in this section.
3. *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 curating of all works of art acquired by the program. The Trustees shall oversee and administer the funds collected by municipalities for municipal facilities and projects consistent with this section to be used for the benefit of such municipalities, except where a municipality has enacted its own art in public places ordinance and administers its own program as provided in this section.
 - (1) *Membership; qualifications.* The Trust shall be composed of fifteen (15) Trustees appointed to staggered 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 Commissioner 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 Miami-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 Sections 2-11.38 and 2-11.39 of the Miami-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.

- (3) **Duties.** The Trustees shall prepare a master art plan to ensure a coherent acquisition program and implementation guidelines, both of which shall be approved by the Board of County Commissioners. The Trustees shall approve all program acquisitions in accordance with the master art plan and implementation guidelines and shall oversee the public education, and curatorial aspects of the program. The Trustees shall recommend to the County Manager an Executive Director, a budget for staff and other expenditures necessary to operate the program and shall deliver an annual report to the Board of County Commissioners.
- (b) **Professional Advisory Committee.** The Professional Advisory Committee shall be composed of eleven (11) 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 donation 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 serve a two-year term and may be reappointed for a total of three (3) consecutive terms.
 - (3) **Duties.** The Professional Advisory Committee will screen submissions and will recommend to the Trust for each acquisition not more than three (3) 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) **Selections of works of art.** All acquisitions will be in accordance with the master art plan. Trustees shall approve each acquisition from those elections 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 that the artist can successfully complete the work within the available funding, diversity of works already acquired by the Trust, 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 the 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 acquisition. These shall be approved by the Board of County Commissioners. Purchases and Commissions pursuant to such approved guidelines shall be reflected on the information section of the Commission agenda, but shall not require Commission approval.

4. *Ownership and Upkeep.* Ownership of all works of art acquired by the County under this section is vested in Miami-Dade County, except that ownership of all works of art acquired with municipal funds for a new governmental building shall be vested in the applicable municipality. The Art in Public Places Trust is charged with the custody, supervision, maintenance and preservation of works of art acquired by the County pursuant to this section, while each municipality is charged with the custody, supervision, maintenance, and preservation of works in art acquired with municipal funds pursuant to this section. In each instance, the County or municipality, as applicable, shall acquire title to each work of art acquired.
5. *Personnel.* The County Mayor 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.

(Ord. No. 73-77, §§ 1—4, 9-18-73; Ord. No. 78-75, § 1, 11-7-78; Ord. No. 82-90, § 1, 9-21-82; Ord. No. 82-112, § 1, 12-21-82; Ord. No. 84-14, § 1, 2-7-84; Ord. No. 94-12, § 1, 1-18-94; Ord. No. 98-18, § 1, 2-3-98; Ord. No. 19-08, § 2, 2-5-19)

Editor's note— Ord. No. 73-77, § 5, provided for inclusion of the ordinance as a part of this Code, but did not specify the manner of inclusion; hence, codification of §§ 1—4 as § 2-11.15 was at the discretion of the editors.

Cross reference— Center for Fine Arts, § 2-301 et seq.

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 built by and/or for the County or a municipality, prefabricated structures procured for public use, and existing buildings that are converted to a new use. The County Code requires that 1½% of the capital 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 of Cultural Affairs 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 program and for the Department of Cultural Affairs to review a complete capital budget for the project and to confirm that an accurate calculation of the APP contribution has been made.
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;
 - capital project management fees (for County and/or contracted services)
 - construction costs (including all systems and features that make a facility functional);
 - site work;
 - allowance accounts (e.g., permitting, surveying, inspections); and
 - contingency allowance(s).

The only exclusions are land acquisition and subsequent changes to the construction contract through change orders that do not involve a major change in the project’s scope.

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.
 - All solicitations for and resulting development agreements must include the following language provided by APP regarding the requirement to transfer public art funds to Art in Public Places:

Art in Public Places. This Project is subject to the Art in Public Places ("APP") provisions in Section 2.11.15 of the Miami-Dade County Code and Administrative Order 3-11, as managed by the Miami-Dade County Department of Cultural Affairs ("Department of Cultural Affairs") pursuant to Procedure 358 in the Miami-Dade County Procedures Manual ("Procedures Manual"). The Developer shall transmit 1.5% of the Project costs for all development on County land (as outlined in the Procedures Manual) to the Department of Cultural Affairs for the implementation of the APP program. The Developer is required to work collaboratively with the Department of Cultural Affairs on the implementation of the APP program pursuant to the requirements of said program. The referenced documents can be accessed at:

<https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances>
<http://www.miamidade.gov/ao/home.asp?Process=alphalist>
<http://intra.miamidade.gov/managementandbudget/library/procedures/358.pdf>

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. The following language must be included by departments 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:

This project is subject to the Miami-Dade County Art in Public Places requirements, pursuant to Section 2-11.15 of the Code of Miami-Dade County, managed by the Miami-Dade County Department of Cultural Affairs as detailed in Procedure 358 in the Miami-Dade County Procedures Manual (see <http://www.miamidadepublicart.org/#tools> or <http://intra.miamidade.gov/managementandbudget/procedures.asp>).

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 art commissioning recommendations to the APP Trust. PAC members are arts and design 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 help 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 capital project contract awards including but not limited to A&E, consultants' and contractors' 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 APP-authorized 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 and the costs of regular maintenance 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 day-to-day 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. Please contact David Martinez-Delgado, Department of Cultural Affairs, for assistance (305-375-1067; david.martinez-delgado@miamidade.gov).

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.
4. Site specific and/or integrated works of art (i.e., works of art that are incorporated as an integral part of a building or structure) may not be moved without the review and approval of the Art in Public Places Trust. When possible, the Art in Public Places Trust will seek the advice and/or involvement of the artist in regard to the advisability and feasibility of moving her/his 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 enacting their own art in public places programs and administering their own public art projects or working collaboratively with Miami-Dade Art in Public Places for APP to administer, manage and implement their public art projects.
3. If the municipality chooses to implement its own public art projects, the city is responsible for enacting its own art in public places ordinance which adheres to the minimum standards set forth in Section 2-11.15 of the Code of Miami-Dade County ("Code"). APP is available to provide guidance to municipalities in regard to enacting their own ordinances and establishing their programs. The following highlights requirements and guidance for municipal art in public places programs:
 - 1½% of the total capital cost of new government buildings must be allocated for the commission or purchase of artworks as defined in the Code and 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;
 - Municipalities must consult with Section 2-11.15 of the Code in regard to the minimum standards and notice required to enact and administer their own art in public places program;
 - 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 does not enact its own art in public places program and/or 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, not less than 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 - this administrative percentage may change in consultation with the Department of Cultural Affairs based on the complexity and duration of the administrative services required for 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; 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.
6. County facilities located, or intended to be located, within the boundaries of a municipality are governed solely and exclusively by the Miami-Dade County Art in Public Places program.

Information for Private Sector Capital Development on Land Owned or Leased by Local Government or on Private Property with the Building Owned, Leased or Operated 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);
 - The project advances a public policy objective (e.g., an office building or residential development that encourages public transit ridership); 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, 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;
 - work with the private entity to calculate the APP project funds, using the APP Capital Budget Allocation Worksheet based on actual capital project contract awards including but not limited to A&E, consultants' and contractors' awards;
 - provide the private entity with a payment schedule for the conveyance of the APP project funds to the Department of Cultural Affairs;
 - 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 agreements 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 an amount not less than 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; this administrative percentage may change at the discretion of the Department of Cultural Affairs based on the complexity and duration of the administrative services required for 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) and their costs 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.
 8. Works of public art may not be moved without the review and approval of Art in Public Places. Site specific and/or integrated works of art (i.e., works of art that are incorporated as an integral part of a building or structure) may not be moved without the review and approval of the Art in Public Places Trust. When possible, the Art in Public Places Trust will seek the advice and/or involvement of the artist in regard to the advisability and feasibility of moving her/his work of art.

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 de-accessioned, 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 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. Calculation of APP Amount.
 - How does a capital project accurately calculate the 1 ½% APP requirement amount?
 - 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 and the final Worksheet must be signed by the department and the Department of Cultural Affairs (see sample "APP Capital Budget Allocation Worksheet" at <http://www.miamidadepublicart.org/#tools>; this form also is available from APP staff).
4. Project Changes
 - Are the costs associated with significant changes in a project's scope and budget subject to the APP requirement?
 - Yes. Typically, regular additive change orders are subject to the APP requirement as they are paid for from the project contingency allowance which is covered by the APP requirement. More significant scope additions which are accompanied by increases to the project's capital budget are subject to the APP requirement.
5. 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.

6. 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.
7. 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.
8. 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.
9. 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.
10. 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 or Leased by Local Government or on Private Property with the Building Owned, Leased or Operated 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.
11. 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 Patricia Romeu, Department of Cultural Affairs, for instructions to convey funds (305-375-5920; romeu@miamidade.gov).
12. Cancellation of Capital Projects
 - Do APP costs incurred to date need to be covered by the department if the capital project is cancelled?
 - Yes.
13. 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.
14. Building Additions.
 - Are additions to an existing structure covered by the APP requirement?

- Yes, additions are considered to be “new government buildings.”
15. Building Adaptations.
- Are existing buildings that are acquired and converted for a new governmental use covered by the APP requirement?
 - 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.
16. Structures
- Does APP cover structures that are built by or for the County that serve the public (e.g., parks, playgrounds, bridges, pre-fabricated shells, utilities buildings, etc.)?
 - Yes, if the structure is intended to be used directly by the public.
17. 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.
18. Parking Garages.
- Does the APP requirement apply to a parking garage?
 - Yes.
19. Roadways, Sidewalks Parking and Site Improvements.
- Does the APP requirement apply to roadways, sidewalks, parking and site improvements?
 - Yes, if the roadways, sidewalks, parking (e.g., parking lots) and site improvements (e.g., site lighting, signage, etc.) are part of a construction project that is covered by the APP requirement.
20. 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.
21. 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.”
22. Required Art in Public Places Language
- Can departments change the required APP language that is provided in this Procedure?
 - No, departments must use the following language in all solicitations for APP eligible capital projects:

This project is subject to the Miami-Dade County Art in Public Places requirements, pursuant to Section 2-11.15 of the Code of Miami-Dade County, managed by the Miami-Dade County Department of Cultural Affairs as detailed in Procedure 358 in the Miami-

Dade County Procedures Manual (see <http://www.miamidadepublicart.org/#tools> or <http://intra.miamidade.gov/managementandbudget/procedures.asp>).

23. 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.

24. 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. The donation of art work(s) does not satisfy the APP requirement for an eligible capital project.

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

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 test 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

MINUTES
BOARD MEETING APPROVING
COMPLETED SUNSET REVIEW,
INCLUDING VOTE OF MEMBERSHIP

**MINUTES OF THE
MIAMI-DADE COUNTY ART IN PUBLIC PLACES TRUST
Tuesday, February 12, 2019
12:30 pm – 2:00 pm**

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

MEMBERS PRESENT

Sandi-Jo Gordon, Chairperson
Susan Ackley, Vice Chairperson
Carol Damian
Julio Grabiell
Maggie Hernandez
Cheryl Jacobs
Asael "Ace" Marrero
Kathryn Mikesell
Kathryn Orosz

MEMBERS NOT PRESENT

Sandy Dorsainvil
Dr. Paula Levine
Zammy Migdal
Bernadette Pierre
Tracey Robertson Carter

STAFF

Carolina Alfonso
Stefania Barigelli Rodriguez
David Martinez-Delgado
Alex Peraza
Patricia Romeu
Amanda Sanfilippo Long
Michael Spring

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

Requests for Excused Absences for February 12, 2019

Requests for excused absences submitted by Dr. Paula Levine, Zammy Migdal, and Tracey Robertson Carter were approved unanimously (motion by Susan Ackley, seconded by Kathryn Orosz).

Approval of January 8, 2019 Trust Meeting Minutes

The Trust minutes of the January 8, 2019 meeting were approved unanimously (motion by Kathryn Mikesell, seconded by Ace Marrero).

Approval of January 31, 2019 Professional Advisory Committee (PAC) Minutes

The Trust minutes of the January 31, 2019 meeting were approved unanimously (motion by Ms. Orosz, seconded by Julio Grabiell).

Trust Resolution No. APPT 19-05 Hialeah Gardens Library at Westland Gardens Park, Proposal Contracts

As presented by APP Project Manager Carolina Alfonso, a meeting of the PAC was held on January 31, 2019 to for the purpose of selecting artists to complete proposals for the new Hialeah Gardens Library Branch at Westland Gardens Park located at 134 Street NW and 107 Avenue, in District 12. This is a new, 13,500 square foot single-story library to be constructed within a recreational complex of the City of Hialeah Gardens. It is envisioned that library amenities will include an exterior covered seating/patio area integrated with the building, a café, a community multi-purpose room, a digital media center, and a children's room, as well as flexible seating areas and spaces for a wide range of activities and uses. The new library is located adjacent to the Hialeah Gardens Community Center, creating a shared courtyard.

This national Call to Artists received one hundred and ninety three (193) applications. In attendance at the PAC meeting were members of the construction and architectural design teams.

After careful discussion and input from the client team, eight (8) artists were recommended by the PAC to develop full proposals.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 19-05 recommends approving Proposal Contracts in substantially the form attached with the following eight (8) artists in the Not-to-Exceed Fee amounts as described below for each artist (including proposal-related fees associated with travel):

	Recommended Artists	Fixed Fee Amount
1	Jamilah Sabur	\$800.00
2	Amanda Keeley	\$800.00
3	Sterling Rook	\$800.00
4	Juana Valdes	\$1,300.00
5	Luis Gispert	\$1,300.00
6	Maria Elena Gonzalez	\$1,800.00
7	Johnathan Gonzalez	\$800.00
8	Naomi Fisher	\$800.00
	Total Proposal Phase Expenditure	\$8,400.00

for a combined total expenditure amount not-to-exceed \$8,400 for the Hialeah Gardens Library Branch at Westland Gardens Park (from Miami-Dade County Public Library System – MDPLS Public Art Funds).

The motion to adopt Trust Resolution No. APPT 19-05 was approved unanimously (motion by Ms. Orosz, seconded by Mr. Grabel).

Trust Resolution No. APPT 19-06 *Town of Medley, Proposal Contracts*

As presented by APP Chief Patricia Romeu, a meeting of the PAC was held on January 31, 2019 for purpose of recommending artists to complete proposals for the siting of a monument at Town of Medley’s Town Hall front plaza. The commissioning of this work will serve to satisfy the town’s APP requirement for the construction of their new Town Hall Center in 2015. The Town of Medley is engaging the services of the Miami-Dade Art in Public Places program for the full implementation of this commission with the intent to secure an artist-design concept to present as part of the Town’s 70th Year Anniversary celebration scheduled for late April 2019. The Town of Medley envisions this monument to be representative of its evolution from a small industrial center to the vibrant and rapidly growing international industrial hub and destination for multi-national companies that it has become today.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 19-06 recommends approving Proposal Contracts in substantially the form attached with artists: 1) Felice Grodin; 2) Leonel Matheu; 3) Carlos Enrique Prado; 4) Leyden Rodriguez-Casanova; 5) Lydia Rubio; and 6) Oliver Sanchez in the fixed fee amount of \$800.00 each, for a combined total expenditure amount not-to-exceed \$4,800.00 for the Town Hall Center Monument at Town of Medley (from Town of Medley Public Art Trust Funds).

The motion to adopt Trust Resolution No. APPT 19-06 was approved unanimously (motion by Ms. Ackley, seconded by Mr. Marrero).

Trust Resolution No. APPT 19-07 Carlos Enrique Prado Herrera, Tropical Park

As presented by APP Chief Patricia Romeu, in April 2018, the Parks Recreation and Open Spaces Department inaugurated the Annual Miami International Agriculture, Horse, and Cattle Show with the unveiling of artist Carlos Enrique Prado Herrera's life-size bronze sculpture of President Reagan and a horse. Since the time of the work's unveiling, a number of issues need to be addressed, given how quickly the artwork was installed in order to meet the deadline for its completion. These include the reapplication of a stain finish, now that the curing of the multi-level concrete platform has occurred. In addition, the artist has designed a series of custom downspouts that will help protect the platform from rainwater damage. Finally, the artist is creating an aesthetically compatible bronze plaque and pedestal to identify the work and acknowledge the private donors who contributed funding and services for its completion.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 19-07 recommends approving a Professional Artist Services Agreement in substantially the form attached with Carlos Enrique Prado Herrera in the not-to-exceed amount of \$15,000.00 for conservation services of A Man and A Horse at the Tropical Park Ronald Reagan Equestrian Center (from Art in Public Places Trust Repair and Restoration Fund).

The motion to adopt Trust Resolution No. APPT 19-07 was approved unanimously (motion by Mr. Marrero, seconded by Cheryl Jacobs).

Trust Resolution No. APPT 19-08 Addendum III, Studio Tomás Saraceno

As presented by APP Chief Patricia Romeu, in April 2018, after 14 months of close collaboration with the owner and construction team of the new RCCL Terminal at PortMiami, artist Tomás Saraceno completed the largest permanent iteration in the United States of his signature *Cloud Cities* series suspended installation, *Space Moving Light*, for the terminal's 3rd level Passenger Holding Area. Designed to fill the ceiling volume of more than 35,000 cubic feet, the three sculptural modules feature a series of highly intricate web compositions floating within a black stainless steel and mirror open superstructure. Due to the monumental scale of the work and the site's limited points of access, the artist originally planned to fully assemble and complete the netting work directly onsite with a team of 8 individuals over a 12-day period. The schedule for the terminal's substantial completion called for the artwork installation to occur on September 14, 2018, just two weeks in advance of the terminal's projected grand opening. However, a week away from the scheduled start date, APP determined that the site was not sufficiently ready to safely receive the work. The artist was immediately notified of the construction delay and was asked to reschedule the installation crew at a later date that would still allow for the work to be completed in advance of the terminal's rescheduled grand opening.

This construction delay resulted in additional storage costs for the crated work already received from Germany on time for the September date, additional travel expenses for changes to all airfares and accommodations, as well as additional labor and equipment needed to install the work in half the time originally scheduled. Despite the very late notice and the complex installation logistics, the artist's team managed to complete the assembly and suspension of the work just two days before the terminal's official grand opening on November 6, 2018.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 19-08 recommends approving Addendum III to the Professional Artist Services Agreement in substantially the form attached with Studio Tomás Saraceno GmbH (lead artist Tomás Saraceno) in the fixed fee amount of \$25,000.00 for additional installation services for the RCCL new Miami Cruise Terminal artwork project (from SMBC Leasing and Financing, Inc. Art Funds).

The motion to adopt Trust Resolution No. APPT 19-08 was approved unanimously (motion by Ms. Mikesell, seconded by Ms. Jacobs).

Trust Resolution No. APPT 19-09 *Jason Tapia PAC Candidate*

APP Curator Amanda Sanfilippo Long presented the recommendation from APP staff to consider approving one (1) candidate, Jason Tapia for the Art in Public Places Professional Advisory Committee (PAC), to satisfy the Miami-Dade County Code which requires eleven (11) members to be appointed by the Trust. Ms. Sanfilippo presented the qualifications of Mr. Tapia, including his standing as the Governor-appointed Council Member of the Florida Council on Arts and Culture and as the Founder and Principal of Building Center No. 3, an architectural firm located in Miami. Mr. Tapia is a registered architect in the states of New York, Colorado, Florida, and Texas, with a track record of awards, including Young Architect of the Year (2013) and publication in AIA Florida/Caribbean Architect: "Miami Times". Ms. Sanfilippo also presented a list of current PAC members and their corresponding term limits for review by the Trust.

As presented by Chairperson Sandi-Jo Gordon, Trust Resolution No. APPT 19-09 recommends approving the recommendation of one (1) candidate, Jason Tapia, for the Art in Public Places Professional Advisory Committee (PAC), to satisfy the Miami-Dade County Code which requires eleven (11) members to be appointed by the Trust.

The motion to adopt Trust Resolution No. APPT 19-09 was approved unanimously (motion by Ms. Ackley, seconded by Carol Damian).

2019 Sunset Review of County Boards, Art in Public Places Trust

Michael Spring, Director of the Department of Cultural Affairs reported that 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 this process requires a formal action from the Trust to recommend its continuation 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 process was approved unanimously (motion by Ms. Orosz, seconded by Ms. Damian).

REPORTS AND DISCUSSION ITEMS

Amendment to the Art in Public Places Ordinance

Mr. Spring, Director of the Department of Cultural Affairs, reported that APP encourages municipalities of Miami-Dade County to create their own public art programs, as all municipal governments are required to comply with the County Code regarding the allocation of 1.5% for public art. Mr. Spring noted that approximately a year ago, the City of Miami enacted its own public art program, which extends beyond the County Code requirements by including infrastructure construction which is non-habitable, such as underground water and sewer projects, and renovations that do not constitute new buildings. Mr. Spring noted that the City of Miami's program would also have applied to all projects owned by Miami-Dade County within the municipal boundaries of the City of Miami, as well as state and federal projects, and that that the City of Miami has tied compliance with these additional public art requirement to issuing building permits.

Mr. Spring noted that the unintended consequence of the City of Miami's program is that it is impacting County infrastructure projects happening within the municipal boundaries of the City of

Miami, such as the implementation of sewer lines. In addition, it is impacting some of the renovation projects at Jackson Memorial Hospital, adding a significant amount to public art allocations beyond what Jackson has already paid to the County APP program. Mr. Spring noted that various Directors from County departments have been concerned, and after conversations with them and with the Mayor, APP prepared changes to the County public art requirement. The amendment would clarify that County APP requirements take precedence over any municipality's requirements.

In addition, in the course of looking at the County Code that describes how APP is implemented, it was concluded that all municipal public artworks commissioned under the requirement belong to Miami-Dade County, rather than to the municipality. APP worked to clarify that point in the amendment, so that artworks commissioned by a municipality are owned and maintained by that municipality.

An additional change to the ordinance also included a clarification regarding the applicability of APP for private development on public land. The amended code clarifies and confirms that such developments are required to comply with APP.

Mr. Spring noted that all of these changes were built into an amendment for the APP ordinance within the County Code, and that the County Commission at its most recent meeting approved it, making the changes law. Mr. Spring noted that APP provided City of Miami an advance copy of the changes and reviewed it with them prior to the meeting.

2019 Revisions to the APP Procedures Manual

Mr. Spring noted that when the Department of Cultural Affairs assumed responsibility for APP, it wrote the operating procedures for the program. The County has a procedures manual for all County departments. Each year, APP is invited to update its section of the manual based on changes to the program as needed per the emergence of new circumstances. Mr. Spring noted that the recent changes to the ordinance are now reflected in the APP section of the Procedures Manual. Each time it is changed, the County Attorney reviews the Procedures Manual to ensure that it is legally sufficient, and then it is published online as part how APP does business.

Mr. Spring noted that further updates to the APP section of the Procedures Manual have been made in addition to the updates reflected in the County Code. Those updates include the applicability of APP upon so-called "interim" structures intended to have a life of 5-10 years. APP updated the Procedures Manual to note that these semi-temporary structures do qualify for APP. Patricia Romeu, Chief of Public Art, noted that funds derived from such projects may be pooled and used in locations that may be more suitable. Mr. Spring noted that the County Code reads that the funds generated by APP may be moved anywhere in the county if there is a better and more publically accessible location. In practice, Mr. Spring noted that often the funds are requested to stay within the facility and department from which they are generated by the department. Mr. Spring noted that in addition, specific construction projects that have received bond funding often require that all funds stay within the project. Mr. Spring noted that very rarely are funds moved.

Mr. Spring noted that another significant policy decision was made in 2018 in reaction to internal discussions and legal review regarding the relocation of the Red Grooms sculpture *Homer*. The issue concerned identifying which authority has the right to approve the relocation of an integrated APP artwork. Ultimately, the County Attorney's office agreed with APP that the APP Trust is the only authority that can approve the relocation of an integrated artwork, and now this is represented in the Procedures Manual.

New Projects

Department of Water and Sewer

Patricia Romeu, Chief of Public Art, reported that a number of projects with the Department of Water and Sewer will be generating public art funds related to the construction of above-ground pump stations at various locations throughout the county.

Department of Transportation and Public Works

Ms. Romeu noted that in addition to a new transit-related project which is still under the cone of silence, APP expects 6-7 major public art commissions within the Department of Transportation and Public Works to unfold within the next few months at sites previously reported to the Trust, including the Douglas Road Metrorail Station, the Coconut Grove Metrorail Station, and the South Miami Metrorail Station.

Jackson

APP Project Manager Stefania Barigelli Rodriguez noted that all artists related to the Jackson expansion program are in contract with APP, and that this month and next a number of design-development meetings are taking place with artists and the specific project teams including Nice N Easy, Ellen Harvey and Blaine de St. Croix, assume vivid astro focus, Brian Bress, Rob Pruitt, and Jen Stark.

PortMiami, Cruise Terminal B, Norwegian Cruise Line (NCL)

APP Project Manager David Martinez-Delgado noted that the design development for the signature commission at the NCL terminal by artist Jorge Pardo is in process and that the location of the work on the exterior of the terminal has been approved by all parties. The new exterior location requires the adaptation of the work to the new conditions to ensure a successful integrated artwork that can be achieved independently of the certificate of occupancy if necessary.

Collection Updates

Maria Martínez-Cañas, *Años Continuos* at Miami International Airport

Mr. Spring reported that APP completed an integrated artwork in 1995 with artist Maria Martínez-Cañas at Miami International Airport (MIA), a major glass wall incorporating a collage of original photographic negatives and other material. Unbeknownst to APP, as part of a major expansion project, MIA built a restaurant in front of the artwork, leaving only a space between the new structure and the artwork, thereby eliminating the crucial viewpoint for the work. The artist, upon encountering the work, reached out in 2018 to express her dissatisfaction with its new context and compromised accessibility. Mr. Spring noted that APP responded by meeting with the artist, and visiting the site together. Ultimately APP has recommended the following options to the artist: APP could fully restore the work of art in its original location which had been damaged over the years; de-accession the work; and/or APP could commission the artist to recreate a new version of the work in a new location within MIA. noted that she would like to recreate and relocate it. Mr. Spring noted that Ms. Romeu is working with MIA and the artist to determine the new location, and that the work would be produced with MIA APP maintenance funds and additional funds from MIA. Ms. Romeu noted that in addition, the artist Ms. Martínez-Cañas appreciated the options and desires to have the original work remain. Thus far, two locations have been presented to MIA for review, with the intent to ensure the long-term life of the work undisturbed by potential future renovations.

Respectfully submitted,
Amanda Sanfilippo Long, APP Curator + Artist Manger