



# Memorandum

**TO:** Mayor Allen Joines and Members of the City Council  
**FROM:** A. Paul Norby, Planning and Development Services Director  
**DATE:** May 15, 2018  
**SUBJECT:** Percent for Art Ordinances

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One of the recommendations of the Public Art Plan adopted by City Council in 2015 was to research Percent for Art ordinances as a possible funding mechanism for the City's public art program. Currently, the City allocates \$50,000 per year from the Occupancy Tax fund for public art. A typical Percent for Art ordinance allocates one percent of the budget of eligible Capital Improvement Program projects for the purposes of the development, administration, and maintenance of public art. Of the larger cities in North Carolina with public art programs, Charlotte, Raleigh, Durham, Chapel Hill, and Asheville, as well as the Triangle Transit Authority all have Percent for Art ordinances.

A Percent for Art ordinance for the City of Winston-Salem could more intentionally include public art in Capital Improvement Projects, including bond projects. Typical ordinances specify that projects that are required to be bid or contracted and that provide significant public access – for example, parks and recreation facilities, cultural venues, public safety facilities, and streetscape projects such as gateways and thoroughfares – would require Percent for Art funding.

Typically, **the one percent** calculation is based on the actual construction costs of a project, excluding funds that pay for engineering, architecture, land acquisition, interest, and incidental costs not associated with construction. As an example, the 2018-2023 Capital Plan includes approximately \$17 million for park renovations and improvements. Given that nearly this entire allocation is for construction costs, under a typical Percent for Art ordinance approximately \$170,000 would be appropriated for public art projects located in the City's parks system.

In some ordinances, for Capital Improvement Projects not suitable for public art, one percent of their estimated cost is placed into a general public art fund to be appropriated by their Public Art Commission or equivalent body. This fund can be used to acquire art for public projects that do not qualify under a Percent for Art ordinance or to supplement public art funding for another eligible project. An ordinance could also give City Council flexibility in appropriating a total budget by including the language, "up to one percent," in determining the annual allocation.

Given the City's projected population growth and commitment to maintaining its public assets, a Percent for Art ordinance combined with the current Occupancy Tax allocation could fund a variety of public art projects in the coming years, especially if voters approve additional bond referendums. By attaching public art funding to Capital Improvement spending through a Percent for Art ordinance, Council would be taking steps to fund public art throughout Winston-Salem's many neighborhoods.

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**City Council:** Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; John C. Larson, South Ward; Jeff MacIntosh, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

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