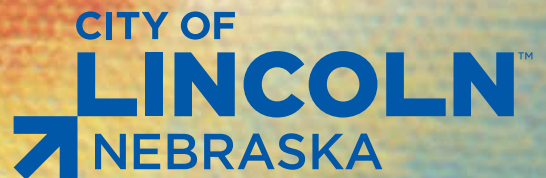


The centennial of the Lincoln Monument by sculptor Daniel Chester French was celebrated in September 2012. The monument on the west side of the State Capitol is often referred to as the "Gettysburg Lincoln."

Adopted by the Lincoln City Council December 17, 2012

# Public Art Master Plan for Lincoln, Nebraska

The Lincoln Partners for Public Art Development, 2012



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# **CITY OF LINCOLN PUBLIC ART MASTER PLAN**

## **VISION STATEMENT:**

The City of Lincoln Public Art Master Plan (the "Master Plan") has been designed in conjunction with the Lincoln Partners for Public Art Development ("LPPAD") to develop a public art collection of national prominence in Lincoln, Nebraska, which will enrich the quality of life for Lincoln's residents, complement the City's exceptional educational and cultural amenities, and support a positive economic environment in the community. This program will serve to unify the community, to encourage creativity, and to reflect the diverse cultural heritage of Lincoln residents. The quality of the program and its projects will attract visitors, enhance their experience, and bring national recognition and prestige to the City of Lincoln.

## **MISSION STATEMENT:**

The Master Plan is intended to provide a process and a framework for the development of a public art collection of national significance in the City of Lincoln, Nebraska.

## **OBJECTIVES:**

The objectives of the Master Plan are as follows:

1. To develop and recommend a governance/legal structure under which the City, LPPAD and other private and public entities can cooperate in the selection, funding, acquisition, siting, installation, display, maintenance and preservation of public art in Lincoln, Nebraska;
2. To identify and prioritize appropriate locations where public art could and should be located in Lincoln, Nebraska in order to maximize its impact on the public consciousness;
3. To assure that the artistic offerings in Lincoln, Nebraska reflect, engage with, and appeal to the ethnic, gender, and age diversity of Lincoln's citizens and visitors;
4. To create and maintain an inventory of art in public spaces in Lincoln, Nebraska;
5. To develop a process and procedure for selection, funding, acquisition, installation, display, maintenance and preservation of public art in Lincoln, including the purchase, loan, and donation of art, using the following criteria and guidelines for selection:
  - a. Determine the cost and scope of the proposed projects.
  - b. Determine the scale and type of art collectively preferred for each priority location/site.
  - c. Recommend choices in genre or type including, but not limited to, abstract sculpture, environmental art, representational art, functional art, and architectural art.
  - d. Recommend a budget for the project.
  - e. Review project criteria.

- f. Choose best method for selecting the artist (where applicable).
  - g. Adjudicate proposals.
  - h. Make critical aesthetic judgments.
  - i. Address security and conservation issues relating to public art.
6. To provide a process for funding for the acquisition, siting, installation, maintenance and preservation of public art in Lincoln through the identification and solicitation of potential donors and participation in various fundraising activities in support of public art. This may include seeking public funding to leverage private dollars and seeking private funding to leverage public dollars;
  7. To partner with Lincoln's art museums and galleries in relation to public art for Lincoln; and
  8. To recommend, advocate for and assist in the adoption of statutes, laws and ordinances, as well as rules, regulations, building codes and policies, that further the mission sought to be achieved by this Master Plan.

## **HISTORICAL BACKGROUND**

Bertram Grosvenor Goodhue's Nebraska State Capitol, very consciously created in 1922-32 to incorporate "A Harmony of the Arts" inside and out, set the bar high. Our community's premier landmark is of the highest artistic quality. In 1912, a full decade before the Capitol's groundbreaking, the community installed the "Gettysburg Lincoln" on the west side of the Capitol grounds. The community placed the sculpture by one of America's leading sculptors, Daniel Chester French, in a setting designed by Henry Bacon, a nationally prominent architect. Three years later French and Bacon collaborated on the Lincoln Memorial in Washington D.C. Very appropriately, that statue and its plaza were incorporated into the new site design when Goodhue's third Nebraska State Capitol replaced the second edition of the 1880's -- the only earlier features of Capitol Square to be retained.

The Capitol was completed in the depths of the Great Depression. Work relief projects designed to ameliorate the hardship of that era gave Lincoln, like many communities, additional public amenities that included the designed landscapes of Sunken Gardens and Pioneers Park, enhanced by public art. Sculptor Ellis Burman produced several cast stone sculptures for city parks, including "Four Wars Memorial" at Antelope Park and "Smoke Signal" at Pioneers Park. Other key events in Lincoln's emergence as a community rich in public art include:

- 1963 dedication of Sheldon Museum of Art, a gem of Modern Classicism by renowned architect Philip Johnson. Sheldon houses not only the collections of Nebraska Art Association and University of Nebraska, but also offers an extensive and expanding Sculpture Garden and sculptural display throughout UNL campuses. <http://www.sheldonartmuseum.org/about/>
- 1968 founding of Lincoln Arts Council (private non-profit); which in 2007 was designated as the City of Lincoln's agency for the arts by Mayor Chris Beutler.

- 1985 installation of "Tem and Ptah" (*Lump & Bump*) by Jene Highstein east of Old City Hall, supported by National Endowment for the Humanities and local donors. The black granite monoliths were later relocated (in consultation with Highstein) to Centennial Mall.
- 1993 Lincoln Arts Council published "Public Art Lincoln Nebraska: A brief survey of outdoor works," featuring 93 works which were "only a sampling of the fine pieces in our city."
- 1996 Sheldon Museum and local donors install "Torn Notebook" by Claes Oldenberg and Coosje van Bruggen at 12<sup>th</sup> & Q Streets, a collaborative project at a location bridging Downtown Lincoln and UNL's City Campus. UNL campuses and City parks remain leading public art venues in Lincoln. Parks especially offer numerous emerging opportunities at Union Plaza (and throughout Antelope Valley improvements) and Civic Plaza at 13<sup>th</sup> & P, as well as in the West Haymarket redevelopment project on the former Burlington rail yard.
- 2003 "Tour de Lincoln" energized the community celebrating Lincoln's nationally recognized trail system with a highly successful temporary display of art. Sold at auction, many of the sculptures remain on prominent public display.
- 2011 Mayor Chris Beutler creates new internal public art committees called Mayor's Art Advisors Group (MAAG), and the public/private partnership of Lincoln Partners for Public Art Development (LPPAD), with this City of Lincoln Public Art Master Plan (Master Plan).

## **RECOMMENDED RESPONSIBILITIES OF THE PUBLIC AND PRIVATE PARTNERS**

The successful creation and execution of a strategy for public art in Lincoln, Nebraska, requires a network of public private partnerships. The City alone does not have the staff, resources or desire to control most aspects of the selection, acquisition, siting, maintenance, preservation and decommissioning of an extensive inventory of public art. The private sector alone cannot site art on public or City property. Together the public and private sectors can translate the community vision of a strong, diverse cultural heritage in Lincoln into a systematic program for the selection, acquisition and display of public art including pieces on City property.

The governance arrangement for this process must of necessity be collaborative rather than hierarchical. Significant and interdependent roles will be played by the Mayor, LPPAD, MAAG, the Lincoln Community Foundation, the Lincoln Parks and Recreation Department, individual donors, and various other municipal and private entities.

Accordingly, the recommended responsibilities of the public and private parties are as follows:

**I. THE MAYOR'S ART ADVISORY GROUP.**

The Mayor is responsible for appointing the members of the MAAG. By authority of Executive Order 84702, those members are:

- Director of Parks and Recreation, or his or her designee
- Director of Public Works and Utilities, or his or her designee
- Director of Urban Development, or his or her designee
- Director of Planning, or his or her designee
- One City Council member to be determined by the City Council
- One Mayoral staff member selected by the Mayor
- One of the Co-Chairs of the Lincoln Partners for Public Art Development
- Director of Lincoln Arts Council

The role of MAAG is to work with LPPAD in the selection process. The primary work done by MAAG will be to ensure that any art project placed on city property complies with all zoning, building, and other related codes and regulations. MAAG will have little or no direct input on the qualitative aspects of the art selection process, but will be involved in site selection. MAAG will also provide internal consultation to any city departments on art projects and policy.

**II. THE LPPAD BOARD.**

Under Article II of the Rules of Organization of LPPAD, the Board of LPPAD consists of nine permanent members plus community members up to a total of twenty four (24) advisors. LPPAD's permanent positions are filled by these agencies and organizations: Parks and Recreation, Public Works and Utilities, Urban Development, City Planning, Sheldon Museum of Art, Sheldon Art Association, Lincoln Community Foundation, University of Nebraska Foundation and Lincoln Arts Council, while the community members will be appointed by election, by the LPPAD Board.

LPPAD exists to provide vision, engender support, create policy, advise the City and manage the process by which donations become public art on City property. Funds deposited with the Lincoln Community Foundation will be under the control of LPPAD. LPPAD will play the dominant role in the selection of art, and advise and assist in its appropriate siting.

This collaborative process looks to LPPAD to create a vision for what art can and should do for the community. Defining the purposes and vision for a unified public art strategy is the heart of LPPAD's responsibilities. The execution of that strategy is the shared responsibility of all the partners.

**III. ARTWORK AND ARTIST SELECTION**

Depending on the circumstances, artwork may be donated, accepted on loan or be purchased with either public or private funds.

Where applicable, methods used for artwork and artist selection may include open competition, request for qualifications, direct selection of an artist, direct purchase of a specific artwork, or selection from a pre-qualified roster of artists. In the instances where art is being purchased using public funds, the selection process shall conform with all laws, regulations, and City policies governing purchasing and procurement. When determining the method to be used for selection of an artwork or artist, the following should be considered:

- The process should take into consideration needs related to the site, the community the project will serve, and the goals of the public art project.
- The selection process must include people with knowledge and experience in visual arts, including but not necessarily limited to the LPPAD Art Selection Committee, as well as people with a stake in the final project.
- To create an original artwork that is site-specific and is integrated with the overall site design, an artist must research the site, learn about the community, and understand the related capital improvement project and urban design conditions. Artists should not be requested to submit detailed artistic proposals at the initial request for qualifications stage of artist selection. An appropriate design fee will generally be provided when a proposal is submitted.

#### **IV. PROJECT APPROVAL.**

Application for a license agreement may come from the City, the public, or from LPPAD. The process begins with a donor or project sponsor submitting an application for a license agreement to the Director of the Department of Parks and Recreation (Parks) OR, submitting a proposal or idea to LPPAD. In either case, LPPAD will, in virtually all cases, review the application, proposal, or idea. LPPAD will work with the donor to further develop the project, if necessary, and will help find a suitable location for the artwork. During the review process, LPPAD will also work with MAAG to ensure that the project will not violate any portion of the Lincoln Municipal Code or related rules, regulations, and building standards.

If the project is to go on City owned property (no license agreement is needed for placement on private property) and an application has not yet been submitted to the Director of Parks, LPPAD will assist the donor or will submit the application itself, depending on who will own the artwork. The Director of Parks will then seek a final recommendation from MAAG on the compliance aspects of the project and, if recommended for approval, the Director will then negotiate the terms and conditions for a license agreement with the applicant. Such terms include but are not limited to ownership, placement, maintenance (including funding), and deaccessioning the artwork.

Once a project is approved by LPPAD and MAAG and the license agreement is agreed upon in principle by the City and the applicant, the application and all related materials are submitted to the Mayor for final approval. The Mayor will approve or disapprove all requests for a Public Art License Agreement under the authority of LMC §14.56. Approval will be necessary for the siting

of public art on City property. The Mayor may accept the license agreement, request that changes be made in the project, or reject it outright. If the Mayor signs the license agreement, thus accepting it, notice of the license must be given to the City Council within 72 hours. Upon the appeal of no less than four Council members within 14 days of the notice, the City Council shall then conduct a public hearing on the project within 30 days of the appeal. At or after the public hearing, the Council may confirm, reject, amend, modify, revoke, or cancel the license agreement. There is no process for appealing a license application that has not been approved (rejected or to be modified) by the Mayor.

Completed installations in the street right-of-way are under the supervision of the Director of Public Works. Installations on City property outside the right-of-way are supervised by the Director of Parks and Recreation. The directors may delegate these tasks to a designee.

The private sector side of this collaborative relationship includes donors, the Lincoln Community Foundation and LPPAD.

## **V. FUNDING STRATEGIES**

To establish a long-term legacy of art in public space in Lincoln, there needs to be a steady funding stream for administration, cataloging, and conservation of the existing and future public art collection. In addition, there needs to be community investment in the creation of new permanent and temporary works in order to keep the collection and program relevant to its time.

With these goals in mind, several mechanisms of public and private funding should be considered. Financial contributions and gifts by corporations, private individuals and foundations can leverage limited public dollars. A private fundraising campaign for use in Lincoln's public art will be developed by members of LPPAD, with funds held by the Lincoln Community Foundation. The campaign will encompass general fundraising for future acquisitions as well as targeted requests for specific commissions and/or locations. This will allow for both a flexible and individual approach to fit donors' various needs and expectations.

Regardless of the source, it is important to know what constitutes usual and customary expenditures for public art projects. The following items represent the types of expenditures generally associated with the commissioning and placement of public artwork. The following are representative of expenditures to be considered:

- Cost of actual artwork.
- Artist and artwork-selection-related expenses including proposal and project related honoraria.
- Documentation and public education materials.
- Pre-design, design, planning and service contracts.



- Expenses for technical assistance provided by architects or engineers.
- A designated fund for project costs, maintenance, restoration, and conservation.
- Site preparation.

With these considerations in mind, a combination of public and private investments as described above will allow the City of Lincoln to develop a robust public art collection that will enhance its environment for generations to come.

Donors may contribute art or money to acquire, install and/or maintain art. Gifts should be directed to the Lincoln Community Foundation for LPPAD.

The Lincoln Community Foundation serves as the entity that collects, controls and administers the dispersal of the contributed financial resources. LPPAD is not a 501(c)(3) nonprofit corporation. It does not exist to hold property, accept gifts or disperse money. It is a committee which provides advice regarding the administration and disbursement of the LPPAD Fund held by the Lincoln Community Foundation.

## **VI. INVENTORY AND DATABASE**

The Lincoln Arts Council has initiated development of an inventory of public artworks in Lincoln. A copy of the public artworks inventory as updated, from time to time, by the Lincoln Arts Council is available at [artscene.org/public-art](http://artscene.org/public-art). The City should continue to cooperate with the Lincoln Arts Council in development and management of this inventory. Ideally, the following information will be recorded in the inventory and database:

- Title of the artwork
- Medium
- Dimensions
- Photograph(s)
- Value, if available
- Artist
- Location
- Year created
- Year acquired
- Donor, if donated
- Maintenance/conservation instructions

Information regarding newly acquired artworks should be entered into the inventory and database by the Lincoln Arts Council as the artworks are installed. The inventory should be structured and managed so as to be a resource to community residents and visitors seeking to view Lincoln's public art collection.

## **VII. PUBLIC ART OPPORTUNITIES MAP**

The Lincoln Parks and Recreation Department has initiated development of an inventory of public property on which public artworks may be located within the City of Lincoln. A copy of

the Public Art Opportunities Map as updated, from time to time, by LPPAD working in cooperation with MAAG, is available at [lincoln.ne.gov/city/publicart](http://lincoln.ne.gov/city/publicart).

Information regarding public property on which public artworks may be located should be entered onto the Public Art Opportunities Map by the Lincoln Parks and Recreation Department as potential locations are identified. The map should be structured and managed so as to be a resource to the community as well as groups or individuals wishing to place artworks on public property.

### **VIII. MAINTENANCE/CONSERVATION**

Each public artwork should have maintenance/conservation instructions prepared by the artist or an artwork conservator. These instructions should accompany acquisitions of new all artworks. The maintenance/conservation instructions should be recorded in the public art inventory and database. The City of Lincoln Parks and Recreation Department will generally be responsible for coordinating maintenance/conservation of public artworks located in parks or open spaces; such work will be done either by staff, qualified contractors, or professional conservators. The City of Lincoln Public Works and Utilities Department will generally be responsible for coordinating maintenance/conservation of public artworks located in public right-of-way areas.

The two departments should coordinate such efforts for consistency and efficiency.

### **IX. MAINTENANCE/CONSERVATION ENDOWMENT**

Acquisition of public artworks should be accompanied by placement of funds into a maintenance/conservation endowment to provide for the long-term care and maintenance of the community's public art. The Lincoln Community Foundation has established a public art maintenance/conservation endowment fund to receive, manage and distribute these funds.

### **X. OWNERSHIP**

It is anticipated that most of the public artworks displayed on municipal property or public art easements will be either owned by the City of Lincoln, private foundations, charitable organizations, individuals, and displayed on municipal property through a license agreement. In some instances, privately owned artworks suitable for display on public property may be secured through a loan agreement.

Public artwork is to be identified with a plaque or marker identifying the owner (e.g., City of Lincoln Public Art Collection), the artist's name, title of the work, and year created. The plaque or marker may include the name(s) of the donor. Corporate script or logos are not permitted.

### **XI. COPYRIGHT**

All acquisitions and displays of artwork shall be in full compliance with all federal and state laws regarding the rights of the artist in and to the artwork.

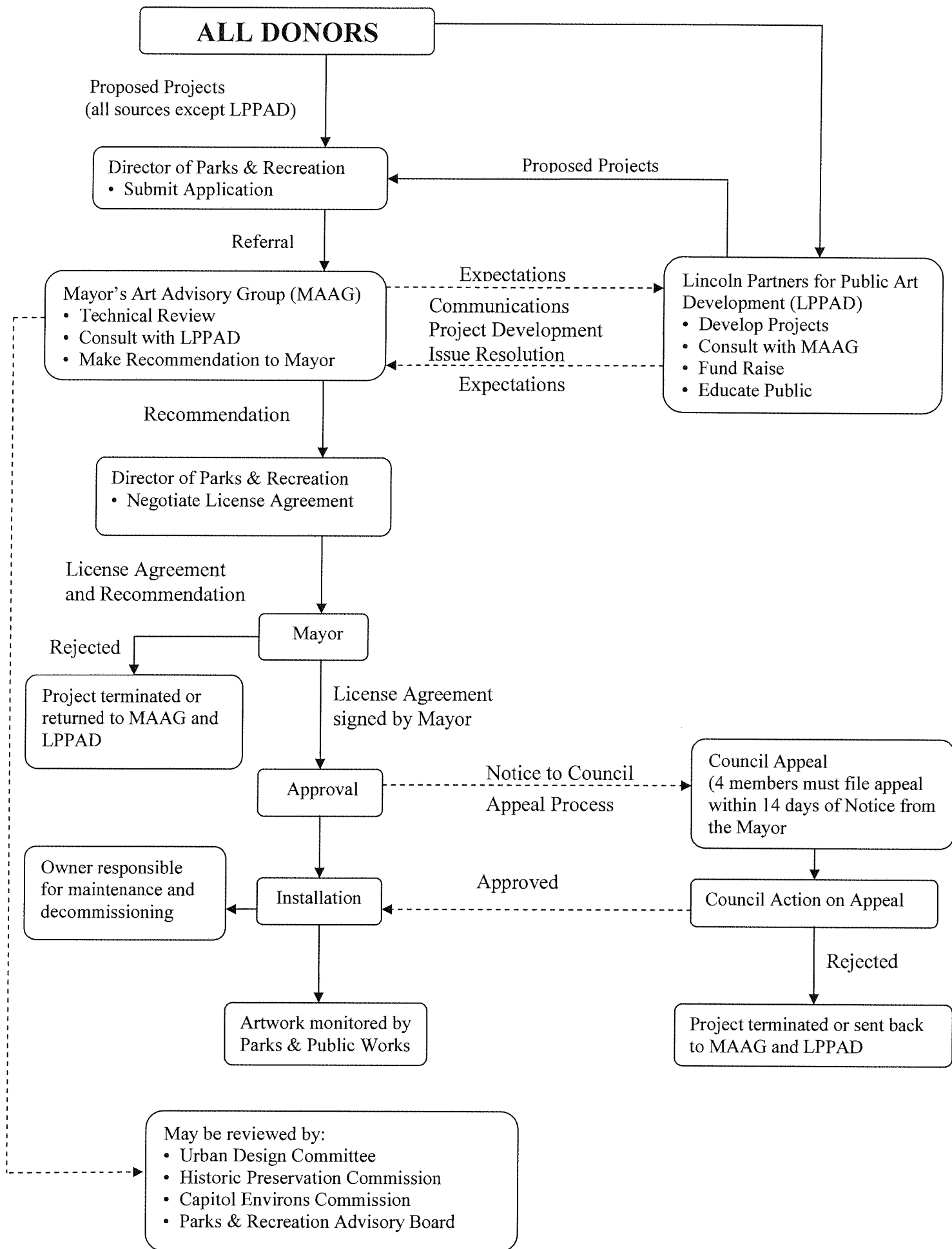
## **XII. ACCESSIONING AND DEACCESSIONING**

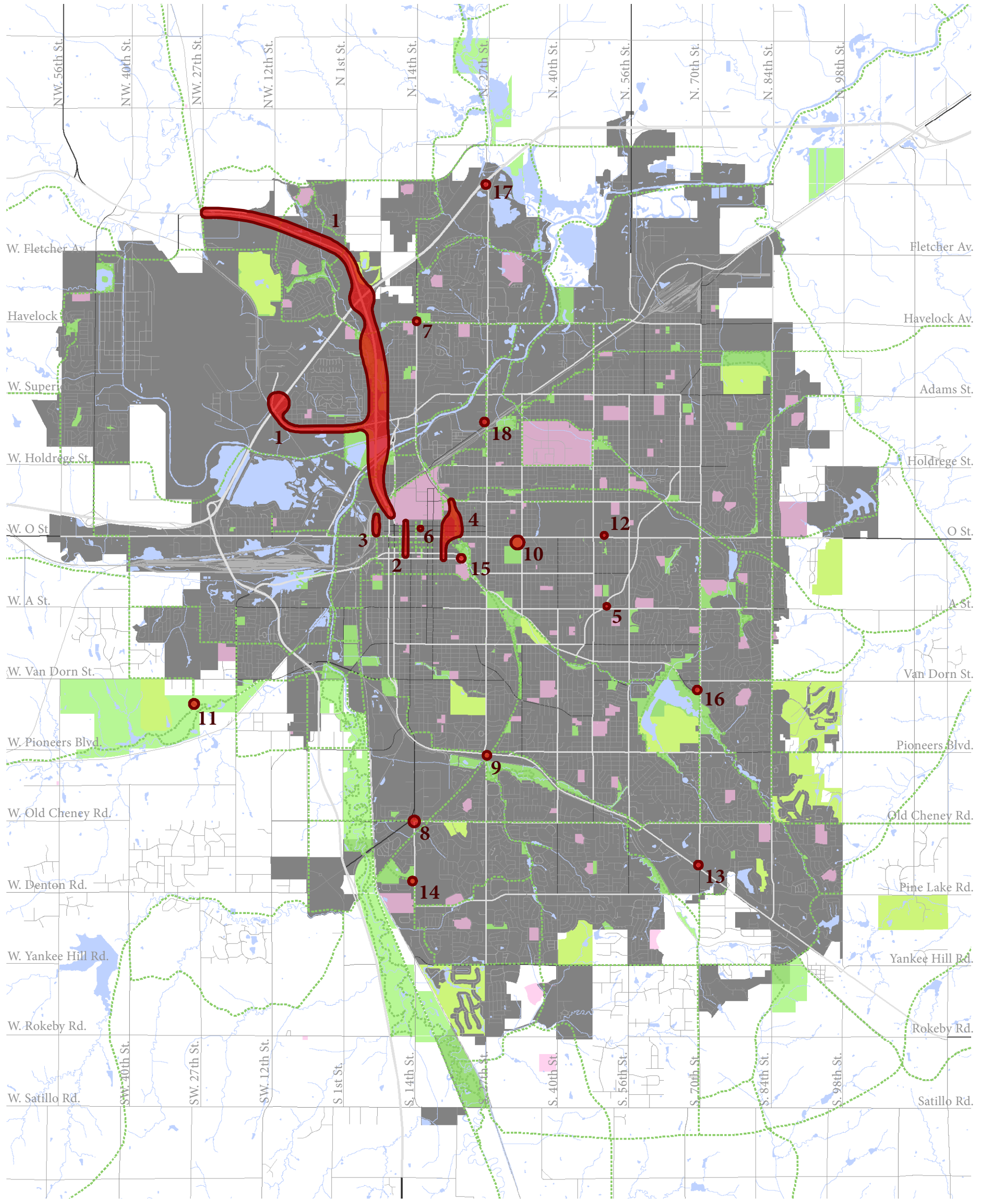
The term "accessioning" is the process under which legal title to an artwork is acquired for the public art collection. This can be through commissioning, gifts, purchases, bequests, exchange and any other formal processes or transactions by which legal title to an artwork is acquired for the City public art collection. The City of Lincoln, the Lincoln Community Foundation, and LPPAD subscribe to a policy of selective acquisition of fine art with preference for works of art that are of significant artistic merit. However, there may be instances where artworks of lesser artistic significance may be acquired because of appeal to a particular audience or thematic relationship to a particular location or facility. Care and discernment are exercised in acquiring artworks because of limitations of staffing and finances to manage the public art collection and the desire to collect significant art of high quality.

Acceptance and placement of donated artworks should be in accordance with the adopted City of Lincoln Public Art Master Plan. The quality, scale, and character of the artwork should be appropriate to the display setting. Donations of works of art that require the City to pay restoration or repair costs are not encouraged. Works of art requiring high or excessive maintenance/conservation should be declined unless funds can be secured for endowment of this work. All proposed donations of art must be reviewed by LPPAD, in conjunction with MAAG and other appropriate City advisory boards and commissions such as the Parks and Recreation Advisory Board, the Urban Design Committee, and the Capitol Environs Commission.

The Owner shall deaccession and dispose of works of art in its collection when it finds such action is a means of improving the quality of the collection, a loan agreement expires, is a means of protecting public safety, the license is not renewed, or otherwise is in the public interest. A public artwork may be relocated or removed if it presents a hazard or liability through deterioration or damage. Artworks proposed to be deaccessioned must be reviewed by LPPAD to seek the group's advice and guidance. Works of art that came into the City collection prior to adoption of this policy will be subject to this deaccessioning procedure. A permanent record of all deaccessioned objects shall be kept, including the conditions and date of the action. All documents including the authorization for the action taken shall be kept in the City's files.

A written statement of the City's policies and procedures with respect to accessioning and deaccessioning of public art collection items shall be made available to donors and other persons upon request.





Potential Art Opportunities		Parks & Conservancy Areas		Recreation Trails	
Lincoln Corporate Limits		Public and Private Golf Courses		Major Streets and Highways	
Schools, Colleges, Universities		Lakes and Water Bodies		Other Streets	

- |   |   |  |
|---|---|--|
| 1. Entrance Corridor: I-80, Hwy 34, Corn. Hwy (v) | 8. 14th & Old Cheney intersection (v)         | 15. Capital Parkway Blvd: 22nd Street (v)      |
| 2. Downtown 12th Street Arts Corridor (p)         | 9. S 27th St. & Hwy 2: se corner (v)          | 16. Normal Blvd & S 70th Street: nw corner (v) |
| 3. West Haymarket (p)                             | 10. Woods Park: 33rd and O Street (v)         | 17. I-80 & N 27th Street: sw corner (v)        |
| 4. Antelope Valley including Union Plaza (p,v)    | 11. Pioneers Park: north of Pinewood Bowl (v) | 18. N 27th Street & Teresa Street (v)          |
| 5. Coddington & A Street (v)                      | 12. 50th & O Street (v)                       |  |
| 6. Centennial Mall art alcove (p)                 | 13. 70th & Hwy 2 (v)                          | (v) = vehicular interest                       |
| 7. 14th & Superior round-a-bout (v)               | 14. Densmore Park: S 14th Street (v)          | (p) = pedestrian interest                      |