

RESOLUTION NO. 2013-04-___ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY COUNCIL TO ADOPT THE PUBLIC ART MASTER PLAN AND GUIDELINES AND AUTHORIZING THE CITY MANAGER TO ADMINISTER AND AMEND THE PUBLIC ART GUIDELINES

WHEREAS, the City Council of the City of McKinney, Texas, supports the implementation of a Public Art Master Plan to create innovative artistic experiences that reinforce the high quality of the City of McKinney's natural and built environment; and

WHEREAS, the City Council authorizes the City Manager or his designee the authority to administer and amend the Public Art Master Plan Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The City Council of the City of McKinney, Texas hereby approves the adoption of the Public Art Master Plan and Guidelines

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 2nd DAY OF APRIL, 2013.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

CITY OF MCKINNEY PUBLIC ART MASTER PLAN

3/20/2013

Prepared by Meridith McKinley, Via Partnership and Todd W. Bressi



CITY OF MCKINNEY
PUBLIC ART MASTER PLAN

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EXECUTIVE SUMMARY: PUBLIC ART FOR MCKINNEY

Create innovative artistic experiences that strengthen gathering places for McKinney residents, reinforce the high quality and uniqueness of the City's built and natural environment, and set McKinney apart as a place to visit, live and do business.

– Vision for McKinney Public Art Program

McKinney's vision for public art is part of the City's broader vision: a place whose dynamic future lives comfortably with its unique history, traditions and natural landscape. Over the next five years, this vision will inspire a new generation of public artworks throughout the City:

- Imagine a walk around Towne Lake Park that includes a stroll along a sculpture trail.
- Imagine the alleys in downtown McKinney turned into welcoming and interesting artsclapes.
- Imagine artworks that create community gathering places in McKinney's parks.
- And imagine an artwork that serves as a grand new gateway into the City.

This vision was set in motion on December 6, 2011, when City Council established the framework for McKinney's Public Art Program. The vision is being carried forward by the McKinney Arts Commission, working in partnership with the City's elected leadership, the City Manager's Office and other City departments, and civic organizations and businesses.

The Commission will be guided by this master plan, which outlines broad goals for the next five years, identifies a range of short-term and long-term projects, and sets out criteria for evaluating new opportunities for public art that emerge while this plan is being implemented. An accompanying document, Public Art Program Administrative Guidelines, outlines how the Program will be funded, how projects will be organized and how the Public Art Collection will be managed.

As the Arts Commission mobilizes McKinney's Public Art Program, it will work towards the following overarching goals for the next five years.

- Commission two or more new artworks, in a variety of artistic approaches and a range of contexts throughout the City.
- Raise enough funding to support the commissioning and maintenance of these projects.
- Develop supportive relationships with City departments around strategic thinking, planning and implementation related to future public art projects.
- Establish baseline community outreach and communications protocols about the McKinney Public Art Collection.
- Create informational materials and build collaborative relationships with the Planning Department that encourage and support public art in private development.

The Public Art Master Plan recommends seventeen projects for the Arts Commission to consider, divided into categories depending on their likely timing, the amount of funding that will be necessary and the breadth of partnerships that they will require. The Plan also sets out criteria for evaluating new opportunities for public art that might emerge while this plan is being implemented.

- *Near-term projects.* These are high priority opportunities for which the McKinney Arts Commission will raise funds and on which it will begin working immediately. Projects: *Alleyscapes, Towne Lake Park Sculpture Trail.*
- *Mid-term projects.* These are also considered high priority opportunities, but will require a further City commitment in order to be realized. Projects: *Highway 5 Gateway, Gabe Nesbitt Gathering Place, Bonnie Wenk Gathering Place.*
- *Long-term projects.* These are opportunities that the McKinney Arts Commission will keep in mind for the next five-year work plan. Projects: *Mitchell Park, Virginia/Louisiana Gateway, Finch Park, Old Settler's Park and Recreation Center.*

- *Watch list projects.* These are City capital projects that may be strong candidates for public art, but are still in the planning phases and their timing is uncertain. When these projects move into design stages, they would become “mid-term” projects, and opportunities for public art should be discussed. *Projects: New City Hall, Collin County Regional Airport Terminal, Aquatic and Recreation Center(s), Erwin Park.*
- *Collaborations.* These are projects that may be led by others – developers, nonprofit cultural organizations, civic associations – who will look to the McKinney Arts Commission for guidance and support. *Projects: Downtown Temporary Exhibitions, Towne Lake Temporary Exhibitions, U.S. 75 Gateway, Downtown Infill.*

The plan also includes specific criteria for evaluating future opportunities:

- **Site:** Is the site available for the placement of art? Are there technical constraints that would prevent this from being a good site?
- **Process:** Are there any changes happening at the site in the near term (such as public improvements or private development) that would provide an opportunity to commission or place work there?
- **Impact:** Does the site lend itself well to commissioning or placing a work of art? Could a project at the site have a strong visual impact? Does the site get sufficient traffic that would result in the artwork being viewed by a large number of people?

The first few projects that the Arts Commission will tackle have been chosen carefully in regard to their accessibility to the public, the positive impact they can have, their feasibility and their potential ability to attract funding support from the broader community.

As McKinney’s Public Art Program moves forward, public art will become as important a part of the City’s cultural landscape as the McKinney Performing Arts Center has become. It will be part of the texture of community life, accessible to a wide range of residents and visitors. It will be found in and enrich the places that people value most. It will help McKinney achieve its highest aspirations to be a place whose natural landscape and built environment make it one of the most desirable communities in the Metroplex and beyond.

INTRODUCTION

McKinney, Texas is unique by nature.

The City, located 30 miles north of Dallas, was incorporated in 1849 and for most of its history was an agricultural crossroads and the seat of Collin County. More recently, development from the Dallas Metroplex has reached McKinney, making it one of the fastest-growing cities in the U.S., with a current population of more than 137,000 and an expected build-out that could nearly triple that population.

McKinney is distinct from its neighbors because of its landscape – rolling hills, lush trees and stream corridors – its historic downtown square and its unique neighborhoods and developments. The City was recently ranked as the “#2 Best Place to Live” in the U.S. by *Money* magazine.

McKinney’s City Council approved a Public Art Program on December 6, 2011, making the acquisition, commissioning and strategic placement of public art a priority for the City. Council assigned the responsibility for advising on and implementing the program to the McKinney Arts Commission, a seven-member citizen panel appointed by Council. The Commission secured funding from the McKinney Community Development Corporation to create this master plan, which outlines priority projects and operational guidelines for the new public art program. The Arts Commission selected the consulting team of Via Partnership and Todd W. Bressi to lead the process.

There are already a significant number of public artworks in McKinney. The City owns an inventory of artworks that have largely been obtained through donations and are the responsibility of various departments. The developers of projects such as Adriatica and Craig Ranch have commissioned art that supports their architectural, landscape and urban design visions. Most recently, the Baylor Medical Center at McKinney commissioned and acquired a large number of artworks that are an amenity for visitors, employees and users of the facility.

Communities around McKinney have been moving forward with their own public art strategies for several years, as well. Dallas, Fort Worth, the DART system and Dallas-Fort Worth airport have some of the nation’s most established and dynamic programs. Numerous suburban cities, including neighbors Allen and Frisco, have taken steps to include public art in their civic, park and transportation projects.

The process for developing McKinney’s Public Art Master Plan involved a significant amount of consultation with City elected leaders and staff; arts, business and civic leaders; and the community at large. The basic steps involved talking with a range of people about the overall aspirations for public art in McKinney, conducting a visual inventory of existing artworks and potential sites for new artworks, developing principles and criteria for selecting project sites, and honing a list of priority projects, complete with goals, budgets and strategies for moving forward.

The process involved several levels of public outreach. The consulting team conducted numerous direct interviews and roundtable discussions with stakeholders. They led a tour of art programs in Allen and Frisco, to provide context about how other cities are approaching public art. They organized a public workshop, *Imagine Art Here!*, at which about 40 residents explored possibilities for projects throughout the City. These conversations surfaced ideas about what the big-picture vision for public art might be, as well as specific suggestions about possible locations for artworks.

McKinney’s Arts Commission will focus on three key strategies for these early years of the City’s Public Art Program. First, it will focus on several key projects that it can support through fundraising. Second, it will develop supportive relationships with City departments around strategic thinking, planning and implementation related to future public art projects. Third, it will encourage developers and institutions to consider public art as a component of their projects. In addition, the Commission will establish baseline practices for public outreach and documentation of projects. This Public Art Master Plan, through its recommendations for key projects and for managing the program effectively, provides a foundation for moving forward on all of these tracks.

VISION, GOALS

A Vision for McKinney's Public Art Program

McKinney's Public Art Program starts with this big-picture view of the City's aspirations for itself and its expectations for public art:

The McKinney Public Art Program will create innovative artistic experiences that strengthen gathering places for McKinney residents, reinforce the high quality and uniqueness of the City's built and natural environment, and set McKinney apart as a place to visit, live and do business.

This vision for public art rests on three central principles that are important to the community and were voiced repeatedly during the planning process: "community place making," "civic design" and "tourism and economic development." Each principle reveals different opportunities and suggests different emphases and priorities for the public art program.

Community Place Making: Public art should help create gathering places for McKinney residents, connect people with the place and with each other, and provide engaging, educative experiences.

Civic Design: Public art should reinforce the high quality of the City's built environment and reflect the uniqueness of its natural landscape; mark important civic features such as streams, civic facilities and infrastructure; enhance the City's appeal, image and identity in the eyes of residents and businesses; and encourage excellence in private development.

Tourism and Economic Development: Public art should create innovative artistic experiences that attract visitors from outside the City, enhance the desirability of McKinney as a place to live and do business, make the creative energy of the City palpable to anyone who visits and elevate the image of McKinney as a cultural destination with unique offerings.

Five-Year Goals

As the Arts Commission mobilizes McKinney's Public Art Program, it will keep in mind the following overarching goals for the next five years.

- Commission two or more new artworks, in a variety of artistic approaches and a range of contexts throughout the City.
- Raise enough funding to support the commissioning and maintenance of these projects.
- Develop supportive relationships with City departments around strategic thinking and planning related to future public art projects.
- Establish baseline community outreach and communications protocols about the McKinney public art collection
- Create informational materials and build collaborative relationships with the Planning Department that encourage and support public art in private development.

PUBLIC ART OPPORTUNITIES

Over the next five years, much of the Arts Commission's focus will be on planning, raising money for and commissioning a new generation of public artworks for McKinney. The projects that have been recommended and the approach that is taken to planning and commissioning them are important because they will set the tone for McKinney's Public Art Program for years to come.

Project Criteria

The following specific criteria provided a framework for evaluating each public art opportunity more closely. They can also be used to evaluate new opportunities that arise after the Public Art Master Plan is completed.

- **Site:** Is the site available for the placement of art? Are there technical constraints that would prevent this from being a good site?
- **Process:** Are there any changes happening at the site in the near term (such as public improvements or private development) that would provide an opportunity to commission or place work there?
- **Impact:** Does the site lend itself well to commissioning or placing a work of art? Could a project at the site have a strong visual impact? Does the site get sufficient traffic that would result in the artwork being viewed by a large number of people?

Program Priorities

The evaluation of project ideas in terms of the criteria and priorities above resulted in seventeen projects that the Arts Commission could consider for the next few years. The following strategies guided the prioritization of the projects for the Arts Commission's first cycle of commissions. They also articulate outcomes against which the Public Art Program's progress can be evaluated:

- Focus on "quick wins" – projects that can be implemented effectively over the next few years, have a foundation of public and City support and can be supported through private fundraising.
- Make sure that projects are geographically dispersed, not concentrated in one area of the City, and that they are located in places where they can be experienced by a broad section of the community.
- Commission work that is legible and accessible, reflects the spirit of McKinney and helps set McKinney apart from its neighbors.
- Generate work that reflects a mix of public art approaches, styles and media.

Project Categories

The prioritization of project ideas led to the creation of five categories of projects. The categories relate to how the projects might actually proceed and the role that the Arts Commission might play in bringing them to fruition.

Some projects could be undertaken by the Arts Commission over the next five years, with private fundraising and small allocations from the Arts Commission's budget. Others would move forward only when an underlying City capital project advances or when the Arts Commission and the City are able to secure more funding than is likely to be obtained through private fundraising. Others would move forward through partnerships with other organizations, with the Arts Commission playing a technical or advisory role.

- *Near-term projects.* These are high priority opportunities for which the McKinney Arts Commission will raise funds and on which it will begin working immediately.
- *Mid-term projects.* These are also considered high priority opportunities, but will require a further City commitment in order to be realized.
- *Long-term projects.* These are opportunities that the McKinney Arts Commission will keep in mind for the next five-year work plan.

- *Watch list projects.* These are City capital projects that may be strong candidates for public art, but are still in the planning phases and their timing is uncertain. When these projects move into design stages, they would become “mid-term” projects, and opportunities for public art should be discussed.
- *Collaborations.* These are projects that may be led by others – developers, nonprofit cultural organizations, homeowners associations – who will look to the McKinney Arts Commission for guidance and support.

Near-Term Projects

Alleyscapes

One block off of the main square in downtown McKinney, in each direction, there is a narrow street that is effectively an alleyway because of its scale and orientation to the backs of buildings. This network of streets is frequently utilized by pedestrians, mostly for walking from parking into downtown. It includes Cloyd Street between Kentucky Street and Johnson Street, Johnson Street between Louisiana Street and Herndon Street, Herndon Street between Wood Street and Johnson Street, and Wood Street between Virginia Street and Herndon Street. All of these blocks fall within the jurisdiction of the Commercial Historic District and/or the Historic Preservation Overlay District.

PUBLIC ART OPPORTUNITY

The buildings along these streets can become a canvas for art installations that turn the streets into places for creative exploration, strengthen pedestrian connections and highlight McKinney's historic character.

For the first phase of projects, we recommend commissioning one to three murals, which, if installed properly could have a life expectancy of fifteen years before they need to be restored. These murals could be thought of as a series or collection, and therefore might relate to each other either through the medium and format and/or an overarching idea or theme to which artists are asked to respond. The murals should be oriented towards a pedestrian audience, and therefore should largely be confined to the first story of the building façade. The murals should be located on buildings where:

- The alley is heavily used by pedestrians, such as where the alleys intersect the main streets or are used by pedestrians to connect from parking areas to main streets.
- There is a willing property owner.
- The mural would not impede or conflict with existing signage.
- The wall would not require cost-prohibitive repair work prior to installation.

GOALS

- Enhance the experience of using the alleys, making them feel more intentional and safe.
- Create better connections between parking areas and downtown retail blocks.
- Create visual surprises for people who are visiting downtown McKinney.

NEXT STEPS

The Arts Commission should develop an Individual Project Plan for this project. The first step would be to identify possible sites, which would depend on permissions, technical feasibility and the curatorial idea behind the project. The second step would be to develop a curatorial idea around which the murals would be organized. With that information, a budget and artist selection process could be outlined and the Individual Project Plan could be completed.

More specifically:

- Contact property owner(s) of the top priority walls to assess their willingness to host murals on their buildings. In addition, develop a standard agreement with the property owners that gives the City an easement for the mural and outlines the responsibilities and rights of each party, including the artist. This agreement may need to be completed before property owners agree to allow their walls to be used.
- Conduct a preliminary assessment of the walls to see what type of preparation will be necessary to ready the wall for installing a mural, and the costs associated with preparing the walls.
- Consider a curatorial focus for the mural series. Are the murals to be thought of as a collection? If so, what holds them together? Is there a theme, organizing idea, or focus for the collection?

The Arts Commission should also coordinate with the City's Historic Preservation Officer, as façade alterations in these blocks would require a Certificate of Appropriateness.

ARTIST SELECTION APPROACH

The McKinney Arts Commission should issue a Request for Qualifications to develop an Artist Roster for the Alleyscapes murals. The Artist Roster would be juried initially by a Selection Panel. Then, for each individual project, the same Selection Panel would use the Artist Roster to select an artist for the project. Artists would be selected based upon their qualifications, focusing on their past work and their ability to create an artwork appropriate to the site. If artists do not have previous experience with murals, outside help may be needed to provide technical expertise regarding methods for applying the mural and/or curatorial expertise regarding how to translate their artwork in terms of scale and site. Once selected, the artists would begin work on Concept Designs for their specific sites.

BUDGET RANGE

Budget up to \$20,000 per mural. The actual cost would vary depending on the size of the mural. The budget estimate does not include any repair that may need to take place to prepare the wall for installation, or maintenance after the mural is complete. The estimate does include design, materials and application of the mural, and any supplies or equipment necessary to apply the design. Certain costs for the project might be shared with the building owner.

Towne Lake Sculpture Trail

Towne Lake Recreation Area is a community-scale park along Wilson Creek in east McKinney that is popular for recreational activities and the special events that occur there. The main feature of the 108-acre park is a 22-acre lake, and it also includes a wide range of facilities – hike and bike trails, two picnic pavilions, a playground, two sand volleyball courts, nine lighted horseshoe courts, a fishing pier, paddle boat rentals, restrooms and concession service. Special events include fireworks, summer concerts and a trout derby. The park is located at 1405 Wilson Creek Parkway, across the street from McKinney High School, and is part of a chain of parks that occupy most of the corridor of Wilson Creek between the southeast City boundary and Highway 380.

PUBLIC ART OPPORTUNITY

Towne Lake is encircled by a 1.2 mile long loop trail that is heavily used and is a key segment of the Wilson Creek hike-bike trail corridor. It is already popular with joggers as well as tree enthusiasts, who have mapped a “trail of trees” highlighting a variety of species. Works of art can be commissioned or acquired and placed along the trail to create a sculpture-trail experience as well. The collection can be added to over time, allowing it to grow and respond to user patterns that emerge after the first pieces are installed.

There are certain important planning considerations. Most of the trail is in the floodway, and a segment of it is in the 100-year floodplain, so the placement, foundation and design of the works themselves will need to be coordinated with the City’s Floodplain Manager and the City Engineering Department. Also, the artworks should be located along segments of the trail that comply with accessibility requirements, and located in a manner that minimizes conflicts with joggers, rollerbladers and other active recreation users of the trail.

PUBLIC ART GOALS

- Create an amenity for people who currently use Towne Lake Park and its trails, as well as a new reason for people to visit the park.
- Create visual reference points that draw people along the trail and through the park.

NEXT STEPS

The following issues should be explored prior to initiating the project:

Develop a curatorial focus for the sculpture trail. If the sculpture along the trail is to be thought of as a collection, what holds it together? Is there a theme, organizing idea, or focus for the collection? What experience should people have as they walk, run or bike along the trail?

Develop an overall strategy for placing art along the trail. Where are the ideal locations, what will sightlines be like, how many sites are optimal and which sites would be worked on first?

Consult with the City’s Floodplain Manager and the City Engineering Department regarding appropriate locations, media and foundation needs for works in the Floodway and Floodplain.

Consult with the City’s Parks, Recreation Department and Open Space (PROS) staff regarding coordination in planning, site preparation, installation and maintenance of artworks.

ARTIST SELECTION APPROACH

Works of art at Towne Lake Park should be commissioned specifically for their sites. Artists should be solicited through a Request for Qualifications. Up to five finalists should be selected to develop Design Concept proposals, from which the final selection would be made.

BUDGET RANGE

A minimum budget of \$50,000, and up to \$100,000 should be considered for each artwork. This budget would include the cost of design, fabrication and installation of the artwork, as well as modest design fees for the finalist artists. The budget estimate does not include foundations and site work, which can be estimated when sites are selected.

Mid-Term Projects

Highway 5 Gateway

The intersection of Spur 399 and SH 5 is an increasingly important gateway to McKinney. Currently, many people use the Sam Rayburn Tollway / Highway 121 to reach McKinney, and an increasing number continue from the Tollway to Spur 399 and connect to Highway 5 to reach downtown. In the coming years, as SH 5 / McDonald Street is upgraded into an attractive urban boulevard, this will become an even more popular route.

PUBLIC ART OPPORTUNITY

This intersection is appropriate for an artwork that marks a major entry into McKinney and becomes a potent symbol for the City, while being responsive to the landscape and the scale of the site. It is dominated by a large grassy area, with a gentle slope and a stand of ornamental Crape Myrtles, that would be an appropriate backdrop for an artwork. The artist should be asked to consider creating a work that fills the site horizontally as well as having a vertical presence adequate to be viewed by passing cars. The work could easily be situated to complement the existing Crape Myrtle grove.

GOALS

- Create a memorable visual enhancement for the intersection, letting people know that they have arrived in a community that cares about quality art and design.
- Develop a design approach that specifically addresses the broad, open character of the site and the drive-by nature of the experience.
- Reflect the City's "unique by nature" motto through natural and organic forms and materials.

NEXT STEPS

Prior to initiating the project, the City should consult with the Texas Department of Transportation (TxDOT) and the North Texas Tollway Authority (NTTA), as necessary, regarding the technical guidelines, review process and coordination process for placing public art in its right-of-way.

ARTIST SELECTION APPROACH

Artists should be solicited through a Request for Qualifications. Due to the complexity and scale of this project, three to five artists should be interviewed and the final artist should be selected based upon their qualifications and general approach to the project.

BUDGET RANGE

A minimum budget of \$150,000 should be considered for this artwork. This budget estimate includes the cost of design, fabrication and installation of the artwork. It does not include the costs of site preparation, foundations or lighting, which can be determined when a specific site is determined and a project concept is developed.

Gabe Nesbitt Park Gathering Place

Gabe Nesbitt Community Park is a major regional recreation facility at the intersection of Eldorado Parkway and Alma Road. The park is generally used by people from a broad area of the City who are visiting to take part in a specific sports activity. In addition, the trails are being used increasingly by park neighbors.

The park currently features softball, baseball and tennis complexes. A new skate park and two additional baseball fields are currently under construction. Future phases of the park will include additional sports fields and trails. The park is also a proposed location for an aquatic center, and possibly a recreation center.

The park is located near other community facilities and connected to them by trails. The John and Judy Gay Library is located in the northeast section of the park. Serenity Park, Evans Middle School and Wolford Elementary School are across Eldorado Parkway.

PUBLIC ART OPPORTUNITY

Public art in Gabe Nesbitt Community Park should be located in places that are already active with park users and that have good linkages to the internal trail system. A large number of visitors come to the park because their family members are playing on one of the sports fields. For these visitors, artworks in the area of the sports facilities would heighten their enjoyment of the park by giving them something to do besides watching sports. Possible locations include one of the lawn areas at the center of the softball complex on the west side of the park, or near the baseball fields on the east side of the park. The artworks should be engaging, interactive and related to sports and recreation, but not necessarily about sports.

Over time, there may be the opportunity to incorporate artwork in this manner into multiple destination points within the park.

GOALS

- Create amenities or focal points that strengthen gathering places in different areas of the park.
- Appeal to a broader group of users than those who are coming to the park to participate in sports activities.
- Reflect the child and family-friendly nature of the park.

ARTIST SELECTION APPROACH

Artists should be solicited through a Request for Qualifications and up to five finalists should be selected to develop Design Concept proposals.

BUDGET RANGE

A budget of between \$75,000 and \$125,000 should be considered for this project. This budget would include the cost of design, fabrication and installation of the artwork, but would not include foundations, site work and lighting, which could be determined after a site is identified and a concept is developed. Because the sites under consideration are currently open lawn, more extensive site work such as seating and landscaping may be needed to create an artwork that serves as a gathering place and focal point. The site work should be part of the artist's design, but done in consultation with the City to ensure it meets with the City's ability to contribute to this part of the project.

Bonnie Wenk Park Gathering Place

Bonnie Wenk Park is a new park under development just east of Hardin Boulevard. Its first phase, just north of Virginia Parkway, will be complete in the spring of 2013. The park is heavily wooded and will mostly be passive use. The 38-acre first phase includes a dog park, amphitheater, walking trails and a pond. The park will eventually grow to 200 acres and will include ballfields. Wilson Creek and the Wilson Creek Hike and Bike Trail run through the park.

PUBLIC ART OPPORTUNITY

Artistic features at special gathering places in the park can reinforce the uniqueness of those places. The best opportunity in the first phase of park development is a grass lawn between the amphitheater and the parking area. An artwork there could be oriented along the walking trail that leads people to the pond and amphitheater and could also be visible from the parking lot. A specific site could be identified by the Arts Commission in collaboration with Parks, Recreation and Open Space staff prior to initiating the project. Alternatively, an artist could be invited to explore this area of the park and create a Concept Design for a site of their choosing.

GOALS

- Create an amenity or focal point that strengthens this area of the park as a gathering place.
- Mark a transition between the parking and park destination.

ARTIST SELECTION APPROACH

Artists should be solicited through a Request for Qualifications and up to five finalists should be selected to develop Design Concept proposals.

BUDGET RANGE

A budget of between \$75,000 and \$125,000 should be considered for this project. This budget would include the cost of design, fabrication and installation of the artwork. It would not include foundations, site work or lighting, which could be determined after a site is identified and a concept is developed. Because the recommended site will be constructed as open lawn, more extensive site work, such as grading, landscaping and/or seating, may be necessary to create an artistic setting that serves as a gathering place and focal point. The site work should be part of the artist's design, but done in consultation with the City to ensure it meets with the City's ability to contribute to this part of the project.

Long-Term Projects

Mitchell Park

Dr. Glenn Mitchell Memorial Park is a one-acre urban park located downtown, two blocks west of the square. Mitchell Park features a fountain, benches, grassy lawns and a sculpture, and the streets surrounding it have on-street parking. The park is located at the edge of the downtown retail area and is used mostly for quiet and passive activities, although it hosts an occasional civic event, such as the lighting of the City's Christmas tree. It also offers something of a gateway or an arrival point to visitors arriving from the west along Louisiana Street.

Mitchell Park would be a good location for a new public artwork, but only in the context of a broader re-imagining of the park, because artworks, to be successful here, should be thoughtfully integrated into the function and the design of the place. One option would be to create a gateway-style artwork on the Louisiana Street side of the park. A gateway artwork should catch the eye of drivers arriving downtown and create a memorable moment; it might also have a landscape component. Another option would be to create an artwork that serves as a functional element, such as a terrace or a shade structure, in a part of the park where people actively gather. In either case, consideration should be given to relocating the sculpture that is already located in the park to another place, such as Chestnut Square, where its scale would be more appropriate.

The primary goal of a gateway artwork would be to create a strong and memorable moment of arrival for downtown. The primary goal of an artwork that also serves as a functional element would be to provide a place in which people could immerse themselves in space of creativity through the experience of texture, color, material and light. In either case, because of the prominent civic nature of this space, an important goal for the artwork would be to capture the spirit of McKinney in an iconic way.

Virginia / Louisiana Gateway

As visitors to downtown McKinney approach from the west along Virginia Parkway, the road splits and eastbound traffic is directed one-way onto Louisiana Street. This occurs at the point where the urban pattern transitions from conventional suburban strip development to the texture of downtown's historic residential neighborhoods. The splitting of the streets creates a triangular open space that has become a perceptual entry into downtown, and already includes a modest, attractive welcome marker for downtown. The marker is located in City right-of-way. The landscaped site to the east is owned by the neighboring First Baptist Church of McKinney.

This site would be an appropriate location for a larger-scale artwork that serves as an entry marker to downtown. The effect should not only be to welcome visitors but also to slow people down and transition them from the highway into the residential environment. Given that the site is already nicely landscaped, it would be especially appropriate for an artwork that reflects the City's "unique by nature" motto through natural, organic or arching forms.

Finch Park

Finch Park, just south of downtown McKinney, is the City's oldest park. It is a popular community gathering place and features a variety of recreational features, from basketball and tennis courts to a mile-long loop trail.

The City is upgrading the park incrementally based on a master plan that was completed in 2010; most recently a picnic pavilion / shade structure was replaced. Public art should be considered in future phases of the park's upgrade, particularly in relation to facilities that promote community gathering and "functional fun," such as the splash park, stage area or pavilion. This is also a good location for interpretive artwork that helps to tell the history of McKinney and the park. Finally there is an opportunity for an environmental artwork or outdoor classroom type of project that relates to the riparian corridor that passes through the park. A decision about what type of project and approach to follow would also benefit from early community input, before the project plan is finalized and an artist selection process begins.

Old Settler's Park and Recreation Center

Old Settlers Park is a heavily used, 29-acre park east of downtown (1201 East Louisiana Street) that features ball fields, an aquatic center and a recreation center with a boxing gym, among other community facilities. Determining the best option for an artwork here would require better understanding of user patterns, review of long-term plans for park improvements and consultation with the community. Public art at Old Settler's can enhance gathering spaces, and foster community pride, ownership and a sense of belonging. Potential directions include artworks integrated with park elements, such as play sculpture or picnic shelters, and a two-dimensional project on the exterior of the recreation center building.

Watch List Projects

New City Hall

The City has discussed a long-range plan to build a new City Hall, although the location and timing of such a project have not been established. This project, should it occur, would be a strong candidate for public art. Public art at the new City Hall could make an important civic statement about people's pride in their community and serve as a symbol of the City's identity and spirit.

Collin County Regional Airport Terminal

The City has discussed a long-range plan to build a terminal for Collin County Regional Airport, although the location and timing of such a project have not been established. This project, should the City proceed with it, would be a strong candidate for public art. Public art at the new airport terminal could celebrate McKinney's connections to the world beyond and the City's success as a business center.

Aquatic and Recreation Center(s)

The City has discussed a long-range plan to build a new aquatic, and possibly a new recreational center, at Gabe Nesbitt Community Park, although the timing of such a project or projects has not been established. These facilities would be a strong candidate for public art. Public art at the new aquatic center and recreation center could express McKinney's community identity, capture the spirit of aquatics and recreation and help anchor the facilities even more strongly in the community's life.

Erwin Park

Erwin Park, north of U.S. 380, features natural wooded areas, mountain bike trails, a fishing area, picnic pavilions, playgrounds, a camping area and large amounts of undeveloped space. The master plan for the park envisions a place where opportunities for outdoor activity are balanced with areas where people can explore the different native environments of McKinney.

As Erwin Park evolves, it should be considered a candidate for public art. One opportunity is to commission artworks with features, such as the proposed amphitheatre, that will be focal points of activity. Another opportunity is to invite environmental artists to create projects that reflect the park's focus on providing visitors with an experience of indigenous landscape.

Collaborations

Downtown Temporary Exhibitions

McKinney's historic downtown is a walkable place with attractive architecture and engaging shopping and dining opportunities. While the Alleyscape project would create gateways into downtown for people parking in the lots behind the buildings, temporary artworks could add another layer of life to the streets in and around the square. This is a strategy that is commonly used in urban public spaces, from parks to business districts to airports.

Every year, McKinney might sponsor a new temporary work of art – or a series of artworks – somewhere in the historic downtown. The artworks should be calibrated to surprise and delight, thereby adding a new layer of interest in downtown McKinney for visitors. In order to undertake this project, the Arts Commission might need to collaborate with Historic Downtown McKinney or an organization that is experienced in organizing temporary art projects.

Towne Lake Temporary Exhibitions

Towne Lake Park is described above as a priority location for new commissions or acquisitions, which could be organized over time into a sculpture trail along the paths that encircle the lake. In addition to permanent commissions, the Arts Commission could also consider staging temporary exhibitions in the same areas. By presenting rotating artworks, the Arts Commission could turn the display of sculpture into more of an exhibition, which would create a sense of anticipation and change in the park and help build audiences. As with downtown temporary art, an exhibition would require a partnership with a gallery or an arts organization experienced in organizing outdoor sculpture displays.

U.S. 75 Gateway

Gateway, a 90-acre site northeast of the U.S. 75 and SH 121 interchange, is owned by the City through the McKinney Economic Development Corporation and is being developed for office, education, hotel and meeting facilities. Collin College and Emerson Process Management are anchor tenants. The City has just entered into an agreement with a developer for the hotel and conference center.

The new hotel and conference center are key opportunities for public art. Artwork integrated into the buildings' architecture could create a significant gateway presence, especially for drivers arriving in McKinney along the elevated roadways at the U.S. 75 – SH 121 interchange. Artwork could also be commissioned for the conference center itself, creating an iconic centerpiece for a gathering space that will likely be seen by tens of thousands of people a year.

Artwork in these locations would require a collaborative approach involving the hotel and conference center developer and manager.

Downtown Infill

The City is seeking development proposals for various City-owned parcels around downtown, primarily around the site of the former County Government center and in the blocks between Wysong Central Fire Station and City Hall. As proposals are received and reviewed, the City should encourage proponents to embrace the recommendations for public art that are in the McKinney Town Center district. Public art in this area could create local landmarks (recommended on Chestnut Street in the Town Center Study Initiative) as well as an engaging, walkable public environment and public spaces.

PRIVATE DEVELOPER COMMISSIONED ART

The City of McKinney encourages commercial developers to include public art in their projects as a design enhancement, or to contribute to the City's Public Art Trust Fund. Public art in private development helps to advance the key components of the City's public art vision – community place making, civic design and tourism/economic development. By including public art in their projects, developers can help strengthen the quality and character of McKinney's built environment, and the value of the community as a place to live, visit and do business.

Already, developers of several large-scale residential, commercial and institutional projects throughout McKinney are enhancing the character and image of their developments by voluntarily commissioning or acquiring artworks for their projects. Most of these artworks are documented in the *Inventory of Public Art in McKinney*, developed as part of this master plan process.

McKinney's development code does not include any formal requirements for including public art in new projects. Rather, development standards for the Town Center district and for the REC provide specific guidance about the types of locations where public art would be most appropriate as an urban design feature or public amenity.

Opportunities for Encouraging Public Art in Private Development

There are several circumstances in which the Arts Commission should actively advocate for the strongest consideration to be given including public art in private development.

1. From time to time, the City issues RFPs for underdeveloped City-owned land or enters into development agreements for such sites, and has broad discretion to set the expectations for what development partners should provide. These tend to be in high-profile locations, such as the areas adjacent to the historic downtown. If and when the City issues an RFP in the future, the City should urge the inclusion of public art as one of the design enhancements and public benefit that it is seeking.
2. The new development regulations for the Town Center and the REC districts indicate situations in which public art would be most appropriate. These include considering public art as gateway features or focal points for public spaces.
3. Large institutional developments, such as educational and health care facilities, may regard the incorporation of public art as supporting their organizational mission. In these circumstances, the City should encourage public access to as much of the artwork as possible.

What the Arts Commission Can Do

The McKinney Arts Commission should be prepared to encourage all developers to incorporate public art into their projects, and to provide assistance to the extent possible.

1. The Arts Commission should develop clear and compelling tools that describe to developers how they can include public art in their projects in the manner that is described in the REC and Town Center Study Initiative. These tools could include regionally-specific case studies of how developers have approached art in private development. These case studies could be formatted as a short publication or visual presentation and could be developed in collaboration with neighboring municipalities.
2. The Arts Commission should develop a simple set of standards and practices that communicate the City's values for public art in private development. These could be derived from the standards and practices in *McKinney's Public Art Program Administrative Guidelines*, and offered to developers to be followed on a voluntary basis.
3. The Arts Commission should provide developers with information about how they can obtain professional fine art and public art services to help them formulate and commission their projects.

Reviewing Proposals for Public Art in Private Development

Generally, public art components of private development projects would be reviewed through the same mechanisms that are in place to review the other design aspects of the projects.

For projects being developed in the REC and Town Center districts, the review would involve the staff Development Review Committee, the Planning Commission and the City Council.

For projects being developed through development agreements with the City, the Arts Commission should play a participatory role with the DRC, Planning Commission and Council. The Commission should:

1. Develop a simple set of guidelines that communicate best practices for public art in private development. These standards and practices should include:
 - The artist should meet definition of artist that is included in this plan.
 - The artist should be chosen through a competitive process that considers professional qualifications, not price.
 - The artwork should respond to the specific goals and objectives of the design guidelines under which it is being developed (e.g., Town Center form-based code or REC design guidelines).
 - The artwork should demonstrate excellence in aesthetic quality, workmanship and creativity.
 - The artwork should be appropriate to the site in scale and form, and be of materials/media that are suitable for the site.
 - Maintenance and conservation protocols should be considered as the project is being developed, should be clearly recorded and should be committed to by the owner of the artwork.
 - The artwork should be included in the City's Public Art Inventory as "privately placed public art."
2. When appropriate, assist in the development of site-specific goals or guidelines for public art.
3. Provide access to support resources for developers who wish to commission artwork. These resources could include guidance on selecting artists, examples of artist contracts and approaches to maintenance and conservation.

Interpreting and Conserving Public Art

The Arts Commission should encourage developers to voluntarily list their artworks on the Arts Commission's Public Art Inventory. This would enable the Arts Commission to:

1. Maintain accurate records about McKinney's cultural resources.
2. Include the artworks in the public information that is disseminated about public art in McKinney.
3. Monitor artworks for maintenance and conservation issues and inform the developer when issues arise.

PUBLIC OUTREACH AND DOCUMENTATION

The success of a public art program lies not only with the commissioning of new work but also with the level of audience engagement, interaction and benefits the work engenders.

Public Engagement

The McKinney Arts Commission should establish a baseline protocol for public engagement while it is commissioning or acquiring art. This would include posting information about projects under development, engagement with artists while projects are in development, dedication ceremonies and periodic public events on topics related to public art in McKinney.

Public Art Inventory

The McKinney Arts Commission should continue its effort to create a Public Art Inventory that documents all publicly accessible artwork in McKinney, including the City's growing Public Art Collection, the City's Portable Collection and Privately Placed Public Art.

In addition to maintaining thorough records about all newly commissioned and acquired work, the Arts Commission also should consolidate information about all works in the Public Art Collection and Portable Collection into this database. The Commission should also make an effort to keep records on Privately Placed Public Art, to ensure that knowledge about these works is maintained even if property should change hands over time.

This inventory should become part of the City's record-keeping because:

- it will help improve public understanding of and access to artworks in McKinney,
- it can provide an important archive for information that is often poorly documented and
- it can support future conservation and maintenance efforts.

Once documented, this information should be made available to the public on the City's website in a user-friendly format.

APPENDIX A: PLANNING PROCESS AND ACKNOWLEDGEMENTS

Planning Process

The process for developing McKinney's Public Art Master Plan involved a significant amount of consultation with City elected leaders and staff; arts, business and civic leaders; and the community at large. The basic steps involved talking with a range of people about the overall aspirations for public art in McKinney, conducting a visual inventory of existing artworks and potential sites for new artworks, developing principles and criteria for selecting project sites, and honing a list of priority projects, complete with goals, budgets and strategies for moving forward.

Voicing Aspirations and Articulating a Vision. The consulting team began by exploring a basic question: What are the overall aspirations for public art in McKinney? The team conducted numerous direct interviews and roundtable discussions that included the Mayor and Council members, Arts Commission members and downtown McKinney business and property owners, artists and creative professionals from throughout the City. The team organized a trolley tour of art programs in neighboring Allen and Frisco, to provide context about how cities in the Metroplex are approaching public art. The team also organized a public workshop, *Imagine Art Here!*, at which about 40 residents explored possibilities for projects throughout the City. These conversations surfaced ideas about what the big-picture vision for public art might be, as well as numerous specific suggestions about possible locations for artworks.

Identifying Opportunities. Next, the team began to evaluate the opportunities for new public art projects in McKinney. Its first step was to review City plans – the comprehensive plan, long-range plans, area plans for the Town Center and Regional Employment Center, and master plans for various parks – and discuss them with City staff responsible for long-range planning, current planning, capital project planning and capital project management. The team visited all areas of the City and made repeated visits to locations suggested as possibilities for artworks. These included places described as gateways, areas scheduled for new parks, existing parks that are being upgraded, hike and bike trails, master planned areas being managed by private developers, and sites the City owns and is trying to develop through partnerships.

Evaluating Options. As this work progressed, the team began to compare the big-picture visions that were expressed to us with the opportunities that people recommended. With the help of the project's steering group, the team developed sets of criteria for prioritizing these opportunities, and using those criteria, developed a list of about 20 ideas. The team brought these ideas to the community in a public workshop, "*Imagine Art Here!*" which was attended by about 40 people. At that workshop, the team was able to gain even more insight into those locations, discuss specific possibilities and goals for artwork in those locations and get a further sense of the community's priorities.

Finalizing a Vision and Priorities. The team then refined the ideas list further, presenting the Arts Commission and the steering group with three scenarios that reflected different approaches to the Public Art Program – one focused on community place making, one on civic design and one on economic development and tourism. In that public work session, the Commission gave final direction on the big-picture vision for the public art program, as well as the prioritization of projects, both of which are reflected in this master plan.

Acknowledgements

The City of McKinney Public Art Master Plan is the product of the hard work and creative input of many people. We appreciate the thoughtfulness, time and energy contributed by numerous volunteers and representatives from the City.

The McKinney City Council

Mayor Brian Loughmiller
Don Day, District 1
Geraldyn Kever, District 2

Mayor Pro Tem Travis Ussery, District 3
Ray Ricchi, District 4
Roger Harris, At Large
David Brooks, At Large

The McKinney Arts Commission

Linda Spina, Chair
Hamilton Doak, Vice Chair
Matthew Bado
Sherry Tucker
Janet Farr
Pamela Harden
Beth McGuire

The Public Art Master Plan Advisory Committee

Matthew Bado, McKinney Arts Commission
Cindy Evans, resident
Karen Klassen, McKinney Main Street Board
Gail McLaughlin, artist
Dori Momers, RTKL Associates
Tracy Rath, McKinney Community Development Corporation
Linda Spina, McKinney Arts Commission
Sherry Tucker, McKinney Arts Commission

From the City of McKinney:

Ross Altobelli, Planning Manager
Jenny Baker, Senior Park Planner
Emily Braht, Landscape Architect
Guy Giersch, Historic Preservation Officer
Patricia Jackson, Facilities Construction Manager

Imagine Art Here Participants

Aretha Adams
Toni Andrukaitis
Connie Baldazo

Jenny Baker
Sandra Bell
Stephen Brainerd
Juan Carlos
Sarah Christie
Don Day
Hamilton Doak
Pernie Fallon
Janet Farr
Pamela Hardin
Corey A. Hendon
David Hobson
Stephanie Hobson
Pat Johnson
Deborah Kilgore
George Lodge
Brian Magnuin
Jill McAaram
Michael McEntire
Tom Michero
Richard Pedretti-Allen
John Patton
Annie Royer
Pete Samsury
Linda Spina
Terree Stone
Jeni Tomlinson
Wendy Walker-Davis

Artist Roundtable Participants

Elaine K. Adams
K.D. Hafley
Barbara Johnson
Cindy Johnson
Amanda Kelly
Sona Knox
Risa LaBarge
Gayle Ledbetter
Gail McLaughlin
Silky Hart Michero
Tom Michero
Cate Robbins
L.C. Tobey
Lynne Weinberger

Main Street Roundtable Participants

Merry Caroline Canter
Jake Dobscha
Johnny Galyean
Karen Klassen
Ty Lake
Linda Fogg
Karen Dawkin
Bonnie Shaffo
Jodi Ann LaFreniere
Jan Elwell
CoCo Good
Jan Temples
Barry Shelton
Mayor Pro Tem Travis Ussery

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Richard Oldham, Frisco ISD
Miles Prestemon, Craig Ranch
Lori Smeby, City of Allen
Kathleen Stewart, City of Frisco

From the City of McKinney:

Stephen Brainerd, Park Development Superintendent
Rob Daake, Deputy City Manager
Ty Lake, McKinney Main Street/MPAC Director
Lemuel Randolph, Director of Parks, Recreation and Open Space
Michael Quint, Director of Planning

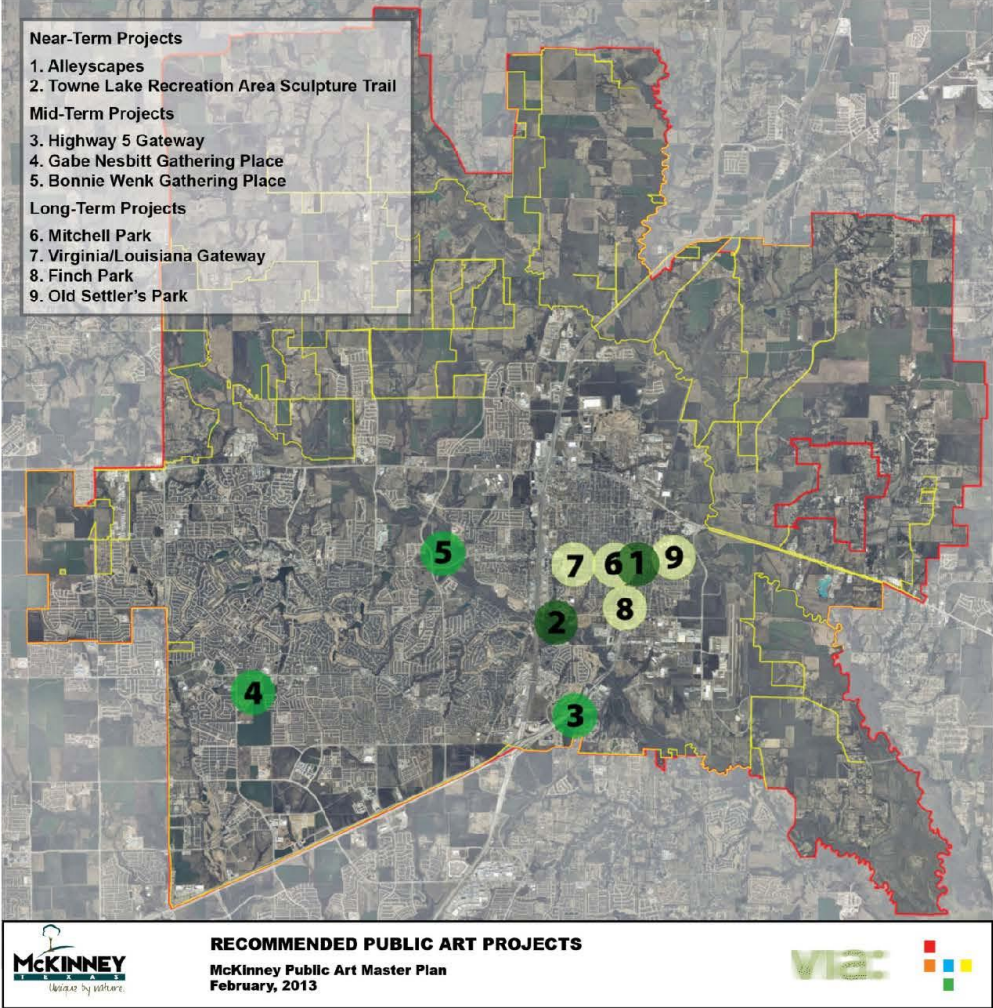
APPENDIX B: CHART OF PROJECTS

	GOALS	BUDGET ESTIMATE
NEAR-TERM PROJECTS		
Alleyscapes	<p>Enhance the experience of using the alleys, making them feel more intentional and safe.</p> <p>Create better connections between parking areas and downtown retail blocks.</p> <p>Create visual surprises for people who are visiting downtown McKinney.</p>	Up to \$20,000 per mural
Towne Lake Recreation Area Sculpture Trail	<p>Create an amenity for people who currently use Towne Lake Park and its trails, as well as a new reason for people to visit the park.</p> <p>Create visual reference points that draw people along the trail and through the park.</p>	\$50,000 to \$100,000 per artwork
MID-TERM PROJECTS		
Highway 5 Gateway	<p>Create a memorable visual enhancement for the intersection, letting people know that they have arrived in a community that cares about quality art and design.</p> <p>Develop a design approach that specifically addresses the broad, open character of the site and the drive-by nature of the experience.</p> <p>Reflect the City's "unique by nature" motto through natural and organic forms and materials.</p>	\$150,000 to \$250,000
Gabe Nesbitt Gathering Place	<p>Create amenities or focal points that strengthen gathering places in different areas of the park.</p> <p>Appeal to a broader group of users than those who are coming to the park to participate in sports activities.</p> <p>Reflect the child and family-friendly nature of the park.</p>	\$75,000 to \$125,000
Bonnie Wenk Gathering Place	<p>Create an amenity or focal point that strengthens this area of the park as a gathering place.</p> <p>Mark a transition between the parking and park destination.</p>	\$75,000 to \$125,000
LONG-TERM		

PROJECTS		
Mitchell Park	<p>Create a strong and memorable moment of arrival for downtown (gateway approach).</p> <p>Provide a place in which people can immerse themselves in a space of creativity (functional element approach).</p> <p>Capture the spirit of McKinney in an iconic way.</p>	\$100,000 to \$200,000
Virginia/Louisiana Gateway	<p>Welcome visitors to McKinney.</p> <p>Mark the transition to downtown.</p> <p>Reflect the City's "unique by nature" motto through natural, organic or arching forms.</p>	\$150,000 to \$250,000
Finch Park	<p>Add artistry to the design of new park elements.</p> <p>Tell the history of McKinney and the park.</p> <p>Create interactive experiences that appeal to all park users, especially children.</p>	\$75,000 to \$125,000
Old Settler's Park and Recreation Center	<p>Enhance gathering spaces.</p> <p>Foster community pride, ownership and a sense of belonging.</p>	\$75,000 to \$125,000

WATCH LIST PROJECTS		
New City Hall	<p>Make an important civic statement about people's pride in their community.</p> <p>Serve as a symbol of the City's identity and spirit.</p>	
Collin County Regional Airport Terminal	<p>Welcome people to McKinney.</p> <p>Celebrate McKinney's connections to the world.</p> <p>Celebrate the City's success as a business center.</p>	
Aquatic and Recreation Center(s)	<p>Express McKinney's community identity.</p> <p>Capture the spirit of aquatics and recreation.</p> <p>Help anchor the facilities in the community's life.</p>	
Erwin Park	<p>Enhance the park's gathering spaces.</p> <p>Reflect the park's focus on providing visitors with an experience of indigenous landscape.</p>	
COLLABORATIVE PROJECTS		
Downtown Temporary Exhibitions	<p>Add a new layer of interest in downtown McKinney for visitors.</p>	
Towne Lake Temporary Exhibitions	<p>Create a sense of anticipation and change in the park.</p> <p>Draw people to the park.</p>	
U.S. 75 Gateway	<p>Create an iconic centerpiece that will likely be seen by tens of thousands of people a year.</p>	
Downtown Infill	<p>Create local landmarks.</p> <p>Support the development of an engaging, walkable public environment and public spaces.</p>	

APPENDIX C: MAP



CITY OF MCKINNEY PUBLIC ART ADMINISTRATIVE GUIDELINES

3/22/2013

Prepared by Meridith McKinley, Via Partnership and Todd W. Bressi



CITY OF MCKINNEY
PUBLIC ART PROGRAM ADMINISTRATIVE GUIDELINES

- I. Executive Summary
- II. A Vision for McKinney's Public Art Program
- III. Sources and Uses of Funds
- IV. Roles and Responsibilities
- V. Planning Processes for Public Art
- VI. Project Development Process for Public Art
- VII. Gifts and Loans
- VIII. Collection Management
- IX. Definitions

EXECUTIVE SUMMARY

In December 2011, the McKinney City Council approved a Public Art Program, making the acquisition, commissioning and strategic placement of public art a priority for the City. Council assigned the responsibility for advising on the program and implementing it to the McKinney Arts Commission.

The policies and procedures in this document will guide the way that the City of McKinney, through its Arts Commission, City Council and staff, approaches the commissioning and acquisition of new public artworks. They also address related activities, such as the maintenance and conservation of artworks. These policies and procedures relate primarily to projects the City undertakes, artworks that are offered for donation to the City and artworks that are already in the City's Public Art Collection. They do not apply to the management of the Portable Collection, and they do not apply to projects being commissioned privately by businesses, institutions or other entities.

Sources and Uses of Funds. This section describes the City's Public Art Trust Fund, the sources of funding for public art, and the uses to which the Fund can be put. The Fund will be set up by the City to hold all monies raised and allocated to support the implementation of the Public Art Program. Funding will come from contributions from individuals, corporations, foundations and developers, as well as grants and, on occasion, City funds. There is no dedicated source of funding from the City or other public agencies. The Fund can be used for expenses associated with the selection, commissioning, acquisition, installation, conservation, maintenance, administration, removal and insurance of works of public art.

Roles and Responsibilities. This section describes the distinct roles that the City Council, the Arts Commission, Selection Panels, the City Manager's Office, staff from other City departments and artists will play in making McKinney's Public Art Program successful. The Arts Commission will oversee the Public Art Program; the City Council will have final decision-making authority regarding allocations from the Public Art Trust Fund and the selection and placement of Public Art; and the City Manager's Office will provide staff support. For the selection of artists or artworks, the Arts Commission may elect to call upon the assistance of an ad-hoc Selection Panel.

Planning Processes for Public Art. This section describes the planning tools the Arts Commission will use to guide the Public Art Program and the commissioning and acquisition of Public Art. These include the Public Art Master Plan, the Annual Work Plan and Budget and Individual Project Plans. These will be prepared by the Arts Commission with support from the City Manager's Office, and will be approved by City Council. McKinney's planning and economic development activities will also consider possibilities for public art from the earliest stages of planning, and the Arts Commission will be engaged in these processes when appropriate.

Project Development Process for Public Art. This section explains, step by step, the processes for commissioning and acquiring public art. The Arts Commission will use a competitive process for commissioning or acquiring a work of art, and will ensure that community stakeholders and members of the arts community are involved in artist selections. City staff will manage the project from contract through completion and review the technical aspects of proposals. The City Council will review all new Public Art commissions and acquisitions both at the onset of the project, with approval of an Individual Project Plan, and once there is a Concept Design or artwork recommended by the Arts Commission.

Gifts and Loans. This section explains the process for reviewing and approving proposals to loan or donate artworks to the City. From time to time, private individuals, foundations, corporations or other organizations may wish to give or loan the City of McKinney a work of art for public display. While these gifts and loans can be a great way to enrich public spaces, it is important to consider carefully whether the gift or loan meets the City's vision for Public Art and ensure that the related costs and risks of the gift or loan are understood.

Collection Management. This section discusses documentation practices, policies for the conservation and maintenance of artworks, and the process for de-accessioning or relocating artworks in the City's collection. The Arts Commission will work with the City Manager's Office to ensure that the Public Art Collection is properly maintained and preserved, that a periodic assessment of conservation needs is made, and that proper records regarding the works in the collection are kept. The Arts Commission will review and make recommendations to City Council regarding the de-accession or relocation of works in the City's Collection, using a strict set of criteria.

Together, these policies and procedures provide a robust framework for a Public Art Program whose growth and vitality matches that of the City of McKinney.

A VISION FOR MCKINNEY'S PUBLIC ART PROGRAM

The following policies and procedures provide a detailed guide for implementing the public art vision, goals and projects that the City of McKinney has established through the Public Art Master Plan, which accompanies this document.

Vision

The McKinney Public Art Program will create innovative artistic experiences that strengthen gathering places for McKinney residents, reinforce the high quality and uniqueness of the City's built and natural environment, and set McKinney apart as a place to visit, live and do business.

Principles

This vision for public art rests on three central principles that are important to the community and were voiced repeatedly during the planning process: "community place making," "civic design" and "tourism and economic development." Each principle reveals different opportunities and suggests different emphases and priorities for the Public Art Program.

Community Place Making: Public art should help create gathering places for McKinney residents, connect people with the place and with each other, and provide engaging, educative experiences.

Civic Design: Public art should reinforce the high quality of the City's built environment and reflect the uniqueness of its natural landscape; mark important civic features such as streams, civic facilities and infrastructure; enhance the City's appeal, image and identity in the eyes of residents and businesses; and encourage excellence in private development.

Tourism and Economic Development: Public art should create innovative artistic experiences that attract visitors from outside the City, enhance the desirability of McKinney as a place to live and do business, make the creative energy of the City palpable to anyone who visits and elevate the image of McKinney as a cultural destination with unique offerings.

SOURCES AND USES OF FUNDS

The following guidelines address the sources, management and uses of funds for the Public Art Program.

The Public Art Trust Fund

The Public Art Trust Fund is a fund administered by the City of McKinney to hold all monies raised and allocated to support the implementation of the Public Art Program.¹ The Arts Commission, working with the City Manager's Office, will develop an Annual Plan and Budget that outlines the anticipated uses of the Fund and will present it to City Council for approval. Public Art Trust Fund monies not expended at the conclusion of a fiscal year will roll over into the following fiscal year.

Uses of the Public Art Trust Fund

The Public Art Trust Fund can be used for expenses associated with the selection, commissioning, acquisition, installation, conservation, maintenance, administration, removal and insurance of works of public art. Specifically, Public Art Trust Fund monies can be used for:

- Artist fees and artist travel and expenses that are related to the City's commissioning of a work of art as stipulated in a contract with the artist.
- Artwork fabrication, storage and installation per contract.
- Acquisition of existing works of art.
- Required permits and insurance during the fabrication and installation of the artwork per contract.
- Project consultants and contracted services if related to the commissioning, acquisition or conservation of artwork.
- Artist selection costs, such as artist travel and honoraria.
- Education and outreach, including collateral materials, symposia and special events.
- Publicity for public art projects.
- Curatorial and appraisal services.
- Conservation and maintenance.
- Public art planning.
- Other purposes recommended by the Arts Commission and approved by City Council for the successful implementation of the program.

¹ The Fund was outlined in the Public Art Program established by City Council in December, 2011.

Public Art Trust Fund monies cannot be used for:

- Mass produced work, with the exception of limited editions controlled by the artist.
- Artwork not recommended by the McKinney Arts Commission.
- Decorative, ornamental or functional elements that are designed by the architect or landscape architect that has been hired by the City to design the related capital project, if applicable.
- Purchase of existing works of art outside of the selection process.

Grants or donations received by the City for commissioning public art should be used in accordance with the restrictions specified or required in association with the grant or donation.

Funding Sources

McKinney's Public Art Program will rely on a variety of funding sources. These will include contributions from individuals, corporations, foundations and developers, as well as grants and, on occasion, City funds. There is no dedicated source of funding from the City or other public agencies.

Private Contributions

The Arts Commission will actively solicit funding from individuals, corporations and foundations and other granting organizations to support the commissioning and acquisition of public art, as well as any other purposes for which the Public Art Fund can be used, such as education, community engagement, maintenance and conservation.

A common concern of donors who are asked to contribute to governmental entities is that the contribution will go into a general fund and not be used for the specific project, program or purpose being supported. For this reason, the City will create a mechanism to accept checks made out to the "City of McKinney Public Art Trust Fund" to give donors assurance that the funds will be put into a specific account.

Grants

The Arts Commission, working with the City Manager's Office and other related City Departments and partners, will seek grants to help support the activities of the Public Art Program.

In addition, when the City writes a grant request to an outside funding source for capital funding and there is an interest in including public art in the capital project, then the request will include provisions for public art to the extent allowable by the grant source.

Developer Contributions

The City of McKinney encourages, but does not require, private developers who apply to the City for building permits to construct or reconstruct a commercial or municipal structure to donate to the Public Art Trust Fund or to acquire or commission artworks that are located in publicly accessible or visible areas of their projects.²

City Funds

The Arts Commission may request from the City Council that a portion of its annual budget, up to ten percent, be placed in the Public Art Trust Fund to support public art projects and initiatives. When this or any other source of City funding is used to support public art, the Arts Commission will contribute at least a 50-50 match from external fundraising.

Government vs. Nonprofit Status

² This is included the Public Art Program established by City Council in December, 2011.

The legal status of the entity that manages the Public Art Trust Fund will impact the ability to raise funds through contributions and grants.

The tax-deductible status of the organization that manages the Fund can be an important consideration for individuals and corporations and foundations interested in donating to the Fund. Since the Arts Commission is a government entity, private donations to the Fund can be tax deductible.³ The Arts Commission should state its tax-deductible status in any communications relating to fundraising and donor acknowledgement letters should confirm amount of the tax-deductible contribution.

Governmental status is also an important consideration for many grantmaking entities, such as public agencies and foundations. The Arts Commission's status as a government entity will be important for securing grants from other government agencies; for example, the National Endowment for the Arts and the Texas Commission on the Arts have funding categories specifically for government entities.

On the other hand, nonprofit, charitable status is important to other grantmakers, some of whom will only make contributions to entities that are designated as 501(c)3 corporations by the IRS.

If, after a focused period of fundraising, the Arts Commission runs into obstacles because it lacks nonprofit status, the Commission should consider options such as establishing a 501(c)3 corporation or creating a special fund within a community foundation.

³ See IRS Publication 526, Charitable Contributions, <http://www.irs.gov/uac/Publication-526,-Charitable-Contributions-1>. Contributions would also be tax deductible if the Public Art Fund were managed by a non-profit entity.

ROLES AND RESPONSIBILITIES

The City Council, the McKinney Arts Commission, the City Manager's Office, staff from other City departments, Selection Panels and artists will all play important and distinct roles in making McKinney's Public Art Program successful.

City Council

Description: The McKinney City Council consists of seven members. Three members, including the Mayor, are elected at-large and the rest are elected by their respective districts. The City Council has oversight over all City policies related to public art, including the Public Art Master Plan, the Annual Plan and Budget, Individual Project Plans and Concept Design for public art commissions. Council also has oversight over acquisitions, donations and the relocation and de-accessioning of art.

Roles:

- Approves Public Art Master Plan.
- Approves Public Art Program's Annual Plan and Budget.
- Approves the Individual Project Plan.
- Approves artist Concept Design.
- Approves contracts for projects for which the budget allocation was not previously approved in an Annual Plan and Budget or an Individual Project Plan.
- Approves all policies related to the Public Art Program.
- Approves acquisitions.
- Approves gifts and long-term loans of public artworks.
- Approves the de-accession and relocation of public art.

McKinney Arts Commission

Description: The McKinney Arts Commission is an advisory body to the City Council. It comprises seven members who are appointed by City Council. One to two members of the Arts Commission should be chosen based upon previous experience with, and an interest in, fundraising.

Roles:

- Develops and approves Public Art Master Plan and forwards to City Council for approval.
- Develops and approves Annual Plan and Budget and forwards to City Council for approval.
- Develops and approves Individual Project Plans and forwards to City Council for approval.
- Appoints ad-hoc Selection Panels.
- Reviews and approves recommendations of Selection Panels and forwards to City Council.
- For proposed gifts and loans of artworks, conducts aesthetic review and recommends to the City Council whether the City should accept or not accept the donation.
- Reviews and makes recommendations regarding the de-accession or relocation of artwork from the City's public art collection.
- Makes recommendations regarding proposed revisions to public art policies and procedures.
- Spearheads fundraising efforts from individuals, corporations and foundations to support the Public Art Program.
- Participates, as appropriate, in long-range and current planning processes, and in planning for the incorporation of public art into capital projects.
- Serves as a resource to private developers who wish to incorporate public art into their projects.
- Participates, as appropriate, in the review of private development projects that include public art.
- Serves as an advocate for public art in McKinney.

City Manager's Office / Arts Commission Liaison

Description: The City Manager's Office coordinates and administers the implementation of policies, procedures and ordinances that will provide for the sustainable, managed growth of the City. The Liaison to the Arts Commission is staff appointed by the City Manager's Office to provide day-to-day administration of the Public Art Program.

Roles:

- Oversees the development of the Public Art Master Plan.
- Oversees the development of the Annual Plan and Budget.
- Oversees the development of Individual Project Plans.
- Facilitates artist selection, including drafting RFQs and RFPs, organizing artist responses and facilitating Selection Panel meetings for new Public Art commissions. Facilitates review of artworks for new Public Art acquisitions.
- Manages public art projects, including preparing contracts, facilitating technical review, inspecting artwork prior to installation and coordinating installation.
- Facilitates review of de-accession and relocation of public artwork and manages de-accession or relocation if approved.
- Facilitates review of gifts and loans of artwork and facilitates projects if approved.
- Maintains communication with artists, Host Department, Arts Commission, City Council and other stakeholders.
- Oversees the McKinney Public Art Collection by ensuring that artworks are properly maintained; overseeing periodic conservation assessments and maintaining an inventory of the collection.
- Ensures that City policies are followed.

City Departments and Staff

Description: The City's Engineering Department oversees the planning, design and construction of public improvements. The Planning Department assists in the safe, balanced, efficient, visually appealing and economically sustainable physical development within McKinney. Other City Departments are responsible for the site where Public Art is located. These Departments are referred to in this document as Host Departments.

Roles:

- Reports any issues related to art in the City's collection to the City Manager's Office.
- Undertakes routine maintenance, which is ordinary care that does not require specialized expertise, of Public Art at sites for which it is responsible.
- Participates in artist selection in an advisory capacity.
- Conducts technical review of Concept Designs and possible gifts and long-term loans.
- Collaborates with the Arts Commission to identify opportunities for public art that arise through long-range and current planning projects, and in the planning and design of capital project.
- Collaborates with the Arts Commission to review (when appropriate) public art that is incorporated into development proposals.

Selection Panel

Description: An ad hoc panel appointed by the McKinney Arts Commission for each project the Commission organizes and for each proposed acquisition. Selection Panels should be comprised of a mix of project stakeholders, including at least one member of the McKinney Arts Commission, residents of McKinney with a close connection to the site (neighbors, users) and local or regional artists and arts professionals. The Arts Commission should also invite a representative from the Host Department, the Engineering Department and/or the project architect hired by the City to work on the related capital project, to sit on the Selection Panel as non-voting, advisory members.

Roles:

- For commissions, reviews artist qualifications and selects finalists.
- For commissions, reviews Concept Design(s) and/or interviews finalists and recommends final selection to the Arts Commission.

- For acquisitions, reviews candidate artworks and makes a recommendation to the Arts Commission.

Artist

Description: The professional who is selected and contracted with to create a Public Art commission.

Roles:

- Develops and presents the Concept Design and the Final Design and Construction Documents for his or her project as per the contract.
- Attends meetings and makes presentations as requested by the City and agreed to by contract.
- Fabricates and installs or oversees the fabrication and installation of the artwork per approved Final Design and Construction Documents and contract; keeps the City staff informed of progress; and coordinates with other project stakeholders as directed by the City.
- Provides the City with all information necessary to ensure the proper maintenance and conservation of the artwork.
- Participates in dedications and other community outreach and education activities as requested by the City and agreed to by contract.

PLANNING PROCESSES FOR PUBLIC ART

Public Art Master Plan

The process of creating McKinney's Public Art Master Plan has built awareness, cooperation and involvement from City departments, civic leaders, private developers, community artists and other interested citizens. It has allowed for the identification of projects that are best suited to the City's needs and resources, and will improve the City's ability to integrate public art into other plans and projects.

The Arts Commission will update the City's Public Art Master Plan as necessary. The Plan will articulate a vision and goals for McKinney's Public Art Program, identify strategies to fulfill that vision and goals, and identify possible public art projects for the coming years.

Annual Plan and Budget

Each year, the Arts Commission will develop an Annual Work Plan and Budget that outlines public art activities and the use of the Public Art Trust Fund for the coming fiscal year. The work plan and budget will lay out, on a project-by-project basis, the project development and project management activities that will be undertaken for public art projects, as well as other activities such as education, programming, planning, conservation and maintenance.

The Annual Work Plan and Budget will be developed by the Arts Commission and the City Manager's Office, approved by the Arts Commission and presented to City Council for approval when the Arts Commission makes its annual report to Council.

Individual Project Plans

The Arts Commission will undertake careful planning of each Public Art commission to ensure projects are well-conceived and enduring. This planning includes identifying the opportunity; finding project partners; understanding potential hurdles with permissions, permitting or construction; establishing realistic budgets and timelines and communicating with project partners at an early stage about the intent and scope of the project.

The Arts Commission, in collaboration with the City Manager's Office, the Host Department (if applicable) and other project partners, will develop an Individual Project Plan that guides each project that the Commission initiates. The Arts Commission approves the Individual Project Plan and forwards it to City Council for approval.

The Individual Project Plan is a tool that outlines the work that must be done to undertake the project, establishes the goals against which the project will be reviewed by the Selection Panel, the Arts Commission and City Council, and helps establish buy-in for the project among key stakeholders before the commissioning process begins.

The Individual Project Plan will outline each aspect of the project, including:

- A description of the project's location and other information regarding the proposed siting,
- The project goals, and how the project relates to the overall vision for public art in McKinney,
- Evaluation criteria against which the artist selection and Concept Design can be evaluated,
- The budget and funding sources,
- The project schedule,
- Project stakeholders,
- The artist's scope of work,
- The artist selection method,
- Recommended Selection Panel members with alternates,
- Any anticipated conservation and maintenance needs, and
- A community outreach strategy.

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

Coordinating with City Plans

McKinney's planning and economic development activities will consider possibilities for public art from the earliest stages of planning. This is important to ensure that the Arts Commission, staff and City Council can make appropriate decisions about the priorities for public art. This will also lay the foundation for any coordination that might be necessary, in terms of prioritizing the use of existing funds or raising new funds, making appropriate site preparations, issuing or reviewing requests for proposals, etc.

- Long range City planning processes, such as area, sector and corridor plans, will consider possibilities for public art and make appropriate recommendations. Specifically, they will indicate public facilities, public spaces, infrastructure investments, development projects and other opportunities that are appropriate for the incorporation of public art. The Arts Commission will be engaged as a stakeholder or advisor in these processes.
- Economic development or joint-development initiatives will be considered as candidates for public art. The Arts Commission will be consulted, as appropriate, early in the planning process for these initiatives.
- City capital projects that have public visibility will be considered candidates for public art. The Arts Commission should be consulted in an advisory role early in the planning process for these facilities.
- Development Review activities should encourage developers to incorporate public art into their projects, especially in areas of the Town Center and the Regional Employment Center where public art is indicated as desirable in the codes and design guidelines. The Arts Commission should be consulted in an advisory role when public art is being included in private development projects such as these.

PROJECT DEVELOPMENT PROCESS FOR PUBLIC ART COMMISSIONS AND ACQUISITIONS

The following outlines the general steps in the process of commissioning or acquiring works of art, with emphasis on the role that the McKinney Arts Commission, Selection Panels, City staff and City Council will play.

The Commissioning Process

Define the Art Opportunity

The first step for a public art project is to define the general parameters of the project in an Individual Project Plan, as described in the section "Planning Processes for Public Art: Individual Project Plan".

Select the Artist

In general, artists will be selected in a two-phase process. Specific approaches to artist selection are described later in this section.

Qualifications Phase. In the first phase, the City issues a Request for Qualifications to artists. Interested artists submit qualifications packages (generally a cover letter, resume, images of past work with descriptions and references). Artists can be invited through an open call or by invitation, as described in the "Artist Selection Approaches" section below. An ad-hoc Selection Panel reviews artist qualifications and selects finalists.

Finalist Phase. In the second phase, finalists are invited either to develop a site-specific Concept Design proposal for the project or to interview with the Selection Panel. If a Concept Design proposal is requested, the artist presents a physical representation of the work (rendering and/or three-dimensional model), a written project description, a description of materials and fabrication techniques, expectations regarding site preparation and infrastructure needs and a detailed budget and timeline. The Selection Panel reviews artist concepts and/or interviews artists and recommends the selection of an artist for the project to the McKinney Arts Commission.

Select the Artists / Artist Concept

If the artist is selected based upon a competitive Concept Design proposal, then the recommended artist and Concept Design are forwarded from the Arts Commission to City Council for approval.

If the artist is selected based upon an interview, then the selected artist is put under contract to develop a Concept Design (this may be a separate contract or part of the overall design development, fabrication and installation contract). The Selection Panel reviews the selected artist's Concept Design and recommends it to the Arts Commission for approval. The Arts Commission forwards the recommended Concept Design to City Council for approval.

Contracting

The City of McKinney will enter into a contract with the artist for the design, development, fabrication and installation phases of the project. Specific considerations in artist contracts are discussed later in this section.

If the budget allocation was approved in the Annual Plan and Budget or an Individual Project Plan, then the agreement will be sent to the City Manager for approval. If not, the agreement will be sent to City Council for approval.

Monitor Final Design and Fabrication

Prior to fabrication, the artist takes the concept through Final Design and Construction Documents, further refining the design, fabrication techniques, materials, budget, etc. At this point, the artist may also need to have elements of their design reviewed and stamped by a licensed engineer in the State of Texas. The artist will submit the Final Design and Construction Documents to the Arts Commission for overall review and to City staff for technical review. The artist will not proceed with fabrication until receiving approval of the final design from the Arts Commission and City.

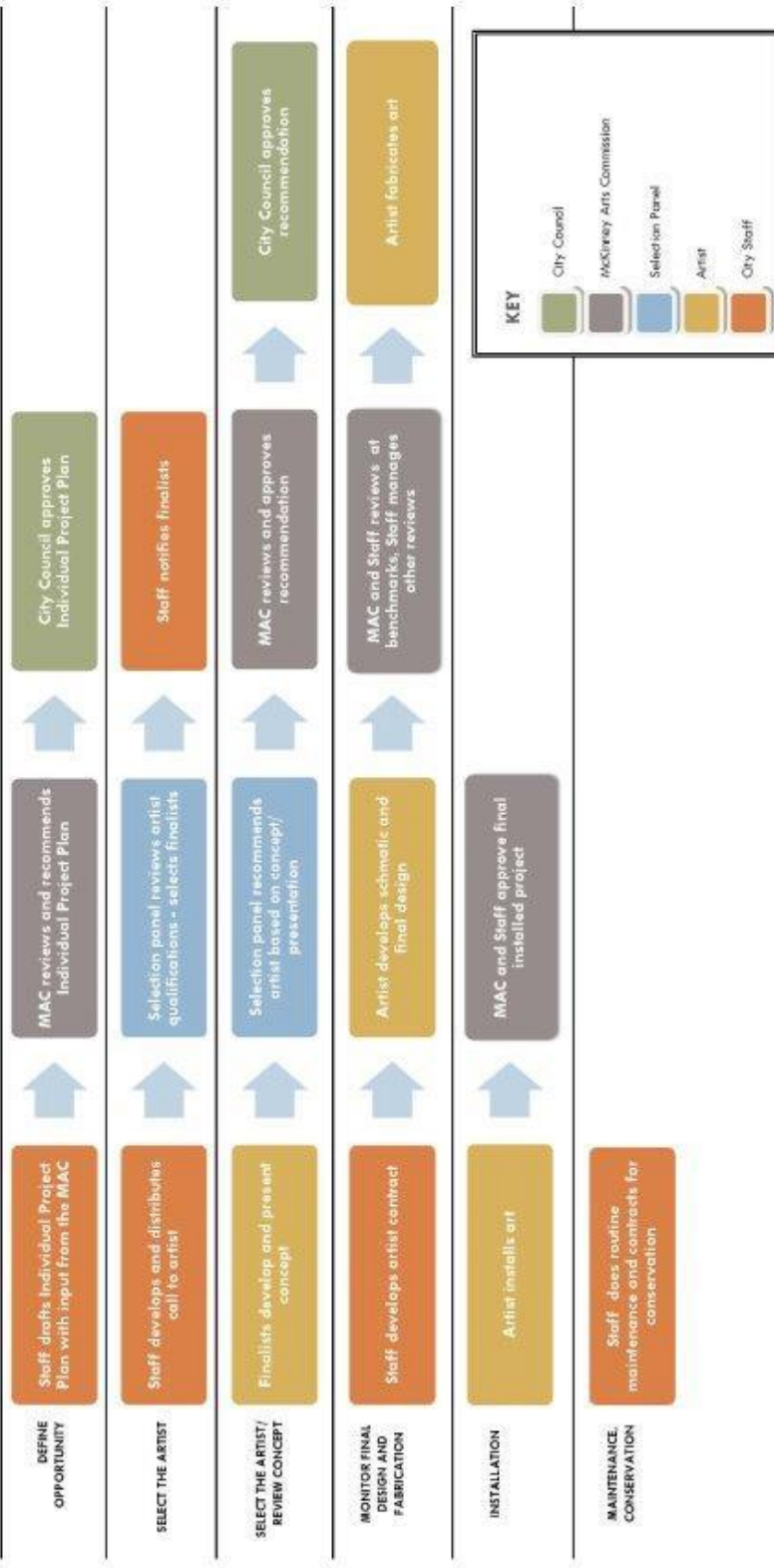
The Arts Commission liaison will maintain regular contact with the artist through the fabrication of the work. A representative from the Arts Commission and a representative from the City should inspect the artwork (photographically or in person) prior to installation.

Oversee Installation

The Arts Commission liaison will work with the artist to ensure that all necessary site permissions and permits are obtained prior to installation, and that any site preparation or other infrastructure that is not being provided by the artist is in place. The liaison will also be involved in coordinating the scheduling of the installation and coordinating with necessary City departments and property owners. A representative from the Arts Commission and the Arts Commission liaison will conduct a final inspection of the installed artwork.

The artist will provide detailed maintenance instructions to the City. Any maintenance or conservation needs will be managed through the City Manager's office, in consultation with the Arts Commission

PUBLIC ART COMMISSIONING PROCESS



The Acquisition Process

In certain cases, the Arts Commission may determine that it is in the best interest of the City to acquire an artwork directly from an artist or from a gallery. The reasons for purchasing a work instead of commissioning would be outlined in the Individual Project Plan.

When the City wishes to consider purchasing an artwork, it should follow the procedures for commissioning an artwork, outlined above, with the following modifications:

Select the Art

In most cases, an art acquisition will be the result of a competitive process. The Arts Commission will invite artists and/or galleries to submit images and information about existing and available artwork. The information should include the artist's basic qualifications (résumé or bio, portfolio), an image of the artwork, dimensions, materials, date fabricated, condition, provenance and asking price.

The Arts Commission will convene an ad-hoc Selection Panel to review the submissions of existing work based on the goals and criteria outlined in the Individual Project Plan. The Selection Panel will return a recommendation to the Arts Commission.

Prior to forwarding a recommendation for purchase to the City Council, the City will obtain an independent, qualified appraisal of the fair market value of the artwork and a professional art conservator's report on the condition of the artwork.

Agreement of Sale

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

Oversee Installation

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

Artist Selection Approaches

The City of McKinney should select an approach to recruiting and selecting artists that is specific to each project, reflecting the specific goals of each project and offering the greatest chance of finding the best artist. All selection processes should be competitive, except in situations where the Arts Commission and City Council determine there are extraordinary circumstances, as expressed in the approved Individual Project Plan.

Open Competition

In an Open Competition, any artist may submit his or her qualifications, subject to any requirements established in the Call to Artists. The call should be sufficiently detailed to allow artists to determine whether their work is appropriate for consideration.

An Open Competition allows for the broadest range of possibilities and can bring in new, otherwise unknown, and emerging artists. However, Open Competitions can consume a large amount of staff resources, and sometimes discourage established artists who prefer to respond to limited competitions or to be directly selected for projects.

Limited or Invitational Competition

In a Limited Competition or Invitational process, several pre-selected artists are invited to submit their qualifications and/or proposals. This method would be appropriate when the City is looking for a small group of experienced artists, when there is a limited time frame, or if the project requirements are so specialized that only a limited number of

already identified artists would be eligible. It is possible that this list of artists for a Limited or Invitational Competition would come from an Artist Registry.

Artist Registry

The Arts Commission can decide to develop a pre-qualified pool of artists, or Artist Registry, from which it can choose artists for Limited Competition/Invitational or Direct Selection. This Registry would be developed based on a comprehensive review of qualifications from artists who responded to an Open Call to Artists. This list could be focused on a specific set of opportunities, or be used for a broad range of commissions. If the Registry is meant to be used for several years, it should be updated annually or bi-annually to allow new artists to be considered and to allow Registry artists to update their materials.

A Registry requires upfront work and ongoing management, but it allows for artist selection for specific projects to proceed much more quickly. This would be a viable strategy if McKinney were anticipating a large number of commissions over a short period of time.

Direct Selection

On occasion, the Arts Commission may choose to directly recommend an artist for a project. Direct selection may be useful on projects where there is an urgent timeline, low budget, or when very specific project requirements exist. It is possible that this artist would come from a pre-qualified list or Registry. Such selection would need to be consistent with City procurement procedures and be approved as part of the Individual Project Plan.

Review Criteria

At various steps in the commissioning process, a Selection Panel, the Arts Commission and the City Council will review the project. The following criteria will serve as a starting point for evaluation of each project at various benchmarks.

Qualifications Review Criteria

The Selection Panel will review qualifications from interested artists and select finalists. The qualifications package will include, at a minimum:

- The artist's résumé and/or bio.
- An artist statement that discusses the artist's interest in and approach to creating a public project for the selected site.
- Images of relevant past work by the artist with information about the date, media, scale, location and budget/cost of the project, if applicable.
- References

The Selection Panel will review qualifications based on the following criteria, as well as other criteria that may be added because they are specific to the project:

- Artistic excellence and innovation as demonstrated by the artist's past work.
- The capability of the artist to develop a project that is consistent with the vision for public art in McKinney and specific project goals outlined in the RFQ.
- A demonstrated understanding of and interest in creating work for the specific site.
- Established proficiency in the use of materials appropriate for a public installation.

Concept Design Review Criteria – Aesthetic Review

The Arts Commission will either invite multiple finalists to submit Concept Designs or select a single artist, based upon a qualifications and an interview, to develop a Concept Design. In either case, the Selection Panel and the Arts Commission will conduct an aesthetic review of the Concept Design and, in the case of competitive proposals, recommend one for selection.

The materials developed by the artist and presented to the Selection Panel will include, at a minimum:

- A narrative description of the concept describing how the concept meets the vision for public art in McKinney and the project goals.
- Renderings from multiple vantage points in order to convey the concept and how it is situated within the chosen site.
- A description of the materials and fabrication methods.

The Selection Panel will review the Concept Design based on the following criteria, as well as other criteria that may be added because they are specific to the project:

- The concept demonstrates artistic excellence, maintaining high quality, innovation, creativity and clarity of vision.
- The artist possesses a clear understanding of the site, including how the artwork will be integrated into the physical environment and how it will engage the public.
- The concept addresses the overall vision and goals for public art in McKinney as well as project-specific goals.

Concept Design Review Criteria – Technical Review

The City of McKinney staff, along with a representative from the Arts Commission, will conduct a technical review during the Concept Design phase. The materials shared with the City at this stage will include, at a minimum:

- A brief narrative description of the concept that includes detail on any technical or feasibility issues, or specialized needs relating to matters such as power, site preparation, etc. that would require coordination with

the City; intended fabrication and installation methods, including a preliminary list of materials, and preliminary identification of maintenance considerations.

- Renderings from multiple vantage points in order to convey the concept and how it is situated within the chosen site.
- A detailed budget that includes estimated costs for creating the artwork (i.e.: fabrication, materials, fees, travel, insurance, overhead, design, shipping, electrical, site-work, installation, de-installation).
- A schedule for the final design, fabrication, and installation of the work.

The City of McKinney will conduct a technical review and provide feedback based on the following considerations, as well as other considerations that may be added because they are specific to the project:

- Capacity to meet all safety and maintenance requirements.
- Ability to satisfy the budgetary limits of the project.
- Feasibility of timeline.
- Consideration of all stages of fabrication and installation.
- Consideration of site issues such as permitting, installation staging, and availability of electrical or other utilities.

Criteria for Reviewing Acquisitions

When the Arts Commission recommends acquiring an existing work of art rather than commissioning an artist to create a new work, the Arts Commission will invite artists and/or galleries to submit available works for art that meet the goals and criteria outlined in the Individual Project Plan. The artist or gallery will submit the following for review:

- Background on the artists (a résumé and/or bio).
- An image of the artwork.
- Information about the artwork, including materials, dimensions, date fabricated, condition and provenance.
- Asking price.

The Selection Panel and the Arts Commission will use the following criteria when evaluating acquisitions of existing artwork, as well as other criteria that may be added because they are specific to the acquisition:

- Clearly responds to the City's vision for public art.
- Meets the project's goals as outlined in the Individual Project Plan.
- Demonstrates excellence in aesthetic quality, workmanship, innovation and creativity.
- Demonstrates appropriateness in scale and form, and is of materials and/or media suitable for the site.
- Demonstrates feasibility in terms of cost, timeline, safety, durability, operation, condition, maintenance, conservation, legal and ethical issues related to possession and use of artwork, security, and/or storage and siting.

Criteria for City Council Review of Public Art Commissions and Acquisitions

For new public art commissions, the Arts Commission will bring the recommended Concept Design to City Council for final approval. For acquisitions, the Arts Commission will bring information about the recommended artwork to the City Council for final approval. By the time these projects reach City Council, they will have been reviewed by the appointed Selection Panel as well as the Arts Commission. City staff will also provided a preliminary technical review.

The City Council will use the following criteria to review proposed commissions and acquisitions of artwork:

- The City's policies and procedures have been followed properly.
- Recommendations are consistent with the approved Individual Project Plan and other relevant plans and policies of the City.

Contract Considerations

A contract will be drafted to confirm the agreement between the City of McKinney and the Artist, who will be an independent contractor.

The contract will outline the various rights and responsibilities of each party. These typically include:

- Budget, timeline, fee and payment schedule.
- Design review, revision and approval process.
- Responsibility for design, fabrication and installation of the artwork.
- Responsibility for improvements to the site where the artwork will be located, including foundations, structural support, lighting, landscaping and interpretive panels.
- Responsibility for permits and approvals.
- Warranties made by the Artist regarding the artwork's originality, soundness and durability.
- Insurance requirements for design, fabrication, transportation, installation and warranty phases.
- Artist moral rights, copyright, rights of reproduction and licensing.
- Protocols for involving artist in conservation, repair, relocation, de-accession and changes to the site.

The City will recognize that the unique nature of contracting with artists for public art projects could require specialized contract forms and policies. Issues to consider include insurance requirements (artists are not able to obtain Professional Liability insurance), copyright (artists' moral rights as defined in the Visual Artists Rights Act) and payment practices (artists should be compensated for concept designs, and artists are paid in phases linked to specific project thresholds, with the payment prior to the fabrication phase being sufficient to acquire materials).

GIFTS AND LOANS

Private individuals, foundations, corporations or other organizations may wish to give or loan the City of McKinney work or works of art for public display. These gifts and loans can enrich the City's public spaces. However, it is important to consider carefully whether the gift or loan meets the vision and goals of the Public Art Program and ensure that the related costs and risks of the gift or loan are understood.

Both City staff and the Arts Commission should review and make recommendations regarding the acceptance and display of gifts and loans of works of art. The Arts Commission may choose to include additional stakeholders in the review process by establishing an ad hoc review committee.

Proposal Requirements

Donors who express an interest in making a gift or loan of a work of art to the City should be required to submit a proposal that includes:

- Drawings, photos and written descriptions of the artwork. This should include size, colors, weight, materials and any other information that will establish that the artwork has the requisite physical integrity to be placed on public display and withstand exposure to the natural elements.
- An explanation of how the artwork supports the vision and goals for public art established in the master plan.
- Background on the artist (resume or bio).
- The proposed location for the installation.
- The method of display and required site improvements (i.e.: hardscaping, landscaping, buildings, utilities, security devices, anchoring, etc.).
- Cost estimates for installing the artwork, including but not limited to site improvements, foundations, landscaping, seating, lighting and other improvements and the funding source to cover these costs.
- Written explanation of legal issues, including but not limited to certifying the current legal owner of the artwork and the existence of any copyrights, patents or other title rights in or to the artwork, and an explanation of any conditions or limitations on the donation of the artwork.
- The estimated fair market value of the artwork (including appraisals if available, required if more than \$10,000).
- A condition report prepared by a conservator, including an estimate of ongoing maintenance and conservation costs and the funding source to cover these costs.
- The anticipated date(s) for the gift or loan to occur.
- Any additional information the City deems necessary or appropriate.

Technical Review Criteria

City staff will first conduct a technical review of the proposed gift or loan. The review should focus on the following issues:

- Ownership. If the donor is proposing to donate an existing artwork, has the donor documented that the artwork can be legally given to the City?
- Costs. Has the donor documented that the costs associated with the artwork have been adequately anticipated and can be met?
- Safety and Liability. Is artwork durable? Does it pose any safety or liability concerns?
- Maintenance and Conservation. Are the anticipated maintenance and conservation needs documented, and can they be met?
- Availability of Site. Is the proposed site available for the installation of artwork? Are necessary electrical, plumbing or other utility requirements defined and available?
- Timing. Is there sufficient time for the normal review process by the City and the Arts Commission? Has the donor provided timely and appropriate responses to Commission and staff requests for additional materials?

Aesthetic Review Criteria

The Arts Commission will review the proposed gift or loan for aesthetic and site considerations. When reviewing the work the Commission will consider the following criteria:

- The artist should meet the definition of artist that is included in this plan.
- The artwork supports the City's vision and goals for public art.
- The artwork demonstrates excellence in aesthetic quality, workmanship and creativity.
- The artwork is appropriate to the site in scale and form, and is of materials/media suitable for the site.

Acceptance

For permanent gifts and loans that would be on display for ninety days or more, the recommendations from City staff and the Arts Commission regarding acceptance of the gift or loan will be forwarded to City Council for approval. For loans of ninety days or less, the recommendation will be forwarded to the City Manager's office for approval.

Once the loan or gift has been approved, a written agreement will be prepared detailing the roles and responsibilities of the City of McKinney and the entity lending or donating the work of art.

COLLECTION MANAGEMENT

Documentation of the Collection

An important aspect of collection management and, ultimately, long-term maintenance of the McKinney Public Art Collection is keeping accurate, up-to-date records. The main aspects of this are identifying the project on-site, keeping accurate records for each project, and maintaining a comprehensive inventory of the collection.

Project Identification

Each artwork will be identified with a plaque stating the artist's name, the artwork title, the media and the date the work was created. The plaque should be placed in an appropriate location near the artwork that can be easily viewed by pedestrians.

Project Records

Files for all projects will be kept in a centralized location in the City Manager's Office.

The file will contain information such as:

- A copy of the artist contracts.
- A copy of project correspondence and public records, such as discussions of the project at Art Commission or City Council meetings.
- The maintenance instructions provided by the artist and subsequent conservation records.
- Documentation of the process, including plans and drawings generated by the artist during the commissioning process, fabrication and installation photos, etc.
- Hard copy images of the installed artwork.
- Media clippings.

Public Art Inventory

The City will maintain a full and centralized inventory or database of its public art. This inventory will include information such as:

- Name of artist
- Title of work
- Location (kept in a format compatible with the City's GIS system)
- Year completed/installed
- Owner of work
- Media
- Dimensions
- Budget/cost and source of funds
- A brief description of the work suitable for publication
- Maintenance and conservation needs as defined by the artist and conservation assessments
- Schedule of maintenance or conservation needs
- Conservation history
- A unique number assigned to each work of art that can be used for cross-referencing with hard files and other digital files.

Conservation and Maintenance of the Collection

Public art is a community asset that should be properly maintained. The City will undertake conservation and routine maintenance to preserve its public art collection in the best possible condition.

To assist in the maintenance and conservation of the City's public art collection, information on each work of art commissioned, leased, loaned or owned outright by the City should be kept on file with the City on a standardized

maintenance and conservation worksheet. Works of art on loan should be maintained in accordance with the requirements of, and in collaboration with, the lender.

CONSERVATION

Conservation is the regularly scheduled examination, documentation, treatment and preventative care of public art conducted by a professional art conservator.

The City will regularly conduct, or hire a professional conservator to conduct, a survey of the condition of each work in the City's collection and make recommendations for conservation, cost estimates, and a recommended schedule for implementation.

In addition, the City will take steps to identify conservation needs prior to the fabrication and installation of new works. The City will require, when necessary, that artists consult with a conservator during the design development phase of the project to identify the conservation needs of the project. Alternately, the City could have design documents reviewed by a conservator hired by the City prior to executing the fabrication and installation portion of a contract.

ROUTINE MAINTENANCE

Routine maintenance is the care for public art that does not require specialized expertise (i.e.: dusting, washing, lubrication of moving parts). Routine maintenance can generally be managed by the Host Department that maintains the facility and/or site where the art is located. If the Host Department determines that it does not have the expertise or budget to manage routine maintenance, it should contact the City Manager's office to arrange for outside support.

The Host Department should not conduct any non-routine maintenance or conservation unless requested by the Arts Commission. The Host Department should notify the Arts Commission immediately if an artwork is damaged or stolen, or if the Host Department plans to move the artwork or in any way alter its site. Any work that is recommended for relocation or de-installation would be subject to the de-accession policy.

Works of art should be maintained in a manner outlined in the above-mentioned maintenance and conservation worksheet, appropriate to the medium and characteristics of the artwork, and in accordance with the Visual Artists Rights Act of 1990.⁴

De-accession and Relocation of Artworks in the Collection

It shall be the City's policy to ensure the ongoing integrity of the artwork and the site for which it was created, to the greatest extent feasible, in accordance with the artists' original intentions and consistent with the rights afforded by the 1990 Visual Artists Rights Act.

However, from time to time, there will be circumstances in which the City will want to consider de-accessioning and removing an artwork, or relocating an artwork.

The Arts Commission shall review any proposal for de-accession or relocation of an artwork. Consideration of de-accession shall involve the same degree of careful review as a decision to commission a work of art. Decisions will be informed by professional judgment and be made in the interests of the public, balancing the policy described above with the conditions described below.

PROCEDURE

- The City should not remove any artwork from the site for which it was selected, nor remove it from display, without prior review by the Arts Commission.

⁴ 17 USC § 106A - Rights of Certain Authors to Attribution and Integrity

- The Arts Commission shall review the circumstances surrounding the proposed de-accession, relocation or removal. The Commission may choose to hold a public meeting for the purpose of gathering community feedback on a proposed de-accession, relocation or removal or gather community input through other methods.
- The Arts Commission may recommend de-accession, relocation or removal of a work of art for any of the following conditions:
 - › The condition or security of the artwork cannot be reasonably guaranteed;
 - › The artwork requires excessive maintenance or has defaults of design or workmanship and repair or remedy is impractical or unfeasible;
 - › The artwork has been damaged and repair is impractical or unfeasible;
 - › The artwork endangers public safety;
 - › Significant changes in the use, character, or design of the site have occurred which affect the integrity or relevance of the work;
 - › Significant adverse public reaction has been documented over an extended period of time (a minimum of five years);
 - › The work is of inferior quality or is judged to have little aesthetic and/or cultural value;
 - › A suitable location for the artwork has been identified that better satisfies the original goals of the project; or
 - › The artist requests removal due to concerns listed above.
- During the review process, unless there is imminent danger to the public, the artwork shall remain accessible to the public in its original location.
- The Arts Commission will make a recommendation to the City Council, which makes the final decision regarding de-accession, relocation and removal.
- The City Manager's Office should make a good faith effort to notify the artist that his or her work is being considered for de-accession.
- If the artwork is site-specific, the City Manager's Office should make a good faith effort to notify the artist that his or her work is being considered for relocation.
- De-accession, relocation or removal of artwork shall be done in a manner that complies with all other applicable City, state and federal procedures, policies and regulations. For example, de-accession, relocation and removal actions must comply with applicable procedures and laws relating to the disposition of City property and with laws protecting artists' rights.

DEFINITIONS

Acquisition – An artwork that is added to the McKinney Public Art Collection through purchase.

Annual Work Plan and Budget – The document that outlines the activities and finances of the Public Art Program for the coming fiscal year. The Annual Work Plan and Budget is developed by the Arts Commission with City staff, approved by the Arts Commission and presented to City Council for approval when the Arts Commission makes its annual report to Council.

Arts Commission Liaison – The staff person from the City Manager's Office that is responsible for providing staff support to the McKinney Arts Commission.

Art Inventory – A registry maintained by the Arts Commission of all art resources in the City of McKinney, including the Public Art Collection, the Portable Collection and Privately Placed Public Art.

Artist – A practitioner in the visual arts who produces artwork and is generally recognized by critics and peers as a professional of serious intent and recognized ability.

Artist Registry – A local, regional and national collection of artists and artworks used as a resource for art, art activities and for the public art selection process.

Artwork – An aesthetic creation resulting from the skill and creativity of an artist or artists. An artwork may be made of any materials or combination of materials and may be permanent, temporary, fixed or portable. An artwork can be an integral part of a building or structure, and can be integrated with the work of other design professionals. For the purposes of the City of McKinney Public Art Program, artwork shall be defined as a work of visual art, as distinguished from performing art or literary art. However, an artwork can include visual representations of performing and literary arts, or can incorporate performative or narrative elements.

Concept Design – The phase of a public art project in which an artist creates an initial proposal, including diagrams or a maquette, and conducts a preliminary cost estimate.

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

De-accessioning – The permanent removal of a work from the City's Public Art Collection or Portable Collection by selling, donating or destroying it.

Final Design and Construction Documents – The phase of a public art project in which the artist finalizes the design, placement, installation specifications and cost estimate, and has relevant components prepared and stamped by a licensed engineer.

Gift – Art donated to the City from a private individual, institution or other outside source.

Host Department – The City department responsible for the site where Public Art is located.

Individual Project Plan – A document, developed by the Arts Commission with City staff, that outlines the work that must be done to undertake a specific public art commission or acquisition and establishes the goals against which the project will be reviewed. The Individual Project Plan is approved by the Arts Commission and forwarded to City Council for approval before a project begins.

Loan – Artworks provided to the City for its use for a period of time and to be returned to the owner after the loan period expires.

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

Portable Collection – Smaller scale, non-site-specific artwork acquired by the City for display in City facilities.

Privately Placed Public Art – Artwork located on private property for public enjoyment. These pieces are not maintained by the City, nor do they go through the program's art selection process.

Public Art – Elements of a public place that are designed by a professional artist or artist team. Public art can be permanent, temporary or functional. Public art can be stand-alone or integrated into the architecture, landscape or infrastructure such as public buildings, bridges and parks. Public art can be the sole creation of the artist or it may result from a design team approach in which artists work on project teams with architects, engineers, landscape architects and others to design and create public places.

Public Art Collection – Public Art owned or commissioned by the City.

Public Art Program – Program established by the McKinney City Council in December, 2011, to oversee the commission, acquisition and strategic placement of Public Art.

Public Art Trust Fund – A fund administered by the City to hold all monies raised and allocated to support the implementation of the Public Art Program.

Public Art Master Plan – A planning document developed by the Arts Commission and approved by City Council that outlines a vision for public art in McKinney, and strategies for achieving that vision over an approximate five-year timeframe.

Regional – Within the boundaries of the State of Texas.

Request for Proposals – Term for a document soliciting proposals from artists for a specific public art project.

Request for Qualifications – Term for a document soliciting qualifications from artists for a specific public art project or for an artist roster.

Selection Panel – An ad-hoc committee of the Arts Commission, which is responsible for recommending the selection of an Artist and the Concept Design review for a specific public art Commission, or the review of candidate artworks for a public art acquisition.

Site-Specific Artworks – Artworks that are inspired by and created to fit the context of a particular place.

Temporary Public Art – Works of art that are created to be in a public place for a limited period of time, generally less than five years.