

RESOLUTION NO. 3283

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:

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

2. Authority

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

3. Definitions

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

- a) “Artist” shall mean 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.

- 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

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

- i. Whether the Project advances or aligns with any City plans or policies;
- ii. Whether the Project addresses a priority that has been vocalized by the community;
- iii. Whether the Project has any unique attributes that reinforce Salisbury's image as the cultural hub of the Eastern Shore;
- iv. Whether the Project leverage additional resources, such as grants, contributions, or sponsorships;
- v. Whether the Project is highly visible to the public at large;
- vi. Whether the Project provides access to Public Art for a group of people who might not otherwise experience Public Art;
- vii. Whether the Project involves Artists from Salisbury or the Eastern Shore;
- viii. Whether the Project meets the definition of "Public Art";
- ix. Whether the artist meets the definition of "Artist";
- x. Whether a Donation or a Commemorative Artwork includes logos, text, names, or colors reflective of or proprietary to any entity that commissions, funds, or provides a location for the Project and whether any necessary permissions have been obtained;
- xi. Whether the Project is 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);
- xii. Whether a Donation or a Commemorative Artwork has 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;
- xiii. The ease of public access to the location of the Artwork, particularly for underserved communities; and
- xiv. The distribution of the locations of Public Art throughout the City, particularly to underserved communities.

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

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

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

5. Membership

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

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

6. Holding Over and Reappointment

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

7. Council Liaison

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

8. Officers

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

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

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

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

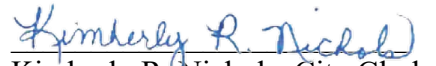
A majority of the members currently appointed to the Committee, excluding the City Council Liaison, shall constitute a quorum for the transaction of business, and a majority of those present shall decide any question.

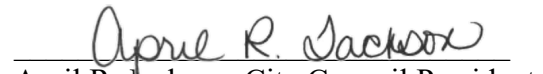
13. Compensation

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 11th day of September, 2023, and is to become effective immediately upon adoption.

ATTEST:


Kimberly R. Nichols, City Clerk


April R. Jackson, City Council President

Approved by me, this 14th day of September, 2023.


John R. Heath, Acting Mayor



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.