



**SALISBURY CITY COUNCIL
WORK SESSION AGENDA**

SEPTEMBER 5, 2023 (TUESDAY)

Salisbury Headquarters at 115 S Division Street and Zoom Video Conferencing

- 4:30 p.m. Public Art Masterplan presentation- Arts, Business & Culture Department (ABCD)
Director Allen Swiger, Business Development Director Laura Soper, Public Art
Masterplan Consultant Todd Bressi
- 4:50 p.m. Resolution to establish a Public Art Committee- Business Development Director
Laura Soper
- 4:55 p.m. Ordinance to accept grant for expenses associated with a Public Art Fund for the
Arts & Entertainment District- Business Development Director Laura Soper
- 5:05 p.m. Ordinance to establish a Downtown Ambassador Program- Business Development
Director Laura Soper
- 5:15 p.m. Budget amendment for Field Operations overtime- Field Operations Deputy
Director Sam Ireland
- 5:20 p.m. RFP A-23-108 Off Site Net Aggregate Metered Solar System presentation-
Procurement Director Jennifer Miller, Richard Anderson, CQI Associates
- 5:40 p.m. Recovery/Group homes- City Attorney Ashley Bosché, Assistant City
Administrator Tom Stevenson
- 5:55 p.m. Revision to Plastic Bag Ban- City Attorney Ashley Bosché
- 6:05 p.m. Bird Scooter- Follow up discussion
- 6:15 p.m. Administration and Council Comments
- 6:20 p.m. Adjournment / Convene in Special Meeting

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.
The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 3-305(b).*



Join Zoom Meeting

<https://us02web.zoom.us/j/88163253286?pwd=K3RtZUhUMHNucDRPU2IHbnROQzZVUT09>

Meeting ID: 881 6325 3286

Passcode: 812389

Phone: 1.301.715.8592

Posted 9/1/23



City of
Salisbury
John "Jack" R. Heath, Mayor

To: City Council
From: Laura Soper, Director of Business Development
Subject: Public Art Masterplan and Public Art Committee Creation
Date: 8/28/23

In March 2022, the City and Salisbury Arts & Entertainment District enlisted the help of public art planning consultant, Todd Bressi, with creating the City's Public Art Masterplan. The plan explains Salisbury's vision for how public art can impact the city, identify opportunities for projects the city can undertake on its own, and outlines approaches to collaborating on projects with the city's creative and business communities. Through various community conversations, open mics, surveys, and outreach opportunities, Mr. Bressi has helped Salisbury answer three basic questions:

- **Big Picture:** Why is public art important to Salisbury? What impact can it have on the city?
- **Big Moves:** What are the best opportunities for new projects that will fulfill the city's vision?
- **Toolkit:** What tools will the city need – funding, project management, guidelines, partnerships – to make these projects happen?

A part of Mr. Bressi's planning document also calls for the creation of a City of Salisbury Public Art Committee. The creation of the Public Art Committee formalizes the process by which the City receives proposals for both City projects and community-initiated projects. The Public Art Committee reviews, prioritizes, and recommends proposals for public art from city agencies and the community.

SALISBURY PUBLIC ART MASTER PLAN

September 2023



City of Salisbury
Arts, Business and
Culture Department



Salisbury Public Art Master Plan

September 2023

City of Salisbury, Arts, Business and Culture Department

Prepared By

Todd W. Bressi,
Public Art · Placemaking · City Design

City of Salisbury

Arts, Business and Culture Department

Housing and Community Development Department

Infrastructure and Development Department

Mayor's Office / City Administration

City Council



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“There’s an immediate transformation in mindset when public art is introduced to an area.”

Jacob Day



INTRODUCTION

1.1 Introduction

Public art has been an increasingly visible part of Salisbury's life for more than twenty years – from thematic sculptures and colorfully painted utility boxes downtown; to murals downtown, in neighborhoods and along major arteries; to monumental sculptures in a gateway roundabout and a new downtown square.

These projects have been a community effort. They have been initiated by organizations, institutions, businesses, communities and civic leaders, as well as the City itself. Many have been completed by artists from Salisbury or places nearby on the Eastern Shore.

These projects are a testament to Salisbury's remarkable pride, energy and creative resources. The City's creative life includes a vigorous program of monthly 3rd Friday art walks and related events; the fine arts program at Salisbury University, including faculty, students, visiting artists and campus and downtown galleries; and an acclaimed folk festival each summer.¹

With all of this in mind – community interest, resources and an expanding palette of opportunity – the City determined it should develop a strategy for public art and launched this public art master plan. The City's goals were straightforward:

- * Learn what kinds of public art people would like to see in Salisbury
- * Take stock of the City's public art opportunities and prioritize them
- * Identify sustainable funding for public art
- * Establish policies and procedures that provide for an equitable use of City resources and that catalyze private sector and community resources
- * Provide a framework, based on best practices, for implementing and maintaining public art projects

¹ From 2018 through 2022, this was the National Folk Festival hosted by the National Council for the Traditional Arts. The event will continue as the Maryland Folk Festival.

This plan represents a yearlong exploration of the types of public art the people would like to see, the opportunities and the resources that Salisbury has on hand, and the processes it can use to identify, prioritize and mobilize projects on an ongoing basis. The plan charts a path forward, recognizing that both City leadership and broad participation from Salisbury's residents, community organizations, businesses and institutions will be important for Salisbury to build on the accomplishments and momentum in which it has already invested.



Courtesy City of Salisbury

1.2 Key Acronyms

Key Acronyms Used Throughout This Plan

The following acronyms are used frequently in this plan, and all of them (except SBY) refer to terms that are listed in the definitions section of the plan.

- ABCD** Arts, Business and Culture Department
- A+E** Arts and Entertainment District
- DID** Department of Infrastructure and Development
- HCDD** Housing and Community Development Department
- PAC** Public Art Committee
- SBY** Salisbury
- TAG** Technical Advisory Group



Courtesy City of Salisbury

1.3 Land Acknowledgement



Wicomico River
Photo by Gordon Campbell / AtAltitudeGallery.com

Land Acknowledgement

The Delmarva peninsula, where Salisbury is located, is the historical land of the Choptank, the Nanticoke, the Annemessex and the Manokin people, who were proud women and men who lived in harmony with the land they called home.

These tribes were forced from their established homes and land by European settlers, and many of these people later perished from diseases carried by the settlers. In many cases, the languages of these tribes were appropriated for the names of local cities and towns, counties, roads and waterways.

The City of Salisbury is situated on the traditional lands of the Wicomico peoples, including the past lands of the Tundotank village (at the confluence of the Wicomico River and Tony Tank Creek) and the Tundotank Reservation (created during colonization of the Eastern Shore).

With gratitude for the land itself and the indigenous people who have stewarded it throughout the generations, we commit to continue to learn how to be better caretakers of the land we inhabit today.²

² This land acknowledgement incorporates language from the City of Salisbury Indigenous People's Day proclamation, 2020, and from Salisbury University land acknowledgement statement.

1.4 Who We Are: The Comfortable Side of Coastal

Salisbury, Maryland, was born from the headwaters of the Wicomico River. This special place, nestled squarely between Atlantic Ocean beaches and the Chesapeake Bay, has been attracting people to its stunning location for hundreds of years.

Now one of the largest cities on the Delmarva peninsula, Salisbury serves as the capital of the Eastern Shore, combining vibrant economic opportunity, quality public education, world-class healthcare, reinvigorated environmental stewardship, globally known corporations, and an energetic and inspiring team of community leaders, to chart its own course and craft a sound plan for its future. Salisbury is a creative and cultural force.

Salisbury's touchstone is the **river**.

The Wicomico River starts here, and Salisbury started along the river. Water runs through downtown and City Park and connects deep into the city's neighborhoods. The active port and marina districts are reminders that the water continues to be a place of work and industry, while the Riverwalk reinforces the idea that the water is for everyone in the community to enjoy.



Riverwalk / South Prong, Wicomico River
Courtesy City of Salisbury

1.4 Who We Are: The Comfortable Side of Coastal

Salisbury is a **crossroads and hub.**

Salisbury was settled because of its river and bay access; became Maryland's dominant Eastern Shore location as the intersection of north-south and east-west railroad routes; and continues to thrive as the crossroads of the Eastern Shore's main regional highways, U.S. 13 and U.S. 50. Over time Salisbury has evolved into a governmental, economic, educational and cultural hub, with businesses and institutions that serve Wicomico County and beyond.



Courtesy City of Salisbury

1.4 Who We Are: The Comfortable Side of Coastal

Salisbury is a college town.

As the home of Salisbury University, we welcome students from around the globe to come for a top-notch education. Around every corner, you can meet a former SU student who has fallen in love with our town, and decided to stay and make it their own.



Courtesy Salisbury University

1.4 Who We Are: The Comfortable Side of Coastal

Salisbury is a **creative and cultural force.**

From the art galleries and studios of our community's artists to the celebration of the arts each month at Third Fridays, from the flavors and traditions of our many cultures to the airwaves of Delmarva Public Media, Salisbury is bringing the community together and celebrating the best of what makes life in Salisbury different.



University Gallery
Courtesy Salisbury University

1.4 Who We Are: The Comfortable Side of Coastal

Salisbury is a welcoming community.

Nearly one out of six Salisbury residents was born in another country; with Latinx/Hispanic, Haitian and Korean individuals being the largest groups. The City is proud to recognize the economic, social and cultural contributions of non-native residents in all sectors of the community. It was the first city in the U.S. to achieve the designation of "World Kindness City."



Courtesy City of Salisbury

1.5 Salisbury's Track Record of Public Art

Salisbury has plenty of public art to celebrate.

Over the last 20 years, numerous public artworks have been added downtown and throughout the City's neighborhoods. Some have been sponsored by the City, others by the Arts and Entertainment District (A+E)³, and others by property owners. These artworks represent collaborations among City departments and partnerships with businesses, institutions and community organizations throughout the city.

Altogether, these artworks have begun to define Salisbury as a place for living, working and visiting. Many of them welcome people arriving in the city on U.S. 13 and U.S. 50, the two main highways that cross through town. Others can be enjoyed by people walking on downtown streets or along the Riverwalk.

3 The Salisbury Arts and Entertainment District (A+E) was an independent nonprofit organized as part of the state of Maryland's Arts and Entertainment District program and was partially funded by the state. In 2023, the A+E's functions were absorbed into the City's Arts, Business and Culture Department, and the A+E was reorganized as the Salisbury Arts Alliance.

4 Many of these artworks are documented in the Public Art Walking Tour brochure published by the Salisbury Arts and Entertainment District.



Current locations of public art in Salisbury

Downtown

Steel Sculpture Project

Salisbury's first major public art initiative was the commissioning of ten artworks depicting a variety of historical and natural themes at various locations downtown. The project began in 2001 as a part of a larger revitalization effort coordinated by Urban Salisbury, and completed in several phases over the next ten years.

The artworks consist of laser-cut steel sculptures installed atop stanchions along the Riverwalk, Carroll Street and U.S. 13. They were funded by various individual, corporate and institutional sponsors, along with the State Highway Administration. A final piece - twenty-one steel panels cut to spell out "Riverwalk Amphitheater," each panel unique with laser-etched scenery from around Wicomico County - was completed in 2018 and funded by the City.

Isadora Samson, *Crow*, 2006
Courtesy Salisbury Arts Alliance



Utility Boxes

Salisbury's second major public art initiative was asking artists to paint twenty utility boxes downtown. The initiative, which was completed in several phases starting in 2016, was coordinated by the Arts and Entertainment District and was funded by a variety of sources, including the Maryland State Arts Council, private sponsors, and the City's water department. In 2023, the A+E⁴ issued a call to artists to redo several of the boxes, at a budget of \$2,750 per utility box. Most of the utility boxes are owned by Delmarva Power, with one owned by the City's water department.

Courtesy Salisbury Arts Alliance



1.5 Salisbury's Track Record of Public Art

Fred P. Adkins Memorial Obelisk

Salisbury created a new landmark in 2020 when it completed the Riverside Circle roundabout and moved the Fred P. Adkins Memorial Obelisk into the center, creating a monumental gateway to downtown and marker near the confluence of the North Prong and South Prong of the Wicomico River. The sculpture, a 30-foot tall, 4,000-pound aluminum spire by Alfredo Halegua, which was originally commissioned to bring a modern aesthetic to the Downtown Plaza, serves as a symbol for the downtown's revitalization and pays respect paid to local businessmen who helped transform the city's economy. It was moved to the traffic circle to make way for the construction related to the Main Street Master Plan.

Bloom

Bloom by Blaine Steiner is a three-part steel sculpture located along the Riverwalk, near the intersection of Circle Avenue and W. Market Street across from Market Street Inn. The artwork consists of multiple lighted cast glass elements designed to reference the growth of downtown in recent years. The project was funded in part by a grant from the Maryland State Arts Council's Public Art Program, and matched by the A+E, with in-kind support from Salisbury University.

Blaine Steiner, *Bloom*. Courtesy Salisbury Arts Alliance



Riverside Circle roundabout. Courtesy City of Salisbury

William Wolff, Unity Square Sculpture, 2023. Courtesy City of Salisbury



Unity Square Sculpture

Salisbury is now creating a new town square, called Unity Square, in the block bounded by Circle Avenue and Camden, Division and Market Streets. The square will feature a new sculpture by William Wolff, a professor at Salisbury University, that will be comprised of 200 bronze hands, created through the art of bronze hand casting, climbing upward into a 10-foot-tall spiral shape. The \$40,000 project is being funded through private fundraising led by a local contractor.

1.5 Salisbury's Track Record of Public Art

Community Murals

Salisbury has supported the creation of several murals in recent years. Some have resulted from community engagement processes led by the City's Community Relations team, part of the Housing and Community Development Department. The city has also supported several murals championed by artists and organizations promoting equity and inclusion.

Church Street Mural

The first City-sponsored mural was created in 2019 on a wall that serves as a gateway to the Church Street Historic District, a historically Black neighborhood, and as the backdrop for a small park. The wall and park space became available when the City demolished a derelict building at the intersection of Church Street and U.S. 13, just north of downtown. The mural, by Salisbury artist Paul "Sketch" Boyd III, was designed with input from the local community and features the rich Black history of the Georgetown neighborhood, including important historical figures.

VFW Mural

As the Church Street Mural was being created, City Council asked the administration to create a mural on the West Side as well, in another historically-Black neighborhood. The artist, Britt Flood, was selected through an open recruitment led by HCDD and a process facilitated by the Arts and Entertainment District. Her design features the portraits of five prominent people from the neighborhood. The mural is located on the wall of VFW 10159, visible to traffic approaching the city southbound on U.S. 50, and was completed in 2021.

Newton Community Center

In 2022, the City completed a small mural inside the Newton Community Center, which was opened in 2021. The mural was created in collaboration with Salisbury University's ShoreCorps program.



Paul "Sketch" Boyd III, *Church Street Mural*, Courtesy Salisbury Arts Alliance

Britt Flood, *Salisbury Daydream*, 2021. Courtesy Salisbury Arts Alliance



Newton Community Center mural.
Courtesy Salisbury Arts Alliance



1.5 Salisbury's Track Record of Public Art



Waterside Park

In October 2022, the City completed a mural on the surface of two basketball courts in Waterside Park. The mural, titled *Sky's the Limit*, was painted by Easton-based artist Shelton Hawkins and depicts the sun, clouds, and waves in an abstract style. The City paid for the mural using federal American Rescue Plan funds.



Black Lives Matter Mural

Several weeks after Washington, D.C., painted "Black Lives Matter" on a downtown street to demonstrate solidarity with the Black Lives Matter movement, Salisbury renamed Broad Street "Black Lives Matter Boulevard." The City collaborated with the artist collaborative We are Limitless Studios to paint the phrase on a sidewalk in yellow, blue and green capital letters.

Shelton Hawkins, *Sky's the Limit*, 2022
Courtesy City of Salisbury

We Are Limitless Studios,
Black Lives Matter Mural, Salisbury, 2020
Courtesy artist

Rainbow Crosswalks

Since 2018, Salisbury PFLAG has coordinated the painting of rainbow crosswalks on Division Street near the public library. Rainbow crosswalks, which can be found in dozens of cities across the U.S., act as monument to LGBTQIA+ people, and their colors send a powerful message of inclusion. It has been repainted or refurbished every year since it was installed. Salisbury's crosswalk was expanded to include the state's first Progress Pride crosswalk and transgender crosswalk in 2021.



Pride Crosswalk,
Courtesy City of Salisbury

1.5 Salisbury's Track Record of Public Art

Salisbury University Public Art Collection

Salisbury University's Sculpture Collection includes more than two dozen artworks collected and commissioned over the last thirty years. These are managed by the SU Galleries, which maintains several on-campus and one downtown gallery that feature rotating exhibitions of work from contemporary artists, students and faculty⁵.

Highlights of the Sculpture Collection include a sculpture of Harriet Tubman⁶, who was born in nearby Dorchester County and led enslaved people from the Eastern Shore to freedom through the Underground Railroad, as well as work from the Beaux Arts era, a sculptural study by Auguste Rodin and mid-century artists such as Donald DeLue⁷.

The university's fine arts students exhibit sculptural work on campus around Fulton Hall and the recently completed Student Art Center, as well as at the Salisbury Zoo.

Future new construction at Salisbury University will include public art as part of the Maryland State Arts Council's Art Across Maryland percent-for-art program⁸.

⁵ <https://www.salisbury.edu/administration/academic-affairs/university-galleries/>

⁶ <https://www.salisbury.edu/news/article/New-SU-Sculpture-Honors-Harriet-Tubman>

⁷ https://www.salisbury.edu/discover-su/arboretum/_files/Arboretum-Brochure.pdf

⁸ <http://msac.org/programs/public-art>



James Hill, *Harriet Tubman*
Courtesy Salisbury University

1.5 Salisbury's Track Record of Public Art

Public-Private Partnership Murals

Evolution Brewing

Salisbury's largest mural to date was painted on the site of Evolution Craft Brewing Company on Route 13, south of downtown. The mural, *Sun & Suds*, was created by We Are Limitless Studios, from Salisbury, and completed in October 2022. The opportunity arose when trees were cleared from the west façade of the brewery, exposing a large wall to passing traffic and the health campus across the street. This was a private project led by SVN Miller Commercial Real Estate, with City assisting with obtaining permissions from the adjacent railroad and contributing funds from the American Rescue Plan. Other sponsors included Chesapeake Utilities.



We Are Limitless Studios, *Sun & Suds*, 2022
Courtesy City of Salisbury

1.5 Salisbury's Track Record of Public Art

Private Mural Commissions

Stéphane Pekala Colles
Kiss Me, 2017
Courtesy Salisbury Arts Alliance



Sarah Perdue, *What if You Fly*, 2019.
Courtesy Salisbury Arts Alliance



We Are Limitless Studios,
You Can Never Dream Too Big, 2022
Courtesy Salisbury Arts Alliance.



We Are Limitless Studios,
Believe, 2019
Courtesy Salisbury Arts Alliance
Commissioned by Delmarva
Veteran Builders



1.5 Salisbury's Track Record of Public Art

Private Mural Commissions



Wingchow, *Flow*, 2021
Courtesy Salisbury Arts Alliance
Commissioned by SU Art Galleries



James Thatcher,
The New Vision Heron Mural, 2013.
Courtesy Salisbury Arts Alliance



Luke Rommel,
Something Clever with Alliteration, 2020.
Commissioned by Roadie Joes

1.6 Planning Process

The City of Salisbury and the Salisbury Arts and Entertainment District initiated this project in 2022, engaging Philadelphia-based public art consultant Todd W. Bressi⁹. The initial planning process that spring and summer involved three concurrent activities – public engagement, research on peer cities in Maryland and nearby states, and research on city plans, budgets and arts and culture resources. The recommendations were drafted in the fall of 2022, and the plan was drafted in early 2023.

Public Engagement Findings

We took the pulse of public sentiment through several activities: a community-wide internet survey, three public conversations, a booth at a 3rd Friday art walk, and numerous small group meetings and interviews. The survey and the public events are discussed here.

Community Survey

The community survey was online from June 15 through October 15, 2022. We received 172 responses, including one in Haitian Creole. These are the highlights:

- * The overall picture of Salisbury is that it is a traditional place – built around its role as a center of commerce, government and education for an agricultural region – that is evolving to become more dynamic, diverse, entrepreneurial and creative. In response to an open-ended question asking people to describe the city, the most predominant topic that arose was that Salisbury is changing, and for the better. The second most predominant topic involved references to themes of community, small-town, friendliness and tradition.

⁹ This plan was initiated in 2022 by the City in collaboration with the A+E. During the course of the planning process, the City expanded its focus on arts and culture activity by creating the Arts, Business and Culture Department. Also, the City assumed responsibility for the Arts and Entertainment District designation and the nonprofit that had been leading the A+E rebranded itself as an arts nonprofit.

- * The most recognizable artworks in Salisbury are the Church Street Mural, Rainbow Crosswalk, and Fred P. Adkins Obelisk - all recognized by more than 80 percent of the people who took the survey.
- * The most important impact of public art, people hope, will be to “beautify the appearance of streets and public infrastructure” (about two-thirds of respondents). The next most important impacts are to “create a sense of welcome and belonging,” to “create a sense of fun and surprise,” and to “bring a wider range of Salisbury’s creative voices into view” (each slightly more than one-third of respondents).
- * The type of art people would like to see most is “artworks that are engaging, interactive and playful” (about 60 percent of respondents). After that, several types of artworks were rated pretty closely together:

“projects that generate community activity and connection,” “artist-designed functional elements (benches, bike racks, bus shelters, manhole covers),” “artist-designed places where people can gather,” and “artworks that are large-scale and iconic” (all just about 50 percent of respondents).

Public Conversations

We held three public conversations at Revival, a former performing arts venue in downtown Salisbury. The first was an “open mic” night, soliciting people’s ideas for public art (March 2022). The second was a “Top ten ideas for public art in Salisbury” reveal and discussion (June 2022). The third was “Salisbury Says,” a report on the findings of the community engagement process and prioritization of popular ideas (September 2022).

Announcement for Public Art Master Plan community conversation

1.6 Planning Process



Community engagement at Salisbury Third Friday. Courtesy Todd W. Bressi

The first conversation surfaced the breadth of Salisbury’s creative interests and energy. The open brainstorming suggested that people are open to seeing a wide range of approaches to public art – sculpture, murals, performance art, fiber, kinetic, light and augmented reality. There were a number of themes discussed, such as science and ecology, personal health and community portraits. One of the strongest ideas that emerged was linking public art to Salisbury’s status as a “World Kindness City,” the first city in the U.S. to achieve that designation, and to share stories of struggle, triumph, history, diversity and culture with art.

The second conversation began to prioritize ideas. The consultant presented “Top ten ideas for public art in Salisbury,” depicted on posters with photos and short descriptions. All of the ideas were drawn from topics that had come up in previous conversations, and all were ideas that in the consultant’s estimation would be realistic ones for Salisbury.

The “voting” and the conversation reveals some direction that should be considered in relation to what is learned from other kinds of outreach.

- * People said they were interested in light and interactive artworks because they would like to see something innovative that they haven’t seen before.

- * People said they were interested in more artworks that tell the histories of Salisbury and recognize that this is a way to tell stories of people whose histories haven’t been recognized.
- * People said they liked the idea of “Salisbury Together” because it offered an example of a food-based project (a community meal).
- * People said they liked the murals in the city but were less inclined to vote for them because the city has murals already and they would like to see something new.
- * People said they felt the idea of “augmented reality” could be combined with “Hidden Histories” – e.g., use augmented reality to tell more of the historical background - rather than being pursued as a type of artwork itself.

The third conversation, in addition to being a report out of the survey findings, further prioritized ideas. The assembled group reviewed the eight projects that were most popular with survey respondents, not only deciding which ideas they liked best, but also why.

- * Comparing community-based murals and abstract murals, the group found value in both for Salisbury, but felt that a community-based theme should be a priority - there is a need for sense of pride in Salisbury that can be evoked through public art.
- * Comparing sculptural approaches, the group found that an iconic sculptural work could express the city’s identity and tie to marketing, but that a higher priority would be a whimsical, playful sculpture that encouraged interaction and highlight the city’s investment along trails.
- * Comparing temporary artworks that look at the cultural and historical aspects of a place, the group preferred an approach that reflects the city’s current culture rather than historical themes.
- * Comparing light artworks, the group preferred a temporary project that people could interact with and change, opposed to an abstract projected artwork.

1.6 Planning Process

- * Comparing a community mural and an interactive sculpture, the group felt that a sculpture would be more of a priority at the moment.
- * Comparing a temporary art project that involved people in exploring cultural diversity and a temporary interactive light artwork, the group preferred the light artwork as appearing to be fun and playful.
- * Comparing a temporary interactive light artwork with a permanent, engaging trail sculpture, the group preferred the trail sculpture as being unique to Salisbury and important in terms of relating art to the City's expanding trails and urban greenways.

Research Findings

Peer Cities

We examined public art approaches in most of the Maryland communities similar to Salisbury that have programs, as well as several cities in other states (Asheville, N.C.; Chestertown, Md.; Hagerstown, Md.; Hyattsville, Md.; Lancaster, Pa.; Virginia Beach, Va.) that offer parallels to Salisbury. Some of the key learnings are:

- * Programs with successful track records, such as Hagerstown, Hyattsville, Lancaster and Virginia Beach, have focused professional leadership as opposed to volunteer leadership. Hagerstown's Arts Trail has been championed by the city engineer; Frederick County, Lancaster and Virginia Beach employ full-time public art professionals¹⁰; and Hyattsville is led by the director of the nonprofit Hyattsville Community Development Corporation.
- * None of these cities have a traditional "percent for art" program. When public art is incorporated into city projects, it is built into the budget of that project. When public art is incorporated into private development, it is through formal or informal "community benefit" agreements. Asheville, Frederick, Hyattsville, Lancaster and Virginia Beach also initiate art projects that are not connected to public capital projects and private development.
- * Each of the cities has a different emphasis for its program. For many years Lancaster emphasized community-based projects and local artist development, along with traditional commissions for major city projects. Hagerstown emphasizes major, impactful projects all focused on its arts trail. Virginia Beach has focused on partnering with other city agencies to implement public art with its projects. Hyattsville operates entrepreneurially, taking on projects with developers and municipalities that require capacity.
- * Many Maryland programs tapped into Maryland State Arts Council grants; Frederick and Lancaster tapped into National Endowment for the Arts grants after they completed their public art master plans.



Courtesy Salisbury Arts Alliance

¹⁰ The Frederick County Arts Council employs a full-time public art professional who helps develop projects in both the City of Frederick and Frederick County.

1.6 Planning Process

PRECEDENT

Hagerstown Cultural Trail

The Hagerstown Cultural Trail is a one-mile walkway that connects two of the city's most popular destinations – the downtown Arts & Entertainment District with City Park and the Washington County Museum of Fine Arts. It features a growing list of public art experiences, unique landscaping, gathering spaces, historical information and other amenities.

The Cultural Trail began as one of eight “catalyst” projects identified a decade ago as part Hagerstown’s City Center Plan. As the City was contemplating the trail, the question arose as to who would walk along it, and the idea emerged to make the trail an art destination in and of itself.

The City hired artists William and Teresa Cochran to develop a plan for public art along the first phase, and City Council subsequently allocated \$250,000 to support the first phase of projects. These included The Mural of Unusual Size (Hense), Rise (a metal sculpture by Adam Curtis), The Fantastical Garden (a metal sculpture by Alison Sigethy), and POD (a sculpture by Richard Deutsch, relocated from Montgomery County).

There are now fourteen artworks along the original trail and its second phase extension. The City has continued to participate in the funding of projects, combining its resources with a state bond bill, a sponsorship from an adjacent property owner, and community fundraising.

WALK THE TRAIL!
approximately 1/2 mile

CITY PARK ENTRANCE

"The Fishing Lesson"
This bronze sculpture created by Paul Rhymer honors the teaching relationship of parent and child while also subtly educating onlookers about the chain of life and the importance of teaching self-sufficiency. Visit the Museum of Fine Arts for the accompanying children's book about the bear!

"Pod"
This cast-steel sculpture was hand-carved by Richard Deutsch in Italy where Michelangelo's studio was located. Inspired by both the on-birth of nature and the ruins of Rome, this modern work is the marriage of art and environment. It invites interaction and creative play.

"Railroad Switch"
Stroll down the trail and see the plasma-cut weathering steel fence that evokes memories of the rail yard switches that once ran through the area. Artist Yuki Scott designed this functional fencing, which seems to move and pulse in the sunlight as you pass it.

Community Art
This green space features temporary community art until the next phase of the Cultural Trail is complete.

"Faces of Hagerstown"

"The Fantastical Garden"
Explore this interactive play area that features a garden you thought could only exist in your imagination! Fantastical flora designed by artist Alison Sigethy have some elements of surprise. Take a closer look to see what "them" among the garden. The work is complemented by a butterfly garden, native rocks, and a trickling water feature.

"Rise"
Adam Curtis designed a steel sculpture that frames various perspectives of the cityscape, depending on where the viewer is situated. The Herald Mail Plaza also offers a place for gathering and resting under its concrete shade structures.

Mural of Unusual Size - "Building Blocks"
Internationally recognized contemporary public artist and award-winning painter HENSE transforms this former industrial building into a creative work of art that combines techniques of street art and abstract painting.

"Faces of Hagerstown"
These black-and-white photos capture the truth and life of Hagerstown through the people who live, work, and play here. These candid images are submitted by all levels of photographers — from the iPhone amateur to the seasoned pro.

W. ANTIETAM ENTRY PLAZA

THANK YOU TO OUR PARTNERS:
This project is a public-private partnership between the City of Hagerstown and generous community partners. We thank those businesses and organizations that provided elements, donated land, and contributed funding to help the trail become a reality.

PARKING
A&E District Parking Deck / 25 Renaissance Way
City Parking Lot / 36 W. Antietam Street
Columbia Bank Parking Lot / 44 W. Antietam Street
City Park / 501 Virginia Avenue

A Just Lookin' Gallery / 40 Summit Avenue
B Washington County Arts Council / 34 S. Potomac Street
C Engine Room Art Space / 36 N. Potomac Street
D Museum of Fine Arts / 401 Museum Drive

Herald Mail Plaza • Dismore Electric • Hagerstown Housing Authority • Hagerstown Characteristic & Message Center • Wash. Co. Museum of Fine Arts • MD State Arts Council • Wash. Co. Arts Council • Hamilton Family Foundation • Digging & Riggin

Map, Hagerstown Cultural Trail. Courtesy City of Hagerstown

Hagerstown Cultural Trail crosswalk design. Courtesy City of Hagerstown

Christian Benefiel and Ryan McKibbin, *Rivulet*. Courtesy City of Hagerstown



1.6 Planning Process

City Plans, Budgets, and Events

We looked at the City's planning and capital investment strategies.

Salisbury has engaged in a burst of planning over the past seven years. Major plans in place include a downtown strategy plan, plans for north-south and east-west trail and greenway corridors, and plans to retrofit the city with safer streets and biking infrastructure. Altogether, these provide opportunities for public art related to a variety of capital projects – primarily in the riverwalk, greenway and rails with trails corridors, Eastern Shore Drive and a new park along the North Prong, as well as with neighborhood traffic calming and bicycle improvements. All of these possibilities, called out in this plan, can be reinforced in the comprehensive plan that the City is about to launch.

We looked at the City's community engagement strategies.

The Community Relations division of Housing and Community Development proactively reaches out to neighborhoods across the city, through person-to-person approaches such as neighborhood walkabouts and pop-up bus stops where City officials and staff engage with citizens informally. Over the past few years, it has organized four murals that are related to its community engagement efforts. There is potential to involve artists in variety of ways that support these community engagement efforts.

We looked at the City's events and downtown promotion strategies.

During the time this plan was developed, the City's events and downtown promotion strategies were led by the Arts and Entertainment District. These were largely focused on monthly 3rd Fridays, which couple a street-fair type atmosphere with themed events. These events were able to mobilize an impressive breadth of the City's creative capacity, from Salisbury University's

galleries to creative entrepreneurs to local bands. The Arts and Entertainment District also secured state funding and private sponsorships for small-scale public art projects. Responsibility for these activities has shifted to the expanded staff of the Arts, Business and Culture Department.

There is potential to link public art to future promotion strategies, particularly by encouraging more murals on private buildings, by allowing for arts organizations and others to propose their own projects, and by elevating public art through the creation of an annual project or prize that can be featured in the annual cycle of 3rd Friday events.

Overall Findings

The community engagement process, the research into peer public arts programs and the research into the City's planning and capital trajectories provides a framework for the plan that Salisbury should pursue:

- * Prioritize projects that reach into the city via its Urban Greenway, Rails with Trails and Riverwalk projects. Focus on projects that are playful and engaging.
- * Outside of those areas, link projects with the city's neighborhood engagement strategies. In particular, look for opportunities to leverage biking and traffic calming projects through community engagement.
- * Consider special initiatives that are interactive and immersive, especially those that are supportive of downtown development or community placemaking.
- * Couple strong staff leadership with the support of a public art professional.
- * Continue Salisbury's track record of public-private partnerships to fund public art priorities that are being pursued through the plan.
- * Seek federal National Endowment for the Arts funding once the public art plan is complete.



Courtesy City of Salisbury

2

“Public art is not only something nice to look at, but it’s something that unites our community and fosters a sense of belonging.”

Jacob Day

Courtesy City of Salisbury



**WHERE WE
ARE HEADED**

2.1 The Big Picture

Vision

How Public Art Can Transform Salisbury

Salisbury is the creative hub and public art pace-setter for the Eastern Shore.

Mission

What We Do

The City of Salisbury is a catalyst, leveraging creativity and resources from City agencies, the community and the private sector to create public art.

Values

What Guides Us

Local Loyalty: Our work is of, by and for Salisbury and the Eastern Shore.

Connect Globally: Our creativity thrives because of the exchange we can have with ideas and artists from beyond our region.

Professional Practices: We follow clear decision-making processes, transparent decision-making and professional best practices.

Equity: We work to hear and elevate all of the voices in our community, and to allocate resources equitably in support of community goals.

Goals

What We Will Accomplish

Our artists: Connect Salisbury's creative voices with opportunities to create art in their own community

Our economy: Support business and tourism, especially downtown

Our people: Share our stories, connect our communities, strengthen everyone's sense of belonging

Our place: Celebrate what makes us unique - our landscape and waterways and diverse cultures; our ambitions and the resources we have to move forward

Trajectories

How We Will Get There

Incorporate public art into City projects, especially the greenway and bikeways

Embed public art in the City's neighborhood outreach efforts

Launch catalytic special initiatives

Program innovative and engaging art projects downtown

Support public art proposals from the community at large

How Will We Know We've Succeeded?

Salisbury's public art program will be managed toward the following benchmarks. The timeframes proposed below are dependent on funding and staff capacity.

Each Year:

- * All three core departments (Arts, Business and Culture; Infrastructure and Development, Housing and Community Development) will initiate one project every year.
- * The City will support at least one community-initiated project every year.
- * The City will support at least one special initiative project each year, funded mostly through a sponsorship.

Within Three Years:

- * At least one developer will have incorporated a public art project in their development.
- * Three special initiative projects will have been launched and evaluated, so that the City can determine which should be prioritized in the future.

Within Four Years

- * The City will have supported a project in each of the four quadrants of Salisbury, outside of the area covered by the EnvisionSBY Downtown Master Plan.

Within Five Years:

- * The City will have supported a project in each of the seven focus areas outlined in the EnvisionSBY Downtown Master Plan.

When Possible:

- * The City will incorporate this plan and its recommendations into the forthcoming comprehensive plan update.
- * The City will incorporate public art at key locations along the Rails with Trails project.
- * The City will incorporate public art at key locations along the Urban Greenway project.
- * The City will incorporate public art into other transportation and infrastructure projects, such as roundabouts, streetscapes and bridges.

Overall:

- * At least two-thirds of the projects initiated by the City will be commissioned from artists from Salisbury or the Eastern Shore.

2.2 Our Opportunities: Possibilities for Public Art

Salisbury has many opportunities to consider for public art. This section provides a framework of opportunities for incorporating public art into the projects the City builds and into the City's neighborhood engagement processes. It also outlines special initiatives that can be developed through partnerships with community, institutional and business partners.

Civic Infrastructure Projects

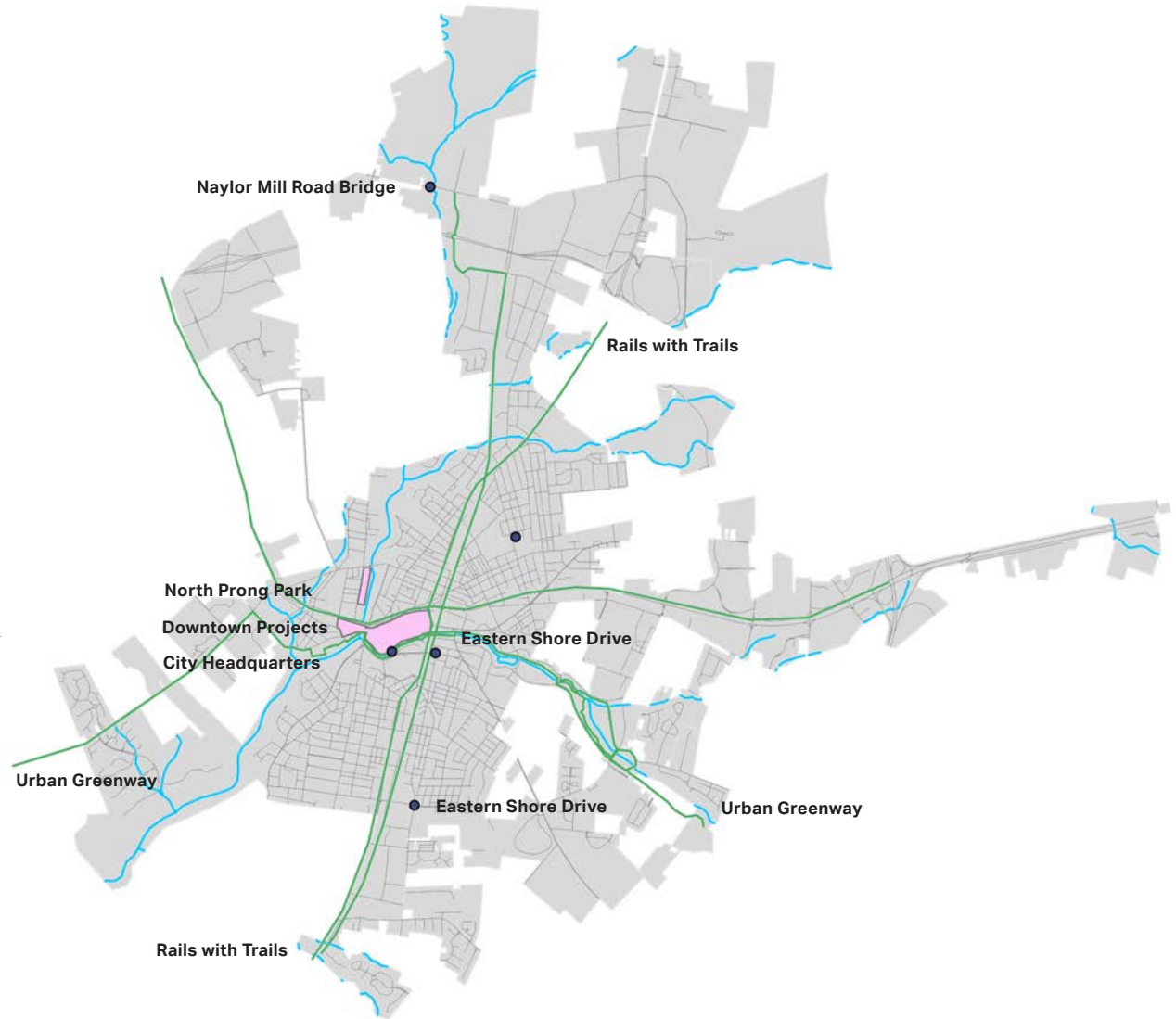
Trajectory: Incorporate public art into city projects, especially the Urban Greenway and Rails with Trails

Public art in "civic infrastructure" means incorporating art into what the City of Salisbury builds - both the beautification of open spaces and the enhancements of buildings and other structures. Opportunities include parks and recreation facilities, bikeways and greenways, and traffic circles.

Over the years, Salisbury has been successful at including public art along the Riverwalk, the Riverside Circle roundabout (Carroll Street, Riverside Drive, Camden Avenue) and the revamped Unity Square.

Future major capital projects should also be evaluated for their potential for public art. The key opportunities will be found in the recently-completed Truitt Community Center, the Rails with Trails project, future extensions of the Urban Greenway, Eastern Shore Drive and North Prong Park. These projects will largely be identified, funded and managed by Infrastructure and Development, with support from ABCD.

The appendix includes a list of capital projects that the city is planning.



Potential locations for public art.

2.2 Our Opportunities: Possibilities for Public Art

Rails with Trails

Salisbury’s “Rails with Trails” is intended to be the major north-south backbone of the city’s bike network. The proposed 5.75-mile-long trail will run through Salisbury, from Naylor Mill Road to Fruitland, with a pedestrian- and cycle-friendly path. It is regarded as a centerpiece to the city’s active transportation network, connecting residents, employees, students, and visitors to key destinations.

The proposed corridor will follow the general alignment of the Norfolk Southern railroad tracks (which are actively used) and U.S. 13 (business). The corridor connects Salisbury University, downtown and the Church Street Historic District, and passes by historic Union Station, which will soon be undergoing renovation.

The overall Rails with Trails Master Plan and preliminary design drawings were developed in 2018. The next phases of City funding will be used to prepare full design and construction documentation of the eight segments of the Rail Trail. Grants will be sought to supplement construction funding.

Public Art Opportunities

Trail marker system, interpretive installations, trailside murals, bike racks, playful interactive sculptures, seating areas.

Right: Courtesy City of Salisbury

Below, left to right:

Alison Sigethy, *Fantastical Garden*,
Hagerstown
Courtesy artist

North Vancouver B.C. Spirit Trail
Courtesy Hub Surface Systems

Jessie UnterMeyer and Katie Truhn,
Magic Carpet, Charlotte
Courtesy artist



Inspiration Images



2.2 Our Opportunities: Possibilities for Public Art

Urban Greenway Improvements

Salisbury's Urban Greenway will provide a continuous, non-vehicular, east-west route to move across the City, much of it along the picturesque Wicomico River. The 6.5 mile-long corridor will connect from Pemberton Park to the marina, downtown, City Park, the Salisbury Zoo and, ultimately, Schumaker Park. Sections of the greenway downtown and in City Park are in use already.

The alignment for the Greenway is broken up into eleven phases that can serve an independent purpose. The design for each phase varies based on the context. The City's Urban Greenway Master Plan (2016) establishes the overall vision and context for the corridor.

The City is currently designing the East Main Street and City Park phases, with implementation to follow. The next phases planned for design are Pemberton Drive and the Zoo to Schumaker Park. City capital funding is proposed for both engineering and construction.

Public Art Opportunities

Trail marker system, interpretive installations, environmental art, bike racks, playful interactive sculptures, seating areas.

South Prong Wicomico River
Riverwalk / Urban Greenway
Courtesy City of Salisbury.



Jeppe Hein, *Modified Social Bench*,
Courtesy Claremont-McKenna College

D.I.R.T. Studio, *Watermarks*, 2017
Courtesy Arlington County

Doug Snider and Sara Storm
Tangerine Caterpillar Dream
Courtesy Unified Port of San Diego

Inspiration Images



2.2 Our Opportunities: Possibilities for Public Art

Eastern Shore Drive Promenade

Several years ago, the City prepared a feasibility for transforming Eastern Shore Drive into a distinctive mixed-use, multi-modal corridor that is a model for walkability, biking and rainwater management that better serves the surrounding neighborhoods. The corridor runs parallel to the Rails with Trails corridor, connecting from downtown to the Salisbury University area.

The plans call for a wide, landscaped promenade down the center to accommodate pedestrians and bicyclists with roundabouts at each end at the intersections of Carroll Street and College Avenue.

One of the key goals is to mitigate the potential for crashes and injuries because of the street's excessive width, high speeds, poor bike facilities and uncontrolled access. The project will also include green infrastructure such as street trees and stormwater facilities that will help meet the City's stormwater discharge permit compliance.

The City plans to design and build the new facility over a multi-year span, with upgraded intersections at Carroll Street and College Avenue occurring before the main project.

Public Art Opportunities

Roundabout art, bike racks, seating areas.



Eastern Shore Drive concept proposal
Courtesy City of Salisbury

Joshua Weiner, *Campfire*, Frederick, Md.
Photo by Doug Via
Courtesy artist



Eastern Shore Drive
Courtesy City of Salisbury

Natalie Blake, *Rose Circle*, Chabot College, Oakland
Courtesy Artist

Inspiration Images



2.2 Our Opportunities: Possibilities for Public Art

North Prong Park

The North Prong district, which extends along the Wicomico River north of Ocean Gateway (U.S. 50), is envisioned in the Downtown Master Plan (EnvisionSBY, 2016) to include housing, shopping, offices and waterfront uses, with a new park at its core.

The park, proposed for the area between the river and Lake Street and between Burton Street and Isabella Street, will provide flood mitigation for this flood-prone area of the city. The rest of the area would be bulkheaded and feature an extension of the Riverwalk.

North Prong Park will be a new public space within walking distance of the West Side, downtown and Newtown. Funding for further planning and grants for land acquisition were programmed in FY23, with design to follow soon after. Construction will occur over multiple phases and grants will be sought to assist with construction costs and land acquisition.

Public Art Opportunities

Interpretive features, environmental art, seating areas



North Prong Wicomico River, working waterfront. Courtesy City of Salisbury.

Inspiration Images



Kendall Buster, *Stratum Pier*, Indianapolis
Courtesy artist

Stacy Levy, *River Rooms*, Philadelphia
Courtesy artist

Stacy Levy, *Tide Flowers*, concept proposal
Courtesy artist



2.2 Our Opportunities: Possibilities for Public Art

Salisbury Headquarters

In 2023 the City entered into a lease to occupy the former Salisbury Fire Department Headquarters, which occupies a strategic location at the corner of Market and Division streets, overlooking the Wicomico Public Library, Unity Square and the main downtown parking garage, and across the street from the Riverwalk.

The parking area and the side of the building provide a backdrop for downtown and a location for outdoor events and projects that add to this cultural and open space hub. In particular, the side of the building could be used for temporary projection projects that are related to events programmed in the parking space. The parking lot could be used for temporary pop-up placemaking projects.

ABCD should organize a series of temporary experimental projects that explore how the space adjacent to the Headquarters can be activated through placemaking and light projects. It could be an initial location for a “Salisbury Prize” artwork.

Public Art Opportunity

Light, placemaking

University of Alabama, Huntsville,
Light + Innovation Technology Festival,
2006

Pool Noodle Rooftop
Courtesy INABA

Mark Pekula, *Arlington Abstracted*,
Photo by Elman Studio.
Courtesy Arlington County



Salisbury Headquarters.
Courtesy City of Salisbury

Inspiration Images



2.2 Our Opportunities: Possibilities for Public Art

West Side Water Tower

The City is proposing a new water tower on the west side of town to increase water pressure and system storage. Design is planned in FY25 and construction is planned in FY27. While the water tower is an opportunity for branding the city, that could be accomplished through an artist design.

Public Art Opportunity

Water tower mural



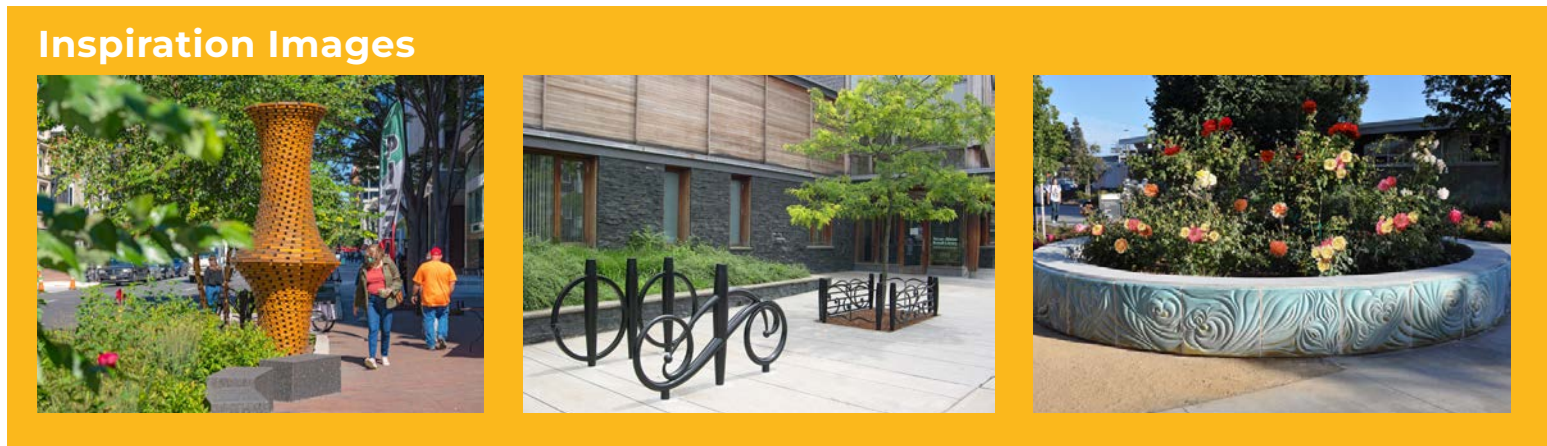
Corita Kent, Gas Tank Mural, Boston, 2007
Photo by Larry Wilson

Downtown Streetscaping

Streetscaping improvements are being proposed for East Market Street, West Market Street and Parsons Road. These improvements could include new street lights, landscaping, crosswalks, benches, trash cans and bike racks. The streetscaping plan should be evaluated for the potential for integrated or functional public art.

Public Art Opportunity

Bike racks, seating areas, sidewalk stamping, locations for temporary art



Foon Sham, *Droplet*, Washington D.C.
Courtesy Golden Triangle BID

Rich Duca, *Bike Racks and Tree Guards*, Boston
Courtesy Artist

Natalie Blake, *Rose Circle*, Chabot College, Oakland
Courtesy Artist

2.2 Our Opportunities: Possibilities for Public Art

Vision Zero: Crosswalks and Artful Intersections

Salisbury's Vision Zero program is committed to reducing the number of pedestrian injuries and fatalities in the city. One of its initiatives is to install crosswalks at intersections where they aren't in place now. The crosswalks, marked with durable thermoplastic paint, will be installed through a City contractor. The pedestrian walkway between the bars could be potentially be painted with ground murals. Salisbury could also explore an "artful intersection" strategy that would add art into street intersections in residential areas, primarily near schools or parks.

Public Art Opportunity

Artist-designed crosswalks, artful intersections



Calo Rosa, *Super Duper Pathways to Learning*
© 2022 City of Philadelphia Mural Arts Program
Photo by Steve Weinik

Naylor Mill Road Bridge Replacement

The bridge that carries Naylor Mill Road over the North Prong of the Wicomico River has surpassed its design life and is in need of replacement. The City is currently working on a design and construction funding would be provided by the state. The bridge design should be evaluated for the potential for integrated public art.

Public Art Opportunity

Integrated ornamental features



Diana Kersey, *Life Cycle of the Gulf Coast Toad*
Courtesy City of San Antonio

2.2 Our Opportunities: Possibilities for Public Art

Community Engagement Projects

Trajectory: Embed public art in the City's neighborhood outreach efforts

Public art in community engagement means aligning public art projects with the City's efforts to identify and cultivate relationships with neighborhood leaders, community partners and stakeholder groups. This work is led by the City's Community Relations team (part of the Housing and Community Development Department) with the goals of undertaking proactive community engagement and shepherding youth and family programming.

Donald Gensler, *Holding Grandmother's Quilt*
© City of Philadelphia Mural Arts Program / Photo by Jack Ramsdale

Identify Opportunities through Ongoing Engagement Activities

Community Relations manages ongoing youth and family programming at Salisbury's community centers, often in partnership with other organizations. It also follows several strategies in its work. Several times a year, the Community Relations team facilitates Neighborhood Walks, during which a variety of City staff walk through a neighborhood, going door to door and talking to residents about their concerns. In past years, Community Relations has set up Pop-Up Bus Stops to meet students coming home from school and their families and to introduce them to services such as libraries, health care, nutrition and public safety.

Kien Nyguen, *Prism*
© 2022 City of Philadelphia Mural Arts Program / Photo by Steve Weinik

Through these processes, Community Relations staff can identify:

- * potential public art and placemaking projects that can help address community needs, such as community murals, artist-designed crosswalks, seating, shade structures and similar small-scale improvements
- * histories and narratives that could inform public art that expresses the diversity of the community
- * creative voices and talents who could be involved in public art projects or community arts programming.

J.J. Tiziou, *How Philly Moves*, community paint day
Courtesy Todd W. Bressi

Inspiration Images



2.2 Our Opportunities: Possibilities for Public Art

Downtown Projects

Trajectory: Program innovative and engaging art projects downtown

Downtown has been the focal point for most of Salisbury's public art projects, from the steel sculptures along Carroll Street, to painted utility boxes, to signature sculptures in the gateway roundabout and future park, to privately-sponsored murals. Many of these projects were created through the initiative of, or in partnership with, the former Arts + Entertainment District.

Downtown should remain a focus for public art because of its importance to Salisbury's economy, cultural life and identity, and because of the presence of arts and business resources that can support artistic innovation.

Going forward, downtown public art projects are likely to emerge from different directions - capital projects facilitated by Infrastructure and Development, projects related to business development and events planning sponsored by ABCD, special initiatives proposed by the Public Art Committee, and community proposals.



Downtown Plaza
Courtesy City of Salisbury

Inspiration Images

Butch Anthony, *Bike Kiosk*
Courtesy Arlington Public Art

Sans Facon, *Limelight*, Arlington Va.
Courtesy Arlington County

Thoughtbarn, *Chromatic Confluence*, St. Louis
Courtesy Grand Center



2.2 Our Opportunities: Possibilities for Public Art

Special Initiatives

Trajectory: Launch catalytic special initiatives

Salisbury should organize or support special public art initiatives that catalyze new ideas from the community and provide resources to support them. These initiatives would build on several of Salisbury's assets - its range of creative talents in art and design, its highly-organized downtown arts and culture programming, and its track record of attracting business and institutional sponsorships for arts and culture initiatives. These projects would be prioritized by the Public Art Committee and led by the Arts, Business and Culture Department (ABCD), often in partnership with other City agencies as well as institutions and nonprofits in the community.

Following is a list of initiatives for Salisbury to consider. There are more ideas there than the City can manage; in the first few years after the public art plan is adopted, Salisbury should experiment with different initiatives to determine which work best. After several years, ABCD should evaluate the results, considering the level of artist, community and sponsorship interest each special initiative generates.

Aminah Brenda Lynn Robinson
Passing Through Logtown, Georgia
Columbus, OH, Short North District
Photo by Todd W. Bressi

Mural Activation Grants

There is strong public support for more murals in Salisbury. Mural Activation Grants would provide support for property owners and business tenants who would like to incorporate an exterior mural on their premises or for temporary exhibitions of groups of murals. The grants would build on the approach the City started with the Evolution Craft Brewing Company mural.

Mural Activation Grants for individual permanent murals could range up to \$5,000, depending on the size of the mural, and the City could also provide technical support. Grant recipients for permanent murals should be required to follow basic guidelines, including:

- * Muralists should be selected through a competitive process
- * Murals should be kept in place and maintained for at least five years
- * Murals should not include text, imagery, colors or logos that refer to the business or organization that is sponsoring the mural (although an information panel could be placed adjacent to a mural).

Mural Activation Grants would also be considered for temporary murals that are planned as a group. For example, muralists could be asked to create PSAs for a "get out the vote" campaign, or work could be printed onto vinyl wraps on construction fencing. Grants could range up to \$5,000.

Grant recipients for temporary murals should be required to follow basic guidelines, including:

- * The overall project should be organized by an art or design professional.
- * Murals should be exhibited from three to six months.
- * Murals could be installed on walls or panels, printed on vinyl, or a similar temporary application.
- * Murals could involve painted works, digital works or photography.
- * Murals should not include text, imagery, colors or logos that refer to the business or organization that is sponsoring the project, although an information panel can be placed adjacent to the mural.



2.2 Our Opportunities: Possibilities for Public Art

Salisbury Prize

Salisbury should establish a special public art award (the “Salisbury Prize”) that would provide an opportunity for artists and creative teams to propose unique projects in public spaces.

The award could be structured as an annual competition that follows this basic model:

1. In any year that the prize is offered, the Public Art Committee (PAC) would recommend a location and a time frame for the project.
 - * Locations could be on public or private property, as long as the entity responsible for the site provides permission and the site is accessible to the public during the course of the installation.
2. ABCD would then issue a call for proposals, encouraging cross-disciplinary submissions.
 - * As much as possible, the project approach should be left open to innovation by the creative teams.
3. The PAC and the Technical Advisory Group (TAG) would evaluate the proposals, selecting three that demonstrate the strongest creative potential and are viable for the budget that is offered¹¹.

¹¹ Alternatively, the competition could ask teams to submit their qualifications, and the PAC could select three teams that would be provided with a small stipend to produce concepts. The concepts would then be evaluated by the TAG and voted on by the public.

4. The PAC would recommend the final proposal, based on interviews of the proposing teams. Alternatively, ABCD could post the proposals for public voting.
5. ABCD would provide technical support for site permissions, installation and de-installation.

The Salisbury Prize approach would have several advantages:

- * The process would tap into the creative potential of the community, particularly by encouraging innovative collaborations to drive the creative approach.
- * Establishing a pattern of commissioning a project every year or two will help build broader public awareness of public art in Salisbury and the city’s creative scene in general.
- * Community voting would build early interest and anticipation.
- * The City’s funding for a Salisbury Prize could leverage a major private sponsorship.

D.J. Neff, *Sight Beyond Sight*
Courtesy Tool of North America

William Massey, *Object of (Wo)man*,
Atlanta Belt Line, 2014
Courtesy Todd W. Bressi.

Jack Sanders, Butch Anthony, Robert Gay
CO2LED, 2007
Courtesy Arlington Public Art

Jeppe Hein, *Mirror Labyrinth*,
Brooklyn Bridge Park, 2015
Photog by James Ewing, Courtesy of Public Art Fund,
303 Gallery, König Galerie and Galleri Nicolai Wallner

Inspiration Images



3

HOW WE WILL GET THERE



We Are Limitless Studios,
Sun & Suds, 2022
Courtesy City of Salisbury

3.1 Staffing, Governance and Funding

Salisbury’s public art program should be professionally managed, provide for community guidance, and be sourced with flexible funding that accommodates the variety of opportunities that the city will have.

Staffing

Arts, Business and Culture Department (ABCD)

Salisbury’s public art activities should be overseen by the City’s Arts, Business and Culture Department (ABCD), which was organized in 2022 to centralize the City’s support of business development, events and the arts. ABCD staff should provide leadership and coordination for the City’s overall public art efforts, as well as day-to-day coordination of individual projects and processes. The ABCD Director should approve key public art decisions, such as annual workplans and budget recommendations, project plans and budgets, artist selections and artist concept approvals.

Technical Advisory Group (TAG)

The City should assemble a “Technical Advisory Group” (TAG), comprised of City department representatives, that advises ABCD on technical issues for public art projects, such as siting, permitting and integration of artworks into capital projects. TAG members should be City staff who can provide liaison to the City Administrator, the Housing and Community Development Department and the Infrastructure and Development Department (one representative from planning, one from infrastructure).

The TAG should meet a few times a year to evaluate project proposals and project plans, and should be on call to assist with the coordination of project implementation. TAG members should also be on call to brief the Public Art Committee when necessary.

Governance

Public Art Committee (PAC)

Salisbury should create a citywide Public Art Committee (PAC) to provide a community voice that advises on public art priorities and projects.

Composition

The PAC should consist of seven voting members, representing arts, design, civic, community and business backgrounds. Overall, the membership should reflect, as much as possible, the diversity of the community. A majority of the voting members should be working artists, arts professionals and design professionals. The other members should be drawn from Salisbury’s civic, community and business leadership. Non-voting student representative positions could also be created, one for a high school student and one for a college student.

PAC members should be appointed for three-year terms and serve a maximum of two terms before rotating off. The non-voting student representatives could be appointed to one-year terms.

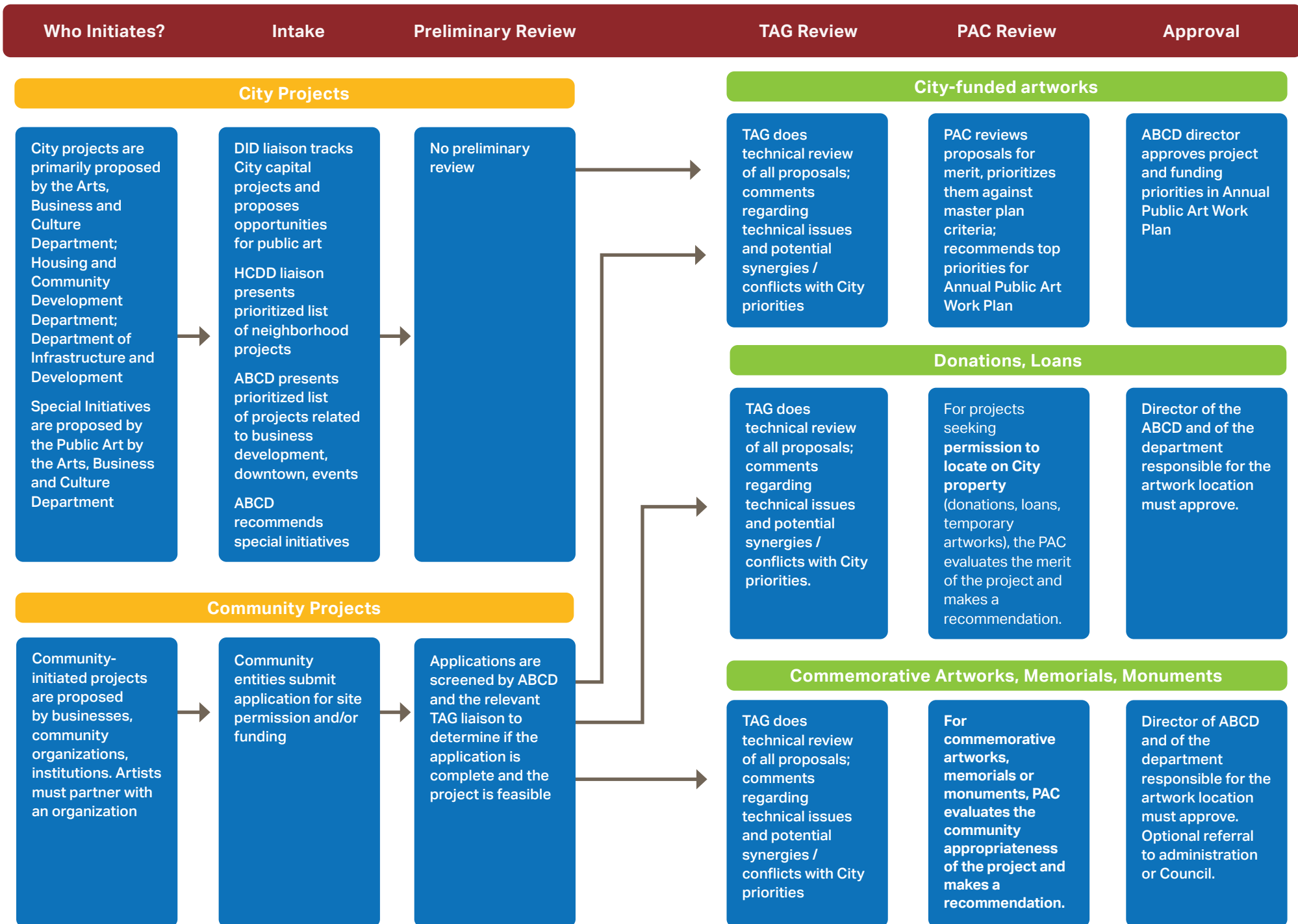
Vacancies to the PAC should be filled through an application process that is open to the public. City Council should review the applications, interview candidates if necessary, and approve appointments to the PAC. Non-voting student representatives could submit applications and be selected by the PAC.

Duties and Powers

The PAC should make recommendations to the ABCD Director about all matters related to public art, including annual workplans and budgets, project plans and budgets, artist selections and artist concept approvals. The PAC should also make recommendations about donations of art to the City and installation of temporary public art on City property.

PAC members should also be tapped as advisory resources for City planning processes, such as area plans, functional plans and the upcoming comprehensive plan update.

How Projects Are Developed and Approved



3.1 Staffing, Governance and Funding

Funding

Public Art Fund

Salisbury should establish a dedicated Public Art Fund that is supported by a variety of funding sources. The fund should be organized so that funds can be held in trust and roll over from year to year, so that they are available for projects that cannot be completed in one fiscal year and can accumulate to support projects that require more funds than allocated in any given year.

Sources of Funding

Salisbury has a tradition of funding public art from City funds, grants, sponsorships and other types of fundraising. A general target for the City's annual public art budget should be \$70,000. Of that, \$35,000 (or approximately \$1 per resident) should come from City funds as outlined below. The City should seek to match its funding at least one-to-one through grants, sponsorships and donations.

Annual Funding

In general, City contributions to public art should come from funding sources tied to people who are visiting or investing in the city, as opposed to general revenue funds. In general, City funds should be used to leverage other funds, such as grants, sponsorships and donations.

- * The city receives an annual allocation from the Maryland State Arts Council that is related to its Arts+Entertainment District. These funds could be prioritized for public art that supports the City's arts district.

- * One option to tapping into revenue streams is the Annexation Fund, which the City collects to offset the costs to the community of extending public services to new areas. These funds would be deposited into the Public Art Fund when they are received. There is currently a surplus in that fund, which could be used as seed money for the first few years of the Public Art Fund. Since annexation funds are prioritized for neighborhood revitalization, these funds could support parks or community engagement projects.
- * Yet another option would be to add a surcharge onto construction fees for projects that are not single-family residential. The surcharges would be transferred to the Public Art Fund.
- * In the long run, the City should seek adjustments to the Room Tax that could produce funds for public art or arts and culture initiatives at large. Currently, the County collects a six percent room tax - one percent allocated to the zoo, one percent allocated to the YMCA, and one percent allocated to the County. An increase in the County's Room Tax, or a new city Room Tax, could be dedicated to support arts and culture activities, including the Public Art Fund.

Capital Funding

Salisbury should build public art allocations into the budgets for capital projects that are appropriate for public art. Funding would be provided through a lump sum line item in the capital budget, which would then be reallocated to specific capital projects.

In addition, funding for public art would be incorporated into grant proposals when grant sources allow.

Grant Funding

Salisbury should seek state (Maryland State Arts Council), federal (National Endowment for the Arts / NEA), and philanthropic (such as Bloomberg Asphalt Art Initiative) grant funding for specific projects. Some of these grants (NEA) require matches. Other grant sources might be linked to special topics for projects, such as health and nutrition, traffic safety, community safety or rural preservation.

Sponsorships

Salisbury should encourage private sector sponsorships, both individuals and leading businesses, to contribute to the Public Art Fund. This works best when the City can offer specific public art opportunities that donors can be associated with, such as the proposal for a "Salisbury Prize."

Uses of Funds

City-appropriated funds for public art, and any other funds received for public art, should be placed into a Public Art Fund that can only be used for the following activities. Funds can be used directly or proposed as matches for grants.

- * Artist selection processes (including jury selection, artist travel costs and artist fees for proposals)
- * Artist services (including for community engagement, design, fabrication and installation)
- * Sub-consultant fees (such as engineering, lighting or other specialty consulting)
- * Materials, fabrication, delivery and installation related to artworks
- * Site preparation, landscaping and lighting related specifically to installing artworks (for integrated artworks and for site preparation costs, only the incremental costs of integrating or siting the artwork, above the base project budget, shall be eligible for public art funds)
- * Identifying plaques/markers
- * Conservation and maintenance of public art that the City owns (including ongoing maintenance, repair and/or replacement of damaged works, assessment services, conservation services)
- * Relocation and/or removal of artworks
- * Contracted program administration, planning and project management services
- * Community education programs, outreach and dedications
- * Documentation, including project descriptions and photography
- * Collection record-keeping (including database software)

3.2 Project Development Process

Salisbury's public art program should be robust, catalyzing and synergizing the ideas, energy and resources of City agencies, community organizations, major institutions and the private sector.

Where Do Ideas for Projects Come From?

City-Initiated Projects

The City will initiate projects primarily through departments and agencies whose focus is downtown, communities and infrastructure (Arts, Business and Culture Department; Housing and Community Development Department; Department of Infrastructure and Development).

Civic Infrastructure Projects

The Department of Infrastructure and Development (DID), which is responsible for planning and building the city's infrastructure, will identify opportunities to include public art in city construction projects through its long-range planning and capital project development processes.

Community Engagement Projects

The Community Relations division of the **Housing and Community Development Department (HCDD)** leads the City's community engagement efforts through innovative, proactive outreach initiatives¹². Community Relations has already organized several mural projects that recognize community and support youth. HCDD will identify opportunities for public art based on its priorities for community engagement.

¹² Community Relations is charged with identifying and cultivating relationships with neighborhood leaders, community partners, and stakeholder groups. The purpose is to develop proactive community engagement and shepherd youth and family programming.

Downtown, Business Development and Special Initiative Projects

The Arts, Business and Culture Department (ABCD) oversees economic development, cultural initiatives, downtown promotion, special events and signature attractions. ABCD can identify public art opportunities related to its downtown business development, marketing and events strategies, and lead arts partnerships with the business, creative and institutional sectors¹³. ABCD can also recommend implementation of the **Special Initiative** projects that are recommended in the plan.

Other City Agencies

Proposals from other City agencies would be submitted to ABCD and considered through the processes and guidelines described elsewhere in this plan.

¹³ The activities of Salisbury's Arts and Entertainment District (A+E) were recently integrated into ABCD. The mission of the A+E is to "foster the economic vitality of Downtown Salisbury by building partnerships to develop, support and promote diverse artistic, entertainment and cultural endeavors that preserve a sense of place, appreciate the unique character of the District, and build community pride."

Community-Initiated Projects

The City will accept proposals for **Community-Initiated Projects** from businesses, community organizations, institutions and County agencies that wish to place public art on City property or are seeking funding for a public art project on public or private property.

Proposals for Community-Initiated Projects must be made through an application and would be considered through the processes and guidelines described elsewhere in this plan.

The City will strongly encourage businesses, institutions and countywide agencies that are active in the City to incorporate public art in their projects, both inside and out, particularly in public art priority areas. Generally, however, the City should not have a role in these projects as long as they are not on City property and do not use City funding. Generally, the City will support permissions and approvals, particularly those that require coordination with other public agencies.

3.2 Project Development Process

How Are Projects Proposed?

How Do City Departments Propose Projects?

DID will take the lead in identifying opportunities in the City's capital program, including transportation, parks and recreation, public space and other infrastructure.

At least once a year, the Infrastructure and Development liaison to the TAG should report to the TAG and to the Public Art Committee about **capital projects** that have been recommended in City plans, or are further along in the planning phase. The TAG should provide input on technical matters, and the PAC can provide feedback on community priorities. For high-priority projects, Infrastructure and Development should include funding for public art in budget estimates and grant proposals. Those projects should be tracked through the Annual Public Art Work Plan process.

HCDD should take the lead in identifying neighborhood projects. It should consider a number of factors, including its own priorities for neighborhood outreach, neighborhood priorities as expressed in project applications, and opportunities related to City facilities such as parks and recreation centers. The HCDD liaison to the TAG should present a prioritized list each year during the process of developing the Annual Public Art Work Plan. For projects related to City facilities, the recommendation should include an assessment of the viability of the proposed site.

ABCD should take the lead in identifying **downtown projects** and **special initiatives**. These should be related to ABCD's work in cultivating business, downtown development and event planning. The ABCD liaison to the TAG should present a prioritized list each year during the process of developing the Annual Public Art Work Plan.

The **City Administrator** is likely to receive proposals for public art projects from other City agencies and the public. Proposals from other City agencies should be referred to the ABCD Director and proposals from the public (businesses, community organizations, institutions) should be submitted through application process described below.

How Do Communities, Businesses, Institutions and County Agencies Propose Projects?

Standard Application Process

Any entity that is seeking permission to locate an artwork on City property (donations, loans or commemorative artworks) or seeking City funding for a public art project shall do so through an application process that is facilitated by ABCD. The same process applies to community organizations, businesses, institutions and County agencies.

The City should announce the application process at the beginning of each fiscal year.

- * Proposals for permission to locate artworks on City property should be accepted only from nonprofit organizations, businesses, institutions or County agencies (individuals, including artists, should find an eligible partner for their proposals). Proposals for funding a public art project can come from individuals, as well as businesses, institutions or County agencies.
- * Proposals that only require permission to be located on City property and do not require funding should be received, reviewed and accepted or rejected on a rolling basis (or at least on a quarterly basis, depending on workload).

* Proposals for City funding should be accepted by a certain deadline and considered for funding as part of the next Annual Public Art Workplan process.

* Proposals should be simple, but should include the following information: the location, the funding sources (including City funds), evidence of community support, evidence of permission (for projects on private property) the artist selection process or the artist's concept, plans for installing the artwork, and plans for maintaining the artwork (for permanent artworks) and removing the artwork (for loans or temporary artworks).

The process for reviewing and approving community proposals for public art is outlined in a later section of this plan.

3.2 Project Development Process

How Are Projects Prioritized?

Creating an Annual Public Art Work Plan

Salisbury should identify the specific projects it will take on or fund through an annual planning process. Each fiscal year, the Public Art Committee should develop and recommend an Annual Public Art Work Plan that includes projects that will be initiated in the coming fiscal year, projects that are already underway, and projects that should be monitored for inclusion in future public art work plans.

The Annual Public Art Work Plan Process

The Annual Public Art Work Plan is prepared each year and recommends which new projects the City will initiate in the coming year, indicating where the projects are located and what the proposed budgets will be. The Work Plan also outlines which projects are being carried over from previous years, provides preliminary recommendations for projects for the next two years (in order to help balance decision-making) and recommends what conservation and maintenance needs are priorities for funding. The Work Plan is prepared by ABCD staff, in collaboration with the Technical Advisory Group and the Public Art Committee, and approved by the ABCD director.

The Annual Public Art Work Plan process should begin late in the fiscal year, when the City Council and Mayor are finalizing the next City budget, including a public art budget. The public art budget can include public art funds that are carried over from previous years, new allocations and anticipated grant income.

As the City budget is being finalized, the TAG should meet to review public art proposals for the coming year. The TAG will review projects proposed by City agencies and projects proposed through the community application projects. The TAG should make recommendations to as to the merit of proposed projects from a technical point of view, and consider any potential synergies or conflicts with City projects, plan or priorities.

After the TAG review, the PAC should review public art proposals for the coming year. The PAC will evaluate and prioritize the projects according to the criteria stated elsewhere in this plan.

The prioritized list of projects should be documented in an Annual Public Art Work Plan, which is approved by the ABCD Director. Once the City budget is finalized, City public art funds will be allocated to the projects according to their priority. If additional funding becomes available mid-year (for example, if a project is canceled) the PAC shall recommend the highest priority projects from the list of projects that were not incorporated into the work plan.

3.2 Project Development Process

Criteria for Including and Prioritizing Public Art Projects

Evaluative Criteria

Proposals for projects from City departments should be ranked according to the following criteria. Proposals should be scored against each criterion on a scale of one to five (one lowest, five highest) and projects that score more highly would be of a higher priority for funding.

- * Does the project advance or align with any City plans or policies?
- * Does the project address a priority that has been vocalized by the community?
- * Does the project involve a priority area, as expressed in the public art plan?
- * Does the project have any unique attributes that reinforce Salisbury's image as the cultural hub of the Eastern Shore?
- * Does the project express any of Salisbury's values, such as Kindness City, Bee City, Bird City, Tree City, etc.?
- * Does the project leverage additional resources, such as grants, contributions or sponsorships?
- * Is the project viable, in terms of City support, coordination with an upcoming capital project, and technical feasibility?
- * Is the project highly visible to the public at large, or does it provide access to public art for a group of people who might not otherwise experience public art?
- * Does the project have the potential to involve artists from the area, even if they are not experienced in public art?

Public Art Priority Areas

Public art should be focused in several key areas to maximize its impact on the community. These areas were identified through the public engagement process in this plan.

- * The Rails with Trails and the Urban Greenway corridors
- * The Riverwalk and proposed extensions
- * The U.S. 13 and U.S. 50 corridors, particularly artworks that greet visitors to the City
- * In addition, public art should be distributed equitably throughout the city.
- * Ensure that over time, public art is included in all four quadrants of the city, outside of downtown
- * Ensure that over time public art is included in all seven subareas of the Downtown Master Plan
- * Opportunities that prioritize the City's community engagement processes
- *

Additional Considerations

Notwithstanding the rankings achieved based on the evaluative criteria above, the PAC can adjust its recommendations to take into consideration the following:

- * Public art resources should be allocated to achieve the benchmarks outlined in Chapter Two of this plan.
- * Public art funds should be allocated to projects proposed by each department - ABCD, DID, HCDD - every year.
- * Public art funds should be reserved for at least one community project each year. Community projects at a variety of scales should be funded.
- * Public art resources should be balanced throughout the City, both geographically and in terms of the communities that are engaged in public art.
- * Public art resources should be prioritized for community-based nonprofit organizations, and provided to businesses, institutions and County agencies only in limited circumstances.

3.2 Project Development Process

The community proposal process will be open to proposals for placing public art on City property and to requests for funding for public art projects.

How Are Community Proposals Reviewed and Approved?

Review Phases

In the first phase of review, proposals should be screened by ABCD and the relevant TAG liaison to determine if the application is complete and the project is feasible (for example, a proposal for a sculpture should not be for a location that is planned for construction). Incomplete applications, and applications for projects that are not feasible, should be returned to the applicant.

In the second phase of review, proposals should be screened by the entire TAG. The TAG should evaluate the strength of the proposal from a technical point of view, flagging technical issues that would need to be addressed. The TAG should also identify any potential synergies with City programs or priorities.

The third phase of review should be conducted by the PAC. For projects seeking permission to locate on City property, the PAC should evaluate the merit of the project and make recommendations, if any, about how the project can be strengthened to meet City goals. For projects seeking City funding, the PAC should evaluate the merit of the project and its priority for the City's limited public art funds, according to the process for creating an Annual Public Art Work Plan.

Approval for donations, loans and temporary artworks shall be made by the director of the ABCD and of the department responsible for the location of the artwork.

Additional Considerations for Commemorative Projects

Commemorative Artworks and Memorials are of special civic significance and require more careful consideration than an ordinary public art proposal.

In general, a Commemorative Artwork or Memorial should be evaluated in regard to its appropriateness for the community, not only in the context of technical and aesthetic considerations. This would involve a consideration of the nature of the person or topic being commemorated, and the relationship of the commemorative project to the site where it would be located. A detailed process for reviewing these projects is outlined in the "Best Practices" section of this plan.

Approval for commemorative projects shall be made by the director of the ABCD and of the department responsible for the location of the artwork. Alternatively, the ABCD director and department director can make a recommendation and refer to the City Administration or City Council for the final decision.

3.3 Project Management

Work can begin on City projects once they are incorporated into an approved Annual Public Art Work Plan. Projects will be managed by City staff; staff from the sponsoring department (ABCD, DID, HCDD) will provide overall coordination of the project; and staff from ABCD will provide public art project management support (such as requests for qualifications, artist selection, artist contracting)¹⁴.

How Are Projects Managed?

The Project Task Force

The ABCD Director will consider establishing a Project Task Force for projects that the City commissions (for small projects, the PAC can serve as the Project Task Force). The purpose of a Project Task Force is to give project stakeholders a role in shaping the direction of and important decisions about the project.

The Task Force will advise City staff and the PAC on the plan for the project, the artist selection and the approval of the artist's concept, as well as other duties that may be necessitated by the project.

A Project Task Force should include a minimum of five people, with two members of the PAC and the rest representative of project stakeholders. The members of the Task Force should be recommended by the PAC and approved by the ABCD Director.

A Project Task Force should convene for a fixed number of times, at key project thresholds, to make participation manageable for volunteers.

The Public Art Project Plan

The ABCD Director will consider developing a Project Plan for projects that the City commissions. Generally, a Project Plan would be most appropriate for larger projects or ongoing commissions, especially those for which there are multiple entities involved.

The goal of a Project Plan is to provide a shared understanding of the project for all participants and stakeholders and to provide a clear basis for managing the project, accountability and evaluation.

City staff will have the lead responsibility for drafting and administering the Public Art Project Plan. The Project Task Force and the PAC must review and advise on the Project Plan before the project begins, though the plan may be updated as the project evolves to reflect new or changing information.

A Project Plan is a flexible tool; it can be as brief or as detailed as required by the nature of the project - from a one-page memo to a comprehensive memorandum of understanding. A Project Plan is also an evolving tool. Some decisions about a project (such as the composition of a Task Force) need to be made early on, while others can be made later (and the Project Plan updated) as the project progresses.

These are the key topics to consider in a Public Art Project Plan:

- * The project goals and how the project relates to Salisbury's overall vision for public art
- * The composition of the Project Task Force (i.e., the organizations and groups of people who will be represented)
- * A description of the project's location and other information about proposed siting
- * The project's expected lifespan, if temporary
- * Criteria against which the artist selection and concept proposal can be evaluated
- * The budget and funding sources
- * The project schedule
- * Internal and external stakeholders
- * The artist solicitation method and artist selection method
- * The artist's scope of work
- * A communications and marketing strategy
- * A community engagement strategy
- * Potential partners and needed agreements
- * Evaluation criteria, data collection and process
- * Documentation process

¹⁴ Community, business and institutional projects that receive City funding will be managed by the organization that proposed the project.

3.3 Project Management

How Does Artist Selection, Contracting and Concept Development Work?

The artist selection, contracting and concept development process will generally be managed by ABCD staff, in collaboration with staff from the sponsoring department (HCDD, Infrastructure and Development).

Once the Project Plan is completed, ABCD staff will develop and distribute the Call to Artists, following one of the processes outlined in the Best Practices Guide that accompanies this plan. ABCD staff will collect responses and organize them for review.

The Task Force will review the submissions that have been received and recommend the selection of an artist or a short list of artists (depending on the approach to artist selection). That recommendation will be reviewed by the PAC and approved by the ABCD director.

If there are subsequent steps, such as interviews or concept proposals, ABCD staff will coordinate the process, the Task Force will make recommendations, the PAC will review and the ABCD director will approve.

The contract with the artist will be developed by ABCD staff. The form of the contract will vary, depending on the nature of the project (permanent or temporary, medium). Contracts should follow the principles outlined in the Best Practices Guide that accompanies this plan.

How Does Community Engagement Work?

Each public art project in Salisbury should have a community engagement component that is appropriate to the nature of the project.

For example, some projects, such as those organized by Housing and Community Development, may have a primary focus on community engagement as a means to providing recognition for Salisbury's diverse communities and engaging them in civic processes. Other projects, such as projects organized by Infrastructure and Development, may have a primary goal of beautification or placemaking in a physical sense, and community engagement might focus on themes that the artist might embrace.

The goals and processes for community engagement should be considered carefully at the outset of each project and documented in the Project Plan. Generally, community engagement will first be discussed by the City staff leading the project (ABCD and the sponsoring department), with further discussions and recommendations by the Project Task Force and the PAC, which can add stakeholder voices to the discussion. In many cases, the artist should also be involved in planning and conducting the community engagement process.

Staff, Task Force members and PAC members developing the community engagement process should consult the Best Practices Guide for step-by-step considerations.



Courtesy City of Salisbury

3.4 Roles and Responsibilities

City Council

- * Approve members of Public Art Committee
- * Approve annual capital and operating budgets with public art funding

City Administration

- * Propose annual capital and operating budgets with public art funding
- * Refer public art inquiries and proposals to ABCD

Arts, Business and Culture Department (ABCD)

- * Propose and facilitate public art projects related to downtown and business and economic development
- * Approve Public Art Committee recommendations (project prioritization, project funding, artist selection, artist concept, donation/loan acceptance, commemorative artwork approval)
- * Provide public art project management resources
- * Provide staff support and facilitation for Public Art Committee
- * Convene and facilitate Technical Advisory Group
- * Provide support for grant-writing
- * Oversee repair, maintenance and conservation of public art
- * Manage public art contracts

Public Art Committee (PAC)

- * Review, prioritize and recommend proposals for public art from city agencies and the community
- * Review and recommend artist selections and artist concepts for public art projects
- * Conduct aesthetic review and provide recommendations for proposals for donations and loans of public art on City property
- * Conduct aesthetic and appropriateness review of proposed commemorative artworks on City property
- * Appoint Project Task Forces

Technical Advisory Group (TAG)

- * Provide preliminary review of community proposals for public art
- * Provide technical review of proposed donations and loans of public art
- * Provide technical review of public art commissioned by the City
- * Assist in coordinating logistical details of installing public art on City property

Project Task Force

- * Advise ABCD staff and the PAC on the plan for the project, the artist selection and the approval of the artist's concept, as well as other duties that may be necessitated by the project.

Housing and Community Development Department (HCDD)

- * Propose and facilitate public art / community engagement projects
- * Search for and incorporate public art into grant proposals, where allowed
- * Appoint a liaison to the TAG

Department of Infrastructure and Development (DID)

- * Propose and facilitate public art / infrastructure projects
- * Search for and incorporate public art into grant proposals for capital projects, where allowed
- * Appoint liaisons to the TAG (one from planning, one from infrastructure)

4



BEST PRACTICES

4.1 Public Art in Capital Projects

Public art as a field of practice emerged in 1959, when Philadelphia instituted the first modern public art ordinance and program. In the 65 years since then, the field has developed a framework of best practices for common program management activities.

The best practices outlined in this guide cover topics that would be most useful to Salisbury. Though the processes described in this chapter are not specific to Salisbury, they can easily be revised into specific guidelines for the Arts, Business and Culture Department and the PAC to use in managing the City's public art activities.

This guide covers the following topics:

- * Public Art in Capital Projects
- * Artist Selection
- * Artist Contracting
- * Wall Agreements
- * Public / Community Engagement
- * Care and Maintenance of Public Art
- * Donations and Loans
- * Commemorative Artworks, Memorials
- * Americans for the Arts/Public Art Network Public Art Best Practices Guide

Public Art in Capital Projects

For public art attached to Civic Infrastructure projects (or City capital projects), the public art planning, commissioning and outreach processes should be coordinated with the overall project development process and timeline. Following is a list of key milestones to keep in mind when considering how to approach public art. These milestones are related to a conventional design and construction process and may need to be adjusted for a design-build process.

- * **Project Identification:** When a potential project is first proposed, it should be flagged for its potential for incorporating public art, using the criteria outlined in the Public Art Master Plan. The opportunity for including public art should be noted in the Capital Improvement Plan and the Annual Public Art Work Plan and tracked as the project evolves.
- * **Project Scoping:** When a City department is establishing the scope and functional requirements of a potential Civic Infrastructure project, public art will be considered as part of the program planning.
- * **Project Budgeting and Funding:** When a City department is establishing a budget for a potential civic infrastructure project and applying for external funding, it should incorporate funding for public art in its funding requests, when allowable.
- * **Project Confirmation:** When a civic infrastructure project is confirmed to move into design and construction, and added to the Annual Public Art Work Plan, a Project Plan will be created.

- * **Schematic Design:** Generally, the specific opportunity for incorporating public art into the civic infrastructure project will be finalized during the schematic design phase, when the basic contours and elements of the project are confirmed. At this point, a detailed work plan (including budget, schedule and contracting) for implementing the artwork will be confirmed. Generally, artist selection will begin only at this phase, though it may be accelerated to the "project confirmation" phase in order to coordinate better with the overall schedule.
- * **Final Design:** The TAG representative for the City department working on the project will consult with the project design team throughout the process to ensure that appropriate accommodations are made for incorporating artwork into the project.
- * **Installation:** The fabrication, transportation and installation of the artwork will be coordinated with the overall project construction schedule.

4.2 Artist Selection

There are a variety of processes that Salisbury can consider for selecting artists for public art commissions. For each public art project, the process should reflect the circumstances and goals of the project, as well as best practices in the public art field.

Basic Principles of Artist Selection

Artist selection process should be designed with the following principles in mind:

- * Selection processes should be competitive, except in situations where there are extraordinary circumstances.
- * Artist selections should be recommended by an ad-hoc committee that includes project stakeholders and arts professionals. (In Salisbury's Public Art Plan these are called Task Forces.)
- * Artist selections should generally be made based on artist qualifications. If artists are asked to prepare concepts, the artist should be compensated.
- * Artist selection processes must be consistent with the procurement approaches required by the funding source and/or the project sponsor.

Recruitment Tools

Artist Database

Salisbury should maintain a database of all artists who respond to its Request for Qualifications and Calls for Proposals. This database shall include all materials that the artists provide for their submissions, such as letters of interest, work samples, and references.

Salisbury should allow any artist who has applied once to an RFQ to request that the same materials be considered for any subsequent RFQ, as long as any materials unique to a subsequent RFQ (such as a new letter of interest) are also provided.

Salisbury should use the database when distributing information about new opportunities. The City should not use the database for other internal purposes, such as other Arts and Culture announcements, unless artists opt in, and should not use the database for any external purposes.

The database shall not be considered as a pre-qualified list. It is solely a resource for recruiting artists and simplifying the application process for artists.

Arts Networks

Salisbury should tap into regional public art networks to publicize its opportunities and find artists. County arts councils on the Eastern Shore (or elsewhere in Maryland, Delaware and Virginia) can help get the word out; regionally, Arlington County, Va., the Baltimore Office for the Promotion of the Arts; and Philadelphia's Office of Arts, Culture and the Creative Economy occasionally circulate public art postings.

The Maryland State Arts Council's Maryland Arts Registry and list of public art grantees can be resources for identifying artists in the state.

ABCD staff should participate in the regional network of public art administrators that covers the mid-Atlantic.



Helene English, *Cupcake*, 2017
Courtesy Salisbury Arts Alliance

4.2 Artist Selection

Artist Selection Approaches

Open Competition

In an Open Competition, any artist may submit their qualifications, subject to the requirements established in a Call to Artists or a Request for Qualifications (RFQ). The RFQ should be sufficiently detailed to allow artists to determine whether their artistic focus or qualifications are appropriate for consideration.

An Open Competition allows for the broadest range of artists to compete and can bring in new, otherwise unknown, and emerging artists. However, an Open Competition can consume a large amount of staff and Task Force resources, especially time. It can also discourage established artists who prefer to respond to limited competitions or to be directly selected for projects, as well as emerging or disadvantaged artists who don't have access to the tools or resources necessary to put together RFQ responses.

Limited Competition / Invitational

In a Limited Competition or Invitational process, several artists are pre-selected and invited to respond to an RFQ. This method may be appropriate when 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. However, an invitational process can sometimes overlook artists whose work would be a good match for the project.

The list of pre-selected artists could come from a pre-established roster or from a curatorial process. This process should be led by a public art professional, such as a consulting curator. Special care should be taken to consult with artists, arts administrators and curators familiar with

artists whose work may not have been recognized through conventional public art channels, and/or may be from groups who have been historically under-represented in public art processes.

Interviews and Concept Proposals

In both an Open Competition and Limited Competition, the artist selections are made on the basis of artist qualifications. Sometimes, a short list of artists is identified and the artists interviewed before a decision is made.

If artist proposals are desired, then a short list of artists of artists is identified and asked to respond to a Request for Proposals (RFP). The artists are selected on the basis of their proposals. Artists are compensated for preparing their proposals.

Direct Selection

On occasion, an artist might be selected for a project without a competitive process. Direct selection can be useful on projects where there is an urgent timeline, a low budget, or unusually specific project requirements. It is possible that this artist would be selected from a roster or database.

Equity Considerations in Artist Recruitment and Selection

Public art projects and artist selection processes should be approached with an equity lens. Selection processes should be organized to encourage artists from diverse backgrounds to participate by expanding access to information about projects and by reducing barriers to entry, while remaining rigorous, consistent and transparent.

Artist selection processes should include the following practices as closely as possible:

- * Publish full calls in English and publish announcements in English, Spanish, Korean and Haitian-Creole; all written material shall be professionally translated. Provide on-request translation services into languages other than English, using professional translators.
- * Allow artists who are already in Salisbury's Artist Database and whose materials are already on file to request that those materials considered for subsequent RFQs, as along as any specific requirements for a new RFQ (such as a new letter of interest) are met.
- * Avoid language and requirements that could unintentionally discourage or present barriers to artists. For example, instead of asking for professional references, request contact information from people who can speak to an artist's creative abilities and ability to complete projects.
- * Allow for submissions to be made in formats that are accessible to artists. For example, allow artists to submit audio or video files in lieu of written statements of interest. Provide channels for submissions to be made in both digital and hard copies.
- * Provide contact information for a person who can answer questions about an RFQ. Periodically post questions and answers on the ABCD website.
- * When appropriate, schedule an online open house where basic information about the project is presented, and artists can ask questions.
- * In all ways possible, provide information to artists in a transparent and timely manner.

4.3 Artist Contracting

All artists working on public art in Salisbury should be hired through contracts. Contracts should cover the following topics:

- * Scope of work and deliverables
- * Approval process
- * Schedule
- * Fees and payment
- * Warranties of originality and of workmanship
- * Intellectual property and moral rights
- * Liability and insurance
- * Project completion
- * Early termination

The Americans for the Arts' Public Art Network, offers contract templates for design contracts, permanent commissions, and projects undertaken with a developer.

Scope of Work and Deliverables

An artist contract should set out the work the artist is expected to do, along with the aspects of the project that the contracting entity will be responsible for. The contract should also specify what deliverables the artist is expected to provide.

Approval Process

An artist contract should explain how the project will be approved at each phase; for a permanent artwork, this could include concept, schematic, design development and final design sign-offs. This should include both internal (project owner) and external (public art committee, regulatory agencies) reviews.

Schedule

An artist contract should set the time frame for each phase of the project. Usually, a contract will provide an accommodation for modifying schedules due to unforeseen circumstances.

Fees and Payment

An artist contract should establish the overall budget for the project, the thresholds at which work can be invoiced, and the process for submitting payment.

Warranties of Originality and of Workmanship

An artist contract should require the artist to provide a "warranty of originality," which provides assurance that the artwork does not infringe on another person's intellectual property rights and that the artist will not reproduce the work elsewhere. The artist should also be asked to provide a "warranty of workmanship," which provides recourse in case the artwork is defective, and usually lasts for at least a year.

Intellectual Property and Moral Rights

An artist contract should include language about ownership and use of the intellectual property embedded in the artwork, as well as the artist's moral rights.

Generally, a physical artwork is owned by the artist, but the wall where a mural is painted is not. Generally, the copyright to any public artwork is owned by the artist, which is the default position of the copyright code. A contract often spells out basic use of the intellectual property; generally, the artist and the owner are provided the right of reproduction for education, marketing, publicity and non-commercial purposes, but must confer with each other about permitting and sharing income from commercial licensing.

Artists' moral rights are discussed in the wall agreement section. Artists are generally asked to waive their moral rights, as provided for in the Visual Artists Rights Act, and agree to specific terms about their role in future decisions about repair, alteration and removal of the artwork.

Liability and Insurance

An artist contract should state the insurance requirements that the artist must meet. At a minimum, this usually means general commercial liability and business vehicle use. Generally, it is not possible for artists to obtain professional liability insurance and, if they are a sole proprietor, workers comp. The artist will also be responsible for insuring the value of the artwork during fabrication, transportation and installation phases of the project.

Completion of Project

An artist contract should outline the steps that are necessary to complete the project. This could include a final inspection after the artwork is installed, transfer of title and obtaining clearances for liens, and provision of a maintenance manual.

Early Termination

An artist contract should provide a process for both the artist and the owner to terminate the project before the artwork is complete. Generally, a termination section discusses the circumstances under which one party or the other can seek termination, the amount of notice that must be given to other party, and how the artist can be compensated for work completed to date.

4.4 Wall Agreements for Murals

When commissioning a mural, it is a best practice for the commissioning entity to enter into a wall agreement with the owner of the wall. The wall agreement should cover the following topics:

- * Approval of mural
- * Access to site, insurance
- * Materials and installation process
- * Changes, repairs and removal of mural
- * Reproduction of the mural
- * Future owners

Approval of Mural

The agreement should outline the process for approving the design of the mural. Generally, this will include the role that the owner and any review committees will play. Optimally, the owner will be open to whatever an artist proposes. If that is not possible, they owner can be offered an opportunity to review one or more sketches and to select / approve one. The owner can also be consulted at the beginning of the project to provide input into what they would like to see.

If external approvals are needed, such as historic design review, the responsibility for those approvals should be noted in the agreement.

Access to Site, Insurance

The agreement should outline the process for working on the site. This should include times of day that work can occur, any particular work requirements, provisions for storage of materials and provisions for cleanup once the project is complete.

The agreement should outline what insurance requirements the owner requests of artists working on the site.

Materials and Installation Process

The agreement should provide an outline of the work that is going to be done and the materials that are going to be used. For example, the work might include repairs to a wall, installation of flashing, primer coats and protective coat as well as the mural itself. The materials might involve primer, paint, sealer or, potentially, a vinyl installation.

Repairs, Alterations and Removal of the Mural

The agreement should explain the process by which the mural can be repaired, altered or removed. Generally, an artist will be asked to waive their Visual Artists Rights Act rights in the contract and these terms will provide a project-specific protocol that substitutes for those rights.

Generally, the sponsor of the mural or owner of the mural should be able to take any actions necessary for public safety.

Generally, the sponsor of the mural or owner of the mural should attempt to locate the artist before undertaking a repair, but have the right to repair the mural if the artist is not available.

Generally, a mural should not be removed or altered without asking for the artist's permission.

Reproduction of the Mural

The agreement should state the terms under which the owner can reproduce photographs of the mural. Generally, an owner is given the right to use photographs for non-commercial purposes, or to depict the mural incidentally when using photography of its premises for promotional purposes. Generally, an owner is prohibited from reproducing the mural for any type of sale, or from incorporating elements of the mural into logos and promotional material, without securing additional permission from the artist and providing additional compensation to the artist.

Future Owners

In the best of circumstances, the owner will agree that the terms of the wall agreement should be binding on future owners. If this is not possible, the artist must agree that future owners will not be bound by the agreement; in some cases, the artist may request that the mural be removed if the wall is transferred to another owner.

4.5 Public / Community Engagement

Community engagement is an important component of public art projects, setting public art practice apart from artistic practice that is focused on galleries, museums or private clients. This is important as a matter of equity, to ensure that people have the ability to influence decisions that impact the places they experience and value. A permanent public art project will have a public presence for a very long time; it will play an outsized role in creating an image for the community where it is located, as well as an impression of that community in the public's mind.

It is important to ensure that public art is welcomed and seen as a positive addition to a community. Therefore, anybody leading a public art project should give careful thought to the community in which it will be located and set clear goals for the role they would like community stakeholders to play in the development of the project. With those goals in mind, the project leaders can then determine the best approach to involving the community at various phases, such as planning, designing, creating and celebrating the artwork.

Principles for Public Engagement

Keep these principles in mind when developing and implementing a public engagement strategy.

- * Be flexible. There is no single approach that is right for every circumstance; the approach depends on the nature of the project and the artist.
- * Involve the artist. The artist will play a key role in how community engagement is organized. The artist should help direct the strategy and the process, which should build on practices that the artist is comfortable with.
- * Involve stakeholders. Trusted leaders of stakeholder communities should advise on the strategy and the process.
- * Manage expectations. Make it clear from the outset what the community's role in the project will be, as well as what the boundaries are.

The Public Engagement Plan

In establishing a public engagement plan, consider the following steps:

- * Develop a strategy
- * Articulate goals for community engagement
- * Identify key stakeholders, what would encourage and prevent them from participating, what their role would be, and what they would gain from participating
- * Identify key milestones for community engagement
- * Identify target audiences and vehicles for community engagement
- * Set expectations for the artist's approach to community engagement
- * Outline metrics for assessing the success of the community engagement process

Articulate Goals

Community engagement goals will consider the goals for the project and the impact the artwork will have on the community. These are some common goals:

- * Support the artist in creating an artwork that conveys the community's vision and voice
- * Support the artist in creating an artwork that fits into the context of its surroundings
- * Inform the content and/or themes of the artwork
- * Empower people in the community through their participation in an art project
- * Strengthen community social networks
- * Provide a platform for community voice
- * Connect people with community resources
- * Obtain buy-in for the larger project that includes the artwork

4.5 Public / Community Engagement

Identify Key Stakeholders

The strategy for each project will consider key stakeholders – people who will have an interest in or who will be affected by the project. Stakeholders can include:

- * Nearby property owners, residents and business owners
- * Other people who customarily use the place where the artwork will be located or who interact with the department / public agency with which the artwork is being created, including staff
- * Organizations that serve the area where the artwork will be located or the groups of people who frequent the location
- * Elected, appointed and volunteer leaders
- * In identifying stakeholders, it is important to consider whose voice is being overlooked in any situation and to make sure people have a path to involvement that is accessible and comfortable for them.

Key Milestones for Community Engagement

Planning Phase

The early stages of planning an artwork can be undertaken in collaboration with the community where it is located. Consider consulting the community in:

- * Finding a location for the artwork
- * Learning what the community's needs and interests are, such as the role they hope an artwork can play, and the impact they would like it to have in their community
- * Identifying potential stakeholders and participants

Artist Selection Phase

The artist's sensitivity to and connection with the community can be one consideration in selecting an artist.

The community can play a role in selecting the artist, depending on the artist selection process:

- * If the artist selection is based on qualifications and an interview, consider:
 - * Asking community stakeholders for recommendations about local artists to consider
 - * Inviting community members to meet with the short-listed artists
- * If the artist selection is based on proposals, consider:
 - * Inviting community members to meet with the artists while they are developing their proposals
 - * Inviting community members to review the proposals and provide comments to the reviewers
- * If the artist selection involves an artist site visit, consider:
 - * Arranging an opportunity for the artist to meet stakeholders in formal and informal types of situations

Community members can provide reactions to the potential artists through surveys, comment cards or open-ended conversations. It is not advisable to allow community members to vote on artists or proposals because that empowers only people who are able to vote, and because the artist selection decisions will require a deliberative process that involves a Project Task Force (which will include community representatives).

Research and Design Phase

The Artist's process of researching and designing an artwork can be a collaborative activity that involves people in the community where the Artwork is located, or people in organizations related to the topic of the artwork.

- * Begin the engagement and design phase before any concepts are finalized, potentially even before an artist is selected. Include all stakeholders and concerned individuals. Consider holding one or more community meetings, especially if many people are involved, and make sure to include people who will be impacted by the artworks. The meeting can introduce people to the project and collect preliminary needs about the community's ideas about the goals and potential subject matter.
- * Conduct additional research as necessary. Community members and community organizations, such as historical

societies, can often provide material that contributes to the ideas the artist includes in the artwork.

- * Sometimes, communities participate in the design of artworks. In these situations, the artist's role is to facilitate a collaborative process in which people can contribute ideas that are incorporated into the artwork. There are many different approaches to this, depending on the type of artwork and the artist's working process.

Community Involvement in Design

Sometimes, Artworks are created with community participation in the design. In these situations, the Artist's role is to facilitate a collaborative process in which people can contribute ideas that are incorporated into the artwork. In this situation, it is important to set the expectation that the artist is ultimate arbiter of the design.

Sometimes, the design of an Artwork is reviewed. It is best to conduct the review with the Selection Committee that selected the artist. Community comments can be encouraged through various processes; community voting or decision-making is discouraged.

Sometimes there are opportunities for involving the community in the creation of the artwork. This is most common with murals. For guidance on how to include the community in painting a mural, consult one of the mural-making guides that are easily available online.

Involving the Community in Creating the Artwork

Depending on the type of Artwork, there may be opportunities for involving the community in the creation of the Artwork. Interactive artworks can allow for ongoing community input into the operation of the Artwork.

Celebration Phase

When the Artwork is complete, it is a good idea to plan a celebration for the stakeholders. There can be a short ceremony to dedicate the artwork, at which people who played a key role in the project can speak.

4.6 Care and Maintenance of Public Art

As Salisbury embarks on commissioning public art, it should implement baseline recordkeeping to ensure it has a thorough inventory of its artworks and, eventually, clear documentation of its maintenance and conservation needs.

Following are the key components of a collection management, maintenance and conservation strategy.

Collection Management

Project Records

Salisbury should centralize and standardize its project records, building on the protocol outlined below. The records should be maintained by ABCD staff.

For each commission, acquisition or donation that is accepted, maintain a file that contains information and documentation, such as:

- * A copy of the artist contract, Visual Artists Rights Act waiver, bill of sale or transfer of ownership
- * A copy of project correspondence
- * Plans and drawings generated by the artist during the commissioning process
- * Hard copy images
- * Photographs
- * Maintenance instructions provided by the artist and subsequent conservation reports and records
- * A brief description of the artwork suitable for publication
- * A brief biographical statement about the artist suitable for publication
- * Press clippings
- * Inventory

Salisbury should maintain a standardized inventory of all artworks that it owns, acquires or commissions. The inventory should include the following information:

- * Name and contact information for artist
- * Title of work
- * Location of work (kept in a format compatible with City's GIS system)
- * Year completed/installed
- * City department that is responsible for the artwork
- * Media, dimensions
- * Original budget, source of funds
- * Current value, for insurance purposes
- * A unique number assigned to each artwork

Conservation and Maintenance Protocols

Salisbury should consider the following conservation and maintenance protocols, to ensure proper care of public art in the community:

- * Identify conservation needs prior to the fabrication and installation of new works. 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, submit design documents for review by a conservator prior to executing or authorizing the fabrication and installation portion of a contract.
- * Use protective coatings (UV anti-graffiti) where appropriate.
- * Require artists, as a condition of their contract, to provide a maintenance guide for their artwork. The maintenance guide should include protocols for routine cleaning of the artwork, including the recommended frequency, cleaning agents and methods. The guide should also include an inventory of, specifications for and sources of materials used in the fabrication of the artwork.
- * Require artists to guarantee the artwork against any failures of workmanship for one year, and to assign manufacturers' or fabricators' warranties to the owner of the artwork.
- * Clean artworks regularly. The agency responsible for the facility, building or site in which the work of art resides should report any damage or conservation needs to ABCD and should not perform any non-routine maintenance unless requested.
- * Contract with artist for most repairs, such as those necessitated by damage from vandalism.
- * Conduct a periodic condition assessment of the artworks the City owns and ensure all necessary repairs are completed. The assessment should include budget estimates and prioritization for conservation work. These recommendations should be translated into an annual conservation and maintenance plan.
- * Undertake all maintenance and conservation in a manner appropriate to the medium and characteristics of the artwork, following the protocols established by the artist.
- * Set aside at least three percent of the total budget for new commissions in a conservation endowment.

4.7 Donations and Loans, Commemorative Artworks and Memorials

Donations of artworks and loans, commemorative artworks and memorials can be a useful way of serving the community needs for cultural and historical expression – if they are in keeping with the City’s overall goals and expectations, if they are placed in appropriate locations and integrated appropriately with their sites, and if there is proper advance planning.

The City must act with the broad public interest in mind when considering proposals for donations, loans, commemorative artworks and memorials, particularly in regard to their fiscal impact, the general public’s use and enjoyment of public space, the aesthetics of the City, and consideration of whose and which narratives are prioritized in public space.

In order to facilitate a fair and consistent assessment of proposals, ABCD should coordinate the review of all aspects related to the acceptance of such proposals, consulting with other City agencies as appropriate and conducting appropriate community engagement.

Proposals for donations and loans can be submitted by individuals and organizations, while proposals for commemorative artworks and memorials can only be submitted by organizations. Proposals must be approved by ABCD, upon recommendation by the TAG, the PAC and the department responsible for the site. ABCD can collect community input on a proposal at a PAC meeting or through other forums. In extraordinary circumstances, the ABCD director can refer a proposal to the City administration and/or City Council. Donors are also responsible for completing any other applicable City permitting processes.

Due to limited maintenance budgets, limited space and other concerns, the City may not accept all proposed donations and loans. Proposals that require the City to pay for transportation, installation, storage, restoration, repair or site preparation are discouraged. In addition, artworks that will require high or excessive ongoing maintenance are discouraged. The City will evaluate these factors as part of the review process.



James Hill, *Harriet Tubman*
Courtesy Salisbury University

4.7 Donations and Loans, Commemorative Artworks and Memorials

Review Process

- 1. Preliminary inquiry.** A donor should begin the process by conferring with ABCD about the requirements and process for the proposed donation, loan, commemorative artwork or memorial to be located on City property. Any City department receiving a such a proposal should forward it to ABCD.
- 2. Application.** The sponsor of the proposed project should submit an application that includes:
 - * Name, address, phone number and email address of the project sponsor or their agent
 - * The sponsor's motivation/intent
 - * Artist's name, resume, birthplace and date, current address if known, gallery representation if any, and examples of the artist's previous work
 - * Artwork description, including medium, dimensions, weight (if applicable), date created, and description of signature/inscriptions
 - * Artwork title, including proof of absence of liens
 - * Current location
 - * Current condition, including conservation history or a conservator's report
 - * Maintenance recommendations prepared by professional conservator, including an estimate of the annual cost of maintenance
 - * Estimated value, as determined by a professional art appraiser (if the artwork is existing)
 - * Photographs of proposed donation
 - * Estimated cost and commitment to funding installation
 - * Estimated contribution for maintenance and conservation
 - * Proof of insurance sufficient to meet applicable City requirements
- 3. Review.** ABCD will facilitate an evaluation of the proposed donation to determine whether it is in keeping with the City's overall goals, expectations, policies and plans. Review will consist of the following steps:
 - * The TAG, including participation from the department responsible for the site for which the proposal is being made, should review the application to ensure that the application meets all technical requirements, such as how it is integrated into its site.
 - * The PAC should review the application to ensure that it meets the City's definition and criteria for a donation, commemorative artwork or memorial.
 - * Community members in the area of the proposal location can provide input at the PAC meeting where the proposal is discussed. ABCD can organize other means of collecting community input as it deems necessary.
 - * TAG and PAC recommendations should be forwarded to ABCD and the department responsible for the site where the project would be located.
- 4. Approval.** The ABCD director and the director of the department responsible for the site where the artwork would be located will make the final determination about accepting the proposal. ABCD can refer the recommendation to the City administration or City Council, should ABCD determine that further review would be in the best interest of the City.

4.7 Donations and Loans, Commemorative Artworks and Memorials

Review Criteria

Proposals for donations and loans will be subject to the technical and aesthetic review criteria below. Proposals for commemorative artworks or memorials will also be subject to the additional considerations outlined below.

Criteria for Technical Review

Technical review shall be undertaken by the TAG, in consultation with any personnel specifically responsible for the site or facility where the Artwork would be located. The review should consider the following factors:

- * Donor Status: Commemorative artworks and memorials can only be proposed by organizations, not by individuals.
- * Ownership: The artwork can be legally given to the City.
- * Financial Costs: The financial costs associated with the Artwork have been adequately anticipated and the donor can provide funding to cover those costs. Costs include, but are not limited to, shipping, insurance, site preparation, installation, dedication, signage and lighting. Costs also include a contribution to an endowment for maintenance.
- * Safety and Liability: The artwork and its installation are durable, meet applicable codes, and do not pose any safety or liability concerns.
- * Durability, Maintenance and Conservation: The artwork demonstrates structural soundness, surface integrity and inherent resistance to theft, vandalism, weathering and excessive maintenance. Each artwork should be assessed for its expected lifespan. There should be an assessment, including maintenance recommendations, from a professional public art conservator.
- * Availability of Site: The proposed site is available for the installation of artwork. Any necessary electrical, plumbing or other utility requirements have been defined and are available.
- * Appropriateness of Site: The proposed siting respects existing officially adopted City plans as well as documented intentions of the community, and is consistent with the current and anticipated use of the site.

- * Permitting: The donor has identified any other permits that are necessary for the artwork's placement and installation.
- * Signage: Identification and interpretive information can be provided adequately to people of all abilities.

Criteria for Aesthetic Review

Aesthetic review shall be undertaken by the PAC and shall consider the following criteria:

Artistic Merit

- * The Artwork must meet the definition of "public art," and the Artist must meet the definition of "artist," as included in this plan.
- * A donation or a commemorative artwork should have an artistic intent, as determined by the artist.
- * A donation or a commemorative artwork should reflect the same standards of quality that would be applied to an artwork if the City were commissioning it.
- * A donation, commemorative artwork or memorial should not include logos, text, names or colors reflective of or proprietary to any entity that commissions, funds or provides a location for the project (except on an identification plaque).

Context

- * Artwork(s) must be compatible in scale, material, form and content with the proposed location, and compatible with existing approved community or area plans, especially public realm strategies. Consideration should also be given to the architectural, historical, geographical and social/cultural context of the site or community, as well as the way people may interact with the artwork(s).

Diversity

- * The artwork will result in an improvement of the City's public art collection as a whole, and improve the collection's reflection of the artistic traditions and practices of the community, including its newest members and those whose cultural traditions are underrepresented

in the public art collection.

Additional Considerations for Commemorative Artworks and Memorials

The PAC shall also consider the following additional criteria in reviewing commemorative artworks and memorials that are proposed for City property or are seeking City funding:

- * Proposals must have cultural significance to the general public, not just one individual or an interest group. The subject will be commemorated only if it is generally accepted that its long-term impact has uniquely shaped Salisbury's history.
- * Proposals must concern subjects that have been tangibly and directly associated with the city. In the case of contributions of an individual or a particular group of people, for example, strongest consideration will be given to those who have had an impact on the history of the city, rather than the state or the nation.
- * Proposals that recognize individuals should not be considered until at least ten years after the death of the individual. Proposals that commemorate an historical event should not be considered until at least ten years after the occurrence of the event. Where an overwhelming and undisputed community consensus exists, proposals may be considered before these periods have passed.
- * Proposals that recognize organizations in general, or specific topics including but not limited to historical events, disasters or health-related themes, should only be considered if it can be demonstrated that there are circumstances particular to Salisbury.
- * Proposals must not duplicate the themes or subject matter of an existing commemorative artwork or memorial elsewhere in the city.
- * Proposals shall not in any circumstances depict subjects that are trademarked or commercially licensed, nor shall any type of acknowledgment, including plaques, include logos or other commercial graphics.

4.7 Donations and Loans, Commemorative Artworks and Memorials

Priorities

In assessing proposals for donations, loans, commemorative artworks and memorials, ABCD and the PAC will also consider the following priorities:

- * The ease of public access to the location of the artwork, particularly for underserved communities
- * Improving the distribution of public art throughout the city, particularly to underserved communities
- * The inclusion of public art that reflects the artistic traditions and practices of Salisbury's diverse communities

In assessing proposals for commemorative artworks and memorials, ABCD and the PAC will also consider the following priorities:

- * Projects that explore the histories and narratives of communities that are underrepresented in the city's existing commemorative artworks or memorials

Equity Considerations

In assessing proposals for commemorative artworks and memorials, ABCD and the PAC acknowledge that the considerations above may make it difficult for traditionally underrepresented communities and for communities who have more recently arrived in the city to have their histories and voices recognized. Recognizing this, ABCD and the PAC will pursue the following strategies to ensure the histories and voices of these communities have presence in the city's public art:

- * Initiate conversations with community members, City staff and elected officials about the ways that a community's voices, histories and traditions can be recognized in public spaces. Consider the goals that a community may have for doing so (for example, making its presence visible, sustaining its stories and traditions) and artistic approaches for doing so.
- * Consider artworks that focus on a community, its ideals, its traditions and its recent experiences, as opposed to historic events and individuals.
- * Create processes for allowing spontaneous and otherwise unsanctioned artworks that are created in response to current events.
- * Consider alternative means of collecting and telling histories that have been missing from the dominant culture, by a range of people whose experiences have contributed, or are currently contributing, to the community.

4.8 Americans for the Arts Public Art Best Practices Guide

These best practices were published in draft form by the Public Art Network in 2016. They are intended to guide public art administrators and practitioners in developing, drafting and implementing public art projects.

1. Administrators should clearly represent the scope and budget of project in calls for artists and communications.
2. Artists should truthfully represent their role and the nature of past work when presenting portfolios.
3. Artists should design to available budgets and propose what they can realistically deliver within budget, requirements, especially during design competitions.
4. Administrators/consultants should not ask artists to appropriate or use designs proposed by other artists in a competition (e.g. cherry pick from among other competitors); nor should artists use other artists' ideas or concepts proposed during a competition.
5. Any organization or entity commissioning artwork should pay artists for design proposals.
6. Administrators should ensure a legal and fair process for developing projects and selecting artists.
7. All organizations and entities commissioning artwork should consider their process for developing projects using principles in Americans for the Arts Statement on Cultural Equity.
8. As reasonably possible and consistent with existing privacy policies and legal requirements, agencies should protect artists' private information.
9. Arts professionals should be involved in the artist selection process.
10. Administrators/consultants should not receive money from artists being considered or awarded a project.
11. To avoid actual conflict or the appearance of impropriety, real or perceived conflicts of interest should be disclosed, and impacted decision-makers should abstain from involvement in the process.
12. All projects should have a written agreement that includes a clear articulation of scope of work, budget and schedule.
13. All parties should have time to read and understand agreements prior to signing, and may seek legal and/or business counsel.
14. Agreements should clearly articulate the process by which project changes are approved and any changes should always be made in writing.
15. If substantial redesign of a contracted artwork or an entirely new proposal is requested, due to no fault of the artist, the artist should be compensated.
16. A realistic life span for an artwork should be mutually agreed upon by all parties and written into the agreement.
17. Artists should choose appropriate materials for artwork based on the expected life. Care should be taken when integrating components into the artwork that are not warranted for the minimum warranty period required in the agreement. Attention should be paid to integrated components that may void underlying warranties.
18. Artist warranties should not exceed two years.
19. With regard to manufacturer warranties for integrated components, artists should be required to only pass along those warranties provided by the manufacturer.
20. Where reasonable, obtainable insurance is required by law, municipal policy and/ or in an agreement, administrators should work with artists to assess the true cost of this insurance so that artists can budget. As only licensed professionals can obtain professional liability and/or errors and omission progressive insurance, artists who are not licensed professionals should have this requirement waived. However, agreements may require licensed sub- contractors carry professional liability or errors and omissions insurance.
21. Administrators should not ask artists to take on unreasonable or inappropriate liability.
22. Artists should have agreements with their subcontractors, and include all relevant requirements of the prime contract in the subcontract agreement.
23. The project payment schedule should meet the cash flow needs of the artwork schedule of deliverables.
24. Artists should retain the copyright to their artwork. However, artists should expect to grant license to the contracting agency or ultimate owner for reasonable use of images of the artwork for publicity, educational, and reasonable promotional purposes upon which the parties agree.
25. Artists and commissioning entities and/or owners should provide reciprocal credit for their respective roles in commissioned artworks.
26. Maintenance and conservation plans should be discussed and mutually agreed upon, and artists should prepare a detailed and feasible maintenance and conservation plan.
27. Commissioning entities and/or owners should have collection management policies in place and notify artists of these policies.
28. If an artwork is damaged, administrators should make a good faith effort to consult the artist about repairs. Administrators are not obligated to work with artists to make repairs, but should use best conservation practices.
29. If Visual Artists Rights Act rights are waived, agreements should nonetheless provide that, in the event of damage, alteration, or destruction of an artwork that is not remedied to the artist's satisfaction, or relocated without the artist's approval. The artist should have the right to remove his/her name from the artwork if the artist believes the artwork no longer represents their work,

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APPENDICES

Annual Public Art Work Plan

The Annual Public Art Work Plan is prepared each year and recommends which new projects the City will initiate, indicating where the projects are located and what the proposed budgets will be. The Work Plan also outlines what conservation and maintenance needs are priorities for funding, and which projects are being carried over from previous years. The Work Plan is prepared by ABCD staff, in collaboration with the Technical Advisory Group and the Public Art Committee, and approved by the ABCD director.

Artist

An individual, or a team of people, who meets one or more of the following criteria:

- * Realizes income through the sale, performance, publication or commission of original works of art;
- * Has previously exhibited, presented, performed or published original works of art in museums, galleries or other recognized art venues and publications;
- * Has formal training or education in a field of art; or
- * Has received awards or other forms of recognition from arts juries, arts grant panels, and similar entities for his/her/their artistic abilities or accomplishments.

Environmental design professionals, such as architects or landscape architects, can be considered artists if they otherwise meet the criteria in this definition.

Arts, Business and Culture Department (ABCD)

The lead City agency for public art, as part of its broader mission is to make Salisbury a place where arts, business and culture intersect and flourish.

Arts + Entertainment District (A+E)

A designation by the State of Maryland that provides the City with tools to develop, support and promote diverse artistic, entertainment and cultural endeavors that preserve a sense of place, appreciate the unique character of the District, and build community pride. The functions of Salisbury's A+E, formerly a quasi-independent organization until early 2023, have been absorbed into ABCD.

Artwork

A work that is created under the direction of an artist or artists to be beautiful or express an important idea or feeling, produced in any form or media, of permanent or temporary duration, and existing in a single copy or limited edition.

Commemorative Artwork

An Artwork that is created with the purpose to commemorate an individual, organization, event or topic.

Donation

An Artwork that is given to the City as a gift and accepted through the City's formal donations procedure.



Courtesy City of Salisbury

Housing and Community Development Department (HCDD)

The City department that provides code enforcement, community relations and support services to the homeless. HCDD's community relations team proposes and facilitates public art in community engagement projects.

Department of Infrastructure and Development (DID)

The City department that is responsible for administering all infrastructure, planning and development projects in the City. Infrastructure and Development proposes and facilitates public art in City infrastructure projects.

Loan

An artwork that is provided to the City without charge for display over a period of time, to be returned to the owner at the end of the use period.

Memorial

A design element other than a Commemorative Artwork whose purpose is to commemorate an individual, organization, event or topic. Examples of Memorials include, but are not limited to, plaques, monuments, plazas, gardens, fountains or other civic features.

Mural

A two-dimensional Artwork attached to an interior or exterior wall and created in a variety of permanent or semi-permanent media, such as paint, tile, mosaic or applied vinyl. A Mural reflects the artistic intent of the artist who creates it. Any design that includes imagery, text, colors, logos or other features specifically related to any entity that commissions, funds or provides a location for the design shall be considered a sign and not a Mural.

Project Plan

A document that guides the planning and execution of a specific public art project. It sets out the basic framework of the project, such as goals and location; budget and funding; timeline; the artist selection process and community engagement process; a marketing plan; a list of internal and external stakeholders; and protocols for collaboration with other entities.

Project Task Force

A group of stakeholders that advises the staff and the PAC on the direction of a public art project.

Public Art

An original site-specific Artwork in any media, existing in a single copy or in a limited edition, produced by an artist or by a team of artists, and conceived and executed with the intention of being staged in the physical public domain, usually outside and accessible to all.

Public Art Fund

A dedicated account in which funds for public art are held.

Public Art Committee (PAC)

A volunteer commission appointed by the City Council to provide oversight on the implementation of public art in Salisbury, with specific roles and responsibilities as outlined in the Public Art Master Plan and subsequent Council resolutions.

Request for Proposals (RFP)

A call to artists that asks for the submission of both an artist's credentials and a conceptual proposal for an artwork, both of which become the basis for selecting an artist.

Request for Qualifications (RFQ)

A call to artists that asks for the submission of an artist's credentials, which is the basis of selecting an artist.

Technical Advisory Group (TAG)

A group of representatives of City departments that assists in coordinating logistical details of installing public art on City property.

Visual Artists Rights Act (VARA)

A federal law passed in 1990 that protects an Artist's moral rights regarding their artwork. "Moral rights" means the right to correct attribution and the right of artistic integrity. These rights are separate from ownership of the work itself and from the copyright to the work, which includes the right to reproduce, broadcast, display and/or perform the work in public.

City of Salisbury Leadership and Departments

Allen Swiger, *Director of ABCD*

Laura Soper, *Director of Business Development*

Rachel Manning, *Community Relations Manager*

Brian Soper, *City Planner*

Andy Kitzrow, *City Administrator*

Jack Heath, *Mayor*

Past City Leaders

Jake Day, *Secretary, Maryland Department of Housing and Community Development, and Former Salisbury Mayor*

Julia Glanz, *Assistant Secretary, Maryland Department of Housing and Community Development, and Former Salisbury City Administrator*

Past A+E Leadership

Jamie Heater, *Former Executive Director, Salisbury Arts and Entertainment District*

Sample Community Project Application Form

Community Project Application Form

1. APPLICATION TYPE

Check all that apply:

- Funding
 Permission to locate on City property

If the project is a proposal for a donation, commemorative artwork or memorial, fill out an application for making a donation of artwork to the City.

2. APPLICANT INFORMATION

Name of Organization _____

Address _____

Web Site _____

Type of Organization Not for profit Business Other

3. CONTACT INFORMATION

Contact Person _____

Telephone _____

Email _____

ADDITIONAL INFO: Please submit a map or drawing with location of site identified.

4. PROJECT DESCRIPTION

Provide a brief description of the project for which you are seeking public art funds, and/or to locate on City property.

5. LOCATION INFORMATION

Name / Description _____

Address _____

Check all that apply:

- City of Salisbury property _____
 Private property _____
 On an easement (describe) _____
 On a right of way (describe) _____
 In a Historic District (name of district) _____
 Other (describe) _____

ADDITIONAL INFO: If you already have permission to use the site, please provide documentation.

ADDITIONAL INFO: If you already have community support for this site, please provide documentation.

Proposals should be simple, but should include the following information: the location, the funding sources (including City funds), evidence of community support, evidence of permission (for projects on private property) the artist selection process or the artist's concept, plans for installing the artwork, and plans for maintaining the artwork (for permanent artworks) and removing the artwork (for loans or temporary artworks).

6a. EXISTING ARTWORK DESCRIPTION

Complete if your project involves the Donation or Loan of an existing artwork.

Describe the artwork (include size, materials and color).
 Attach a photo or sketch.

If an existing artwork, identify the owner.

ADDITIONAL INFO: Please attach photo of artwork.

ADDITIONAL INFO: Please attach documentation of ownership and permission to install artwork.

6B. NEW ARTWORK DESCRIPTION

Complete if you are proposing a Commemorative Artwork or if you are seeking City funding to create a new Artwork.

If a new artwork, identify the proposed artist. Attach additional information, such as a biographical statement, resume and/or samples of work.

Name / Description _____

Address _____

Describe the process you will use to develop the artwork, including community research, artist selection process, community engagement and fabrication/installation research. Attach extra pages if necessary.

Please provide information about community support for your project. Attach extra pages if necessary.

7. INSTALLATION INFORMATION

This artwork is a:

- Permanent placement
 Temporary placement

Proposed installation date _____

Proposed removal date
 (for temporary installations) _____

This artwork requires:

- Street closure. Identify streets and dates. _____
 Special equipment _____
 Construction of footers or pad _____
 Electrical connections _____
 City permits and/or approvals _____
 Other public permits and/or approvals _____

8. MAINTENANCE INFORMATION

Identify the entity that will be responsible for maintaining the artwork:

Name / Description _____

Address _____

Complete if your project involves a request for funds.

Funding sought \$ _____

Total budget \$ _____

ADDITIONAL INFO: Please attach a project budget, including expenses for artist fees, fabrication and installation, and including funding sources and amounts.

Processing Record

RECEIVED

Submitted _____ Date _____
Applicant

Received _____ Date _____
Name

PRELIMINARY REVIEW

Date of preliminary review _____

Comments:

TAG REVIEW

Date of TAG review _____

Comments:

- Requires zoning review
- Requires HARB review
- Requires permit

Comments:

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Resolution No.

**A RESOLUTION OF THE CITY OF SALISBURY TO
ESTABLISH A PUBLIC ART COMMITTEE.**

WHEREAS, Public Art has been an increasingly visible part of Salisbury’s life for more than twenty years – from thematic sculptures and colorfully painted utility boxes downtown; to murals downtown, in neighborhoods, and along major arteries; to monumental sculptures in a gateway roundabout; and a new downtown square; and

WHEREAS, these projects have been a community effort. They have been initiated by many of its non-profit organizations, institutions, businesses, communities, local leaders, and the City itself. Many projects have been completed by Artists from Salisbury or the Eastern Shore; and

WHEREAS, these Projects are a testament to the remarkable pride, energy, and creative resources one can find in Salisbury. The City’s creative life includes a vigorous program of monthly “3rd Friday” art walks and related events; the fine arts program at Salisbury University, with faculty, students, visiting artists, and galleries both on its campus and downtown; and a variety of creative entrepreneurs in visual arts, design, community arts, and digital arts; and

WHEREAS, as a result of increased community interest, resources, and an expanded palette of opportunity – the City determined that it should develop a strategy for Public Art and launched a Public Art master plan to learn what kinds of Public Art people would like to see in Salisbury, to take stock of the City’s Public Art opportunities, to prioritize said opportunities, to identify sustainable funding for Public Art, to establish policies and procedures that provide for an equitable use of City resources that catalyze private sector and community resources, and to provide a framework, based on best practices, for implementing and maintaining Public Art Projects; and

WHEREAS, the Public Art Masterplan was completed in September 2023, lays out the footprint to achieve these goals, and identifies development processes, planning tools, community insights, and key roles and responsibilities; and

WHEREAS, the Public Art Masterplan identifies the need for a citywide Public Art Committee to provide a community voice that advises on Public Art priorities and Projects.

NOW, THEREFORE, BE IT RESOLVED, by the Salisbury City Council that the City Public Art Committee be hereby established, with its current membership, as follows:

1. Establishment and Purpose

There is hereby established the City Public Art Committee (“Committee”). The purposes of the Committee are to:

- 46 a) Provide advice to the Technical Advisory Group (“TAG”) on the prioritization of
47 Public Art Projects within City Limits;
48
49 b) To provide a forum for the public to express its views related to Public Art, and
50 other related issues;
51
52 c) To promote cooperation among and to support the interests of public and private
53 organizations, agencies, and local residents for the benefit of the city’s Public Art
54 assets;
55
56 d) Increase community awareness of the city Public Art assets;
57
58 e) Make recommendations about Donations of Artwork to the city and installation of
59 temporary Public Art on City property;
60
61 f) Advise and assist City staff members in applying for grant funding for projects
62 relating to public art;
63
64 g) Be a resource to and interact with the City of Salisbury Director of ABCD and
65 TAG about all matters related to Public Art, including annual workplans and
66 budgets, Project plans and budgets, Artist selections and Artist concept approvals;
67 and
68
69 h) Act as an advisory resource for City planning processes, such as area plans,
70 functional plans, and any comprehensive plan update.
71
72

73 **2. Authority**
74

75 The authority of the Committee shall be to provide advice and make recommendations to
76 the City’s Public Art TAG and the Director of ABCD. The Committee shall not have the
77 power to direct City staff toward action, approve of Public Art projects unilaterally, or
78 allocate funding to either Public Art or non-Public Art.
79

80 **3. Definitions**
81

82 The following terms shall have the meanings ascribed below for purposes of this
83 Resolution:
84

- 85 a) “Artist” shall mean an individual, or a team of people, who meets one or more of
86 the following criteria:
87
 - 88 • Realizes income through the sale, performance, publication, or commission
89 of original works of art;
 - 90 • Has previously exhibited, presented, performed, or published original works
91 of art in museums, galleries or other recognized art venues and publications;
 - Has formal training or education in a field of art; or

- Has received awards or other forms of recognition from arts juries, arts grant panels, and similar entities for his/her/their artistic abilities or accomplishments.

Environmental design professionals, such as architects or landscape architects, can be considered artists if they otherwise meet the criteria in this definition.

- b) “Artwork” shall mean a work that is created under the direction of an artist or artists to be beautiful or express an important idea or feeling, produced in any form or media, of permanent or temporary duration, and existing in a single copy or limited edition.
- c) “Commemorative Artwork” shall mean an Artwork whose purpose is to commemorate an individual, organization, event or topic.
- d) “Donation” shall mean an Artwork that is given to the City as a gift and accepted through the City’s formal donations procedure.
- e) “Public Art” shall mean an original site-specific Artwork in any media, existing in a single copy or in a limited edition, produced by an artist or by a team of artists, and conceived and executed with the intention of being staged in the physical public domain, usually outside and accessible to all. Public Art shall not include matters involving commercial and residential real estate development, including architecture.
- f) “Arts, Business and Commerce Department” or “ABCD” shall mean the lead City agency for Public Art, as part of its broader mission to make Salisbury a place where arts, business, and culture intersect and flourish.
- g) “Project” shall mean a formal proposal for Artwork meant to be Public Art which is either submitted by the City, a party with a request for public funding, or a party with a request to utilize public property, where the following details are known regarding the Artwork: its location; its budget and funding sources; the timeline for completion; the artist selection process and community engagement process; and a list of internal and external stakeholders.

4. Recommendations

- a) Projects: Following review by ABCD and TAG of City proposed Projects, Project applications seeking public funding, and Project applications seeking to utilize public property for or related to Public Art, the Committee shall schedule at least one meeting for review of all proposals which ABCD and TAG completed their review of. The Committee shall review those Projects requesting public funding to enable their potential inclusion into the annual Public Art workplan. The Committee shall provide reasonable notice to the public of the time, place, and

138 agenda of such meeting(s) and shall provide the opportunity for the public to
139 express its opinion on proposals. In reviewing any proposal, the Committee shall
140 consider, at a minimum, the following criteria:

- 141
- 142 i. Whether the Project advances or aligns with any City plans or policies;
- 143 ii. Whether the Project addresses a priority that has been vocalized by the
144 community;
- 145 iii. Whether the Project has any unique attributes that reinforce Salisbury's
146 image as the cultural hub of the Eastern Shore;
- 147 iv. Whether the Project leverage additional resources, such as grants,
148 contributions, or sponsorships;
- 149 v. Whether the Project is highly visible to the public at large;
- 150 vi. Whether the Project provides access to Public Art for a group of people
151 who might not otherwise experience Public Art;
- 152 vii. Whether the Project involves Artists from Salisbury or the Eastern
153 Shore;
- 154 viii. Whether the Project meets the definition of "Public Art";
- 155 ix. Whether the artist meets the definition of "Artist";
- 156 x. Whether a Donation or a Commemorative Artwork includes logos, text,
157 names, or colors reflective of or proprietary to any entity that
158 commissions, funds, or provides a location for the Project and whether
159 any necessary permissions have been obtained;
- 160 xi. Whether the Project is compatible in scale, material, form, and content
161 with the proposed location, and compatible with existing approved
162 community or area plans, especially public realm strategies.
163 Consideration should also be given to the architectural, historical,
164 geographical and social/cultural context of the site or community, as
165 well as the way people may interact with the Artwork(s);
- 166 xii. Whether a Donation or a Commemorative Artwork has cultural
167 significance to the general public, not just one individual or an interest
168 group. The subject will be commemorated only if it is generally
169 accepted that its long-term impact has uniquely shaped Salisbury's
170 history;
- 171 xiii. The ease of public access to the location of the Artwork, particularly for
172 underserved communities; and
- 173 xiv. The distribution of the locations of Public Art throughout the City,
174 particularly to underserved communities.
- 175

176 The above list is not meant to be exhaustive, and the Committee may consider any other
177 factors it may deem relevant and weigh them accordingly. Following a review and
178 public meeting concerning Public Art Projects, the Committee shall provides its advice
179 and recommendations to TAG and the Director of ABCD. Within thirty (30) days of a
180 meeting on a Project, the Committee shall report, in writing (either on paper or
181 electronically), its advice and recommendations to TAG and the Director of ABCD on
182 a particular project. In making recommendations, the Committee shall take into

183 consideration the estimated or potential costs and benefits of any recommended
184 changes or policies.

- 185
186 b) Non-Projects: In fulfilling its other functions listed above, other than those related to
187 Projects, the Committee shall, following a public hearing with reasonable notice given
188 to the public, report, in writing (either on paper or electronically), its advice and
189 recommendations to TAG and the Director of ABCD. In making recommendations, the
190 Committee shall take into consideration the estimated or potential costs and benefits of
191 any recommended changes or policies.

192
193 **5. Membership**

194
195 The Committee shall be governed by a board of seven (7) members serving three (3) year
196 terms. However, of the initial seven (7) members one (1) shall serve a one (1) year term
197 and three (3) shall serve a two (2) year term. The Mayor, with the advice and consent of
198 the City Council, shall appoint the Committee's members. The membership of the
199 Committee should reflect, as much as possible, the diversity of the community. A minimum
200 of four (4) of the members of the Committee shall be working artists, arts professionals,
201 and/or design professionals. The other members of the Committee shall be drawn from
202 Salisbury's civic, community, non-profit, and/or business leadership.

203
204 Members shall attend a majority of the Committee meetings. Excessive absences could
205 subject a member to removal by a majority vote of the Committee. Members of the
206 Committee shall be subject to all public ethics laws.

207
208 **6. Holding Over and Reappointment**

209 Upon the expiration of their terms, members of the Committee may be reappointed.
210 Members shall continue to serve until they are reappointed and confirmed or their
211 replacements are appointed and confirmed.

212
213 **7. Council Liaison**

214 The City Council may designate one of its members to be its liaison to the Committee, and
215 the liaison shall be invited to attend all committee meetings and. The liaison may not hold
216 an Officer position or be entitled to a vote.

217
218 **8. Officers**

219 The membership shall elect, by majority vote, a chair, vice-chair, and secretary from among
220 its membership to serve for a term of one year. The election shall be at the last meeting of
221 each calendar year and take effect the coming calendar year.

222
223 The Chair, selected by the Committee, shall head the Committee's affairs. The Chair shall
224 prepare an agenda and will preside over all Committee meetings. The Chair may assign
225 duties to other officers from time to time.

226
227 The Vice-Chair, selected by the Committee, shall preside over meetings in the absence of
228 the Chair, and shall perform such other duties as the Chair shall direct.

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The Secretary, selected by the Committee, shall record minutes of all meetings, keep an up-to-date roll of members, record member attendance, issue notices of all meetings, and perform other such duties, as the Chair shall direct. The Secretary shall ensure the City Clerk’s office receives a copy of all Committee records. The Secretary shall preside over meetings in the absence of the Chair and Vice Chair.

9. Staff Support

The Committee shall receive staff support from the City of Salisbury ABCD. Staff support shall not be a voting member of the Committee.

10. Meetings

The Committee shall meet regularly and at a minimum, bi-annually, at times and places to be determined by the Committee, and shall hold additional regular meetings as it deems necessary to perform its functions, not to exceed once per month. The Committee shall also attend special meetings when called by the Chair. The meetings of the Committee shall be open to the public and be advertised in accordance with the Maryland Open Meetings Act, as amended from time to time.

Committee members may participate in meetings via any appropriate and available electronic means, such as telephone or video conference, provided that no more than one Committee member is exercising this option at one meeting and the member has unusual circumstances preventing their physical attendance.

Robert’s Rules of Order shall govern all meetings, except insofar as such rules are inconsistent with this Resolution.

11. Minutes

Minutes shall be taken at all regular and special meetings of the Committee, which shall consist of a record summarizing all motions, proposals, resolutions, and any other matters formally voted upon, and the vote thereon.

12. Quorum

A majority of the members currently appointed to the Committee, excluding the City Council Liaison, shall constitute a quorum for the transaction of business, and a majority of those present shall decide any question.

13. Compensation

The members of the Committee shall serve voluntarily and shall not receive compensation for their services on the Committee.

THE ABOVE RESOLUTION was introduced, read and duly passed at a meeting of the Council of the City of Salisbury held on the _____ day of _____, 2023, and is to become effective immediately upon adoption.

274 ATTEST:

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277 Kimberly R. Nichols, City Clerk

Muir W. Boda, City Council President

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280

281 Approved by me, this _____ day of _____, 2023.

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285 John R. Heath, Acting Mayor

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City of
Salisbury
John "Jack" R. Heath, Mayor

To: City Council
From: Laura Soper, Director of Business Development
Subject: Main Street Improvement Grant
Date: 8/22/23

Attached is an Ordinance to accept funding from the Maryland State Arts Council (MSAC), Arts and Entertainment Operating Grant. The purpose of the Arts and Entertainment Operating Grant is to enable eligible designated Arts & Entertainment Districts to obtain operating support through the designation.

This funding, in the amount of \$17,846, will be utilized to create a public art fund that can be used to help support public art projects in the designated Arts & Entertainment District area. Artists would submit a detailed RFP and proposal to the City of Salisbury Arts, Business, and Culture Department, and funds would be appropriated on a competitive basis, in keeping with the City's Public Art Masterplan.

Included is the proposed Grant Agreement, which includes the proposed budget and uses.

August 22, 2023
Arts and Entertainment Operating Grant - Off-Year
2024-23791

MARYLAND STATE ARTS COUNCIL GRANT AGREEMENT

THIS GRANT AGREEMENT (this "Agreement") is made by and between the Maryland State Arts Council ("MSAC"), a unit of the Department of Commerce (the "Department"), a principal department of the State of Maryland ("State") and [City of Salisbury, MD] ("Grantee") whose Federal Identification Number (FID) or Social Security Number (SSN) is 52-6000806.

RECITALS

Grantee has requested grant assistance from MSAC in order to undertake activities consistent with Title 4, Subtitle 5 of the Economic Development Article of the Annotated Code of Maryland, which authorizes MSAC to make grants to organizations and individual artists in order to create a nurturing climate for the arts in the State and to ensure that the role of the arts in the lives of citizens of the State shall continue to grow and play a significant part in their welfare and educational experience.

The General Assembly of Maryland has authorized the grant assistance through an appropriation in the annual state budget.

MSAC is also authorized to use certain funds received by various federal entities to help fund its grant assistance programs. All, some, or none of the funds disbursed through this Agreement may be from such federal funding. In the event that some of the funds disbursed through this Agreement contain federal funding, MSAC will make the Grantee aware and Grantee acknowledges and agrees that it may be required to adhere to certain rules, regulations, and/or guidelines imposed by the federal entity providing the federal funding.

MSAC has approved the award of grant funds to the Grantee, to be expended by Grantee in accordance with the terms and conditions of this Agreement.

IN CONSIDERATION of the foregoing and the mutual promises and covenants contained in this Agreement, MSAC and the Grantee agree as follows:

1. **Grant.** Subject to the continuing availability of funds, as determined by MSAC in its sole discretion, MSAC agrees to provide Grantee with funds in an amount not to exceed [\$17,846.00] (the "Grant Funds").

2. **Application.** Grantee's application for grant assistance (the "Application") is available to grantee in Smart Simple where Grantee submitted the application. Grantee can view the application by logging into Smart Simple (marylandarts.smartsimple.com) with their login and password. Grantee warrants and certifies that all of the information and representations contained in the Application are and remain true and complete in all material respects. **The Application is incorporated herein as Exhibit A.**

3. **Grant Guidelines.** Grantee acknowledges receipt of the FY 2024 Grant Guidelines and Information available on the MSAC website <http://www.msac.org> under the appropriate grant type, incorporated herein by reference, and agrees to abide by its terms and conditions.

4. **Use of Grant Funds:** Grantee will use Grant Funds in accordance with the activities described in Exhibit A (Grantee's Application) and in accordance with all applicable guidelines set forth in Provision 3 above.

5. **Grantee shall not use any Grant Funds to make contributions:**

- (a) to any persons who hold, or are candidates for, elected office;
- (b) to any political party, organization, or action committee;
- (c) in connection with any political campaign or referendum; or
- (d) for lobbying activities.

6. **Term of Agreement.**

This Agreement is effective upon execution by MSAC. Unless sooner terminated pursuant to Section 18 or 19 of this Agreement or by the mutual consent of Grantee and MSAC, this Agreement shall remain in effect until the final amounts of the Grant have been disbursed, all reports and records due by the Grantee have been received by MSAC, and there has been a final settlement and conclusion between MSAC and Grantee of all issues arising out of the Grant. It is anticipated and agreed that all reports and records due by Grantee shall be delivered to MSAC no later than the final report due date as communicated to the grantee in grant guidelines, if not sooner as provided otherwise herein or in any exhibit attached and incorporated herein, and that the final settlement and conclusion between MSAC and Grantee shall be no later than the final report due date. Failure by the Grantee to deliver all reports and records by the final report due date and failure by Grantee to provide MSAC with all necessary documents and information to reach final settlement and conclusion by the final report due date shall constitute a material breach by the Grantee of this Agreement.

7. **Disbursement.**

(a) (i) Except for Grantees notified pursuant to paragraph (ii) below, Grants for Organizations grants and Community Arts Development grants, up to seventy five percent (75%) of the Grant shall be disbursed to Grantee upon full execution of the Agreement, provided that Grantee has submitted all reports and documentation for prior year grant(s) required by MSAC, if applicable. The remaining Grant funds shall be disbursed to Grantee after Grantee has met grant report requirements, such as submitting a satisfactory interim report.

(ii) For Grantees notified by MSAC, payment will occur in four payments of 25% based on the review of additional required documentation (quarterly fiscal actuals v. projections; quarterly updated financial recovery plan) by the MSAC Program Director, MSAC Grants Director, MSAC Executive Director, Assistant Secretary of Commerce and/or Secretary of Commerce. Payment release is based on the approval of the quarterly submission review.

(b) For Arts in Education grants, Independent Artist Awards, Maryland Touring grants, Maryland Traditions grants, Public Art Across Maryland grants, Creativity grants, Professional Development grants, Grants for Artists, Special Request grants, and other grants to organizations and independent artists, up to 100% of the Grant shall be disbursed to Grantee upon full execution of the Agreement, provided that Grantee has submitted all reports and documentation for prior year grant(s) required by MSAC, if applicable.

(c) MSAC reserves the right, at its sole and absolute discretion, to withhold any disbursement of Grant Funds if MSAC reasonably believes that the Grantee is incapable of using the Grant Funds as provided for under this Agreement or that the Grantee is reasonably likely to become incapable of using the Grant Funds as provided for under this Agreement. In the event MSAC elects to withhold Grant Funds, Grantee shall not be entitled to receive the withheld Grant Funds until Grantee provides MSAC, at MSAC's sole and absolute discretion, all necessary and required assurances and affirmations, including any documentation required by MSAC, that Grantee will be able to use the Grant Funds in accordance with the terms and conditions of this Agreement. If Grantee does not provide or is otherwise incapable of providing the necessary and required assurances and affirmations, MSAC may elect to terminate this Agreement as provided for under Provision 19 below. Nothing in this provision shall act in any way to relieve the Grantee from any damages or losses caused by Grantee's incapability to use the Grant Funds as provided for under this Agreement, and Grantee shall remain fully liable for any such damages and losses caused by its incapability to use the Grant Funds as provided for in this Agreement.

8. Indirect Costs.

(a) If Grantee is a nonprofit entity under Section 501(c)(3), (4) or (6) of the Internal Revenue Code, Grant Funds may be applied to indirect costs in accordance with § 2-208 of the State Finance and Procurement Article, Annotated Code of Maryland.

(b) If Grantee opts to apply Grant Funds to indirect costs:

(i) the total amount of Grant Funds provided under this Grant Agreement will not be increased;

(ii) the costs to be paid with Grant Funds under this Agreement as described in Exhibit A of this Agreement will be reduced on a pro rata basis to reflect that certain indirect costs have been paid with Grant Funds; and

(iii) Grantee shall report any Grant Funds applied to indirect costs in funding requests and financial reports submitted to Commerce and shall provide the basis and documentation for the calculation of indirect costs in compliance with subsection (a) of this section.

9. Inspection of Records. Grantee shall allow any duly authorized representative of MSAC, the Department, or the State to inspect and audit, at reasonable times, all records and documents of Grantee relating to this Grant, which records shall be retained by Grantee for at least three (3) years after the termination of this Agreement.

10. Acknowledgement. Grantee shall acknowledge MSAC funding in all programs and promotional materials relating to the funded activities in the manner set forth in the Grant Recognition Guidelines, which can be viewed on the MSAC website, <https://msac.org/resources/recognizing-msac-grants>, incorporated herein by reference.

11. Reports. Grantee shall provide MSAC with reports or information in a form acceptable to the MSAC, as MSAC may from time to time require.

12. **Unused Funds.** Grantee shall repay to MSAC any disbursed Grant Funds not spent or obligated by Grantee on or before the date indicated in the appropriate grant program Guidelines set forth in Provision 3 above.

13. **Fair Practices Certification.** Grantee certifies that it prohibits, and covenants that it will continue to prohibit, discrimination on the basis of: (a) political or religious opinion or affiliation, marital status, race, color, creed, ancestry genetic information, or national origin; or (b) age, sex, sexual orientation, gender identification, or any otherwise unlawful use of characteristics, except when such characteristic constitutes a bona fide occupational qualification; or (c) the physical or mental handicap of a qualified handicapped individual. Upon the request of MSAC, Grantee will submit to MSAC information relating to its operations, with regard to political or religious opinion or affiliation, marital status, physical or mental handicap, race, color, creed, sex, age, gender identification, sexual orientation, genetic information, or national origin.

14. **Anti-Discrimination.** Grantee shall operate under this Agreement so that no person, otherwise qualified, is denied employment, subcontract, or other benefits on the basis of race, color, religion, creed, age, sex, sexual orientation, gender identification, marital status, national origin, ancestry genetic information or any otherwise unlawful use of characteristics, or disability of a qualified individual with a disability unrelated in nature and extent so as to reasonably preclude the performance of the employment or contract, or the individual's refusal to submit to a genetic test or make available the results of a genetic test. Except in subcontracts for standard commercial supplies or raw materials, Grantee shall include a clause similar to this clause in all subcontracts. Grantee and each subcontractor shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause. Grantee shall not retaliate against any person for reporting instances of such discrimination. The Grantee further covenants that it shall prohibit its contractors from engaging in such discrimination in the hiring of subcontractors to carry out any portion of the project funded by proceeds of the Grant.

15. **Legal Compliance.** Grantee covenants that it shall comply with all applicable federal, State, and local laws and regulations. Grantee acknowledges and agrees that it is responsible for knowing and understanding all applicable federal, State, and local laws and regulations.

16. **Grantee's Certifications.** Grantee certifies to MSAC that:

(a) Grantee, if a corporation or other form of limited liability entity, is duly organized and validly existing under Maryland law, and has all requisite power and authority to enter into this Agreement; and

(b) This Agreement has been duly authorized, executed and delivered by Grantee in such manner and form as to comply with all applicable laws to make this Agreement the valid and legally binding act and Agreement of Grantee.

17. **Drug and Alcohol-Free Workplace.** Grantee warrants that Grantee shall comply with the State's policy concerning drug and alcohol-free workplaces as set forth in COMAR 01.01.1989.18.

18. **Default, Repayment and Remedies.**

(a) A default shall consist of (i) any use of Grant Funds for any purposes other than authorized by this Agreement; or (ii) any breach of any covenant, agreement, provision, representation or warranty of

Grantee which was made in this Agreement.

(b) Upon the occurrence of any default, MSAC immediately may suspend Grantee's authority to receive any undisbursed Grant funds by written notice at any time to Grantee.

(c) Upon the occurrence of any default, Grantee shall have 30 days from the date MSAC's notice is postmarked to cure the default. After the conclusion of this 30 day period, if Grantee has not cured the default to the satisfaction of MSAC, MSAC may terminate this Agreement. In the event of termination:

(i) Grantee's authority to request a disbursement shall cease and Grantee shall have no right, title or interest in or to any of the Grant funds not disbursed;

(ii) MSAC may immediately demand repayment of all or any portion of the Grant Funds which have been disbursed; and

(iii) MSAC's remedies of withholding disbursement and of obtaining repayment as described in Section 18(c) (i) and (ii) above may be exercised contemporaneously with remedies pursuant to Section 18(d) below, and all of such rights shall survive any termination of this Agreement.

(d) If a default occurs, MSAC may at any time proceed to protect and enforce all rights available to MSAC, by suit in equity, action at law, or by any other appropriate proceedings.

19. Termination Prior to Expiration of Term Period MSAC, the Department, and/or the State reserves the right to terminate this Agreement by written notice to Grantee if (a) the purpose of the Agreement can no longer be fulfilled or met and/or (b) it's in the best interest of the Grantor and/or the State to terminate. If so terminated, the Grantor shall disburse Grant Funds to cover the eligible expenses, as determined in its sole discretion by MSAC, incurred by Grantee prior to termination. Grantee shall return to Grantor any Grant Funds, in excess of permitted eligible expenses, received prior to such termination.

20. Indemnification. Grantee releases MSAC, the Department, the State, and its employees or agents from, agrees that MSAC, the Department, the State, and its employees or agents shall not have any liability for, and agrees to protect, indemnify and save harmless MSAC, the Department, the State, and its employees or agents from and against any and all liabilities, suits, actions, claims, demands, losses, expenses and costs of every kind and nature incurred by, or asserted or imposed against, all or any of them, as a result of or in connection with the Grant. All money expended as a result of such liabilities, suits, actions, claims, demands, losses, expenses or costs, together with interest at a rate not to exceed the maximum interest rate permitted by law, shall constitute an indebtedness of Grantee and shall be immediately and without notice due and payable by Grantee to MSAC, the Department, the State, and/or its employees or agents, as their interests may appear. If Grantee is a government agency of the State of Maryland, any and all such indemnification obligations of Grantee are conditioned upon the availability of appropriations for use by Grantee at the time such indemnification obligations arise; further, if Grantee is a government agency of the State of Maryland, any and all such indemnification obligations of Grantee are limited to the extent of the State of Maryland's statutory waiver of its sovereign immunity.

21. Notices. All notices, requests, approvals and consents of any kind made pursuant to this Agreement shall be in writing. Any such communication, unless otherwise specified, shall be deemed effective as of the date it is postmarked, postage prepaid, addressed as follows:

(a) Communications to MSAC shall be mailed to: Maryland State Arts Council, 401 E. Pratt Street, Suite

1400 Baltimore, MD 21202 or emailed.

(b) Communications to Grantee shall be mailed to Grantee or emailed.

22. **Amendment.** This Agreement, or any part hereof, may be amended from time to time only by a written instrument executed by both parties, or in the case of a modification of Section 4, by action of MSAC.

23. **Assignment.** Grantee may neither assign all or any of the benefits of, nor delegate all or any of the duties imposed upon Grantee by this Agreement, without the prior written approval of MSAC.

24. **Governing Law.** This Agreement shall be construed, interpreted and enforced in accordance with the laws of the State of Maryland.

25. **Setoff.** The State has the right to set off and apply Grant Funds against amounts that Grantee may owe the State as an unpaid liability, without notice and without resort to any judicial proceeding. Should this occur, it will affect the amount of Grant Funds received by Grantee.

26. **Entire Agreement; Counterparts; Signatures.** This Agreement, together with any exhibits, documents, and/or electronic or internet based documents, incorporated by reference, represents the complete and final understanding of the parties. No other understanding, oral or written, regarding the subject matter of this Agreement, may be deemed to exist or to bind the parties at the time of execution. This Agreement may be executed in any number of duplicate originals or counterparts, each of which such duplicate originals or counterparts shall be deemed to be an original and all taken together shall constitute one and the same instrument. Signatures provided by facsimile or other electronic means, for example, and not by way of limitation, in Adobe .PDF sent by electronic mail, shall be deemed to be original signatures.

THIS AGREEMENT, together with the documents incorporated herein by reference, represents the complete, total and final understanding of the parties and no other understanding or representations, oral or written, regarding the subject matter of this Agreement, shall be deemed to exist or to bind the parties hereto at the time of execution. THIS FORM WAS APPROVED FOR FORM AND LEGAL SUFFICIENCY BY AN ASSISTANT ATTORNEY GENERAL IN JULY 2023.

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ORDINANCE No. _____

**AN ORDINANCE OF THE CITY OF SALISBURY TO AUTHORIZE THE
MAYOR TO ENTER INTO A CONTRACT WITH THE MARYLAND STATE
ARTS COUNCIL (MSAC) FOR THE PURPOSE OF ACCEPTING GRANT
FUNDS IN THE AMOUNT OF \$17,846 AND TO APPROVE A BUDGET
AMENDMENT TO THE GRANT FUND TO APPROPRIATE THESE FUNDS
TO BE USED FOR ELIGIBLE EXPENSES ASSOCIATED WITH A PUBLIC
ART FUND FOR THE ARTS & ENTERTAINMENT DISTRICT**

WHEREAS, the City of Salisbury submitted an Arts & Entertainment District Operating Grant application to the Maryland State Arts Council (MSAC), a unit of the State of Maryland Department of Commerce, for financial assistance in carrying out community development activities, specifically to include assistance with creating a public art fund to be used toward creating a nurturing climate for the arts and to ensure that the role of the arts in the lives of the citizens of the City of Salisbury continues to grow and play a significant part in their welfare and educational experience; and

WHEREAS, MSAC has awarded grant funds to the City of Salisbury in the amount of \$17,846; and

WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the Council of the City of Salisbury; and

WHEREAS, appropriations necessary to execute the purpose of this grant must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Acting Mayor Jack Heath, on behalf of the City of Salisbury, is hereby authorized to enter into a grant agreement with the Maryland State Arts Council for the City's acceptance of grant funds in the amount of \$17,846, to be allocated for assistance with the public art fund for the Arts & Entertainment District.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. The City of Salisbury's Grant Fund Budget be and hereby is amended as follows:

(a) Increase MSAC Revenue Account No. 10500-424105-XXXXX by \$17,846.

(b) Increase Operating Expense Account No. 10500-546006-XXXXX by \$17,846.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

48 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if
49 such recitals were specifically set forth at length in this Section 5.

50 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.

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52 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
53 Salisbury held on the _____ day of _____, 2023 and thereafter, a statement of the substance of
54 the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of
55 the City of Salisbury on the _____ day of _____, 2023.

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57 **ATTEST:**

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62 **Kimberly R. Nichols, City Clerk**

_____ **Muir W. Boda, City Council President**

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65 Approved by me, this _____ day of _____, 2023.

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70 **John R. Heath, Acting Mayor**

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City of
Salisbury
John "Jack" R. Heath, Mayor

To: City Council
From: Laura Soper, Director of Business Development
Subject: Downtown Ambassador Program
Date: 8/28/23

The Arts, Business, and Culture Department is in the midst of standing up the Downtown Ambassador program in Downtown Salisbury. The program will be split in to daytime and evening shifts with a focus on beautification, safety, and hospitality in the Downtown corridor. Downtown ambassadors will monitor the parking areas, provide hospitality escorts, and assist anyone with any questions they may have. They will also check in with businesses, pick up trash and sanitize areas as needed. The Downtown Ambassadors will work in Downtown Salisbury, Tuesday through Thursday 10 a.m. - 11 p.m. and Friday & Saturday 10 a.m.- 2 a.m. They cover the area of Downtown bounded by Route 13, Route 50, the Wicomico River, and Mill Street.

The Arts, Business, and Culture Department has already done a soft launch of the evening shifts, being spearheaded by Devine Security and daytime ambassadors are slated to start September 5. These ambassadors will work with numerous City Departments, in particular, Ambassadors will act as eyes and ears for the Police Department and will collaborate with them on a regular basis. The Salisbury Police Department has earmarked funding for this program and wishes to transfer it to the ABC Department, to oversee and execute the program. It is anticipated that the daytime ambassador piece will cost around \$40,000 annually and the evening piece will cost around \$47,000. These funds exist as a result of several open positions that Police Department is working to fill.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2024 GENERAL FUND BUDGET TO APPROPRIATE ADDITIONAL FUNDS REQUIRED FOR A DOWNTOWN AMBASSADOR PROGRAM.

WHEREAS, the City of Salisbury is planning to launch a Downtown Ambassador Program; and

WHEREAS, the City of Salisbury has determined an additional **\$87,000** will be required for this program, and

WHEREAS, the Police Department has determined **\$87,000** is available to be transferred to support the program due to vacancies incurred in FY2024, and

WHEREAS, the appropriations necessary to execute the appropriation of **\$87,000** as provided hereinabove, must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Acting Mayor John R. Heath, on behalf of the City of Salisbury, is hereby authorized to appropriate funds for the Downtown Ambassador Program in the amount of **\$87,000**.

Section 2. The City of Salisbury’s FY24 General Fund Budget be and hereby is amended as follows:

Increase (decrease)	Account Type	Account	Description	Amount
Decrease	Expenditure	21021-501002	Salaries – Non Clerical	\$87,000
Increase	Expenditure	11600-513000	Professional Services	\$87,000

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 3. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 4. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 5. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 5.

Section 6. This Ordinance shall take effect from and after the date of its final passage.

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THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the _____ day of _____, 2023 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2023.

ATTEST:

Kimberly R. Nichols, City Clerk

Muir W. Boda, City Council President

Approved by me, this _____ day of _____, 2023.

John R. Heath, Acting Mayor



City of
Salisbury
John "Jack" R. Heath, Mayor

To: **Andrew Kitzrow, City Administrator**

From: **Samuel Ireland, Deputy Director of Field Operations**

Subject: **Budget Amendment**

Date: **September 4, 2023**

In recent months the combination of an expanded residential footprint of the City of Salisbury as well as both regular and unexpected maintenance of vehicles within the Sanitation Division's fleet has caused the Division's overtime budget to become depleted. The Fleet requires constant upkeep because the majority of the vehicles operating within the Sanitation Division have surpassed their projected lifespans meaning this will be a continuous occurrence until new sanitation vehicles arrive. While **two** side loading sanitation vehicles and **a single** rear loading sanitation vehicle are anticipated to be delivered in February of 2024 (earliest projected delivery date) the use of overtime funds is not projected to last through December. Based upon the comparison of overtime funds used in years prior and calculations of remaining pay periods multiplied by the average amount of overtime funds used to date (August 16, 2023) this fiscal year, the Sanitation Division will require \$57,000 to be distributed amongst solid waste collection, recycling, and street sweeping overtime budgets to prevent an interruption in service.

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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT OF THE FY2024 GENERAL FUND BUDGET TO APPROPRIATE FUNDS TO THE DEPARTMENT OF FIELD OPERATIONS BUDGET FOR INCREASED OVERTIME.

WHEREAS, solid waste collection and disposal in the City is of vital importance; and

WHEREAS, the Sanitation Division’s refuse pickup footprint has expanded considerably in recent years due to expansive residential development; and

WHEREAS, the majority of the Sanitation Division’s vehicles continue to function beyond their expected life cycles causing a need for both regular and unexpected maintenance; and

WHEREAS, the Sanitation Division within the Department of Field Operations is experiencing a significant increase in the use of overtime that surpasses the current budget configurations; and

WHEREAS, the budget amendment as provided herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. The City of Salisbury’s Fiscal Year 2024 General Fund Budget be and is hereby amended as follows:

- (a) Increase the Current Year Surplus Account (01000-469810) by \$57,000.00
- (b) Increase the Sanitation Division’s Overtime Account (32061-501021) by \$57,000.00

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 5. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the ___ day of _____, 2023 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2023.

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ATTEST:

Kimberly R. Nichols, City Clerk

Muir W. Boda, City Council President

Approved by me, this _____ day of _____, 2023.

John R. Heath, Acting Mayor



City of
Salisbury
John "Jack" R. Heath, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: September 5, 2023
Subject: Award of Bid

In support of the recommendations contained within the FY24-31 Energy Management Plan for the City of Salisbury, the Department of Procurement was tasked with issuing a Request for Proposal for an off-site net aggregate metered solar system. RFP A-23-108 went live on May 5, 2023, and three proposals were received on June 14, 2023.

The City's Energy Consultant, CQI Associates, was tasked with evaluating the proposals according to the criteria established in the proposal documents, and when combined with the scoring of the price proposals, the vendor rankings were as follows out of 95 possible points:

- Nexamp Solar, LLC (Boston, MA) – 88 pts
- CI Renewables, LLC (Baltimore, MD) – 82 pts
- Ameresco, Inc. (Columbia, MD) – 74 pts

The Department of Procurement has requested today's presentation from CQI Associates, so that Council may have an understanding of the project and be more fully informed when presented with approval of contract at an upcoming legislative session.



OVERVIEW



September 1, 2023

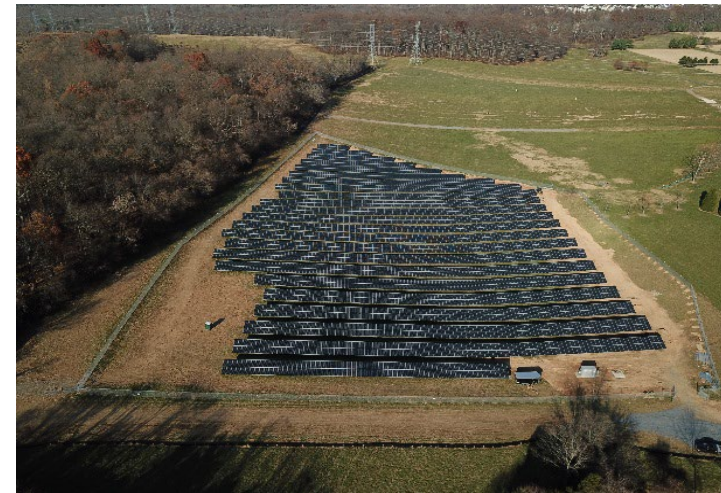
City of Salisbury

Off-Site Aggregate Net Meter

Solar Photovoltaic Electricity Generation System

Designated City Electricity Accounts

RFP A -23-108





Background



September 1, 2023

- City has a current contract with **Constellation New Energy** for electricity supply services **until June 2025**.
- The contract rate is **\$0.05184 per kWh** and includes procurement of **100% Green Energy Certificates**.
- **FY 2024 - Electricity Budget: \$2,920,300.**
- **Annual Electricity Consumption: FY 2023 Data**

Street & Parking Lighting	3,937,925 kWh
Facilities & Pump/Lift Stations	7,498,125 kWh
WWTP	6,901,050 kWh
Total	18,236,200 kWh
- Electricity supply rates are expected to increase starting in June 2025 by up to 65% based on current market projections. The projected **FY 2026 budget** increase is over \$800,000.



Background



September 1, 2023

- **Climate Solutions Now Act of 2022** Senate Bill 528 was signed on April 10, 2022.
- The Act calls for Maryland to **reduce greenhouse gas emissions by 60% by 2031, below the 2006 baseline levels** and for Maryland to reach **net-zero emission by 2045.**
 - City 2006 baseline Greenhouse Gas Emissions: 6,280 Metric Tons CO₂e
 - Fiscal Year 2021 Greenhouse Gas Emissions: 5,530 Metric Tons CO₂e
 - 2031 Greenhouse Gas Emissions 60% Reduction Goal: 2,510 Metric Tons CO₂e Emissions
 - **Reduction Target is 3,020 Metric Tons CO₂e Emissions.**



Background



September 1, 2023

Year/Amount	GHG Metric Tons
2006 Baseline	6,280
Reduction to Date	750
Balance as of 2022	5,530
Goal by 2031	2,510
Amount to be Reduced 2024 to 2031	3,020



OVERVIEW



September 1, 2023

- City conducted an assessment of City owned facilities and sites for development of on-site solar systems.
- The WWTP spoils site was selected as having the greatest potential for development of a solar system and is anticipated to be operational in **August 2024**.
- **WWTP** solar production estimate is **2,513,200 annual kWh** (Balance 4,387,850 kWh).
- WWTP solar reduction estimate is 1,100 Metric Tons CO₂e Emissions starting FY 2025.
- Balance 1,920 Metric Tons CO₂e Emissions to achieve 2031 goal.



OVERVIEW



September 1, 2023

- Additional City site opportunities were limited.
- The solar assessment identified an option to have an **off-site solar system** developed by a third party solar contractor.
- This option was determine to provide the best opportunity to permit the remaining City electricity accounts to transition to a renewable energy source.
- The system operation is considered a **NET AGGREGATE METER INSTALLSTION.**
- The potential emission reduction is 1,850 to 2,200 Metric Tons CO₂e.



OVERVIEW



September 1, 2023

- A Request for Proposal was issued and proposals received May 2022.
- Following the evaluation of proposals, the submission by Nexamp Solar, LLC was selected for review and negotiation.
- Nexamp Solar, LLC proposes to build two systems:
 - Centerville: 4,196,650 kWh
 - Stockton: 4,682,100 kWh
 - Total: 8,878,750 annual kWh
 - Potential Start Date: October 2024 to May/June 2025
- Rate is **\$0.0785 PER kWh** with an annual escalation rate at 2%
- Contract is a **20 Year Power Purchase Agreement.**
- Agreement terms & conditions are pending final negotiation between Nexamp, the City Attorney, City Staff and CQI Associates.
- City would contract with a Third Party Supply Service supplier for the balance of the non-solar load beginning June 2025 - 6,844,250 kWh - Rate Est. \$0.08195 per kWh.



OVERVIEW



September 1, 2023

Key considerations for Council Review:

- 20 year agreement.
- Nexamp Solar, LLC solar system is off-site and turn-key: owned, constructed, operated and maintained by developer.
- City funding of construction is not required.
- City pays for the generated energy based on a per kilowatt rate.
- Nexamp Solar, LLC has agreed to a 90% performance guarantee
- City has no obligations at the end of the 20 year agreement.
- DELMARVA Power will allocate the solar production as a credit for the designated accounts.



Offer Overview



September 1, 2023

- Contract Rate: \$0.0785 per kWh
- Term: 20 Years
- Annual Escalation Rate Starting Year Two: 2% per year
- Annual Solar Production: 8,878,750
- Year One Estimated Cost: \$697,005
- Estimated Date for Commercial Operation: October 2024 – June 2025
- Reduction in Greenhouse Gas Emissions: 1,850 to 2,200 Metric Tons CO₂e



Conclusion



September 1, 2023

- The proposed **off-site solar system**:
 - Additional 8,878,750 annual kWh to be produced by renewable energy source
 - Budget stability for 20 years
 - Additional emission reduction is 1,850 to 2,200 Metric Tons CO₂e
- This option was determine to provide the best opportunity to permit additional City electricity accounts to transition to a renewable energy source.
- The combined WWTP and Off-site solar projects will reduce greenhouse gas emission by 2,950 to 3,200 Metric Tons CO₂e beginning in June 2025.
- Reduction goal is 3,020 Metric Tons CO₂e by 2031.



Next Steps



September 1, 2023

- Finalize the Power Purchase Agreement for signature – October 2023.
- Apply to DELMARVA for utility interconnection approval – November 2023.
- NextAmp to conduct environmental assessments and permit application process – January to March 2024.
- NextAmp to proceed with final design – April – June 2024.
- Receive DELMARVA utility interconnection and related permit approval – June - July 2024.
- Installation: August 2024 to March 2025.
- Commercial Operation Approval: October 2024 – June 2025.
- Cost Impact FY 2025 Budget (July 2025 to June 2026).



OVERVIEW

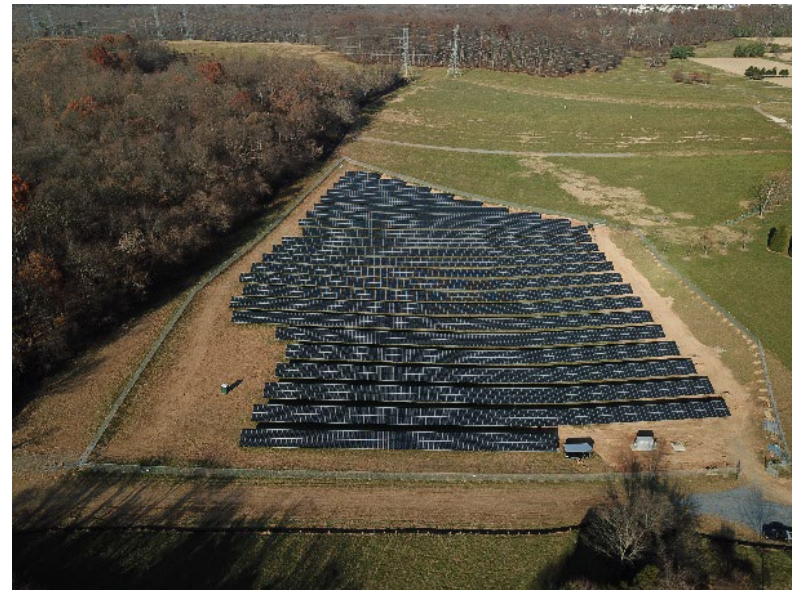


September 1, 2023



Ground Mount Solar

Net Aggregate Meter Installation





City of
Salisbury
John "Jack" R. Heath, Mayor

TO: City Council
FROM: Kim Nichols, City Clerk
SUBJECT: Bag ban revisions
DATE: September 1, 2023

As you are aware, on August 7, 2023 City Council discussed Ordinance 2756 passed on November 28, 2022 which banned the distribution of plastic carryout bags by retail establishments.

The attached ordinance has been drafted based on Councils' direction to amend Chapter 5.69 which would include exclusions from the paper carryout bag fee.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SALISBURY AMENDING CHAPTER 5.69 OF THE SALISBURY CITY CODE TO INCLUDE EXCLUSIONS FROM THE PAPER CARRYOUT BAG FEE

WHEREAS, the ongoing application, administration and enforcement of Title 5 (Business Licenses and Regulations) of the City Code of the City of Salisbury (the “**Salisbury City Code**”) demonstrates a need for its periodic review, evaluation and amendment, in order to keep the provisions of Title 5 current, comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the “**City**”);

WHEREAS, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202 to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City;

WHEREAS, on November 28, 2022, the Mayor and Council passed Ordinance 2756 prohibiting retail establishments from providing plastic carryout bags to customers and mandating a fee be charged to the consumer for the provision of a paper carryout bag, which is now codified in Chapter 5.69 of the City Code;

WHEREAS, Chapter 5.69 went into effect July 1, 2023 and the City has determined that Chapter 5.69 requires amendment to preserve the public health and to balance such public health concerns with necessary and appropriate measures to protect the environment;

WHEREAS, the Mayor and Council find that the health, safety and general welfare of the citizens of the City will be furthered by amending Chapter 5.69 to provide for certain limited exclusions to the charging of a fee for paper carryout bags; and

WHEREAS, the Mayor and Council have determined that the amendments of chapter 5.69 of the Salisbury City Code set forth shall be adopted as set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Chapter 5.69 of the Salisbury City Code is hereby amended by adding the bolded and underlined language as follows:

Section 1. Chapter 5.69 of the Code is hereby amended as follows:

5.69.010 - Definitions:

For the purpose of this title, the following words and terms shall have the following meanings, unless another meaning is plainly intended:

“Excluded organization” means:

- A. A bona fide nonprofit fraternal, civic, war veterans', religious, or charitable organization or corporation that does not serve food to the public more often than 4 days per week except that once a year an organization may serve food to the public for up to 30 consecutive days; and
- B. A volunteer fire company that does not serve food to the public more often than 4 days per week except that once a year a volunteer fire company may serve food to the public for up to 30 consecutive days.

“Food Service Facility” means:

- A. A place where food or drink is prepared for sale or service on the premises or elsewhere; or
- B. Any operation where food is served to or provided for the public, with or without charge.

“Food Service Facility” does not include:

- 45 A. A kitchen in a private home where food is prepared at no charge for guests in the home, for
46 guests at a social gathering, or for service to unemployed, homeless, or other disadvantaged
47 populations;
48 B. A food preparation or serving area where food is prepared or served only by an excluded
49 organization;
50 C. A location in a farmer's market or at a public festival or event where raw agricultural products
51 are sold; or
52 D. A cottage food business.

53 “Plastic carryout bag” means a plastic bag that is provided by a retail establishment to a customer at the
54 point of sale and is not a reusable carryout bag.

- 55 A. “Plastic carryout bag” includes a compostable plastic bag that meets the specifications of the
56 American Society of Testing and Material International Standard Specification for Compostable
57 Plastics D6400.
- 58 B. “Plastic carryout bag” does not include:
- 59 1. A plastic bag used to:
 - 60 i. Package bulk items, including fruit, vegetables, nuts, grains, candy, or small
61 hardware items;
 - 62 ii. Contain or wrap frozen foods, meat, or fish, whether prepackaged or not;
 - 63 iii. Contain or wrap flowers, potted plants, or other damp items;
 - 64 iv. Contain unwrapped prepared foods or bakery goods;
 - 65 v. Contain a newspaper;
 - 66 vi. Contain garments or dry-cleaned clothes, including suits, jackets, and dresses; or
67 vii. Contain ice.
 - 68 2. Plastic bags sold in packages containing multiple plastic bags; or
 - 69 3. A plastic bag provided by a retail establishment to take live fish, insects, mollusks, or
70 crustaceans away from the retail establishment.

71 “Reusable carryout bag” means a bag with stitched handles that is specifically designed and manufactured
72 for multiple reuse and is made of:

- 73 A. Cloth or other washable fabric; or
74 B. A durable material suitable for multiple re-use that is not made of plastic film.

75 “Retail establishment” means a store, a food service facility, or any other establishment that provides bags to
76 its customers as a result of the sale of a product.

77 5.69.020 – Prohibition on providing plastic carryout bags

- 78 A. On or after June 30, 2023, a retail establishment may not provide a plastic carryout bag to a customer.
79 B. On or after June 30, 2023, a retail establishment shall charge, collect, and retain at least 10 cents for
80 each paper carryout bag and reusable carryout bag that it provides to a customer.

- 81 1. **Exclusions. A retail establishment shall not collect a charge required under**
82 **5.69.020(B), for any paper bag (i) a food service facility gives a customer or third party**
83 **delivery service to take food sliced or prepared to order from the food service facility;**
84 **(ii) a pharmacy gives to a patient or customer that contains a prescription drug; or (iii)**
85 **which constitutes an essential part of the packaging of the product, the product itself,**
86 **or which was packaged in such manner at the time of manufacture.**

87 C. A retail establishment may not advertise, hold out, or state to the public or to a customer, directly or
88 indirectly, that reimbursement of any part of the money collected under this section will be assumed
89 or absorbed by the retail establishment or refunded to the customer.

90 D. A retail establishment shall indicate on the consumer transaction receipt the number of paper and
91 reusable carryout bags provided by the retail establishment and the total amount of money charged.

92 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**
93 **SALISBURY, MARYLAND, as follows:**

94 **Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this
95 Ordinance shall be deemed independent of all other provisions herein.

96 **Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section,
97 paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise
98 unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph,
99 subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be
100 deemed valid and enforceable.

101 **Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such
102 recitals were specifically set forth at length in this Section 4.

103 **Section 5.** This Ordinance shall take effect from and after the date of its final passage.
104

105 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury
106 held on the _____ day of _____, 2023 and thereafter, a statement of the substance of the Ordinance having
107 been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the
108 _____ day of _____, 2023

109
110
111
112 **ATTEST:**

113
114
115
116 _____
117 **Kimberly R. Nichols, City Clerk**

116 _____
117 **Muir W. Boda, City Council President**

118 Approved by me, this _____ day of _____, 2023.
119

120 _____
121 **John R. Heath, Acting Mayor**