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# Percent for Art schemes fail to deliver

## Cities across the US are neglecting to enforce a law that requires property developers to help fund public art

By Rachel Corbett. News, Issue 258, June 2014  
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The PGH4ART group has taken to Twitter to petition Pittsburgh to reinstate its 35-year-old PCA law

A series of lapses has been exposed in cities across the US in their management of funds meant for the public art initiative Percent for Art (PCA). Cities including Los Angeles, Buffalo and Pittsburgh have either failed to set aside money for the initiative or have tied up the proceeds in red tape. In Pittsburgh this week, the activist group PGH4ART launched a photo campaign showing residents holding statements in support of enforcing the city's public art law. The organisation is posting the photos on Twitter and soliciting signatures for its petition.

A PCA programme typically requires 1% of the total cost of a large-scale construction project to be allocated for public works of art. Some say that the government's ignorance is to blame for the recent failures in upholding the scheme. "It's really a question of making people aware that this law is on the books," says Tom Chestnut, a member of the Buffalo Arts Commission.

The city's Art in Public Places law, enacted in 1999, largely fell by the wayside because of belt-tightening after 11 September 2001. But earlier this year, the commission, which is staffed mostly by volunteers, announced that it had successfully lobbied the city into allocating between \$20,000 and \$70,000 for public art projects in five new developments, including a pair of "gateway arches" designed by local artists for the renovation of Niagara Street. "We may have missed a couple of opportunities, but if this is part of the way we do business in Buffalo going forward, it's a win for everybody," Chestnut says.

This proactive approach by members of the public is not uncommon. In Pittsburgh, a group called PGH4ART has been petitioning the city to reinstate its 35-year-old PCA law. The campaign "has been quite effective in keeping the issue in front of the public and political candidates", says Carolyn Speranza, an artist and a member of the group, and it has gained support from Pittsburgh's public art manager, Morton Brown, who is trying to rewrite the city's municipal code. He is pushing for an automatic allocation of funds for art in the annual capital budget, which means that projects will not be "reliant on a nagging public art manager or the whims of a mayor".

Unwieldy bureaucracy has led to a cash pile-up in cities such as Los Angeles, where a recent audit of the cultural affairs department revealed that it is sitting on more than \$7.5m in fees and interest that was meant to go to the PCA scheme. The backlog in frozen funds, which dates from 2007, has been blamed on an old clause that requires works of art to be installed within a one-block radius of a new development—which makes no sense if a project is in, say, a remote industrial park. Yet the department told auditors that attempts to update the law remain mired in bureaucracy.

To correct the situation, city controller Ron Galperin issued a report in April urging the department to implement a new accounting system. He says that the city attorney should work with stakeholders to update the law.

### Funding cuts

Elsewhere, the situation is bleak. In 2011, we reported that states including Oklahoma and Wisconsin were cancelling their programmes. "Schools are facing funding cuts. Government needs to focus on core functions," said Oklahoma's state representative, Republican Leslie Osborn, at the time. Both programmes are dormant.

"It's difficult during tough economic times for politicians to justify expenditure for public art," says Sarah Conley Odenkirk, a Los Angeles-based lawyer and member of the council of the Public Art Network. But others argue that PCA "creates jobs, better business environments and safer spaces", says Jonathan Katz, the chief executive of the National Assembly of State Arts Agencies. Conley Odenkirk says: "Art is an indication of the civility of our culture, and I don't see us being at a point where we should have to choose between feeding people or doing public art."

Some cities seem to agree. Almost ten years since Boston voted in favour of launching a PCA programme, the city's new mayor has announced plans to finally begin it this summer.

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