



## Best Practice: Percent for Art Program

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**CITY: NEW YORK CITY**

**POLICY AREA: CULTURAL AFFAIRS**

### BEST PRACTICE

**Percent for Art** (Department of Cultural Affairs) is a program that requires one percent of the budget for new, City buildings be spent on public art.

### ISSUE

In the 1960s and 1970s, initiatives to promote public art were hampered by fiscal crises and the lack of a centralized body coordinating public art efforts. By enacting the "Percent for Art" law in 1982, mechanisms were put into place that allowed for the promotion and creation of public art. Public art is an integral part of New York City's urban landscape. By offering City agencies the opportunity to acquire or commission works of art, specifically for City-owned buildings, the "Percent for Art" program makes art accessible and visible throughout New York City.

### GOALS AND OBJECTIVES

The purpose of the Percent for Art Program is to bring artists into the design process and to enrich the City's civic and community buildings. These public sites thus provide an important venue for all New Yorkers and visitors to appreciate artwork outside the traditional museum or gallery setting.

### IMPLEMENTATION

Administered through the Department of Cultural Affairs (DCLA), the "Percent for Art" program directs one percent of the City's budget for eligible construction projects toward funding public artworks in public schools, courthouses, day care centers, police precincts, firehouses, hospitals, transportation terminals, detention centers, parks, and other City facilities. "Percent for Art" projects are site-specific and engage a variety of media: painting, mosaic, glass, textiles, sculpture, and works that are integrated into infrastructure, or architecture. The Program commissions works by artists that reflect the diversity of New York City. These projects demonstrate how art, integrated into a site, can enhance civic architecture along with a wide range of public spaces.

DCLA convenes a unique artist selection panel at the initiation of each project. Each panel is composed of three art professionals and representatives from the Art Commission, the City agencies sponsoring the capital project, the Borough President's Office, the City Council Member's Office, and the Community Board. The art professional panelists are expected to have current knowledge of the community or borough in which the artwork will be commissioned. One of the three art professionals must be an artist. An architect, hired by the City, presents the project to the panel, possibly recommending specific artists or concepts. The panel then recommends sites for the artwork, an artist to be commissioned, or an art work to be purchased. This recommendation is based on the architect's proposal, the nature of the community, and the building's functions.

### COST

The money for "Percent for Art" projects is allocated from the construction budget for a City building. The law requires that no less than 1% of the first twenty million dollars (\$20,000,000), plus no less than one half of 1% of the amount exceeding twenty million dollars be allocated for the art work. Art allocations need not exceed \$400,000 per commission. The art



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allocation must cover the artist's budget, including design fee, contingency, fabrication, installation, transportation, and insurance costs. The selected artist has a contract with the architect that addresses the artist's responsibilities and payment schedule for the project.

### RESULTS AND EVALUATION

As of August 2011, the Percent for Art program had commissioned nearly 243 artists who have completed 257 projects at City-owned buildings. Eighty-five new Percent for Art projects are currently in progress. Every year, the number of projects fluctuates, based on funding and renovation schedules.

### TIMELINE

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|------------|---|
| 1965       | Mayor Robert Wagner issues an executive order supporting the inclusion of artwork in City buildings. Few agencies take advantage of this opportunity.   |
| 1971- 1975 | Doris Freedman (1928-1981), founder of the Public Art Fund and Director of the Office of Cultural Affairs within the Department of Parks and Recreation and Culture, drafts Percent for Art legislation and begins to lobby the City Council. The City becomes immersed in a fiscal crisis and the legislation lies dormant.  |
| 1976       | The Office of Cultural Affairs becomes a separate agency: The Department of Cultural Affairs (DCLA).  |
| 1981       | As the City emerges from fiscal crisis, the administration and City Council begin to contemplate "Percent For Art" legislation.   |
| 1982       | City Council passes "Percent for Art" legislation; Mayor Koch signs it into law. The "Percent for Art" law requires that one percent of the budget for eligible City-funded construction is dedicated to creating public artworks.  |
| 1983       | The "Percent for Art" law is enacted. Overseen by DCLA Commissioner, the program is initially administered by the Public Art Fund. The Percent for Art Program is implemented, an equitable artist selection process is established, and a procedure for determining eligible projects is resolved.   |
| 1984       | First artist selection panels meet.   |
| 1985       | First project is completed.<br>Jorge Luis Rodriguez, <i>Growth</i> , Painted Steel Sculpture, 1985<br>East Harlem Artpark, Sylvan Place and East 120th Street, Manhattan<br>Architect: HPD Open Spaces Program  |
| 1986       | DCLA assumes full administrative responsibility for Percent for Art.  |
| 1987       | First library project is completed.<br>Ann Gillen, <i>Medb's Crown</i> , Aluminum Bas-relief, 1987<br>North Hills Branch Library, 57-04 Marathon Parkway, Queens<br>Architect: Abraham Geller & Associates<br>First school project is completed.<br>Susan Gardner, <i>Animal Party</i> , Painting/Relief Installation, 1987<br>Public School 94, 6th Avenue and 50th Street, Sunset Park, Brooklyn<br>Architect: Division of School Buildings |

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- 1988 Projects and Proposals: New York City's Percent for Art Program" exhibition celebrating the program's fifth anniversary.
- First firehouse project is completed.  
David Saunders, [Firehat](#), Aluminum relief, 1988  
Firehouse for Engine Company 41, East 155th Street and Melrose Avenue, Bronx.  
Architect: Stephen Kagel & Associates
- 1989 Board of Education establishes the "Public Art for Public Schools" program as a way to partner with DCLA on "Percent for Art" projects.
- First police project is completed.  
Valerie Jaudon, [Reunion](#), Brick and Granite Paving Plan, 1989  
Police Plaza, Civic Center, Manhattan  
Architect: Iffland, Kavanagh Waterbury with James Balsley  
Art Commission Award for Excellence in Design 1987
- 1990 The School Construction Authority (SCA) administers a five-year capital plan that leads to the commissioning of more than a hundred artists for Percent for Art projects.
- First social service organization project is completed.  
Charles Searles, [Cultural Harmony](#), Wall Reliefs, 1990  
Oberia D. Dempsey Multi-Service Center of Central Harlem, 127 West 127th Street, Manhattan  
Human Resources Administration
- First conservation project is completed.  
Abram Champanier, [Alice and Friends at Coney Island Playland](#), WPA Mural Restoration, 52 Art Works Purchase, 1990  
Coney Island Hospital Emergency Room, 2601 Ocean Parkway, Brooklyn  
Alan M. Farancz, Conservation Studio Inc.
- First and only neon project is completed.  
Stephen Antonakos, [Neon for the 59th Street Marine Transfer Station](#), Neon Light Installation, 1990  
59th Street Marine Transfer Station, 59th Street and 12th Avenue, Manhattan  
Architect: Richard Dattner, P.C.
- 1992 First Department of Corrections project is completed.  
Kit-Yin Snyder, [Judgment](#), Sculpture, 1992  
White Street Detention Center, White and Centre Streets, Manhattan  
Architect: Urbahn & Litchfield Grosfeld  
Art Commission Award for Excellence in Design 1988
- First Infrastructure project is completed.  
Toshio Sasaki, [First Symphony of the Sea](#), Wall Relief, 1992  
The New York Aquarium, Boardwalk and West 8th Street, Brooklyn  
Architect: Goldstone & Hinz  
Art Commission Award for Excellence in Design 1992
- 1995 First courthouse project is completed.  
Susumu Shingu, [Dialogue with the Sun](#), stainless steel, 1995  
Queens Criminal Court Addition, 125-01 Queens Boulevard, Queens

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Architect: Ehrenkrantz Eckstut and Kuhn

- 1997 First project for the Department of Transportation is completed.  
Charles Searles, [Freedom's Gate](#), bronze, 1997  
Fulton Street Traffic Triangle, Fulton Street and Ralph Avenue, Brooklyn
- First project at an early childhood center is completed.  
Christy Rupp, [Time Flies](#), bronze, brass, copper, aluminum, 1997  
Public School 4 Annex, 1717 Fulton Avenue, Bronx  
Architect: Castro-Bianco Piscioneri Associates
- 2003 Mayor Michael Bloomberg hosts the twentieth anniversary celebration of "Percent for Art".  
First project for the Department of Aging is completed.  
John Brekke, [Migration](#), glass disks, 2003  
Open Door Senior Center, 1 Centre Street, Manhattan  
Architect: Edward I. Mills Associates
- 2005 Since the program's inception, 189 Percent for Art projects are completed, as well as four conservation projects. An additional thirty-nine are underway.
- 2006 The Department of Health and Mental Hygiene is added as a new client City agency with two health center projects.
- 2007 Percent for Art's" first acquisition project is completed for the new forensic biology laboratory of the Office of Chief Medical Examiner.
- 2011 Since the program's inception, 257 Percent for Art projects have been completed, as well as five conservation projects. An additional 90 projects are underway which include 18 new projects for fiscal year 2012.

### LESSONS LEARNED

The Percent for Art program does not currently have a budget for the care and conservation of completed artwork. Therefore, as new artwork is commissioned, the artist must consult with a conservator about the proper care of their proposed design and consider work that requires little to no maintenance. Existing work must be assessed and conserved on a prioritized case by case basis.

### LEGISLATION

In 1965, New York City Mayor Wagner established the Executive Order that allowed City agencies to allocate a portion of a building's construction budget to art work. Although several agencies took advantage of this opportunity, the Order did not provide for consistent implementation procedures.

In 1982, the New York City Council passed the "Percent for Art" law requiring that 1% of the budget for eligible City-wide construction projects be spent on art work for those facilities.

From 1983 to 1986, the Percent for Art Program was administered by the Public Art Fund, Inc., a private non-profit arts organization, under the auspices of the Department of Cultural Affairs. Now the Department of Cultural Affairs has responsibility for administration of the program.



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### TRANSFERABILITY

Percent for Art programs have become an important aspect of promoting public art in cities worldwide. Cities across the United States - Los Angeles, Philadelphia, Chicago, and San Francisco - and global cities - Quebec, Toronto, Johannesburg and London - have established Percent for Art programming.

### CONTACTS

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