

PLANNING DIVISION STAFF REPORT

July 6, 2023



PERCENT FOR ART ORDINANCE ANNUAL REPORT 2022

Legistar File #: 78789
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Background

On October 3, 2017, the Common Council approved an ordinance (Legistar File # 47273) creating the City's Percent for Art program. This ordinance requires that 1% of the total budget for certain City public works projects exceeding \$5 million* be set aside for public art, beginning with the 2019 capital budget.

*Section 4.3(c) of the ordinance requires that the eligibility threshold be "...indexed by the Construction Cost Index (CCI) as published by the Engineering News Record." For 2022, the eligibility threshold was \$5,510,202. For 2023, the eligibility threshold is \$5,816,212.

The ordinance also directs staff to file an annual report to the Mayor and Common Council.

1. Current Year's Activities

Description of the artwork completed, obtained or commenced under this ordinance program during the preceding twelve (12) months.

Table 1 below lists current projects. The first projects subject to the Ordinance involved two phases of an upgrade project at Metro Transit's East Washington Avenue facility that were bid in two different years. Since these projects involved building infrastructure, they didn't provide opportunities for incorporating art. So, the Arts Administrator worked with Metro Transit and Engineering Division staff to develop a scope that would allow for an art piece at the facility in a more visible location along East Washington Avenue. Combining the Percent for Art funding from these two phases resulted in a total of \$132,000 and staff is currently negotiating a contract with the artist. The other two projects listed in the table are currently under construction.

Table 1: Current Projects

Project	Actual PW Bid Year	Actual 1% for Art
Metro E Wash Phase II (mech and boiler)	2020	\$ 46,000
Metro E Wash Phase IIIA (maint bay)	2021	\$ 86,000
Village on Park Parking Ramp	2023	\$ 140,000
Atwood Avenue	2023	\$ 30,000
	Total	\$ 302,000

2. Upcoming Activities

Description of the Capital improvement projects designated for inclusion in this program during the upcoming two (2) years.

The City’s Capital Budget includes projects for the next six years. Per the ordinance, Table 2 below lists projects anticipated to generate revenue through the Percent for Art program in 2023-2024. Table 3 lists projects include in the adopted 2023 Capital Budget that are outside of that two-year window and is provided for reference and planning purposes only. Note that for all projects, some revenue sources are very fluid and the estimated years and dollar amount are subject to change based on adjustments to funding strategies, City priorities, and resource availability.

Table 2: Upcoming Projects 2023-2024

Project	Estimated PW Bid Year	Estimated 1% for Art
Metro Satellite Facility	2023	\$ 25,000
Autumn Ridge Path	2023	\$ 30,000
Public Market	2023	\$ 56,000
East-West Bus Rapid Transit	2023	\$ 150,000
State Street Campus Garage Replacement	2023	TBD
CTH AB Interchange	2023	\$ 40,000
CCB Remodels	2023-2026	\$ 131,500
Metro E Wash Phase IIIB (admin support area upgrades)	2024	\$ 80,000
Permanent Men’s Shelter	2024	\$ 85,000
Reindahl Imagination Center/Library	2024	\$ 83,500
Triangle – CDA Housing Phase 1	2024	\$ 110,000
John Nolen Drive	2024	\$ 60,000
Brayton Lot Redevelopment	2024	TBD

Table 3: Upcoming Projects Beyond 2024

Project	Estimated PW Bid Year	Estimated 1% for Art
South Transfer Point Area	2025	\$ 90,000
Village on Park Affordable Housing	2025	\$ 60,000
Triangle – CDA Housing Future Phases	2026-2028	\$ 190,000
North-South Bus Rapid Transit	2026	TBD

3. Expenditures

Accounting of the expenditures for the projects identified in subs. (a) and (b) above [note: sub (a) is “Project Design Incorporation of Public Art” and sub (b) is “Types of Capital Projects Eligible for Percent for Art Expenditure”], or funded through the Art Maintenance and Conservation Fund and the Art Aggregated Fund.

Expenditures for projects pursuant to this ordinance include those listed under the Current Years Activities above. To date, there have been no expenditures from the Art Maintenance and Conservation Fund or the Arts Aggregated Fund.

4. Art Maintenance and Conservation Fund / Art Aggregated Fund

Accounting of the status of the Art Maintenance and Conservation Fund and the Art Aggregated Fund.

No expenditures have occurred and accounts for these funds have not yet been established.

5. Program Changes

Description of any changes to this program for the upcoming year.

No potential changes for the upcoming year have been identified.

6. Rate Adjustment / Other Ordinance Amendments

Recommendations for any adjustments to the Percent for Art expenditure percentage rate and/or any other recommended amendments to the Percent for Art Ordinance.

Staff is not recommending any adjustments to the Percent for Art percentage rate or any other amendments.