

# ART POLICY



**2005**

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## I - INTRODUCTION

The Community Redevelopment Agency of the City of Los Angeles (CRA/LA) is a public agency established to attract private investment into economically depressed communities; eliminate slums, abandoned or unsafe properties and blight throughout Los Angeles; revitalize older neighborhoods through historic preservation and new development; create and retain employment opportunities; promote the development of new housing; support the best in urban design, architecture and the arts; and ensure the broadest possible community participation in its activities.

Beginning in the late 1960s, the CRA/LA made Los Angeles one of the first cities in the country to require developers to incorporate art in their development projects. In redeveloping Los Angeles, particularly its Downtown, the CRA/LA sought to recast Los Angeles as a world-class city, one whose vitality was strengthened by its commitment to arts and culture. Through its successful model, the CRA/LA planted the seeds for a program and funding mechanism that has, over the past 35 years, expanded to encompass all public and private sector development through Los Angeles and has been adopted by many other cities throughout this country.

In 1985, the CRA/LA formalized its commitment to the arts by adopting a “Downtown Art in Public Places Policy” for the three downtown redevelopment project areas, Bunker Hill, Central Business District, and Little Tokyo. Ten years later, with the adoption of the 1993 “Public Art Policy,” the CRA/LA expanded the Policy to include all CRA/LA redevelopment project areas throughout the City. This 2005 revision seeks to refine and clarify the organization of the Policy and modify its requirements to conform to the City’s Arts Development Fee Ordinance and Procedures so as to make the requirements less confusing to the development community and City staff. A separate user-friendly Developer Guide has been created to aid developers and their representatives, along with an Art Program Guide to address administration of Cultural Trust Fund and Agency-Initiated projects.

The intent of the Art Policy is to make artists and the arts primary resources in the revitalization of the City and to provide physical, social, cultural, and economic benefits that will strengthen and sustain communities over time.<sup>1</sup>

## II - POLICY GOALS

Through the Art Policy, the Agency seeks to achieve the following goals:

- Serve the CRA/LA's mission through revitalization of neighborhoods.
- Promote projects with permanence with which the CRA/LA can be identified.
- Provide public art that is of the highest quality, well integrated into the fabric of the City.
- Involve artists in planning efforts and utilize their talents to make spaces relevant to the people who use them.
- Ensure that artists are hired concurrent with other members of the design team and foster collaboration amongst artists and designers.
- Provide opportunities for communities to participate in cultural planning through Art Advisory Panels.

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<sup>1</sup> By changing the name of the policy to Art Policy the intention is not to de-emphasize Public Art, but rather to acknowledge that in addition to Public Art the policy supports the creation of, and upgrades to, Cultural Facilities.

- Encourage establishment of new and rehabilitated Cultural Facilities based on an assessment of need and feasibility.
- Assure that artists from diverse cultural, ethnic, gender, and regional backgrounds are engaged in public art activities under this Policy.
- Work cooperatively with the City of Los Angeles Cultural Affairs Department and be in conformance with the City's Arts Development Fee Program and the Public Work Improvements Arts Program.
- Actively disseminate information to the public, especially via the Internet, about the Art Program. Specifically, communicate the Program's mission and goals, keep artists informed about upcoming opportunities, provide easy access to basic information about artworks available for public viewing, and distribute user-friendly guides to developers.

### **III - DEFINITIONS**

Agency (CRA/LA) – The Community Redevelopment Agency of the City of Los Angeles, California.

Art Budget – An amount equal to one percent (1%) of project Development Cost pursuant the Disposition and Development Agreement, Owner Participation Agreement, or other legal agreement, minus allowable exemptions or credits. Costs must be verified through Proformas or other financial spreadsheets used as the basis for the DDA, OPA or other legal agreement.

Art Advisory Panel – A group appointed by the CRA/LA Chief Executive Officer or a Regional Administrator, in consultation with the CRA/LA staff, to provide advice and guidance, especially with regard to redevelopment project area-based Cultural Trust Fund planning, project identification and implementation, and fund balance oversight.

Art Plan – A narrative statement with required attachments submitted by the developer indicating how the development will meet the requirements of this CRA/LA Art Policy. Art Plans may address on-site artwork, development or upgrades to a Cultural Facility within the development or in the redevelopment project area. Art Plans are submitted at the schematic and final stages of project design. The developer may choose to contribute the full amount of the art obligation to a Cultural Trust Fund (defined below) in lieu of an Art Plan.

Art Policy – The adopted policy of the CRA/LA Board of Commissioners and City Council by which the CRA/LA's Art Program is directed.

Art Program – The CRA/LA's program which sets forth the oversight and management of Developer-Initiated art projects, Cultural Trust Fund projects, CRA/LA-Initiated projects, and other related activities.

Artist Selection Panel – A group of artists, design professionals, arts professionals, community representatives, and others deemed necessary for a balanced point of view called together by a developer or Art Program staff to evaluate artist qualifications and/or identify artist(s) for a given project in conformance with this Art Policy and related Procedures and Guidelines.

Arts Development Fee – A fee required of developers (other than those working under agreements with the CRA/LA) in the City of Los Angeles guided by Municipal Code Section 91.107.2.11 and Administrative Code Div. 22, Ch.7, Art.3, Sec.22.118.

Artwork (Art, Art Project, Art Elements) – The artist’s contribution to the project as a result of collaboration with the other members of the design team.

Certificate of Completion (C of C) – A certificate issued by the Agency upon request of the developer following the completion of a project and as guided by a DDA, OPA or other legal agreement.

Community Advisory Committee (CAC) – A committee established by City Council in a specific redevelopment project area to review CRA/LA activities and to make recommendations to the CRA/LA Board of Commissioners through CRA/LA staff.

Community Redevelopment Agency (CRA/LA, The Agency) – The Community Redevelopment Agency of the City of Los Angeles, California.

Cultural Affairs Department (CAD) – A department of the City of Los Angeles which serves as a catalyst for the delivery of high quality arts and cultural experiences to every neighborhood in the City of Los Angeles. The CAD ensures access to these experiences through grant making, marketing, development, communication, and building relationships with community partners.

Cultural Facility – A structure, which houses a cultural activity, that has as its primary purpose the presenting of one or more art forms (dance, opera, live theater, visual art, folk and community art, literature, media arts). Cultural Facilities are operated by public entities or non-profit organizations and are dedicated to cultural activities available to a broad public. Examples of acceptable facilities are museums, theatres, performing arts centers, multi-purpose stages and amphitheatres. Facilities that do not meet the definition are churches, schools, commercial movie theaters, gymnasiums or other sports facilities, bookstores, buildings dedicated primarily to housing or administrative activities, and for-profit facilities used for for-profit activities.

Cultural Trust Fund – A separate interest-bearing fund established and maintained by the CRA/LA for each redevelopment project area for the deposit of the cash portion of the public art requirement of a development within that redevelopment project area.

Design Professional – An individual professionally trained in design, such as architecture, landscape architecture, art, graphics, urban design, and planning; also environmental, industrial, interior, and design.

Design Team Collaboration – Projects created through the co-equal cooperative design efforts of design professionals, such as artists, architects, and landscape architects.

Development Cost – All “hard” costs and “soft” costs which are incurred by or on behalf of the Developer, which are directly related to the improvements to be developed pursuant to an OPA, DDA or other legal agreement (other than costs relating to property acquisition, development rights transfers, tenant improvements unless specifically included in the OPA/DDA or other legal agreement, and the construction or installation of off-site improvements), including, without limiting the generality of the foregoing, the following: construction costs; construction, engineering and design fees; general development cost; construction financing interest, fees and "points"; permanent financing interest, fees, and "points"; building permits and other City fees; utility fees; taxes; insurance; legal and accounting fees; bonds; soils tests and other tests; and all other fees and expenses directly related to the construction of the improvements not specifically included in any of the foregoing categories.

Disposition and Development Agreement (DDA) – An agreement between the CRA/LA and a developer involving a conveyance of property by the CRA/LA to the developer for the purpose of implementing a redevelopment activity.

Financial Participation – Categories of CRA/LA financial participation include, but are not limited to: tax increment financing; bond financing; planning assistance which results in a discrete monetary benefit to the project such as a fee reduction or fee waiver; construction of off-site public improvements by the CRA/LA that would otherwise be the responsibility of the developer; lease or license of Agency land; land assembly; land write-downs and tax credits; and below market interest loans.

Final Design – The design once all variables, such as engineering, costs, and changes in project design are fixed and resolved. It must include identification of all materials, colors, and processes to be used in the creation of the art, as well as an identification of who will fabricate or provide all components. Drawings should contain sufficient detail to allow the art to be constructed and installed. Final design should be accompanied by a revised artist's statement of intent and detailed budget.

Life Span of the Artwork – Artworks created under this Policy are meant to be permanent and should last a century or more when properly designed and maintained. Artworks with shorter life spans are allowable if addressed in the Art Plan and approved by the CRA/LA Board of Commissioners. Artwork reaches the end of its life cycle when the artist, or the artist's estate, and/or a qualified art conservator verifies that the artwork has aged or deteriorated to a point where it cannot reasonably be conserved or repaired. Artwork life span cannot be less than 25 years or the duration of CRA/LA land use controls.

Nondiscrimination Policy – The CRA/LA policy dedicated to ensuring equal employment opportunity and access to all individuals regardless of race, color, religion, national origin, sex, age, disability, marital status, sexual orientation, creed, ancestry, medical condition, or Acquired Immune Deficiency Syndrome (AIDS) (acquired or perceived).

Notice of Program Availability (NOPA) – An advertisement by the CRA/LA that a program is to be initiated which will require consultants to develop a plan and to implement it.

Other Legal Agreements – Other types of legal agreements the CRA/LA enters into with developers include, but are not limited to, Loan, Bond and Construction Agreements or Contracts.

Owner Participation Agreement (OPA) – An agreement between the CRA/LA and a developer providing for the development of property owned by the developer to effectuate a redevelopment activity.

Permit Date – The date on which the developer has obtained permits to allow commencement of construction work on the development project.

Project Area Committee (PAC) – A committee in certain redevelopment project areas formed and existing pursuant to California Health and Safety Code Section 33385.

Public Accessibility – The condition under which a public space is accessible to the public a minimum of 12, but preferably up to 18, hours, a day.

Redevelopment Project Area – A specific geographic area of the City of Los Angeles for which the City Council has adopted a redevelopment plan, in accordance with applicable State law.

Regional Artist – An artist who resides in Southern California which is geographically defined as within Santa Barbara to San Diego Counties.

Request for Proposals (RFP) – An invitation by the CRA/LA or a developer to potential consultants, such as artists, to submit proposals for a specific project, project component, or professional service.

Request for Qualifications (RFQ) – An invitation by the CRA/LA or a developer to potential consultants, such as artists, to submit for consideration their qualifications for a specific project, project component, or professional service.

Schedule of Performance – The summary schedule of actions to be taken by the developer and the CRA/LA, and any other parties, pursuant to a DDA, OPA, or other legal agreement to allow for completion of the development.

Schematic Design – The artist’s initial artwork design in context and in scale with components fully identified. The design should address materials, colors, features, and processes for which the artist is responsible. Visual illustrations should represent the artwork in context and should be submitted along with a narrative description explaining the artist’s intent.

#### **IV - MANAGEMENT AND OVERSIGHT**

This section sets out the roles and responsibilities of Art Program staff, Art Advisory Panels, the CRA/LA CEO and the CRA/LA Board of Commissioners with regard to review and approval of public art projects mandated under this Policy and addresses project management.

A. CRA/LA Board of Commissioners

The CRA/LA Board of Commissioners ensures that developer agreements brought before it conform to the requirements set forth in this Policy. The Board approves changes to the Art Policy as needed to ensure it adapts to the shifting focus and goals of the Agency. Developer Art Plans are reviewed and approved by the Board after review and evaluation by Art Program staff and an Art Advisory Panel, if applicable.

B. CRA/LA CEO

The CRA/LA CEO reviews and approves updates to the Developer and Art Program Guides, manages Art Program staff, and ensures adequate staffing. Additionally, the CEO ensures that the Agency achieves its goals of supporting the best in urban design, architecture, and the arts.

C. Art Advisory Panels

The Regional Administrator or CEO and CRA/LA Art Program staff establish Art Advisory Panels in redevelopment areas when the amount and consistency of art projects merits their formation. Panels should include artists, design professionals, arts organization representatives, and those interested in public art that live or work in or near the



Hollywood Art Advisory Panel

redevelopment area. Panels provide advice and guidance to Art Program staff and their views are incorporated into reports to the CRA/LA Board of Commissioners. Art Advisory Panels review Art Plans from developers, provide recommendations on the use of Cultural Trust Funds, provide recommendations for artist selection panel members and may serve on panels themselves. Most importantly, through their knowledge of their communities, they aid in establishing priorities, in identifying project opportunities, and in recommending locations and problem sites that might benefit from visual improvement. Where Art Advisory Panels are not formed, the PAC or CAC shall fulfill this function or a project-specific Advisory Panel may be established by the CEO or Regional Administrator.

D. Art Program Staff

Art Program activities and projects are implemented by the CRA/LA Art Program staff according to CRA/LA policies and practices and are subject to approval of the CEO, the CRA/LA Board of Commissioners, or the City Council, as indicated and as required by general CRA/LA procedures and practices, and applicable law. Art Program staff members are responsible for administrative processes for reviewing and approving developer Art Plans; updates to the Art Policy and related Guides; participation in the development of, or revisions to, other Agency policies that impact art or cultural activities within redevelopment project areas; oversight of all Cultural Trust Funds; management of CRA/LA-Initiated public art projects and Cultural Trust Fund projects; program planning and development; outreach efforts; technical support; and support of communications/public relations efforts related to all such activities. CRA/LA funds will be budgeted to administer, implement, and support this Art Policy. In addition, up to 15% of Cultural Trust Fund total fund revenues can be utilized for the management of Cultural Trust Fund projects.

## V - DEVELOPER OBLIGATION

This section summarizes public art requirements placed on private developments. It gives the history of this obligation and the relationship of the CRA/LA Policy to the City's Arts Development Fee Program. Exemptions and credits are listed, as well as the three possible options for satisfying the Policy requirement.

A. City Arts Development

On March 8, 1991, City Council established the Arts Development Fee requiring developers to pay up to one percent of their building permit valuation into the Arts Development Fee Trust Fund or develop an arts project approved by CAD and receive a dollar-for-dollar credit. The CRA/LA's commitment to public art began more than 20 years earlier and was formalized through a Board-adopted "Downtown Art in Public Places Policy" in 1983 and again in 1993 when the Policy was revised and expanded to apply to all redevelopment areas. The 1993 CRA/LA Policy was also adopted by the City Council. The CRA/LA's Art Policy is reinforced through legal agreements (DDA, OPA or other legal agreements) and monitored by staff and the CRA/LA Board of Commissioners.

Both the City's Arts Development Fee and the CRA/LA's developer obligation require one percent of project costs to be designated for art, although the City's is based on building type and a square foot calculation.<sup>2</sup> The Los Angeles Administrative Code requires that dollar-for-dollar credits be granted for any development project subject to an art requirement pursuant to a written agreement with the CRA/LA in lieu of meeting the City's

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<sup>2</sup> For further discussion of the Arts Development Fee, see Developer Guide.

Arts Development Fee requirement.<sup>3</sup> The developer will work with CAD staff to ensure compliance paperwork is issued prior to pulling permits with the Building and Safety Department.

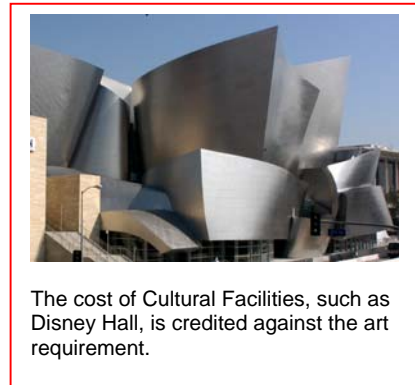
B. Private Development Projects Subject to the Art Policy

All private development projects with CRA/LA financial participation must obligate at least 1% of development cost to art and adhere to the CRA/LA's Art Policy. Private development projects within the City *without* CRA/LA financial participation may be subject to the City's Arts Development Fee Program.

C. Exemptions to the Art Obligation

The following are exemptions to the Policy:

- Projects with Development Cost below \$500,000.
- New or rehabilitated very low-, low-, and moderate-income (as defined within the CRA/LA Housing Policy) housing units are exempt from the art obligation. New or rehabilitated mixed-income housing developments that include both market-rate and affordable housing units are subject to the art obligation on that portion of the development that is market rate, but only if that portion represents 20% or more of Development Cost.
- Historic rehabilitation projects conforming to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Credits are given dollar-for-dollar for historic rehabilitation.
- Cultural Facilities (see Definition). Credits are given dollar-for-dollar for the cost attributed to a Cultural Facility.<sup>4</sup>



D. Developer Options for Satisfying the Art Obligation

A developer has the option of proposing an Art Plan incorporating on-site art or a Cultural Facility into the development or may elect to pay the full fee into the Cultural Trust Fund for the redevelopment area in which the development is located. At the outset of discussions, the CRA/LA will inform the developer of the Art Policy and of its goals and objectives and how they relate to the CRA/LA's overall mission of revitalization. Throughout negotiations, staff will work with the developer to fully evaluate the options available.

Art Plan options are:

- On-Site Art: An artist or artists may be hired to participate in design and execution of artwork for the development project. To ensure that adequate funding is available to meaningfully impact the project, the CRA/LA will establish a threshold (for example, \$100,000) or fixed amount of the total Art Budget that may be spent for on-site art. Above that fixed amount or threshold, up to 60% of the total Art Budget (60% of 1%) can be spent for this effort. The remaining 40% of the total Art Budget (40% of 1%) must be contributed to a Cultural Trust Fund established for the redevelopment area. Cultural Trust Funds are guided by redevelopment project area-based art advisory

<sup>3</sup> Division 22, Chapter 7, Article 3, Section 22.118, Subsection 3.

<sup>4</sup> CAD must also concur that the development meets its definition of a Cultural Facility and, if so, will issue compliance paperwork exempting the project from the Arts Development Fee.

panels and support public art initiatives and Cultural Facilities that improve the project area as a whole.

- **Cultural Facility:** The development may include a Cultural Facility on-site or within the redevelopment project area, and may utilize up to the full 1% obligation for that purpose. The Cultural Facility must be made available to a public or non-profit cultural organization on a permanent basis or long-term basis. There must not only be a demonstrated need for that Cultural Facility in that area of the city, but the arts activity must be compatible with the activities, hours of operation, and public comings and goings of the development. The cultural organization managing and programming the Cultural Facility must demonstrate current and future financial stability.



MOCA's facility was built to satisfy the art requirement for California Plaza.

- **Cultural Trust Fund Contribution:** The full 1% art obligation may be contributed to the appropriate Cultural Trust Fund in lieu of an Art Plan (see "Procedure for Cultural Trust Fund Contribution").

#### E. Art Plan - On-Site Art Option

All developers will be informed of the Art Policy at the outset of discussions with the CRA/LA. Any developer electing to meet the public art requirement by preparing and carrying out an Art Plan for on-site art will be instructed that such plan should evolve as an integral part of the project program and should be the responsibility of the project artist working collaboratively with the full design team. The Art Plan will be reviewed at two stages, schematic and final, and will be subject to review and approval in accordance with a Schedule of Performance.

The Art Plan for on-site art, through the various stages, will describe:

- The artist-selection process, including the method of artist identification, and evidence that culturally diverse, male and female artists, and artists from the region have been considered.
- The biographical and professional experience of the artist(s), demonstrating that the artist is qualified to participate in the project.
- The interrelationship of the Art Plan to the development project plan, including the artist's contribution to the development of project program and design.
- The relationship and significance of the Art Plan to the site, to the neighborhood in which it is located, and to its place in the city.
- The location of the artwork within the project and evidence that the location is accessible to the general public at least 12, but preferably 18 hours a day.
- The relationship to the CRA/LA's mission of revitalization and its Art Policy goals and objectives.



*Zanja Madre*, a public plaza designed by Andrew Leicester for the 801 Figueroa Building.

- The Art Budget showing only eligible costs and limiting administrative fees to a maximum of 10% of the total.

F. Art Plan - Cultural Facility Option

To use the art obligation to develop a new Cultural Facility, upgrade an existing facility or contribute to a future Cultural Facility (either on- or off-site) within a redevelopment project area, the proposal must not only meet an identified need, it must also be operated by a public or non-profit cultural organization with financial capacity.

The Art Plan for the Cultural Facility must address:

- The facility's location within the project, capacity, preliminary design concept, credentials of proposed operating entity, estimated operating budget of user(s), and programmatic goals and objectives.
- The operational and financial plan developed jointly by the developer and the facility operator/cultural organization.
- A plan for ongoing funding of the organization and maintenance of the facility, including a proposed long-term financing report and marketing plan.
- The Art Budget, including detailed costs associated with building, architectural and engineering fees, tenant improvements, land value (if appropriate), projected rent (if the building will not be owned by the non-profit entity), and other costs used to verify expenditure of the full 1% requirement.
- Legal agreements providing adequate assurances of continuing cultural use throughout the term of commitment. Such assurances may take the form of secured contractual commitments, a covenant in perpetuity, an irrevocable trust fund financing plan, conditional use or zoning restriction, ground-lease covenants, or other binding use restriction which assures that the property and/or improvements will be dedicated to public and/or non-profit cultural purposes.

G. Cultural Trust Fund Contribution

Cultural Trust Funds are interest-bearing accounts administered and managed by the CRA/LA that support public art projects resulting in visual enhancements to the redevelopment project area, or support Cultural Facilities that attract visitors to the project area or serve the local community. A developer may commit the total art obligation to a Cultural Trust Fund for the redevelopment project area in which the development is located.

Developers who do not submit an Art Plan within the approved Schedule of Performance maybe required to forgo an Art Plan and instead submit the full 1% developer art obligation to a Cultural Trust Fund. Retrofit of an Art Plan into a completed project will be discouraged. The Cultural Trust Fund contribution shall be made no later than the project's Permit Date for demolition, grading, and construction work. The due date, therefore, will be referred to as the Permit Date.



The Lankershim Arts Center was renovated with funds from the NoHo Cultural Trust Fund.

H. Review and Evaluation of Art Plans

Developer Art Plans will be submitted to and reviewed by Art Program staff and may be presented to an Art Advisory Panel at two stages of design, schematic and final. The CRA/LA Board of Commissioners shall approve Art Plans at the schematic stage, but not before the artist's ideas are well developed and good visual representations of the artwork in relation to the project are available. Art Program staff, Art Advisory Panels, and the Board will use the following criteria for evaluating an Art Plan for On-Site Art:

- Art Plan adheres to Art Policy and the Developer Guide;
- Art Plan achieves Art Policy and Agency goals;
- Artwork design is of high quality and has artistic merit;
- Art Plan is appropriate in terms of scale, material and components relative to the development's architecture;
- Artwork is located within the development project in a location or locations with adequate public accessibility;
- Artwork has long-term durability against vandalism, weather and theft; and
- Artist's achievements, experience, education, and recognition are consistent with the scale and complexity of the artwork design.

Art Program staff, Art Advisory Panels, and the Board shall use the following additional criteria for evaluating an Art Plan for a Cultural Facility:

- A need for such a Facility has been clearly demonstrated through an independent study;
- The Facility meets national standards and is sited appropriately within the development project area and the redevelopment project area;
- The managing cultural organization has demonstrated financial capability to successfully operate the Facility in the short- and long-term;
- The parties are committed to negotiating all details regarding ownership, management, costs, rights over development, and management of the Facility; and
- Agreements will ensure that the Facility will be reserved for public or non-profit cultural activity throughout the term of the commitment.

No part of this review and approval process shall operate to restrict or prohibit any ideological, political or non-commercial message which is a part of any Art Plan submitted by the Developer.

I. Covenant for Long-Term Artwork Maintenance

During the Certificate of Completion process for the development project, the developer will be required to enter into a covenant agreement obligating the developer to maintain the artwork over the life of the artwork unless otherwise negotiated and approved by the CRA/LA Board of Commissioners. The covenant will be for the benefit of, and be approved by, CRA/LA and the City.<sup>5</sup>

## **VI - CRA/LA OBLIGATION**

This section summarizes the CRA/LA's commitment to public art for Agency-Initiated projects, which parallel the basic requirements placed on private developments. It also addresses how

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<sup>5</sup> CRA/LA has authority over the covenant for the duration of land use controls of the relevant redevelopment plan and therefore the City will be the responsible party after that point in time.

artists are selected and who serves on panels that select artists.

A. Agency-Initiated Projects

In keeping with the requirement it imposes on private developers, and to match the commitment made by the City to set aside 1% of all public works projects for art,<sup>6</sup> the CRA/LA shall obligate for public art at least 1% of project development cost on all new Agency-Initiated projects. This obligation applies to projects where the CRA/LA is the developer or manager as well as those projects that are jointly developed by the Agency and a municipal department, agency, or authority. Projects with total costs less than \$500,000 or with little to no public accessibility shall be exempt. However, Agency staff should consider artists as a valuable resource and may, with guidance from Art Program staff, seek to engage artists in projects of all sizes and scopes. Budgets may be in excess of the 1% requirements where appropriate (i.e., in arts districts where public art can reinforce district identity or where a high-level of community participation in a public project is sought).



B. Artist Selection Process

Three selection methods are available for artist selection, open, invitational, and direct (allowable only if justified). In most cases the open method will be used, which invites all artists to submit qualification or proposals for a project. Art Program staff will work with CRA/LA redevelopment project area staff to determine any eligibility limitations. These limitations may be imposed based on the funding source, the budget size, location within the city, expectations for community involvement, and adherence to Policy goals. Invitational or direct selections may be appropriate for projects with extremely aggressive schedules, where there is community consensus around an artist or list of artists to be considered, or where a high-level of experience or a specific type of experience is required. Shortlists for specific project types assembled by artist selection panels after an open selection process (i.e., streetscapes, parks, etc.) may be used for a fixed number of years.

C. Artist Selection Panels

Artist Selection Panels will be comprised of a combination of professional artists, arts and design professionals, community representatives or stakeholders, and city department representatives, if appropriate, appointed by Art Program staff. If the artist is expected to collaborate with a design professional, that design professional should actively participate in the artist selection process and be a voting or advisory member. If the artist is selected before the design professional, the artist should participate in reviews of qualifications and interviews of design professionals being considered for the project.

D. Artwork Maintenance

Since redevelopment areas are established for fixed time periods, the Agency cannot be in the business of owning artwork in the long-term. Projects initiated by the Agency should ultimately be turned over to another entity for ownership, such as a Business Improvement

<sup>6</sup> Los Angeles Administrative Code Article 2, Section 19.85.

District, the City, or a private owner (See the Art Program Guide Procedures for details and processes).

## VII - CULTURAL TRUST FUNDS

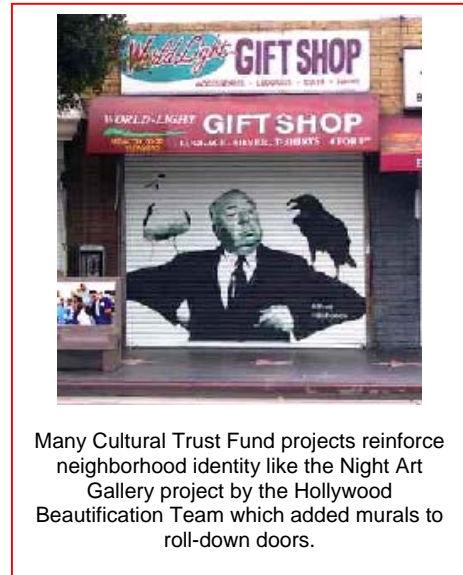
### A. Establishment of Cultural Trust Funds

Redevelopment project areas with development projects requiring art obligations that result in deposits to a Cultural Trust Fund will establish an interest-bearing Cultural Trust Fund named after that area (e.g., Hollywood Cultural Trust Fund). The fund will contain developer contributions and any other funds that are contributed or allocated to the fund. Cultural Trust Funds shall be carefully monitored by Agency staff to ensure that developer receipts and project expenditures are accurately recorded and are approved by the Art Program staff, Art Advisory Panels (PAC/CACs where applicable), or the CRA/LA Board of Commissioners. Management costs, staff labor, and administrative charges shall not exceed 15% of total fund revenues.

### B. Cultural Trust Fund Projects

Cultural Trust Funds provide redevelopment project areas with resources for projects involving artists and the arts that could otherwise not be accomplished. It is not intended that these funds be used for programming and operating grants or for objectives more reasonably funded by others, such as the Cultural Affairs Department, or other arts funders. Art Advisory Panels shall guide Cultural Trust Fund projects, or in redevelopment areas where panels have not been established PACs or CACs will guide them. The Panel or PAC/CAC shall be asked to develop priorities for projects that it, on behalf of the community, sees as important to change, enhance, or energize the visual environment. Council Offices, the Mayor's Office, and Neighborhood Councils play vital roles in efforts to revitalize communities and bring arts and cultural experiences to their

constituencies. Input and guidance will be sought from each to identify and initiate Cultural Trust Fund projects. On a case-by-case basis, projects outside a redevelopment area may be supported. Projects funded by Cultural Trust Funds will be measured first by how they serve the revitalization mission of the CRA/LA and second how they meet the goals and objectives of the Art Policy.



Many Cultural Trust Fund projects reinforce neighborhood identity like the Night Art Gallery project by the Hollywood Beautification Team which added murals to roll-down doors.

## VIII - DEVELOPER AND ART PROGRAM GUIDES

A Developer Guide has been prepared to assist developers and their representatives in understanding the Art Policy and how it applies to their development. It outlines choices, steps, required submittals, approvals, and key milestones. The Guide contains procedures which detail key components, for example, eligible and ineligible costs, and should be consulted for a more thorough understanding of CRA/LA requirements.

An Art Program Guide has been prepared to assist Agency staff in implementation of Agency-Initiated public art projects or Cultural Trust Fund financed projects, oversight of Cultural Trust Funds, interface with advisory panels, and coordination with the Cultural Affairs Department. Procedures address artist selection processes, panel membership and term limits, project approvals and forms, planning for future maintenance, plaques, and public information.

The Developer and Art Program Guides may be changed upon approval of the CRA/LA CEO, as necessary, so long as such changes are consistent with the intent and practice of this Policy.