



**New York City Council Committee on Cultural Affairs, Libraries, and International Intergroup Relations
Oversight Hearing: Percent for Art**

Thursday, October 20, 2016, 10:00 AM – 16th Floor Hearing Room, 250 Broadway
Testimony Presented by Percent for Art Director Kendal Henry

Int. No. 1290 - in relation to the percent for art advisory panel
Int. No. 1295 – in relation to reporting on percent for art projects
Int. No. 1296 - in relation to the percent for art program
Int. No. 1297 - in relation to outreach and education regarding public art opportunities

Good morning, Chair van Bramer and members of the committee. I am Kendal Henry, director of the Department of Cultural Affairs' Percent for Art program. Thank you for the opportunity to testify today about our work and proposed legislation that would impact the program.

Signed into law by Mayor Ed Koch in 1982, Percent for Art serves as a model for other public art programs throughout the region, including the MTA's Art and Design. Since the very first Percent for Art project was completed in East Harlem in 1985, we have worked with communities in every borough to complete 330 projects to date, with another 78 commissions currently in progress. This represents over \$43 million in commissions over the last 30 years – a significant investment in beautifying public space, and in supporting working artists and other members of the creative industry such as fabricators and designers.

Percent for Art projects are triggered by eligible City-funded construction, such as libraries, courthouses, plazas, and even waste treatment facilities. The range of artists, mediums, and locations encompasses iconic sculptures, like those of Frederick Douglass and Harriet Tubman in Harlem; community collaborations, like Ellen Harvey's Mathematical Star mosaic in Bedford-Stuyvesant; backdrops to daily life, like Michael Falco's glass mural in the Staten Island Ferry Terminal; part of our City's history, like Matt Mullican's 3,000 square foot etched granite tableau adjacent to the Unisphere in Queens; and tributes to community icons, like the upcoming Roberto Clemente commission in the Bronx.

This program's remarkable success would not be possible without direct, substantive engagement with the communities involved. Since I started as director under Commissioner Finkelpearl in 2015, we have kicked off every new commission – before any advisory panel is selected, before artists submit any proposal – with a public information session that explains exactly how the Percent for Art process works, and how residents can get

involved. Sometimes this occurs at community board meetings, and sometimes we schedule standalone sessions in the location where the commission will occur. The goal is to ensure transparency in a process that depends on public input to produce artwork reflective of our communities. This approach also builds support and buy-in from the people who will live and work near it.

Percent for Art panels select artists and artwork through a rigorous review process. A new panel is convened for each project, and panels consist of voting and advisory members. Panelists typically include:

- the Commissioner of Cultural Affairs' designee/Percent for Art staff member;
- a representative from the sponsoring City agency with site jurisdiction of the underlying capital project;
- a representative from the City agency responsible for the design of the underlying capital project;
- three or four art professionals (critics, curators, artists, architects, historians, etc.) appointed by the Commissioner who live and/or work in the borough (and when possible, the community) where the project will be located;
- local community stakeholders such as community board members, the council member, or the borough president; and
- members of the Public Design Commission.

The makeup of our panels reflects the unique needs and circumstances of each community where commissioned artwork will be located. Having the flexibility to engage panelists with strong neighborhood ties, artistic expertise, and relationships is essential to the success of each new commission. For example, I will describe the Percent for Art commissioning process for the Roberto Clemente Plaza in the Bronx. After several delays and artists dropping out, local stakeholders were frustrated. Building on our belief that the public is central to public art, we restarted the process with a new approach that better responded to the neighborhood's needs. We hosted workshops that got people excited about the project and encouraged local artists to join the list of artists being considered. Once initial proposals were submitted, we partnered with local institutions to exhibit the proposals throughout the area. They were put on display in a local hospital and other public spaces, and we collected feedback from residents on comment cards. Visitors to the exhibitions were invited to the final panel, which we hosted at a furniture store across the street from the site where the art will be installed. Following a spirited discussion, the panel selected one of the local artists, Melissa Calderon. This marks her first ever Percent for Art commission. Her proposal honoring baseball great Roberto Clemente has received conceptual approval from the Public Design Commission. Now, the artist is developing an educational component that will roll out when the project is complete in the next several months. Thanks to the community buy-in this process generated, we have been able to make remarkable progress in the last several months on a project that had been delayed for years.

The Percent for Art program creates a lasting imprint on our communities. That's why engaging residents throughout the process is absolutely essential to creating work reflective of the energy and diversity of New York City's neighborhoods. Cultural Affairs has a deep commitment to this public engagement. In addition to encouraging public participation in the Percent for Art process, we have also embraced the legislation sponsored by Chair van Bramer and Council Member Cumbo and signed into law by Mayor de Blasio in June 2015. This was right around the time I started in my current position. The law increases public notice for Percent for Art projects through community presentations, and requires us to post on our website advance notice of these meetings. Indeed, community meetings are the first step in the process, and listing them on our website in advance has increased visibility and awareness. For example, earlier this year we hosted a public information session at Artspace PS109 in East Harlem to select the artist for a new sculpture honoring Tito Puente, something the community has wanted for decades. Dozens of residents, led by Council Speaker Mark-Viverito, weighed in on what they wanted to see in this commission. The panel selected artists Manny Vega and Ogundipe Fayomi to the great excitement of everyone involved. The support for the Percent for Art program is something that can only be generated through authentic interactions with the communities involved in these projects. We appreciate your support in increasing public awareness of the program.

The legislation currently being proposed contains concepts that should be explored. However, we want to ensure that any changes to the Percent for Art program and process are appropriate, sustainable, and not duplicative of existing procedures and efforts. We also want to ensure any changes effectively encourage artist and community participation. We are open to having more in-depth discussions with Council about specific concerns. I would like to quickly summarize our thinking on the bills on today's agenda.

Intro No. 1296 - in relation to the percent for art program: Cultural Affairs is supportive of modernizing the program, but doing so must take into account all of the relevant budget and programmatic concerns, particularly in regards to the scale of the program. Our Commissioner has had many productive conversations with the Council about updating the relevant law, and we look forward to continued dialogue about how to best achieve this shared goal.

Intro No. 1290 - in relation to the percent for art advisory panel: The Rules of the City of New York already contain robust guidelines for convening Percent for Art panels to evaluate every project, providing for substantial community, stakeholder, and expert input that is sensitive to the unique circumstances of each new art commission. We believe this process works well, but are happy to discuss how best to find ways to include new voices in it.

Intro No. 1295 – in relation to reporting on percent for art projects. DCLA is committed both to the transparency of the Percent for Art program and to ensuring New Yorkers have access to a breadth of information about the wonderful public art throughout the City. As written, we have concerns that the bill may adversely impact the privacy of the artists who contribute so much to the program, and we are also sensitive to the fact that artists may not wish to identify or not identify with particular demographic categories. We are open to reporting about diversity in the aggregate, but have reservations about publishing individual artists' demographic information.

Art and culture are intertwined with the fabric of our city. Percent for Art is one concrete way that this relationship is expressed in our public realm. We appreciate the support of the City Council and look forward to working with you to make this program one that all New Yorkers see as their own.

I'm happy to answer any questions you may have.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. ALL
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: KENDAL HENRY
Address: 31 CHAMBERS ST. 2ND FL
I represent: CULTURAL AFFAIRS
Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1290 Res. No. _____
 in favor in opposition

Date: 10/20/2016

(PLEASE PRINT)

Name: Savona Bailey-McClain
Address: 131 Edgecombe Ave NYC 10038
I represent: West Harlem Art Fund
Address: _____

Please complete this card and return to the Sergeant-at-Arms