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Builders may need to help fund public art

BY ELAINE DE VALLE

Builders of commercial or multi-family projects in Coral Gables may soon have to include art in their budgets -- if not in their plans.

A new law given preliminary approval by city commissioners Tuesday would require private developers to earmark 1 percent of their construction costs for on-site art -- as long as it can be accessed by the public -- or else pay into a citywide fund for public art.

The city's historic preservation, economic development and cultural development boards all recommended approval of the Coral Gables Art in Public Places program.

Ivan Rodriguez, executive director of the Miami-Dade Art in Public Places program, praised the city's initiative.

"I am delighted with the foresight of providing for acquisition of new works of art while caring, preserving and protecting the original, historic works of public art in Coral Gables," Rodriguez wrote in a letter to the city. "I applaud this vision and effort."

But not everybody is a fan of the concept -- particularly representatives of the building industry.

Cynthia Ruiz, an attorney with LPR Builders and board member of the Builders Association of South Florida, said only public money should fund public art -- not fees.

"This is going to adversely affect the construction industry, and the negative effect will trickle down to the consumer," Ruiz said.

"It's really an impact fee dressed up as something else," said Truly Burton, BASF's government affairs director for Miami-Dade.

Burton said builders have already complained to her about the proposal.

"Folks are feeling very put-upon," she said, adding that the city should at least waive the fee for projects that are already in the pipeline. "It's extremely unfair at the end of the process to say, 'Oh, and by the way, you owe us another \$15,000.'"

The Gables program, unlike the county's, would provide funding for the restoration and preservation of existing historic landmarks. Unlike the city proposal, the county program requires fees only of projects done on public land.

Commissioners could waive the requirement for any project, said Economic Development Director Cathy Swanson Rivenbark. That might happen when a developer incorporates art through architectural details.

City leaders have tried to formalize procedures for an art in public places program since May 2006, Swanson said. They worked with the county's program, and reviewed more than 300 others nationwide, which have fees that range from .5 percent to 2 percent, she said.

Jeff Bass, an attorney for the University of Miami, expressed concern over the standards and asked if UM would

receive credit for any of the public art already displayed throughout campus.

"We believe the University of Miami is doing more than what is required by this ordinance," Bass said.

BASF's Burton suggested the city keep the program voluntary, adding that Coral Gables -- called the City Beautiful -- has no lack of public art and that the nature of the market already demands it.

"It's already happening. The city has high standards."

Commissioners must hold a public hearing later this month and then approve the proposal a second time before it is implemented.

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