



PERCENT FOR THE ARTS PROGRAM PROCEDURES AND GUIDELINES

CITY OF INGLEWOOD, CALIFORNIA

Review and Recommendation by Inglewood Arts Commission – September 21, 2011
Adopted by the Inglewood Planning Commission on October 5, 2011
Ordinance No. 11-12 adopted by the Mayor and Council Members on November 8, 2011

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I. Introduction

Established in May of 2004, the Percent for the Arts Program is designed to promote the enhancement of the City of Inglewood and improve the quality of life for its residents through the development and utilization of the arts. A common misconception is that public art refers to only a sculpture garden or fountain, or that it simply hangs on a wall, or bows before a curtain. Not true. Public art is expressed in many ways, from visual and architectural, to performance and festivals.

The City of Inglewood believes that public art can be expressed in ways that are as diverse as an artist's palette. The City recognizes the importance and relevance of traditional "art" but also provides a vehicle for art that interacts with its audience, changing the community and changing with it.

With this in mind, the City of Inglewood has crafted a Percent for the Arts Program that propels the concept of public art beyond sculpture gardens and fountains, and creates a public art program that is unique to the City of Inglewood. It is a program that is rooted in the following vision statements.

1. The arts must be a part of Inglewood's investment strategy. The arts make a community more attractive and enhance the quality of life, resulting in important economic, educational and social dividends.
2. The arts bring people together to celebrate, educate and preserve the City's diverse cultural landscape. The arts reveal ourselves to us, showing us who we are as individuals, and as a community. The arts provide a sense of place, contributing to a community's identity, and setting one community apart from another.
3. It is the vision of the City of Inglewood to support and raise the awareness of the importance of arts education in the development of young people by facilitating the means for children to learn and experience the arts on all levels, from vision and concept, to creation and performance. The Percent for the Arts Program will beneficially impact the lives of Inglewood youth through providing programming and funding opportunities for Inglewood artists, and local not-for-profit youth serving agencies.
4. The Percent for the Arts Program encourages collaboration with not-for-profit organizations and businesses that are passionate about the arts and committed to supporting the City's efforts to build a healthy arts infrastructure. In addition to the traditional support for the arts, the City invites corporate sponsorship of art programs and projects that provide broad based art experiences.
5. Over the course of a two-year planning period, ideas bloomed in the hearts and minds of Inglewood residents who sought to revitalize their neighborhoods, provide personal enrichment and set their community apart from other places. Those individuals, which included over 100 Inglewood artists, then gathered to develop a collective vision and create what is now known as the "City of Inglewood's Cultural Arts Master Plan". The Plan provides a cultural blueprint for the development of art in the City of Inglewood and support for local artists.

A. Goals and Objectives

The Percent for the Arts Program is designed to accomplish the following goals and objectives:

- Increase the understanding and enjoyment of public art by Inglewood residents and visitors.
- Provide unusual and challenging employment opportunities for local, regional and national artists. When possible, local artists will receive initial consideration on art projects.
- Encourage collaborations between artists, architects, engineers, businesses, not-for-profit organizations and City of Inglewood Staff.
- Encourage a variety of art forms: temporary and/or permanent; object and/or event throughout the City.
- Encourage and support arts education and art in institutions of the City.
- Encourage the continuing development of the City's cultural infrastructure and its support facilities.
- Establish Art in Public Places.

B. Applicability

Project Developers who must comply with the requirements of the Percent for the Arts Program shall allocate a minimum of one percent (1%) of the total development project costs to either of the following: (1) installation of on-site artwork or (2) payment of an in-lieu fee at the time the Building Permit is issued for the project.

All new development projects including parking structures, commercial and industrial development projects, including the remodeling or rehabilitation of any existing nonresidential building, and individual tenant improvements in a commercial or industrial building with a project valuation equal to or greater than two hundred and fifty thousand dollars (\$250,000) must comply with the Percent for the Arts Program.

Exterior and interior modifications and additions to an existing nonresidential building, with a project valuation equal to or exceeding two hundred and fifty thousand dollars (\$250,000), excluding earthquake rehabilitation as required by the California Building Code for seismic safety must comply with the Percent for the Arts Program.

C. Exemptions

The following projects are exempt from the requirements of the Percent for the Arts Program:

- 1) Childcare centers.
- 2) Capital improvement projects.
- 3) Residential dwelling units.
- 4) Low and moderate-income housing projects and senior housing projects funded or assisted by the Redevelopment Agency or the Housing Authority.
- 5) Nonprofit social service institution construction projects. (Registered 501(c)(3))
- 6) Buildings which are designed and dedicated to performing arts spaces or museum uses (for as long as the performing arts or museum uses are maintained within the building).

D. Certificate of Occupancy

No permanent or temporary Certificate of Occupancy shall be issued for any structure in the City unless the requirements of the Percent for the Arts requirement have been satisfied.

II. Public Art Fund

All monies received by the City from administration of the Percent for the Arts Program shall be placed in the Public Art Fund, maintained by the City and used solely for the purpose of administering components of the Percent for the Arts Program, including, but not limited to acquisition, administration, and maintenance. A portion of the proceeds placed in the public art fund will be used to finance projects and place artworks in the community that might otherwise not be possible. Funds will also be allocated to arts projects and programming to encourage linkage with larger projects throughout the City, especially in underserved communities.

The Public Art Fund shall be incorporated into each fiscal year budget and administered by the Parks, Recreation and Community Services Department for the acquisition, installation, improvement, insurance and maintenance of artwork in the City of Inglewood. Monies not used within the fiscal year allocated shall be rolled over to successive years, without limitation.

A. Permissible Expenditures

Permissible expenditures of the Public Art Fund include but are not limited to:

- Design, fabrication or purchase of public art.
- Artist's services including fees and travel expenses.
- Cost to transport and install public art.
- Community education, e.g. lectures and workshops.
- Marketing and publications including hard print materials and/or virtual, e.g. facebook, twitter, websites and any other sites or tools that may become available in the future.
- Outside legal services for public art related matters.
- Conservation and maintenance.
- Plaques.
- Temporary administration of the Percent for Art Program.
- Independent project management/art consultant services as needed.
- Any additional reasonable expenses associated with the various phases of a public art project.
- Honorariums and professional fees for guest lecturers and panelists

Inappropriate expenditures include, but are not limited to:

- Architecture or architectural elements.
- Massed produced items or art elements.
- Signage or directional elements unless it has been designed by the hired artists and is a part of the public artwork.
- Reproductions of original public art, exceptions include media art, photography, prints and video.
- Event openings and receptions not related to a public art project.

- Landscape architecture and environmental elements, unless designed by artists and/or is part of the public art design.
- Marketing and/or publications not associated with public art.
- Renaming or scripting an art event as public art to obtain public art funding.
- Aesthetic and functional elements and decorative or ornamental features designed by a building architect or industrial design professional.
- Fees for services not related specifically to public art, including engineering, architectural and design professional.
- Utilities and/or services required to operate light and maintain an artwork over time. (These art services are included in the building maintenance cost).
- Projects or sites with little to no public access.

B. Selection of Artwork

Artwork purchased by resources from the Public Art Fund may be acquired by any of the following methods, depending on which is more appropriate for the situation:

- 1) Open competition – Any artist is eligible to enter (with recognition of possible requirements for local or regional residence).
- 2) Limited competition or invitational – A limited number of artists are selected and paid to develop proposals for a site. One of the proposals is selected.
- 3) Direct selection of the artist(s) or completed work.
- 4) Any combination of the above.

Each proposed public art project will be evaluated on the following criteria:

- 1) Artistic excellence.
- 2) Appropriateness in terms of scale.
- 3) Material and content relative to the immediate and general architecture.
- 4) Social and historic context.
- 5) Long-term durability against vandalism, weather, and theft.
- 6) Maintenance considerations.
- 7) Aesthetically enhancing.

III. Options for Satisfying Program Requirements

Every developer, subject to the requirements of the Percent for the Arts Program, shall complete an Intake Form indicating how the developer intends to comply with the program. The procedure established for implementation of the Percent for the Arts program has been devised in a manner so as to not negatively impact the timing for approval of development projects. However, the public art project must be planned and approved prior to the issuance of a building permit.

A developer may satisfy the Percent for the Arts requirement by:

- 1) Paying an in-lieu fee, or by
- 2) Installing an onsite artwork.

1) In-lieu Fee

If a developer does not wish to develop on-site artwork, the Percent for the Arts requirement may be satisfied by paying an in-lieu fee at the time of issuance of the Building Permit. The fee shall be a 100% payment equal to the one percent (1%) of the

valuation of the development project, and shall be deposited in the Public Art Fund established by the City of Inglewood.

All monies received by the City from the In-lieu Fee shall be placed in the Public Art Fund, maintained by the City and used solely for the purpose of administering components of the Percent for the Arts Program, including, but not limited to acquisition, administration, and maintenance. A portion of the proceeds placed in the public art fund will be used to finance projects and place artworks in the community that might otherwise not be possible. Funds will also be allocated to arts projects and programming to encourage linkage with larger projects throughout the City, especially in underserved communities.

2) Installation of On Site-Artwork

If a developer does not wish to pay an in-lieu fee, the Percent for the Arts requirement may be satisfied by installing onsite artwork. The Percent for the Arts Program is receptive to the broadest definitions of art and encourages imaginative interpretations of media. The possible media and materials that might be used for permanent or temporary installations, decorative or functional purposes, include:

- Fixtures: Fences, gates, grates, outdoor furniture, street lights, railings, signage, and other design enhancements as are rendered by an artist(s) for specific or limited editions.
- Sculptures or sculptural elements: Free standing, attached, supported or suspended, kinetic, electronic or mechanical in any material or combination of materials.
- Mediums: Various types of artworks - earthworks, glass, photographs, prints, tiles, mosaics, lasers, fiber works, neon, and combination of forms of materials and media including, but not limited to sound, performance, and film. Video systems, and/or hybrids of any media and new genres and concepts to be introduced.
- Murals or portable images: Any materials or a combination of materials with or without collage or the addition of nontraditional materials and means.

The developer shall submit the following items to the Arts Commission:

- a. An application for installation of on-site artwork shall be submitted to the Parks, Recreation and Community Services Department, and shall include the following information, at minimum:
 - 1) Preliminary sketches, photographs or other documentation of sufficient descriptive clarity to indicate the nature of the proposed Artwork;
 - 2) An appraisal or other evidence of the value of the proposed Artwork, including acquisition and installation costs;
 - 3) Preliminary plans containing such detailed information as may be required by City staff, Arts Commission or Planning Commission to adequately evaluate the location of the Artwork in relation to the proposed development, and its compatibility with the proposed development, including compatibility with the

character of adjacent conforming developed parcels and existing neighborhood if necessary to evaluate the proposal; and

- 4) A narrative proposal with elevations, site plans, lines of sight studies, renderings and other descriptive materials, as deemed necessary by staff, to be submitted to the Arts Commission to demonstrate that the Artwork will be displayed in an area accessible to the general public.
- 5) Artist's concept statement

Upon completion of the on-site installation, the Developer must submit a Project Completion Notification Form, including a final accounting of artwork related expenses (with invoices/receipts), photo documentation, and maintenance agreement.

A. Eligible Public Art Locations

Artwork meeting the Percent for the Arts requirement must be located in a public place. Exterior and/or interior placement of public art is applicable. Spaces that are accessible to the public during normal business hours (estimated as 8 hours and a minimum 7 business days a week) with special showings for weekend exhibitions, either on private or public property, may be considered suitable locations for public art. Such facilities include commercial and/or adjoining plazas, parks, sidewalks, traffic islands, public buildings, public utilities and power stations. Locations may also include surface treatments of buildings, recreational waterways, retaining walls and bridges.

Installation of the artwork should be planned to complement the work and allow for unrestrained viewing from a variety of vantage points. Potential construction of growing trees, shrubbery, or future construction should be taken into account.

The definition of "location" can be expanded by an artist's ability to extend the possibilities for public art on a case-by-case basis. However, the primary objective of visual or interactive public accessibility must be realized for a specific number of hours per day. The developer/owner will agree to take all steps to execute and record all reasonable documents necessary to assure the right of scheduled, hourly public access to the public art site.

With regards to interior placement: If the public art does not meet the above criteria for public accessibility, the developer/owner agrees that the public art-site may be made available for an agreed upon amount of annual usage and scheduled times. This usage and determination shall be set annually by the developer/owner and the City of Inglewood.

At the request of the applicant for a Certificate of Occupancy, the artwork may be located on a site other than that of the development provided, however, that the site be selected by the Arts Commission and approved by the City Council.

B. Ownership of Artwork

Artwork installed on private property in lieu of payment of a fee shall remain the property of the owner of the site for which the final building permit or certificate of occupancy related to the development project was obtained. Ownership of the artwork will transfer to a successive owner of the property.

C. Removal or Alteration of Artwork

Once the artwork has been approved by the City of Inglewood and installed, it cannot be removed or altered without specific written approval of the City. If the artwork is knowingly removed or altered without prior approval, the Certificate of Occupancy may be revoked by the City upon due notice. In addition, if the property owner, without prior approval, removes the artwork, the owner shall contribute funds equal to the original public art fees to the Public Art Fund, or replace the work with another of equal value, as approved by the City. If this requirement is not met, the Certificate of Occupancy may be revoked.

D. Maintenance

All artwork placed on the site of a development project shall remain the property of the owner of the site for which the final Building Permit or Certificate of Occupancy related to the development project was obtained and the owner's successors and assigns. The obligation to provide all maintenance necessary to preserve and maintain the artwork in good condition shall remain with the owner of that site and the owner's successors and assigns.

The obligation to maintain the artwork shall be enforced as follows:

- 1) Prior to the placement of the artwork on a development project, the property owner shall record a title document with the county recorder setting forth a description of the artwork and acknowledging the obligation of the property owner to repair and maintain it. This document and the underlying covenant shall run with the land and provide notice to future property owners of the obligation to repair and maintain the artwork and of certain limitations related to any federal, state or local laws governing the rights of the artists including but not limited to rights regarding the alteration, modification or relocation of subject artwork. The city shall be a signatory party to this document, and its final form and content shall be approved by the city attorney.
- 2) Maintenance of artwork shall include, without limitation, preserving the artwork in good condition to the satisfaction of the City of Inglewood, protecting the artwork against physical defacement, mutilation or alteration, and securing and maintaining insurance coverage for fire, vandalism and extended liability in an amount to be determined by the city attorney. The property owner shall provide all maintenance necessary to keep the artwork and related landscaping and lighting in good condition.
- 3) At any time the Mayor and Council Members determines that artwork has not been maintained in substantial conformity with the manner in which it was originally approved, the Code Enforcement Division of the City of Inglewood, as authorized by the Mayor and Council Members , shall require the current property owner to either:
 - (i) Repair or maintain the artwork; or
 - (ii) After reasonable notice, pay the lesser of either the costs estimated by the City to be required to repair and maintain the artwork and/or secure and maintain insurance for the artwork, or the percent for the art fee based upon the current fair market value of the building, structure or improvement for which the artwork was required, as determined by the county tax assessor.

E. Stolen Artwork

Stolen artworks are to be replaced by the owner. Replaced pieces are to be reviewed by the Arts Commission and approved by the Mayor and Council Members subject to criteria

established by the Percent for the Arts Program.

F. Identification, Promotion and Advertisement of Artwork

One of the goals of the City's Cultural Arts Master Plan is to "increase opportunities to broaden arts appreciation and instruction for youth and adults." The Parks, Recreation and Community Services Department will develop and implement a public arts program that encompasses various art forms including visual, performance and literary art. Whenever possible the program will be collaborative in nature. The Department will invite collaboration with other City Departments, local artists, arts agencies and business owners.

The City of Inglewood recognizes the potential for controversy in any effective public art program. These suggested promotional activities are intended to bring the general public into closer contact with the work of art and/or the artist and thereby assist in promoting understanding of the work produced under the Percent for the Arts Program and, thereby, a greater awareness and enjoyment of various venues where works are displayed.

The developer may elect to purchase announcements or advertisement in national art publications to promote the completed artwork and artist and or to work with the City of Inglewood to promote the efforts through local and national media. In regards to temporary or permanent installations of artwork, the developer will be required to affix a plaque of durable material adjacent to the artwork listing the title of the artwork, the artist's name and the date completed.

IV. Program Administration

A. Program Implementation and Oversight

The Mayor and Council Members shall administer the City of Inglewood Percent for the Arts Program. To assist in administering the program, the Mayor and Council Members may appoint an Arts Commission, which shall consist of seven (8) Members, and include a combination of California State arts professionals, City of Inglewood Staff, and community members (Inglewood residents and/or business owners), unless otherwise mandated by the Mayor and Council Members in response to specific needs. Fifty-one percent (51%) of the Commission shall consist of Inglewood residents. Arts professionals in the visual, performance or literary fields may include, where appropriate, artists, curators, artistic directors, critics, historians, fine art collectors, architects and other design professionals with a relevant arts background.

The initial responsibility for reviewing and making recommendations about artwork proposed by project developers lay with the Arts Commission. The Mayor and Council Members shall have sole authority to accept, reject or conditionally approve all artwork, art projects, or cultural programming related to the Percent for the Arts Program.

B. Appeal Procedure

If any dispute arises between a developer and the City regarding interpretation of these Guidelines or the method of computing the obligation for a project, the developer may appeal by submitting a written statement of the dispute and the evidence supporting his/her positions and request a hearing a the matter. The City Council shall schedule the matter for a hearing.

C. Arts Commission Members

The membership of the Arts Commission shall include: five (5) members from the community (Inglewood resident or business owner), one (1) member from the Community Development Department, one (1) member from the Parks, Recreation and Community Services Department, and one (1) member from the Library Department. All members of the Arts Commission shall be:

- Knowledgeable about contemporary visual, performance, or literary arts, particularly in a public, outdoor context.
- Capable of engaging effectively in a collaborative, decision-making process.
- Open minded, responsible and objective.
- Willing to carry out the Percent for the Arts Program policies.

D. Planning Commission

The Planning Commission shall review the placement of art when the developer chooses the option to install art on-site.

E. Supervision of the Percent for the Arts Program by the Parks, Recreation and Community Services Department

The responsibility for administering the Percent for the Arts Program rests with the Parks, Recreation and Community Services Department. The role of Parks, Recreation and Community Services shall be to:

- Manage the Public Art Program and its related projects from inception to completion including planning, development and implementation, artist selection, contracts, insurance, budgets, approvals, and documentation.
- Develop and implement public art projects.
- Bring recommendations for action to the Arts and Planning Commission in relation to implementation of the Percent for the Arts Program.
- Convene and facilitate public meetings as necessary for the implementation of public art projects, and/or specific projects.
- Develop on-going maintenance programs for public art programs and projects with Participating Departments.
- Develop and disseminate Requests for Qualifications (RFQ) and/or Request for Proposals (RFP).
- Negotiate and administer contracts with artists.
- Assist with negotiation of contracts with project developers.
- Inform any advisory groups, neighborhood groups, or others that may be impacted by, or be interested in, the development of a public art project.
- Publicize the Percent for the Arts Program and specific projects.
- Document and archive as necessary, programs and projects, including contracts, photographs, drawings, and meetings.
- Develop and maintain a list of potential panelists for selecting artists for public art projects and provide oversight for the Arts Commission Panel.

F. Technical Assistance and Support

Technical assistance will be provided to the Parks, Recreation and Community Services Department by the following Departments as described below:

Planning & Building Department

The Planning & Building Department shall:

- Upon submission of a building permit or development application, advise the project developer of Percent for the Arts Program requirement and secure completion of an Intake Form (Form #1) indicating how the developer intends to comply with the program.
- Designate a liaison to represent the Department in the planning and implementation of public art projects.
- Include Parks, Recreation and Community Services Department Staff/Consultant in the initial design and development meetings throughout the various stages of a designated project requiring and/or incorporating public art.
- Bring recommendations for action to the Arts Commission in relation to implementation of the Percent for the Arts Program.
- Convene and facilitate public meetings as necessary for the implementation of the public art program and/or specific projects
- Participate on artists/art selection panels as non-voting member when appropriate.
- Ensure inspection by building inspectors, when necessary for public art projects.
- Participate as a non-voting selection panel member when appropriate.
- Ensure the completion and proper sign-off of a required Percent for the Arts artwork/installation when deemed necessary.

Public Works

The Public Works Department shall:

- Designate a liaison to represent the Public Works Department in planning and implementing arts projects and programs.
- Assist the Parks Recreation and Community Services Department in developing and implementing public art projects.
- Ensure professional supervision by structural engineers and any other professionals when necessary for public art projects.
- Perform/facilitate maintenance and repair of City owned artworks.
- Review and approve maintenance plans of privately owned artworks.

Library

The Library Department shall:

- Designate a liaison to represent the Library Department in planning and implementing arts projects and programs.
- Participate on artists/art selection panels as non-voting member when appropriate.
- Assist the Parks Recreation and Community Services Department in developing and implementing public art projects.

Definitions

The following definitions shall govern the construction, meaning, and application of words and phrases incorporated in the Percent for the Arts Program Guidelines.

Artwork means creative works of a visual, and or architectural nature including, but not limited to, sculpture, painting, graphic arts, mosaics, photography, crafts, mixed media, and environmental works. For purposes of the Percent for the Arts Program, Artwork does not include the following:

- 1) Directional elements, such as signage or graphics, unless it has been designed by an hired artist or is part of the public artwork;
- 2) Objects that are mass produced in a standard design;
- 3) Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, or other media arts.
- 4) Decorative, ornamental or functional elements of a building or structure that are designed by the building architect as opposed to an artist commissioned for this purpose.
- 5) Landscape architecture and landscape gardening, unless designed by the artists and/or substantially comprising durable elements defined as “artwork” by the program guidelines.

Art Program/Project means a class or activity that engages its audience in a meaningful arts experience for a pre-determined length of time (annually, quarterly, monthly, etc.). Eligible components include:

- Performance Arts: Theater, dance, music
- Literary Arts: Poetry readings and story telling
- Media Arts: Film and video, screenings and installations
- Special Events: Arts festival and celebrations
- Artist-in-Residence.

Certificate of Occupancy means an official document issued by the Building Division signifying a developer has completed all the requirements of a development project.

City Staff means employees of the City of Inglewood and its agents including representatives of the Administrative Office, Public Works Department, Planning and Building Department, Planning Division, Building Division, Parks, Recreation and Community Services Department, and the Library Department.

Consultant means any firm, individual, joint venture or team of firms or individuals with which the Developer/City contracts for design or other consulting services related to the Percent for the Arts Program.

Cultural Facilities means the construction of, and arranging for, the availability of exhibit or performance space including gallery/exhibition space, art in public places resource library, visual arts slide registry, performance spaces, artist studio spaces, arts education facilities and artist hotels.

Development Project means any project involving the construction, remodeling or renovation of property undertaken by a private developer, including any building, utility, decorative structure and including portions thereof, which requires issuance of a building permit or permits to construct.

Dwelling Unit means a living unit or units located in a residential zone designed for long-term occupancy and containing living, sleeping, and cooking areas.

Local Artists/Residence means an artist who resides in and/or has a business/workshop in the City of Inglewood devoted to the production of art.

Non-residential means all developments not designed for long term residential occupancy that are located in non-residential zones in the City, including but not limited to commercial, industrial, and institutional projects.

Private Developer means the owner, including its successor and assigns, of a development project.

Project Valuation means the total value of improvements approved for a development project as indicated on the building permit application or applications submitted to the City in order to obtain a building permit or permits for a development project. The valuation shall include the following:

- 1) Construction costs
- 2) Construction contingency
- 3) Project Administration
- 4) Other Construction costs

The following shall be excluded from development project valuation:

- 1) Land acquisition and site preparation
- 2) Street improvements
- 3) Toxic removal
- 4) Environmental analysis
- 5) Feasibility studies printing costs
- 6) Furniture and equipment
- 7) Moving expenses
- 8) Telephone and computer installation
- 9) Project insurance

Public Art Fund means an account within the City of Inglewood budget administered by the Parks, Recreation and Community Services Department to which funds are deposited, and from which appropriations are made to administer the various components of the Percent for the Arts Program.

Public Art Project means any artwork or art program/project produced as a result of the Percent for the Arts Program.

Public Building means any building developed by a governmental agency, including the local

municipality (City of Inglewood), state, and federal agencies.

Public Place means any area (public or private) within the City of Inglewood that is easily accessible or clearly visible to the general public from adjacent public property such as a street or other thoroughfare or sidewalk for 8 hours a day and a minimum of 5 business days per week.

Regional Artists/Residence: Any artist who lives within a specified area or boundary of a state. Specific to the City of Inglewood public art program, the region is between Santa Barbara and San Diego.

APPENDIX

- A. Developer Application/Intake Form
- B. Project Completion Notification
- C. Percent for the Arts Program Ordinance(s)

City of Inglewood
**Percent for the Arts Program
Developer Application/Intake Form**

I. PROJECT INFORMATION

Project Name _____

Project Address _____

Project Owner _____

Owner Address _____

City _____ State _____ Zip _____

Telephone () _____ Fax () _____

Architect _____

Architect Address _____

Dev. Project Completion _____ (Estimated)

Percent for the Arts Program Fee Total \$ _____

Percent for the Arts Compliance Selection

II. ARTWORK INFORMATION

Program Option (Select one)

In-Lieu Fee

Artwork on Site

Artwork Budget \$ _____

Artwork Site _____

Artist Name _____

Address _____

City _____ State _____ Zip _____

Telephone () _____ Fax () _____

Anticipated Artwork Completion _____ (date)

III. ARTWORK PROPOSAL AND SPECIFICATIONS

Describe the artwork, its location, materials, installation requirements, and maintenance needs as fully as possible. You may use additional paper to complete this section of the application.

- 1. Artwork Description
- 2. Siting
- 3. Materials with Specifications
- 4. Fabrication and Installation Procedures
- 5. Yearly Maintenance and Conservation
- 6. Budget

Artist Name _____

Artwork Title _____

Total Project Budget \$ _____

City of Inglewood – Percent for Art Program

This worksheet is intended as a budgetary guideline to assist in developing accurate artwork cost projections. Once completed, this form should reflect all expenses associated with designing, fabricating, and installing the proposed artwork and should equal the public art fee. Differences in total expenses which are less than the fee will not be refunded at project completion.

Travel

Airfare _____
Car Rental _____
Per Diem@ _____
\$ _____ per day _____

Insurance _____

Office/Studio _____
(Phone, fax, postage, etc.)

Professional Fees

Architect _____
Engineer _____
Landscape Architect _____

Fabrication Costs

Materials _____
Labor _____

Site Preparation

Landscaping _____
Electrical _____
Plumbing _____
Other _____

Transportation _____
(Materials or finished artwork)

Installation Costs

Labor _____
Equipment Rental _____
Security _____
Permits _____
Other _____

Other Costs (List) _____

Contingency _____

Subtotal _____

Taxes _____

Artist's Fee _____

Grand Total \$ _____

7. Work Plan/Artwork Production Schedule (suggested)

Phase I Design Development

Date

- a. Conceptual design approval
- b. Start up meeting with client
- c. Design Development

Phase II Design Completion and Commencement of Fabrication & Site Work

Date

- a. Structural approval (client)
- b. Order materials
- c. Begin fabrication

Phase III Studio Fabrication Completion

Date

- a. Break out fabrication points

Phase IV Installation Completion

Date

- a. Site preparation
- b. Installation of artwork on site
- c. Site clean up

Phase V Final Acceptance

Date

- a. Submittal of Project Completion Notification
- b. Notification of Completion received
- c. Application for Certificate of Occupancy

8. Required Attachments

- a. One overall concept drawing (sketches, photographs, or other documentation) of sufficient descriptive clarity to indicate the nature of the artwork.
- b. Appraisal or other evidence of the value of the proposed artwork (contract draft showing contract value and payment schedule will be sufficient).
- c. Preliminary plans containing such detail adequate to evaluate the location of the artwork in relation to the proposed development.
- d. A narrative proposal and site plans with building and grade elevation showing the placement of the proposed artwork, to demonstrate that the artwork will be displayed in an area accessible to the general public.
- e. An artist's concept statement.

City of Inglewood
**Percent for the Arts Program
Project Completion Notification**

This form is to be submitted by the Developer upon installation of on-site artwork.

I. PROJECT INFORMATION

Project Name _____

Project Address _____

Project Owner _____

Owner Address _____

City _____ State _____ Zip _____

Telephone () _____ Fax () _____

Architect _____

Architect Address _____

Dev. Project Completion _____ (Estimated)

Percent for the Arts Program Fee Total \$ _____

Percent for the Arts Compliance Selection

II. ARTWORK INFORMATION

Program Option (Select one)

In-Lieu Fee

Artwork on Site

Artwork Budget \$ _____

Artwork Site _____

Artist Name _____

Address _____

City _____ State _____ Zip _____

Telephone () _____ Fax () _____

Completion _____ (date)

FOR OFFICE USE ONLY

Verified/Approved by : _____ Date: _____

III. ARTWORK DOCUMENTATION

1. Two 8" x 10" black and white photographs showing the work from at least two different viewpoints, with one optional shot of the work in detail.
2. Three 35mm color slides showing the work from at least two different viewpoints and one detail.
3. A final accounting of expenses incurred in creating the artwork including copies of artist invoices and receipt copies of all expenditures related to the artwork.
4. Maintenance Agreement

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ORDINANCE NO.: 11-12

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF INGLEWOOD, CALIFORNIA, AMENDING
CHAPTER 11, ARTICLE 14, OF THE INGLEWOOD
MUNICIPAL CODE, PUBLIC ART FOR NEW
CONSTRUCTION**

Additions to the Municipal Code are underlined. Deletions are ~~stricken~~.

WHEREAS, on June 8, 2004, the City Council of the City of Inglewood adopted Ordinance No.: 04-10 that established a Percent for the Arts Program which required many developments in the City of Inglewood exceeding \$250,000 in valuation to allocate one percent (1%) of the development valuation for art or art programs; and

WHEREAS, Ordinance No.: 04-10 was codified into the Inglewood Municipal Code under Article 14, Chapter 11; and

WHEREAS, Article 14, Section 11-140 of Chapter 11 of the Inglewood Municipal Code established three methods of satisfying the Percent for the Arts Program including (1) donation of artwork, (2) development of art project or art programs, and (3) in-lieu of fee payment; and

WHEREAS, On November 30, 2004, the City Council adopted Ordinance No.: 04-23 which deleted the development of an art project or an art program as a method for developers to satisfy the Percent for the Arts Program; limited the Ordinance to nonresidential private structures and/ or other nonresidential projects; and added installation of on-site artwork as an additional method for developers to satisfy the Percent for the Arts Program; and

WHEREAS, the City Council now wishes to delete the donation of artwork as a method for developers to satisfy the Percent for the Arts Program whereby developers will have only the following two methods for satisfying the Percent for the Arts: (1) Installation of on-site artwork and (2) In-lieu fee payments; and

WHEREAS, the City Council also wishes to include an art requirement for public

1 buildings.

2 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INGLEWOOD,**
3 **CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

4 **Section 1.** Article 14 (Public Art For New Construction), of Chapter 11 (Building
5 Regulations), of the Inglewood Municipal Code is hereby amended to
6 read as follows:

7 **"Article 14. PUBLIC ART FOR NEW CONSTRUCTION**

8 **Section 11-140. Percent-for-the-Arts-Program**

9 Whenever the valuation of a new nonresidential private structure and/or other
10 nonresidential project or public building to be developed in the City of Inglewood equals or
11 exceeds two hundred fifty thousand dollars (\$250,000), the developer of such project shall
12 provide public art valued at one percent (1%) of the project valuation in a manner as set
13 forth herein.

14 The provision of public art shall be satisfied by one of the following methods:

15 ~~1. Donation of artwork:~~

16 (1) Installation of on-site artwork.

17 (2) In-lieu of fee payment.

18 For the purposes of this Section, project valuation shall be the valuation of the
19 building or structure as determined by the Building ~~and Safety~~ Division for the issuance of
20 the Building Permit(s).

21 **Section 11-141. ~~Donation of Art and/or Installation of On-Site Artwork~~**

22 A developer may satisfy the requirement to provide public art valued at no less than
23 one percent (1%) of the building's structures' valuation by entering into a written agreement
24 with the City through the Planning and Building Parks, Recreation and Community Services
25 Department to ~~donate art to the City and/or~~ provide for the installation and maintenance of
26 on-site artwork in accordance with the City's standards and guidelines. After entering into
27 such agreement, the Planning and Building Parks, Recreation and Community Services
28 Department shall notify the Building ~~and Safety~~ Division of such agreement and that no in-

1 lieu fee payment will be required when the building permit is issued for the subject project.

2 **Section 11-142. In-lieu Fee for Art**

3 If the developer of a project does not wish to ~~dedicate artwork nor~~ enter into an
4 agreement with the City of Inglewood to install artwork onsite ~~to develop an art project~~, the
5 developer may satisfy the obligation to provide public art by paying an in-lieu fee at the time
6 the building permit is issued for the project by the Building ~~and Safety~~ Division. The in-lieu
7 fee shall be a one hundred percent (100%) payment equal to the one percent (1%) valuation
8 pursuant to Section 11-140, above, and shall be deposited into the City of Inglewood Public
9 Art Fund established to finance public art projects and to place public artwork in the
10 community.

11 **Section 11-143. City of Inglewood Public Art Fund**

12 There is hereby created within the budget of the City of Inglewood a special Public
13 Art Fund. All monies received by the City pursuant to Section 11-140 shall be placed in the
14 Public Art Fund, maintained by the City and used solely for the development and/or
15 preservation of public art and related arts programs.

16 The Public Arts Fund shall be incorporated into each fiscal year budget commencing
17 with fiscal year 2004-2005 and administered by the Planning and Building Parks, Recreation
18 and Community Services Department for the acquisition, installation, improvement,
19 insurance and maintenance of artwork in the City of Inglewood. Monies not used within the
20 fiscal year allocated ~~may~~ shall be reallocated to the next fiscal year.

21 **Section 11-144. Standards, Guidelines and Procedures for Art Program**

22 The Planning Commission shall adopt standards, guidelines and procedures set forth
23 by the Arts Commission ~~(to be established)~~ for implementation of the Percent for the Arts
24 Program including, but not limited to, the following:

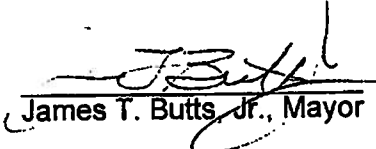
- 25 (1) Definitions and/or qualifications for artworks, art projects and art programs;
- 26 (2) Application procedures;
- 27 (3) Procedures and criteria for reviewing and approving art project proposals;
- 28 (4) Appraisals and other determinations of the valuation of artwork or art projects;

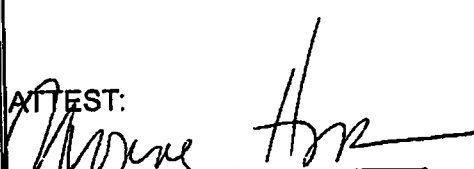
- 1 (5) Contract agreement administration;
- 2 (6) Public art exhibition locations and durations;
- 3 (7) Maintenance of public artworks;
- 4 (8) Administration of Public Art Fund;
- 5 (9) Support services and assistance for artists;
- 6 (10) Participation by community and business organizations.

7 **Section 2.** If any section, subsection, sentence, clause or phrase of this ordinance
8 is, for any reason held to be invalid or unconstitutional, such invalidity
9 or unconstitutionality shall not affect the validity or constitutionality of
10 the remaining portions of this ordinance. The City Council of the City
11 of Inglewood, California hereby declares that it would have passed this
12 ordinance, and each section, subsection, sentence, clause or phase
13 hereof, irrespective of the fact that any one or more sections,
14 subsections, sentences, clauses or phases are declared
15 unconstitutional.

16 **Section 3.** The City Clerk shall certify to the approval, passage, and adoption of
17 this ordinance by the City Council and shall cause the same to be
18 published in accordance with the City Charter, and thirty days from the
19 final passage and adoption, this Ordinance shall be in full force and
20 effect.

21 **PASSED, APPROVED AND ADOPTED** by the City Council of the City of Inglewood
22 at its regular meeting held on the 8th day of November, 2011, in the City of
23 Inglewood.


James T. Butts, Jr., Mayor

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26 **ATTEST:**
27 
28 Yvonne Horton, City Clerk