


FROM	NAME & TITLE	Honorable Bill Henry, Comptroller <i>Bill H</i>	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Office of the Comptroller, Room 204, City Hall		
	SUBJECT	21-0023R Informational Hearing - "1% for Art" Program		

DATE:

TO

The Honorable President and  
Members of the City Council  
City Hall, Room 400

April 16, 2021

**Position: Support**

The Comptroller's Office is reporting on City Council Bill 21-0023R Informational Hearing - "1% for Art" Program. The purpose of this resolution is to invite representatives from the Public Arts Commission, the Baltimore Development Corporation, the Parking Authority, the Planning Department, the Department of Public Works, the Department of Recreation and Parks, and the Department of Transportation, the Mayor's Office, the Department of Finance, the Baltimore Office of Promotion and the Arts and other City agencies to discuss the continued administration of the "1% for Art" program.

**Background**

Baltimore was the second city in the country to pass a 1% for Art law in 1964. The Percent-for-Art model requires that the City allocate 1% of all Capital construction costs to go towards public artwork. Baltimore City Code, Article 5 § 21 establishes the Baltimore Public Art Commission, the process for determining artwork allocation amounts and the standards for artwork proposals. Each City agency shall consult with the Commission on the application of this subtitle prior to any construction project being proposed.


The Comptroller's Office, historically, has not tracked public art allocation or required agencies to submit allocation proof to the Board of Estimates. In order to support the program's administration, the Department of Audits Pre-Audits Division will begin reviewing Board of Estimates (BoE) memos for compliance. Agencies submitting construction projects for Board of Estimates Approval must indicate 1. the amount allocated for Public Art and 2. A description of the project as approved by the Public Art Commission. Any projects with incomplete or missing information will not be returned to the agency for completion.

**Conclusion**

This resolution seeks to provide oversight to Baltimore City's public arts program. The Comptroller's Office supports any endeavor to strengthen the arts community and our City infrastructure.

**For the reasons stated above, the Comptroller's Office supports 21-0023R.**

**Attached:** Memo from Comptroller Henry to City Administrator Chris Shorter

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	AGENCY NAME & ADDRESS	Office of the Comptroller, Room 204, City Hall		
	SUBJECT	1% for Public Art – Board of Estimates Process Update		

DATE:

TO

Chris Shorter, City Administrator

April 13, 2021

As you may know, Baltimore was the second city in the country to pass a “1% for Art” law in 1964. Baltimore City Code, [Article 5 § 21](#) requires that the City allocate 1% of the construction costs - of those capital projects where the construction costs exceed \$100,000 - towards public artwork. The Code also further defines applicable projects and eligible funds, establishes the Baltimore Public Art Commission, and sets up a process for determining artwork allocation amounts and the standards for artwork proposals.

It has been brought to my office’s attention that while one or two agencies have been voluntarily sending 1% of their applicable construction costs to the Baltimore Office of Promotion & The Arts for appropriate use in supporting public art, by and large, none of the City’s agencies have been actually following the process laid out in the City Code.

By copy of this memo, I’m giving Pre-Audits notice that once an implementation date is set, all applicable construction projects being submitted for Board of Estimates approval must include both the amount allocated for Public Art and a description of the project as approved by the Public Art Commission. We will be providing agencies with a new template Board memo to reflect these additional requirements. Any projects with incomplete or missing information will not be approved by Pre-Audits for submission to the Board of Estimates.

I’m hoping that by working together, our offices can properly address this issue. Please reach out to Celeste Amato in my office, so that we can begin the process of determining a viable deadline for requiring compliance with the existing law. Our preference would be May 1, but we’re open to a discussion if that is too soon.

Thanks!

Cc: Mayor Brandon M. Scott  
Michael Huber  
Celeste Amato  
Erika McClammy  
Josh Pasch  
Jim Knighton