

RESOLUTION NUMBER 7231(CCS)
(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA MONICA ADOPTING
THE PERCENT FOR ART PROGRAM

WHEREAS, the City Council of the City of Santa Monica has established an Arts Commission to carry out certain specified purposes; and

WHEREAS, the Arts Commission has recommended that the City Council of the City of Santa Monica adopt a Percent for Art Program; and

WHEREAS, a Percent for Art Program will enrich the lives of all residents of and visitors to the City of Santa Monica by providing funding for various forms of public art; and

WHEREAS, the City Council of the City of Santa Monica adopted Resolution Number 6854 (CCS) on April 24, 1984, establishing a Percent for Art Program; and

WHEREAS, the City Council of the City of Santa Monica desires to make changes to the Percent for Art Program,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. The Percent for Art Program attached hereto is hereby adopted.

CITY OF SANTA MONICA

PERCENT FOR ART PROGRAM

Adopted by Resolution Number 7231 (CCS)

1. Establishment. The Percent for Art Program is hereby established in the City of Santa Monica. The Percent for Art Program shall be incorporated into each Budget of the City of Santa Monica commencing with fiscal year 1986-87.

2. Definitions. For purposes of the Percent for Art Program, the following words and phrases shall have the following meanings:

a. Art. Art including but not limited to sculpture, painting, graphic arts, mosaics, photography, crafts, mixed media, and environmental works.

b. Arts Commission. The Santa Monica Arts Commission established pursuant to Municipal Code Section 2931.

c. Capital Project. Any capital project as defined in the Capital Improvement Program Budgeting Administrative Instruction involving the construction, remodeling or renovation of property undertaken by the City of Santa Monica or one of its agencies, which property is owned by the City or one of its agencies or is subject to the Beach Operating Agreement with the State of California, including any building, park, sidewalk or street, parking facility, utility, decorative structure and including portions thereof. The following shall be excluded from the definition of capital project:

1. Design and research studies.

2. Purchase and renovation of rolling stock.
3. Urban design or art projects.
4. Grants to private agencies.
5. Purchase of equipment not related to capital construction or renovation.
6. Operating costs (e.g., tree trimming).
7. Acquisition of land (whether improved or unimproved).
8. Any capital project for which legal restrictions preclude application of this program.
9. Community Development Block Grants other than for the construction or renovation of public facilities.

d. CIP Committee. The Committee established by the Capital Improvement Program Budgeting Administrative Instruction.

e. PFA. The Percent for Art Program.

3. Administration. PFA shall be administered by the City Manager. The Arts Commission shall provide guidance to the City Manager and assist in the selection of art as provided for in these Guidelines.

4. Proposed Budget. The proposed budget submitted to the City Council shall be of an amount equal to at least one percent

(1%) of the total budget of all eligible capital projects developed in accordance with the following procedures:

a. The PFA allocations shall be determined by the CIP Committee and be contained in the capital improvement budget submitted by the City Manager to the City Council.

No allocation from any capital project funded by any enterprise fund shall be allocated except for an art project related to the enterprise.

b. One PFA Account shall be established in the general fund of the capital budget. Appropriation authority shall be contained in the capital budget for all PFA projects. From time to time, the City Manager may recommend other budgetary procedures to appropriate and expend PFA allocations, including any necessary interfund transfers and special PFA accounts in enterprise funds to fund PFA projects of major importance to the enterprise.

c. Administrative expenses of the Arts Commission in carrying out PFA shall be payable from the PFA account in an amount not to exceed fifteen percent (15%) of the amount of funds in the PFA account.

5. Annual CIP Art Plan. The Arts Commission shall coordinate the preparation of an Annual Art Plan, which shall set forth specific projects for the PFA allocations in accordance with the following standards:

a. Each Department shall form one or more Selection Committees to determine the type of art for any on-site art from its capital projects. The Selection Committee shall consist of one member of the Arts Commission, one person appointed by the Department Head (which may be the Department Head), and one person mutually agreed to by the Arts Commission appointee and the Department Head appointee. One of the members of the Selection Committee shall be an artist.

b. The Arts Commission shall form one or more Selection Committees to determine the type of art for any off-site art.

c. The Selection Committee shall have the following responsibilities:

1. To determine the type of artwork desired for the site. The Selection Committee shall consider all possible constraints on the site and shall attempt to ensure that the artwork selected is appropriate for the site's overall design and is practical in terms of maintenance and operation. Only low maintenance artwork shall be considered for outdoor, non-secured locations. The maintenance implications of the artwork shall be explored with the appropriate department having maintenance responsibility for the site. If the Selection Committee determines that the art should consist of a mural, the Standards and Procedures for Public Murals shall govern the project.

2. To work with appropriate review boards.

3. To solicit advice from art professionals and from businesses and residents that will be affected by the project.

4. To determine the method by which the artwork will be selected: invitation, limited competition, open competition, or direct purchase. All selection must be done in accordance with applicable legal requirements.

5. To empanel a jury, if it's determined necessary, to make the selection decision. The procedures for a jury shall be approved by the Arts Commission.

6. To recommend a maintenance schedule for the artwork, including whether or not the contract with the artist will include any ongoing maintenance responsibilities.

7. To prepare a report setting forth the manner in which it met its responsibilities under these Guidelines.

d. The Arts Commission shall prepare the information contained from the various selection committees into an Annual Art Plan. The Annual Art Plan shall be submitted to the Commission for its comments and to the City Council for its approval.

6. Implementation of Annual Art Plan. After the Annual Art plan has been approved by the City Council, the Selection Committee shall implement the approved plan. Upon the selection of an artist, the Selection Committee shall make its recommendation to the Arts Commission. The Commission shall approve the selection of the artist and artwork, subject to appeal to the City Council.

7. Maintenance. The Arts Commission shall prepare an Annual Schedule of Artwork Maintenance. The schedule shall be prepared as follows:

a. The Arts Commission and the Department having maintenance responsibility for a particular artwork site shall agree upon maintenance responsibilities for the artwork.

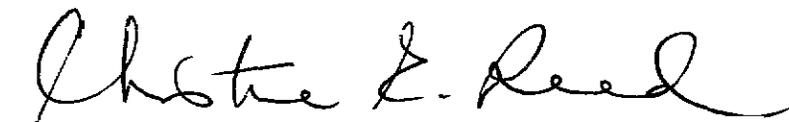
b. Any extraordinary costs of maintenance shall be charged to the PFA Administrative Account.

SECTION 2. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:


ROBERT M. MYERS
City Attorney

Adopted and approved this 10th day of June, 1986.


Mayor

I hereby certify that the foregoing Resolution No. 7231(CCS) was duly adopted by the City Council of the City of Santa Monica at a meeting thereof held on June 10, 1986 by the following Council vote:

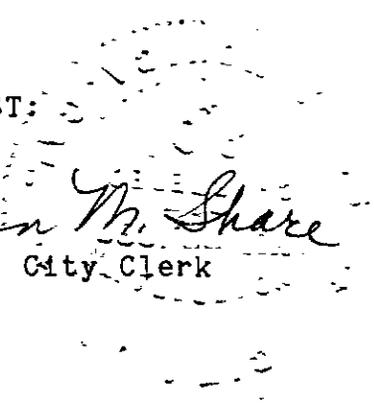
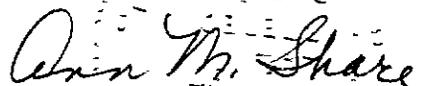
Ayes: Councilmembers: Conn, Epstein, Jennings, A. Katz, Zane and Mayor Reed

Noes: Councilmembers: None

Abstain: Councilmembers: None

Absent: Councilmembers: H. Katz

ATTEST:



City Clerk