

**MEMORANDUM**

TO: Health and Human Services Committee

FROM: Justina J. Ferber,  Legislative Analyst

SUBJECT: Recommended FY13-18 CIP, Culture and Recreation, Public Arts Trust

The following individuals are expected to attend:  
Suzan Jenkins, CEO, Arts and Humanities Council  
Gabe Alborno, Director, Department of Recreation  
Jennifer Bryant, Analyst, Office of Management and Budget  
Mary Beck, CIP Coordinator, Office of Management and Budget

**Executive Recommendation**

For the FY13-18 CIP, the Executive recommends a total of \$560,000 to fund the Public Arts Trust (PAT) with no appropriation scheduled for FY13 and FY14 and \$140,000 for each of the remaining four years of the six-year CIP. The Executive has indicated he will allocate some funding in FY13 in the operating budget for public arts maintenance. The PAT PDF No. 729658 is attached at ©1.

**AHCMC Materials and Request**

The Public Arts Trust is managed by the Arts and Humanities Council (AHCMC). The AHCMC has provided a memorandum at ©3 with the following information: a) background narrative ©3; b) a summary of PAT activities since February 2010 ©4; c) public arts maintenance report ©4-6; d) PAT project descriptions ©6-7; e) a request for CIP support of \$65,000 ©7; and f) a list of current PAT Steering Committee members ©8. For the worksession, the AHCMC CEO will provide a brief update on the status of the PAT and will be available to respond to Committee questions. The AHCMC requests funds for administration of the PAT which would provide \$30,000 for staffing and \$35,000 for conservation and implementation of a maintenance program. They also request \$10,000 for maintenance in the operating budget.

**Public Hearing Testimony and Correspondence**

Attached is public hearing testimony and correspondence from the following individuals in support of funding for the Public Arts Trust for FY13 and FY14:

Public Hearing Testimony:

- Suzan Jenkins, CEO, AHCMC, ©11-13
- Dr. Michele Cohen, Custodian of Montgomery County Public Arts, ©14-16

Correspondence:

- Suzan Jenkins, CEO, AHCMC, ©17-18
- Molly Hauck, Kensington, ©20
- Kenneth Lowenberg, Potomac, ©21
- Kathleen Moran, Rockville, ©22

### **Public Arts Trust Program**

The Public Arts Trust was established in 1995 to buy and display works of art on public property in the County, and to sponsor privately-funded temporary or permanent displays of art on public property in the County. The Trust is established under County Code Chapter 8, Article VI, "Works of Art in Public Architecture".

By law the CAO or a designee must administer the Trust in consultation with the AHCMC, MCPS, Montgomery College, and M-NCPPC. The CAO has designated the Department of Recreation as the County's point of contact with the Public Arts Trust. The County contracts with the Arts and Humanities Council to manage the program.

§8-45: Each year the County Council should consider appropriating funds for the next fiscal year to the Public Arts Trust in an amount equal to .05% of the combined total approved programmed capital expenditures for the then current fiscal year for County Government, Public Schools, Montgomery College, and Maryland-National Capital Park and Planning Commission.

This non-binding language is intended as a guideline for appropriations, and permits the Council to appropriate at a level other than the formula amount. The law says that each year the Council should consider funding the Public Arts Trust at the formula level. The PAT is funded with current revenue and the amount of funding has been adjusted each year according to affordability. **The calculated formula for FY13 is \$395,732.** In view of the current fiscal constraints, Council staff would not recommend funding at the formula level.

### **Budget Background and CE Recommendation**

The approved FY09-10 PDF included level expenditures of \$140,000 per year for each of the six years in the CIP period for the PAT. In mid-FY10, the Council approved the Executive's recommendation to reduce PAT funding by \$55,000 for fiscal reasons, leaving a budget of \$85,000 which was then reduced again in FY10 by \$40,000 for a total of \$45,000.

The following was reported from the HHS Committee discussion of the PAT on February 25, 2010 for the FY11-12 CIP: "Ms. Jenkins requested that the Committee recommend a shift of \$15,000 per year from the "Other" category to "Planning, Design, and Supervision" to enable the AHCMC to hire full-time staff to manage the PAT. She said that the AHCMC had determined that the current funding of \$35,000 for a part-time PAT manager was not sufficient to meet the

needs of the Trust including the added responsibility for the “Works on Paper” program. Committee members agreed to support Ms. Jenkins’ request, but emphasized that funding for the PAT may have to be revisited after the Council receives the Executive’s operating budget.” See ©9-10.

The HHS Committee reviewed the PAT again on April 21, 2010. Because of the Executive’s proposed reductions in other areas of the budget and further declines and shortfalls in revenues, funding for the PAT program was deleted. The Committee updated its recommendations to delete full funding in FY11 and FY12, a reduction of \$140,000 per year, and to fund the PAT at \$140,000 per year, with \$50,000 for “Planning, Design, and Supervision”, and \$90,000 for “Other” in years FY13-FY16.

The AHCMC agreed to suspension of the PAT program due to the extreme and unusual fiscal situation with the understanding that the program would be restored after the suspension period. The AHCMC agreed, expecting the PAT to return to level expenditures of \$140,000 per year for FY13-16 as approved by the Council.

For the FY13-18 CIP, the Executive recommends a total of \$560,000 to fund the PAT with no appropriation scheduled for FY13 and FY14 and \$140,000 for each of the remaining four years of the six-year CIP. The Executive has indicated he will allocate some funding in FY13 in the operating budget for public arts maintenance.

### **Items for Discussion**

**Maintenance Management:** One of the purposes of the PAT project is to protect and maintain the County’s art collection. The suspension of funding in FY11-12 contributes to the deterioration of some pieces in the collection. The County has \$4 million in art assets and expertise is needed to oversee the collection. The lack of funding in FY13-14 will continue for the vacant position that assists in the PAT project. Without funding in the CIP (even if maintenance funds are provided in the operating budget), there is no position to supervise the maintenance of the collection. A small investment could prevent further deterioration of art pieces and reduce the County’s risk and exposure to accidents involving deteriorating art.

According to the HHS Committee discussion in 2010, PAT funds categorized as “Planning, Design and Supervision” in the CIP were used for the administration of the PAT program. The AHCMC is asking that funding be restored. The County Code at ©23-24 allows funds from the PAT to be used to pay the cost of administering the fund.

The PDF indicates that an amount yet to be determined will be allocated to the operating budget for maintenance of the public art that currently exists, but does not address the issue of maintenance management of the collection.

**Operating Budget:** The PAT is currently funded at \$9,000 in the operating budget and if no additional funding is provided in the CIP, the Executive should be encouraged to provide additional funding for maintenance and maintenance management in the operating budget well beyond the current \$9,000.

**Plan:** The AHCMC would like to develop a collection and maintenance plan for the PAT. The plan would provide a strategy for preservation and a forecast of how much funding is needed in future years for preservation and maintenance. Funding in the FY13-14 CIP would encourage the development of a collection and maintenance plan and make future funding more predictable.

**Council staff recommendation**

**Council staff recommends funding the PAT at half of the \$140,000 that was promised in the PAT project approved in FY11. Half would be \$70,000 each for FY13 and FY14 – \$50,000 for Planning, Design and Supervision and \$20,000 for “Other” category.**

<b><u>This packet contains:</u></b>	<b><u>circle #</u></b>
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## Public Arts Trust -- No. 729658

Category  
Subcategory  
Administering Agency  
Planning Area

Culture and Recreation  
Recreation  
Recreation  
Countywide

Date Last Modified  
Required Adequate Public Facility  
Relocation Impact  
Status

January 09, 2012  
No  
None.  
On-going

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	217	17	0	200	0	0	50	50	50	50	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	475	0	115	360	0	0	90	90	90	90	0
<b>Total</b>	<b>692</b>	<b>17</b>	<b>115</b>	<b>560</b>	<b>0</b>	<b>0</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>*</b>

### FUNDING SCHEDULE (\$000)

Current Revenue: General	692	17	115	560	0	0	140	140	140	140	0
<b>Total</b>	<b>692</b>	<b>17</b>	<b>115</b>	<b>560</b>	<b>0</b>	<b>0</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>0</b>

#### DESCRIPTION

Effective April 12, 1995, the County Council enacted legislation providing for the creation of a Public Arts Trust. The purpose of this program is to incorporate art into public facilities and sponsor privately-funded temporary or permanent displays of art on public property. As written, the County Chief Administrative Officer [CAO] administers the trust in consultation with the Arts and Humanities Council of Montgomery County (AHCMC), Montgomery County Public Schools, Montgomery College, and the Montgomery County Parks Commission. The request for County funds for this project will be determined annually. The guidelines state that the annual request for the next fiscal year will be .05 percent of the total approved programmed capital expenditures for the current year Capital Improvements Program of the County Government, Public Schools, Montgomery College, and the Maryland-National Capital Park and Planning Commission. Each year, the County Council should consider appropriating this amount but may appropriate any amount.

#### COST CHANGE

Funding has been suspended for FY13 and FY14 to allocate an amount to be determined in the operating budget for maintenance of the public art that currently exists. The Montgomery County Arts and Humanities Council has recommended that rather than continue to add to the inventory of art, we must spend funds to maintain the current inventory. Funding for FY17 and FY18 has been added.

#### JUSTIFICATION

Bill 12-94, a revision to the Art in Public Architecture law, provides for the creation of a Public Arts Trust. The Public Arts Trust is administered by the County Chief Administrative Officer.

#### FISCAL NOTE

The Public Arts Trust is implemented through the Department of Recreation via an outside contract with the AHCMC.

#### OTHER DISCLOSURES

- \* Expenditures will continue indefinitely.

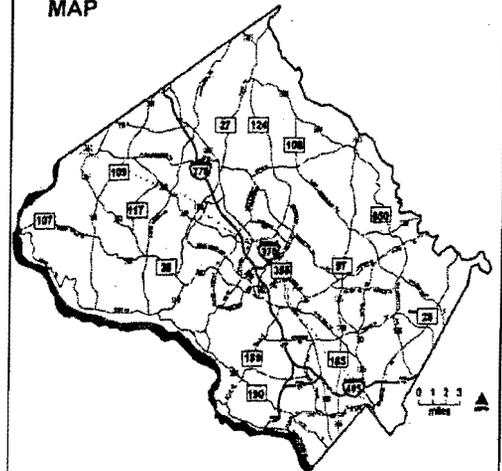
#### APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY96	(\$000)
First Cost Estimate	FY13	692
Current Scope		
Last FY's Cost Estimate		692
Appropriation Request	FY13	0
Appropriation Request Est.	FY14	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		132
Expenditures / Encumbrances		81
Unencumbered Balance		51
Partial Closeout Thru	FY10	1,751
New Partial Closeout	FY11	0
Total Partial Closeout		1,751

#### COORDINATION

Arts and Humanities Council of Montgomery County  
Montgomery County Public Schools  
Montgomery College  
M-NCPPC  
Department of General Services  
County Executive  
Chief Administrative Officer

#### MAP



## Public Arts Trust -- No. 729658

Category  
Subcategory  
Administering Agency  
Planning Area

**Culture and Recreation**  
**Recreation**  
**Recreation**  
**Countywide**

Date Last Modified  
Required Adequate Public Facility  
Relocation Impact  
Status

**November 16, 2010**  
**No**  
**None.**  
**On-going**

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY10	Rem. FY10	Total 6 Years	FY11	FY12	FY13	FY14	FY15	FY16	Beyond 6 Years
Planning, Design, and Supervision	200	0	0	200	0	0	50	50	50	50	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	492	0	132	360	0	0	90	90	90	90	0
<b>Total</b>	<b>692</b>	<b>0</b>	<b>132</b>	<b>560</b>	<b>0</b>	<b>0</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>*</b>

### FUNDING SCHEDULE (\$000)

Current Revenue: General	692	0	132	560	0	0	140	140	140	140	0
<b>Total</b>	<b>692</b>	<b>0</b>	<b>132</b>	<b>560</b>	<b>0</b>	<b>0</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>0</b>

#### DESCRIPTION

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#### COST CHANGE

Reduce funding in FY10 by \$40,000 and delete funding for FY11 and FY12. Add funding in FY15 and FY16 to this ongoing project.

#### JUSTIFICATION

Bill 12-94, a revision to the Art in Public Architecture law, provides for the creation of a Public Arts Trust. The Public Arts Trust is administered by the County Chief Administrative Officer.

#### FISCAL NOTE

The Public Arts Trust is implemented through the Department of Recreation via an outside contract with the AHCMC. The PDF reflects a reduction in FY10 expenditures and funding for fiscal capacity.

#### OTHER DISCLOSURES

- \* Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP																																																
<table border="1"> <tr> <td>Date First Appropriation</td> <td>FY96</td> <td>(\$000)</td> </tr> <tr> <td>First Cost Estimate</td> <td></td> <td></td> </tr> <tr> <td>Current Scope</td> <td>FY11</td> <td>813</td> </tr> <tr> <td>Last FY's Cost Estimate</td> <td></td> <td>813</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Appropriation Request</td> <td>FY12</td> <td>0</td> </tr> <tr> <td>Supplemental Appropriation Request</td> <td></td> <td>0</td> </tr> <tr> <td>Transfer</td> <td></td> <td>0</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Cumulative Appropriation</td> <td></td> <td>132</td> </tr> <tr> <td>Expenditures / Encumbrances</td> <td></td> <td>128</td> </tr> <tr> <td>Unencumbered Balance</td> <td></td> <td>4</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>Partial Closeout Thru</td> <td>FY09</td> <td>1,630</td> </tr> <tr> <td>New Partial Closeout</td> <td>FY10</td> <td>121</td> </tr> <tr> <td>Total Partial Closeout</td> <td></td> <td>1,751</td> </tr> </table>	Date First Appropriation	FY96	(\$000)	First Cost Estimate			Current Scope	FY11	813	Last FY's Cost Estimate		813				Appropriation Request	FY12	0	Supplemental Appropriation Request		0	Transfer		0				Cumulative Appropriation		132	Expenditures / Encumbrances		128	Unencumbered Balance		4				Partial Closeout Thru	FY09	1,630	New Partial Closeout	FY10	121	Total Partial Closeout		1,751	<p>Arts and Humanities Council of Montgomery County Montgomery County Public Schools Montgomery College M-NCPPC Department of General Services County Executive Chief Administrative Officer</p>	
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County Council



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Kenneth A. Lechter, Esq.  
*Legal Counsel*

**MEMORANDUM**

To: Councilmember George Leventhal, Chair, HHS Committee

CC: Justina Ferber, Legislative Analyst

From: Suzan Jenkins, CEO, Arts and Humanities Council, Montgomery County

Re: CIP Allocation for the Public Arts Trust #729658

Date: February 27, 2012

Thank you for the opportunity to highlight the contributions and activities of the Public Arts Trust (PAT), a program managed by the Arts and Humanities Council of Montgomery County under contract with the County Department of Recreation.

The mission of the Public Arts Trust is to build and inspire communities through place-making, to nurture artists engaged in public art, and care for the County's extensive collection of public art. Artwork under the jurisdiction of Trust is ALL OVER the county, in schools, parks, plazas, libraries, office buildings: the EOB, the COB, the Judicial Center, Health and Human Services. The people of Montgomery County interact with it every day. Among the County's notable works are sculptures and installations by Louise Nevelson, Martin Puryear, Jim Sanborn, Heidi Lippman, and Vicki Scuri--a cultural legacy that must be preserved for future generations. Through our recent work we have identified that there are 868 works of art in the Public Art Collection (568 works on paper, 300 sculpture/murals) by nationally known and significant local artists. .

The Public Arts Trust, in its current form, has been managed by the Arts and Humanities Council since 1995 when the law creating the Trust was enacted. Chapter 8 of the Montgomery County Code, Article VI, "Works of Art in Public Architecture," Section 8-45 states that, "Each year the County Council should consider appropriating funds for the next fiscal year to the Public Arts Trust in an amount equal to 0.05% of the combined total approved capital expenditures for the then-current fiscal year for County Government, Public Schools, Montgomery College and Maryland-National Capital Park and Planning Commission."

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silver spring, md 20910-4438  
301.565.3805  
fax: 301.565.3809  
www.creativemoco.com

The Public Arts Trust is currently guided by a Steering Committee (see attached list) comprised of private sector representatives with expertise in public art, representatives of government agencies including the Department of Recreation, the Department of Housing and Community Affairs, the Department of Public Works and Transportation, City of Gaithersburg, City of Rockville, Maryland-National Capital Park and Planning Commission, and community representatives. Funds for Public art staff were eliminated in FY11 and permanent staff was dismissed.

Although limited funding was available for public art during FY11, and no funding was appropriated for FY12, the Steering Committee has been committed to improving the public art program and has focused on three areas: private developers, the County Capital Improvements Program (C.I.P.), and advocacy to spur support for public art.

- The Private Developer Subcommittee convened a focus group of developers to determine their interests and continues to work on the issues identified, including creating guidelines for site identification, artist selection, and ongoing maintenance..
- The C.I.P Subcommittee determined that a recommendation for public art needs to be introduced in the initial planning stage, known as a "Program of Requirements," for each facility. To do this, two audiences need to be persuaded of the importance of public art. First are County government staff who plan facilities and second are the Citizen Advisory Boards (CABs) which are organized by regions corresponding to the Regional Service Centers. The subcommittee recommended meeting with both these groups prior to the C.I.P. preparation in the fall.
- Advocacy became the focus of the committee as a whole when it was decided that not just the County government staff and CABs need to be educated about public art, but rather the entire community. It was agreed that, without community advocacy, the budget for public art would suffer. Raising the profile of the public art program became the advocacy objective. To accomplish this, AHCMC worked to improve the visibility of public art on the AHCMC website and to implement a "promo" for the public art program which is now displayed on our website and used for presentations to County staff and community members.

**NEW PUBLIC ART:** One new project was budgeted for FY11--public art for the Evans Parkway Neighborhood Park. The construction and installation of the work is budgeted in the Parks Department, while the Public Art Trust was responsible for selecting and paying the artist for the design. No new projects were budgeted for FY12.

**PUBLIC ART MAINTENANCE:** \$9,000 in funds for public art maintenance was provided in the FY12 AHCMC operating budgets. These funds were used to repair several small projects such as the *Turning Point Mural*, *Penguin Rush Hour*, and to store public art pieces that need major conservation, like the *Gateway to the Mind* piece by Mary Ann Unger, which a conservator has determined will cost \$25,000 to clean, repair, and reassemble. Other pieces earmarked for assessment and treatment include:

1) **Inventory Number:** PA 1051

**Artist:** Muriel Castanis (1926-1986) represented by O.K. Harris Gallery

**Title:** *Spirit of Freedom*, 1990-92

**Medium:** bronze, originally patinated green, on concrete base

**Size:** Slightly over life-size

**Location:** Rockville, Montgomery District Court, S Washington St. now on side of building. .

About 50% of original green patina is gone.

- 2) **Inventory Number:** PA 1159  
**Artist:** Joseph A. McDonnell  
**Title:** *Alba Rosa*, 1988  
**Medium:** granite, concrete  
**Location:** Silver Spring Garage #7  
Fenwick Lane near Second Ave.  
**Note:** Granite slabs forming pyramidal base have shifted and are unstable
  
- 3) **Inventory Number:** PA 1154  
**Artist:** Albert Paley  
**Title:** *Criss-Cross*, 1992  
**Medium:** painted steel  
**Size:** Tallest element, about 14' h  
**Location:** Silver Spring, Fenton and Burlington, relocated there in 2004  
**Note:** See current photos. New foundation and site should be considered as part of treatment.
  
- 4) **Inventory Number:** PA 1126  
**Artist:** Lisa Kaslow  
**Title:** *Cogi-Gate*, 1990  
**Medium:** painted steel  
**Size:** approx. 12' x 12'  
**Location:** Silver Spring, Northwood High School  
**Note:** Sculpture has been repainted wrong color and 50% of the painting is peeling.
  
- 5) **Inventory Number:** PA 1008  
**Artist:** Azriel and Irene Awret  
**Title:** *Space Horses*, c. 1990  
**Medium:** bronze  
**Location:** Germantown, Clopper Mill E.S.
  
- 6) **Inventory Number:** PA 1008A **Due:** by April 1, 2012, weather permitting  
**Artist:** Azriel and Irene Awret  
**Title:** *Leap Frog*, c. 1990  
**Medium:** bronze  
**Size:**  
**Location:** Germantown, Clopper Mill E.S.

**Sculptures to be treated, budget permitting**

- 7) **Inventory Number:** PA 1031 **Due:** by June 30, 2012  
**Artist:** Marcia Billig  
**Title:** *The Juggler*, 1989  
**Medium:** bronze

**Size:** approx. 6-1/2' h on 1-1/2' h base

**Location:** Silver Spring, Woodside Park

**Note:** Bronze needs to be cleaned and waxed and missing elements need to be refabricated.

8) **Inventory Number:** PA 1020

**Artist:** Marcia Billig

**Title:** *The Lion*, 1989

**Medium:** bronze

**Size:** approx. 6-1/2' h on 1-1/2' h base

**Location:** Silver Spring, on corner in front of library on Colesville Road

**Note:** Bronze needs to be cleaned and waxed. Staining on pedestal needs to be cleaned.

9) **Inventory Number:** PA 1303 **Due:** by June 30, 2012

**Artist:** Peter King

**Title:** *Synchronicity*, 1989

**Medium:** Ceramic

**Size:** approx. 12'h

**Location:** Silver Spring, AHCMC, 801 Ellsworth Drive

**PUBLIC ART TRUST PROJECTS:** In FY12, we continued working with the County's Department of General Services to provide technical expertise to address the compromised condition and safety hazard posed by Julio Treichberg's piece at the Germantown Community Center, which will have to be removed. We are also working with DGS to re-install the mural titled *Penguin Rush Hour* that was removed from the Silver Spring Metro Station when reconstruction of the station began and will be reinstalled when construction is completed. We received a \$5000 grant from Maryland State Arts Council for the reinstallation and matching funds will come from the "Pennies for Penguins" fund that is managed by AHCMC.

In September 2011 AHCMC launched the FaceBook version of the *Where's Ike* Campaign and Contest to bring local and national attention to our public art collection. We also hired an experienced Public Art Trust Consultant, Dr. Michele Cohen. As the founding Director of New York City's Public Art for Public Schools program for twenty years, Dr. Cohen inventoried the collection, instituted a collection management system, formulated guidelines for new commissions, and oversaw hundreds of new commissions and conservation projects.

We also hired an experienced Works on Paper Consultant, Crystal Polis. As the Curator of the Naval Historical Center, Navy Art Collection from 2002-2006, Crystal cared for a collection of approximately 15,000 works of art (paintings, works on paper, and sculpture) and managed the loan program of artwork to Pentagon, military bases, museums and U.S. government offices and conducted research for publishers, scholars and the general public.

As a result of this work done by the Steering Committee and the Consultants, we have developed a data base to manage all aspects of the collection, including curatorial information, current condition, and ownership responsibilities; created a partnership with Montgomery College and other area colleges and universities to implement an intern program to survey the current condition of the collection; computerized the survey form on portable tablets to allow for easy future surveys; hired a staff

conservator to provide condition assessments of most endangered artworks, perform conservation, and work with public art contractor, Dr. Michele Cohen, to train appropriate county staff to perform basic maintenance.. We are also in the process of developing a deaccession policy and public art commission and conservation guidelines for developers.

**PUBLIC SAFETY MEMORIAL:** AHCMC was instrumental in sourcing and hiring a designer for the *Public Safety Memorial* and managing the funds necessary to match the \$150,000 State bond for construction. The *Public Safety Memorial* was completed in December, 2011. It is a deeply moving tribute to those who have made the ultimate sacrifice. The dedication is planned for Spring 2012 with a date in April 2012 TBD.

**REQUEST FOR SUPPORT OF THE FY13/14 PAT CIP:** Considering the initial \$4M investment made with taxpayer dollars into the collection, AHCMC now needs funds to manage and conserve the County's collection. As the old adage goes, "An Ounce of Prevention is Worth a Pound of Cure." Just as we expect developers to maintain public art on private property, we must set an example. Deteriorating artworks in schools and community centers sends a negative message to County residents. Of even greater concern, is danger to public safety.

As of the 2003 maintenance report, 41 pieces were listed in the worst condition; we estimate that the real number is close to 50, or 15% of the collection of public art. A significant percentage of the collection is in schools and other public spaces and they must be treated ASAP because they present a safety hazard. The County must act ASAP to protect the collection so that pieces like that of major artist, Brower Hatcher, won't have to be removed as it was several years ago because it was so severely damaged. Conservation for a public agency or arts non-profit requires team effort of knowledgeable administrators, conservators, and cooperation of county maintenance folks. AHCMC now has the momentum to manage the County's public art collection responsibly. Just as County invests funds to maintain buildings, artworks require resources – both human and fiscal – for maintenance as well.

Additionally, on March 9, 2010 the Council tentatively approved the Health and Human Services (HHS) Committee's recommendation "...to approve the Executive's recommended FY11-16 budget for the Public Arts Trust with one change — to shift \$15,000 between cost elements so that Planning, Design, and Supervision would be increased to \$50,000, and "Other" would be decreased to \$90,000." The Committee recommend a shift of \$15,000 per year from the "Other" category to "Planning, Design, and Supervision" to enable the Arts and Humanities Council to hire full time staff to manage the Public Arts Trust. The Arts and Humanities Council has determined that \$35,000 for a part time Public Arts Trust manager is not sufficient to meet the needs of the Trust, including the added responsibility for the "Works on Paper" program.

Councilmember Leventhal, as the County Council considers funds for the Public Art Trust and understanding Montgomery County's current budget constraints, we respectfully ask that you consider a budget of at least \$65,000 for the Trust which would include \$30,000 for staffing and \$35,000 for conservation and the implementation of a maintenance program. We also ask that the full amount for maintenance in our operating budget - \$10,000, be restored to the Arts and Humanities Council General Operating Budget. Such a budget allocation will allow the Arts and Humanities Council to maintain and manage the collection and conserve the County's assets in this most valuable public trust.

Respectfully submitted,  
Suzan Jenkins

## **Public Art Trust Steering Committee**

The Trust is guided by a Steering Committee that includes artists, business representatives, at-large members of the community and staff from County departments and agencies, including the County Department of General Services and the Parks Department of M-NCPPC.

**Jose Dominguez**  
Pyramid Atlantic

**Hamid Omidvar**  
Department of Planning and Implementation

**Liesel Fenner**  
Americans for the Arts

**Robin Riley**  
Department of Recreation

**Denise Kayser**  
City of Gaithersburg

**Patricia Shepherd**  
Department of Transportation

**Luann Korona**  
Department of Housing and Community Affairs

**Josh Sloan**  
Department of Planning

**Erica Leatham, Esq.**  
Ballard Spahr LLC and AHCMC Board member

**Charlotte Sommers**  
BlackRock Center for the Arts

**Catherine Matthews**  
Montgomery County, Upcounty Region

**Betty Wisda**  
City of Rockville

**Patricia McManus**  
Maryland National Capital Park & Planning  
Commission

**officers**

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U.S. Department of Education  
President

Jacqueline Manger  
West Creek Capital  
Vice President & Board  
Development Chair

Mara Walker  
Americans for the Arts  
Treasurer

Charles Jensen  
The Writer's Center  
Secretary

Naomi F. Collins, Ph.D.  
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Grants Chair

Bobby Donovan  
Hyattstown Mill Arts Project  
Arts Education Chair

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Strathmore  
Advocacy Chair

Robert E. Hebda, Esq.  
Freddie Mac  
Events Chair

Steven Snapp  
Snapp Strategic Partners, LLC  
Marketing Chair

**chief executive officer**

Suzan E. Jenkins

**board of directors**

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Artist

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Acacia Financial Advisors, LLC

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Author

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Consultant

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American University Museum

Mary Kay Shartle-Galotto, Ph.D.  
Montgomery College

Brad Watkins  
Olney Theatre Center

**adjunct to the board**

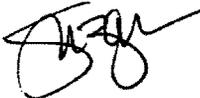
Kenneth A. Lechter, Esq.  
Legal Counsel



**MEMORANDUM**

February 19, 2010

**TO:** Suzan Maher, Jeffrey Bourne  
Department of Recreation

**FROM:** Suzan Jenkins 

**RE:** Allocation for the Public Arts Trust  
CIP #729658

Per your meeting on September 29, 2009, with Susie Leong and Shellie Williams, I am writing to further the conversation with regard to Allocation for the Public Arts Trust - CIP#729658.

I am writing now to request an increase the amount outlined in the "Planning, Design, and Supervision" portion of the CIP allocation for the Public Arts Trust. The current amount is 25% of the annual allocation. We suggest an increase (minimally) to 39%.

Please note that this is not a request to increase the current County allocation of funding for the Trust, but a request for an adjustment regarding how the funds are apportioned on the bi-annual Program Description Form (PDF) provided by OMB. A change in the allocation would allow for greater flexibility with the annual County contract with AHCMC.

For the past several years, the Trust has been allocated funds for "Planning, Design, and Supervision" and for "Other." (See attached copies of past PDF's.) AHCMC has interpreted "Other" to mean non-administrative costs for the Trust. This includes design fees to artists and construction costs and any direct program costs.

AHCMC has interpreted "Planning, Design, and Supervision" as costs related to administration of the Trust programs. This includes: salaries and payroll taxes, mileage reimbursement, parking, postage, staff development, subscriptions, office supplies and office costs (photocopying and printing). Since 2007, the total annual CIP allocation has been \$140,000 (with an exception/change for FY10 for \$85,000). The portion allowed on the PDF for "Planning, Design, and

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www.creativemoco.com

Supervision" for that same period has been \$35,000 which represents 25% of the total allocation (41% of \$85,000 for FY10). It is our hope that full funding of \$140,000 will be restored in FY11 as recommended in the County Executive's Budget.

While 25% is not an unreasonable amount to set aside for program administration, \$35,000 does not reflect the true amount necessary to staff and maintain the Trust as needed given the County's size and needs.

Staffing for the Trust currently includes a Director position at 20 hours per week (50% FTE). Additional support is provided by other AHCMC senior staff including the CEO. Due to the low "Planning, Design, and Supervision" allotment in the CIP, AHCMC must pay benefits for the Trust personnel as well as staff time spent on the Trust by supervisory personnel from the AHCMC General Operation budget. This fact has caused an unjustified burden on our General Operation budget.

In addition to providing the services outlined in the annual County contract, which includes providing service to the various departments who seek assistance regarding public art and managing at least three to five new commissions and installations per year, the Director position also manages, maintains, and rotates artwork for the County's Works on Paper Contemporary Art Collection and addresses any maintenance needs/relocation of artwork requests that arise from various departments. For the past five years, the Trust has also managed the Visions Exhibition Space at the North Bethesda Conference Center, selecting and overseeing four exhibitions of professional Montgomery County artists per year. Based on the services and hours needed by the County for its public art program, we believe the current staffing configuration is what is minimally required.

Besides personnel costs, the Trust incurs costs for other administrative needs such as mileage reimbursement, parking, postage, staff development, subscriptions, office supplies, printing and photocopying. As you can see from past actual budgets, the total amount for "Planning, Design, and Supervision" exceeds the amount that has been outlined by the PDF in past years.

An increase in the PDF allocation to 39% would increase the amount allowed for Planning, Design and Supervision to \$54,600 which would more accurately reflect the true cost of administration based on our past and current budget figures.

In conclusion, given the amount of staff time and expertise needed to run a public art program, AHCMC is requesting that the amount on the PDF that is designated for "Planning, Design, and Supervision" be increased to at least 39% of the annual allocation assuming restored funding to \$140,000.

Suzan Jenkins Testimony for the  
FY13/FY14 Proposed CIP Budget for the Public Arts Trust  
February 9, 2012  
Arts and Humanities Council of Montgomery County

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Council President Berliner, esteemed members of the County Council, thank you for your past support of the arts and humanities in Montgomery County. I am here today to ask you to appropriate funding for the Public Arts Trust (PAT) in FY13/FY14.

The Arts and Humanities Council (AHC MC) was distressed to learn that appropriation was not included in the FY13/FY14 Public Arts Trust CIP #729658 as this funding is critical to protect and maintain the County's assets of over \$4M already invested in public art. A Cost Change for FY13 and 14 is noted in CIP#729658 to allocate a TBD amount to AHC MC's operating budget for maintenance of assets currently in the Trust.

I ask you now to allocate an appropriate level of funding in the CIP that will allow AHC MC to manage the Trust responsibly. Even funding 50% of the former allocation would be hugely impactful.

As you may recall, funding for the PAT CIP was severely reduced in FY10 and eliminated in FY11 and FY12. As a result, AHC MC eliminated staff hired to manage the Trust, putting the County's \$4M public art assets at risk, and in some cases, potentially putting the public at risk. Many of these public artworks are deteriorating; many of them are in public parks and over half of them are in public schools. What message does this send to our community?

While \$9,000 for maintenance has been appropriated for the PAT in the AHC MC general operating budget, \$9,000 is insufficient to maintain the 868 works of art in the Public Art Collection (568 works on paper, 300 sculpture/murals) by nationally known and significant local artists. These are public assets paid for by taxpayer dollars. The PAT should be funded to protect those assets.

Artwork is ALL OVER the county, in schools, parks, plazas, libraries, office buildings: the EOB, the COB, the Judicial Center, Health and Human Services. The people of our County interact with it every day and it is improving and inspiring the community every day.

Suzan Jenkins Testimony for the  
FY13/FY14 Proposed CIP Budget for the Public Arts Trust  
February 9, 2012  
Arts and Humanities Council of Montgomery County

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Over the last year, AHCMC developed a database to manage all aspects of the collection, including curatorial information, current condition and ownership responsibilities. However we have no ongoing staff to manage the collection, database or conservation efforts.

Considering the initial \$4M investment made with taxpayer dollars into the collection, AHCMC now needs funds to manage and conserve the County's collection. As the old adage goes, "An Ounce of Prevention is Worth a Pound of Cure." Just as we expect developers to maintain public art on private property, we must set an example. Deteriorating artworks in schools and community centers sends a negative message to County residents, developers and businesses.

As of the 2003 PAT Maintenance Report, 41 pieces were listed in the "worst" condition; we estimate that real number is now close to 50, or 15% of the collection of public art. A significant percentage of the collection is in schools and other public spaces. The County must act ASAP to protect the collection so that pieces in schools and those like that of major artist, Brower Hatcher, won't have to be removed as it was several years ago because it was so severely damaged.

Conservation for a public agency or arts non-profit requires a team effort of knowledgeable administrators, conservators, and the cooperation of the County. And while AHCMC has the momentum to manage the County's public art collection responsibly, we need funds for the conservation and maintenance of the PAT.

The attached photos of the Julio Teichberg installation at the Germantown Community Center demonstrates the grave need for funds to conserve and maintain taxpayers' investment and the County's assets. Of even greater concern, is danger to public safety. Please let me share a little of that once-wonderful piece of art with you now.

Suzan Jenkins Testimony for the  
FY13/FY14 Proposed CIP Budget for the Public Arts Trust  
February 9, 2012  
Arts and Humanities Council of Montgomery County

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Just as County invests funds to maintain buildings, artworks require resources – both human and fiscal – for maintenance as well as conservation.

Councilmembers, I implore you to budget at least \$74,000 for the Public Art Trust which would include \$30,000 for staffing and \$44,000 for conservation and the implementation of a maintenance program. Such a budget allocation will allow the Arts and Humanities Council to maintain and manage the collection and conserve the County's assets in this most valuable public trust. Thank you for the opportunity to present this information to you tonight.

Respectfully submitted,  
Suzan Jenkins  
CEO  
Arts and Humanities Council, Montgomery County

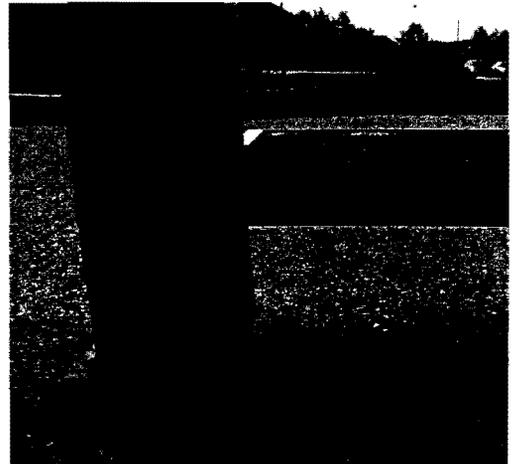
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Michele Cohen Testimony for the  
FY13/FY14 Proposed Public Arts Trust CIP Budget  
February 9, 2012  
Arts and Humanities of Council of Montgomery County

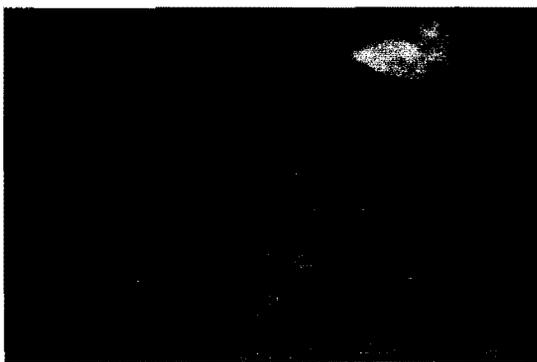
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Good evening. My name is Dr. Michele Cohen. I was the founding director of New York City's Public Art for Public Schools program for twenty years and I am currently a consultant to the AHCMC, the custodian of Montgomery County's vast collection of public art. I have written books on public art, taught courses about public art, supervised NYC's sculpture inventory, and managed a collection of over 1,200 artworks in NYC schools: I know the challenges of caring for art in the public realm.

Montgomery County has a significant public art collection, including portable works in government offices, murals and sculptural installations in schools, iconic pieces marking courthouses, parks, and community centers—works that add to the quality of life for all of



Corrosion, leaching, and damaged seating element



Rusted bolt and peeling paint

Montgomery County's residents and visitors. Nationally known artists include Muriel Castanis, George Greenamyre, Joseph McDonnell, and Mary Ann Unger. Over the last three decades, many agencies helped form this collection, but none have taken ownership of it. As years of deferred maintenance accrue, the condition of

objects has worsened, and now about 15% or 50 major sculptural installations in public spaces require substantial treatment—more than just hosing down and waxing.

I am here to tell you that deferring maintenance of public art year after year is not economical and discredits the government body responsible for caring for these works of art. Like everything in the built environment, public art requires maintenance. Without it, artworks break, corrode, pit, peel,

Michele Cohen Testimony for the  
FY13/FY14 Proposed Public Arts Trust CIP Budget  
February 9, 2012  
Arts and Humanities of Council of Montgomery County

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crack, rust, and crumble. *Instead of being a public amenity, public art becomes an eyesore and a hazard.*



Extreme soiling and paint failure

In 1995 the County created the Public Arts Trust to oversee the various Percent for Art programs that have been operating in the County since 1983.

While the Trust is doing everything in its power to manage the collection responsibly, due to budget constraints, it must do so on a much smaller budget than in previous years. For the Public Arts Trust to

fulfill its function and live up to its name, the County must provide the seed funding to enable the full implementation of the collection inventory and conservation and maintenance plan. Uneven funding in the past has led to aborted attempts to catalogue and institute a maintenance program for the collection; meanwhile, the condition of artworks under the Trust's jurisdiction has worsened, and the County has even had to remove artworks because their compromised condition threatened public safety.

Fortunately there are many successful models to look to when considering how best to fund conservation and ongoing maintenance. One that I am familiar with, the NYC public schools, allocated a percentage of school maintenance money for

conservation of public art in school buildings every year. School administrators of the largest system in the nation recognized that permanent murals, stained glass, and sculptures affixed to school buildings



Joint failure

Michele Cohen Testimony for the  
FY13/FY14 Proposed Public Arts Trust CIP Budget  
February 9, 2012  
Arts and Humanities of Council of Montgomery County

---

required maintenance just like roofs and boilers. Over two decades of systematic efforts, supported through public and private partnerships, capital and tax-levy funds, grants, and programs like Adopt-A-Monument and Adopt-A-Mural, we treated hundreds of major artworks, dating from the early twentieth century to the present. We preserved this artistic legacy that continues to enrich educational environments. Montgomery County can do that as well. Many of the country's leading public art programs--in Portland, Seattle, Cambridge, Miami, and Arlington--all have conservation and maintenance programs. I urge you to allow the Arts and Humanities Council of Montgomery County to do the right thing--the responsible thing. Let the Public Arts Trust be an effective steward of the collection.

Please support the Council's FY 2013 funding request for the Public Arts Trust to implement a collection management and maintenance plan for this valuable public asset that will protect the collection for future generations to come.

Thank you for your time and attention.



3

Color photo shows current state of sculpture. Black and white insert shows original status. Note missing bronze rings.

HHS

UF

officers

Jacqueline Manger  
West Creek Capital  
Chair & Chair of Governance

Erica A. Leatham, Esq.  
Ballard Spahr LLP  
Vice Chair & Co-Chair of  
Development

Mara Walker  
Americans for the Arts  
Treasurer & Chair of Finance

Joan Griggs  
Griggs Associates  
Secretary & Chair of Grants

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Mara Mayor, Ph.D.  
Education Consultant  
Audit Chair

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Michael Bobbitt  
Adventure Theatre

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How Sweet It Is

Lyn Chilet  
Comicopia Designs

Sandra Eskin  
Pew Charitable Trusts

Amy Harbison  
Open Window  
Creative Strategies LLC

Melvin L. Hardy  
Millennium Arts Salon

Charles Jensen  
Poet

Martin Mayorga  
Mayorga Coffee Roasters

Gary Rosenthal  
The Gary Rosenthal Collection

Ricardo Trujillo, CPA, CTP  
Grossberg Certified  
Public Accountants

Leslie S. Whipkey, CFP, CRPC  
Merrill Lynch  
Global Wealth Management

Ronald F. Wolfshelmer  
Calvert Group, Ltd.

adjunct to the  
board

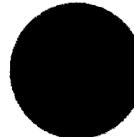
Kenneth A. Lachter, Esq.  
Legal Counsel



September 28, 2011

064874

Honorable Valerie Ervin  
President  
Montgomery County Council  
100 Maryland Avenue  
Rockville, Maryland 20850



Dear Ms. Ervin:

I am writing to thank you for your past support of the arts and humanities in Montgomery County and to ask for your support of appropriating funding for the Public Arts Trust (PAT) in FY13/FY14. Appropriation of \$140,000 is included in the FY13/FY14 Public Arts Trust CIP #729658. This funding is critical to help protect and maintain the County's assets of over \$4M already invested in public art, as well as to support current and future projects.

As you may recall, funding for the PAT CIP was severely reduced in FY10 and eliminated in FY11. As a result, the Arts and Humanities Council (AHC MC) had to eliminate staff hired to manage the Trust, putting the County's \$4M public art assets at risk, and in some cases, potentially putting the public at risk. Many of these public artworks are deteriorating; many of them are in public parks and over half of them are in public schools. What message does this send to our community?

While \$9,000 for maintenance has been appropriated for the PAT in the AHC MC general operating budget, \$9,000 is insufficient to maintain the over 325 pieces of public art in public places. Without staff, the Trust has been unable to manage the County's investment in the over 420 pieces in the Works on Paper collection, putting the County at additional risk for loss or damage to its investment. These are public assets paid for by taxpayer dollars. The PAT should be funded to protect those assets.

Another important role of the AHC MC is to provide expertise and staff support to County agencies to engage and select artists, and provide oversight of the quality of artwork in public places. The AHC MC has worked for many years with a very small budget and has managed to leverage this funding in creative ways to support many projects. Since funding for staff has been eliminated, we have been unable to participate in new opportunities and projects as they arise, and our recent initiatives to reorganize and improve our services have lost momentum.

Investment in the PAT is good for the economy in both the short and long term. Investment in the Trust can create jobs right away and increase interest from developers over time.

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silver spring, md 20910-4438  
301.565.3805  
fax: 301.565.3809  
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Public art is attractive to developers – as an amenity and a demonstration that they care about public space and want to give back to the community. Vibrant streets and inviting public spaces are hallmarks of healthy communities. Distinctive features such as tree-lined boulevards, historic buildings and cultural hubs attract high levels of social interaction. This is where Public Art comes in.

**Public art enhances the quality of life of our County for residents, workers, and visitors.** It represents a tangible commitment to the public environment, making Montgomery County a highly desirable location to live, work, and create. It also attracts businesses and individuals to relocate to and stay in Montgomery County.

**Public art is integral to and emblematic of a world-class, great County.** It encourages tourism; stimulates the economy; provides opportunities for civic dialogue and serves as a catalyst for revitalization.

**Public art invigorates and creates good public spaces and gathering places** and attracts a variety of audiences; contributes to vibrant community life; encourages use of the spaces it occupies; strengthens civic pride and identification with the County and endows public spaces with distinctive identities.

**Public art is part of our cultural heritage.** It celebrates cultural diversity and represents humanity's highest aspiration as a symbol of our collective experience and history and becomes our legacy for generations to come.

Shaping Montgomery County —with landmarks and landscapes, events and ideologies—sets the stage for a critical part of our existence: our connection with our environment; with our past, present, and future; and with other human beings. The Public Arts Trust can help. Please support the \$140,000 appropriation for the Public Art Trust in FY13 and FY14. Thank you.

Sincerely,



Suzan Jenkins  
CEO

**OBO**

**The Public Art Trust Steering Committee**



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301.565.3805 x23 • fax: 301.565.3809  
suzan.jenkins@creativemoco.com

suzan e. jenkins chief executive officer

Patricia McManus, Chair  
Design Section Supervisor, Park Development Division, M-NCPPC

Jose Dominguez, Executive Director, Pyramid Atlantic  
Luann Korona, Chief, Community Development Division, Department of Housing & Community Affairs  
Erica Leatham, Esq., LEED AP, Ballard Spahr LLP  
Catherine Matthews, Catherine Matthews, Director, Montgomery County - Upcounty Region  
Hamid Omidvar, Chief, Office of Special Projects, Department of General Services, Montgomery County  
Gary Rosenthal, President, The Gary Rosenthal Collection  
Patricia Shepard, Senior Planning Specialist, MCDOT, Division of Transportation Engineering  
Joshua Sloan, Coordinator, M-NCPPC  
Charlotte Sommers, Executive Director, BlackRock Center for the Arts

## Public Arts Trust -- No. 729658

Category  
Subcategory  
Administering Agency  
Planning Area

Culture and Recreation  
Recreation  
Recreation  
Countywide

Date Last Modified  
Required Adequate Public Facility  
Relocation Impact  
Status

November 16, 2010  
No  
None.  
On-going

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY10	Rem. FY10	Total 6 Years	FY11	FY12	FY13	FY14	FY15	FY16	Beyond 6 Years
Planning, Design, and Supervision	200	0	0	200	0	0	50	50	50	50	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	492	0	132	360	0	0	90	90	90	90	0
<b>Total</b>	<b>692</b>	<b>0</b>	<b>132</b>	<b>560</b>	<b>0</b>	<b>0</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>*</b>

### FUNDING SCHEDULE (\$000)

Current Revenue: General	692	0	132	560	0	0	140	140	140	140	0
<b>Total</b>	<b>692</b>	<b>0</b>	<b>132</b>	<b>560</b>	<b>0</b>	<b>0</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>140</b>	<b>0</b>

#### DESCRIPTION

Effective April 12, 1995, the County Council enacted legislation providing for the creation of a Public Arts Trust. The purpose of this program is to incorporate art into public facilities and sponsor privately-funded temporary or permanent displays of art on public property. As written, the County Chief Administrative Officer [CAO] administers the trust in consultation with the Arts and Humanities Council of Montgomery County (AHCMC), Montgomery County Public Schools, Montgomery College, and the Montgomery County Parks Commission. The request for County funds for this project will be determined annually. The guidelines state that the annual request for the next fiscal year will be .05 percent of the total approved programmed capital expenditures for the current year Capital Improvements Program of the County Government, Public Schools, Montgomery College, and the Maryland-National Capital Park and Planning Commission. Each year, the County Council should consider appropriating this amount but may appropriate any amount.

#### COST CHANGE

Reduce funding in FY10 by \$40,000 and delete funding for FY11 and FY12. Add funding in FY15 and FY16 to this ongoing project.

#### JUSTIFICATION

Bill 12-94, a revision to the Art in Public Architecture law, provides for the creation of a Public Arts Trust. The Public Arts Trust is administered by the County Chief Administrative Officer.

#### FISCAL NOTE

The Public Arts Trust is implemented through the Department of Recreation via an outside contract with the AHCMC. The PDF reflects a reduction in FY10 expenditures and funding for fiscal capacity.

#### OTHER DISCLOSURES

- \* Expenditures will continue indefinitely.

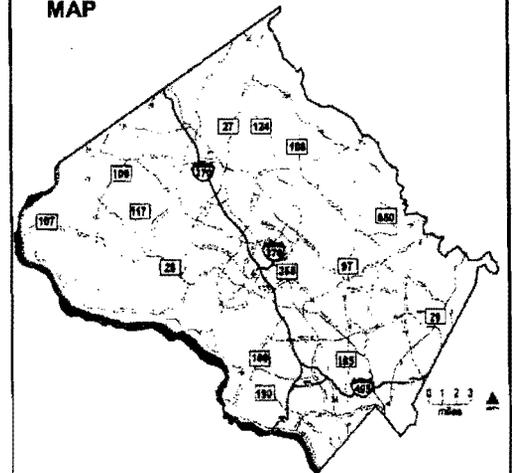
#### APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY96	(\$000)
First Cost Estimate		
Current Scope	FY11	813
Last FY's Cost Estimate		813
Appropriation Request	FY12	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		132
Expenditures / Encumbrances		128
Unencumbered Balance		4
Partial Closeout Thru	FY09	1,630
New Partial Closeout	FY10	121
Total Partial Closeout		1,751

#### COORDINATION

Arts and Humanities Council of Montgomery County  
Montgomery County Public Schools  
Montgomery College  
M-NCPPC  
Department of General Services  
County Executive  
Chief Administrative Officer

#### MAP

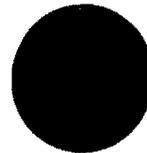


**Guthrie, Lynn**

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**From:** Berliner's Office, Councilmember  
**Sent:** Tuesday, February 07, 2012 1:24 PM  
**To:** Montgomery County Council  
**Subject:** FW: Increase the Public Arts Trust maintenance budget

066604



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**From:** Molly Hauck [mailto:mollyphauck@gmail.com]  
**Sent:** Tuesday, February 07, 2012 1:18 PM  
**To:** Berliner's Office, Councilmember  
**Subject:** Increase the Public Arts Trust maintenance budget

To Councilmember Berliner,

I write to you today to voice my support for additional allocations to the Public Arts Trust maintenance budget in the FY13 CIP Budget. The Public Arts Trust, managed by the Arts and Humanities Council of Montgomery County, includes a significant collection of outdoor and indoor art valued at over \$4 million, but is desperately in need of funds to support systematic and immediate maintenance and conservation. This public asset is too important to our County to let it deteriorate any further. Please consider allocating \$60,000 to the FYCIP budget for PAT and protect this cultural legacy for future generations.

Sincerely,

Molly Hauck  
4004 Dresden St.  
Kensington, MD. 20852

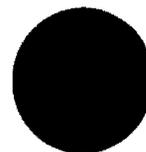
RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

2012 FEB -7 PM 4:05

**Guthrie, Lynn**

**From:** Berliner's Office, Councilmember  
**Sent:** Tuesday, February 07, 2012 11:56 AM  
**To:** Montgomery County Council  
**Subject:** FW: Public Arts Trust

066603



**From:** Kenneth Lowenberg [mailto:kenlowenberg@verizon.net]  
**Sent:** Tuesday, February 07, 2012 11:45 AM  
**To:** Berliner's Office, Councilmember  
**Subject:** Public Arts Trust

To Councilmember Roger Berliner,

I write to you today to voice my support for additional allocations to the Public Arts Trust maintenance budget in the FY13 CIP Budget. The Public Arts Trust, managed by the Arts and Humanities Council of Montgomery County, includes a significant collection of outdoor and indoor art valued at over \$4 million, but is desperately in need of funds to support systematic and immediate maintenance and conservation.

This public asset is too important to our County to let it deteriorate any further. Please consider allocating \$60,000 to the FYCIP budget for PAT and protect this cultural legacy for future generations.

Sincerely,

Kenneth Lowenberg

8175 Inverness Ridge Road

Potomac, MD 20854-4014

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2012 FEB -7 PM 3:49

**Delgado, Annette**

JF  
CC  
SBF  
LL

**From:** KMoran@rockvillemd.gov

**066631**

**Sent:** Thursday, February 09, 2012 9:19 AM

**To:** Andrews's Office, Councilmember; Berliner's Office, Councilmember; Elrich's Office, Councilmember; Ervin's Office, Councilmember; Floreen's Office, Councilmember; Rice's Office, Councilmember; Riemer's Office, Councilmember; Leventhal's Office, Councilmember; Navarro's Office, Councilmember; Montgomery County Council

**Subject:** Public Art

Dear Montgomery County Councilmembers:

I write to you today to voice my support for additional allocations to the Public Arts Trust maintenance budget in the FY13 CIP Budget. The Public Arts Trust, managed by the Arts and Humanities Council of Montgomery County, includes a significant collection of outdoor and indoor art valued at over \$4 million, but is desperately in need of funds to support systematic and immediate maintenance and conservation. This public asset is too important to our County to let it deteriorate any further. Please consider allocating \$60,000 to the FYCIP budget for PAT and protect this cultural legacy for future generations.

I worked to create the Public Arts Trust, I served as the PAT Chairperson for over a decade. I strongly believe that the Montgomery County government has a responsibility to maintain what it owns and this includes the hundreds of works of art - many site specific - each displays as a unique part of a public facility.

Sincerely,  
Kathleen Moran  
City of Rockville  
Civic Center Superintendent  
Office 240-314-8662  
Cell 240-876-6581  
kmoran@rockvillemd.gov  
FAX 240-314-8669

Glenview Mansion  
Rockville Civic Center Park  
603 Edmonston Drive  
Rockville MD 20851  
Business office 240-314-8660

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2012 FEB 10 AM 9:02

Sec. 8-44. ~~Public~~ ~~arts~~ ~~trust~~.

(a) There is a ~~Public~~ ~~Arts~~ ~~Trust~~ fund within County Government to:

(1) receive, hold, and pay out ~~public~~ and private funds to:

(A) buy and display works of art on ~~public~~ property in the County; and

(B) pay the cost of administering the fund; and

(2) sponsor privately-funded temporary or permanent displays of art on ~~public~~ property in the County.

(b) The Chief Administrative Officer or a designee must administer the ~~trust~~ in consultation with:

(1) ~~Arts~~ and Humanities Council;

(2) Montgomery County ~~Public~~ Schools;

(3) Montgomery College; and

(4) Montgomery County Parks Commission.

(c) The Chief Administrative Officer must report to the County Council:

(1) each quarter on:

(A) new locations selected for works of art to be funded by the ~~Public~~ ~~Arts~~ ~~Trust~~; and

(B) works of art purchased or displayed with ~~Public~~ ~~Arts~~ ~~Trust~~ funds during the quarter; and

(2) each year by January 15 on all other uses of ~~Public~~ ~~Arts~~ ~~Trust~~ funds during the prior calendar year. (1995 L.M.C., ch. 12, § 1; 2001 L.M.C., ch. 28, §§ 2, 15 and 16.)

**Editor's note** The effective date of the amendments made to this section by 2001 L.M.C., ch. 28, § 2, is the same effective date as 1999 L.M.C., ch. 24, § 1.

☐ **Sec. 8-45. Appropriation for art.**

Each year the County Council should consider appropriating funds for the next fiscal year to the ~~Public~~ ~~Arts~~ ~~Trust~~ in an amount equal to .05% of the combined total approved programmed capital expenditures for the then current fiscal year for County Government, ~~Public~~ Schools, Montgomery College, and Maryland-National Capital Park and Planning Commission. (1984 L.M.C., ch. 1, § 1; 1988 L.M.C., ch. 43, §§ 1--3; 1990 L.M.C., ch. 43, § 1; CY 1991 L.M.C., ch. 9, § 1; 1992 L.M.C., ch. 9, § 1; 1995 L.M.C., ch. 12, §§ 1, 2.)