

## Chapter 2.30 SALT LAKE ART DESIGN BOARD

### 2.30.010 Purpose:

The Mayor and the City Council declare it to be a policy of the City that a portion of the City's appropriations for capital expenditures in those construction projects designated be set aside for the acquisition of works of art and ornamentation to be used in and around public facilities. This Chapter is enacted and intended also for the purpose of establishing a City Art Design Board, hereinafter Design Board, the primary objectives of which shall include, but not be limited to, the following:

- A. To assist the Salt Lake Council for the Arts in providing the means and the development of a comprehensive Citywide plan to encourage and strengthen artistic and cultural resources;
- B. To provide assessment of the artistic needs of future individual City construction projects;
- C. To be responsible for recommending the nature and type of acquisition and placement of works of art and ornamentation to be used in and around the construction projects and to implement the decisions of the Mayor with respect thereto;
- D. To foster cultural development, and creativity of local artists and craftsmen. (Prior code ? 25-24-1)

### 2.30.020 Definitions:

For the purposes of this Chapter, unless the context indicates otherwise, words and phrases used in this Chapter are defined as follows:

- A. "Council for the Arts" means the Salt Lake Council for the Arts.
- B. "Construction project" means any capital project designated for inclusion under this Chapter by the City Council and paid for wholly, or in part, by the City. When other entities contribute funds for such construction that portion of the City's expenditure shall be included together with such additional funds as are authorized by the contributing entities. "Construction project" includes all new construction designated for such an art appropriation under this Chapter for City occupancy or public use, or the remodeling of any building, structure, park or any portion thereof. Such expenditures shall be as authorized by the City Council within the limits of the City.
- C. "Eligible fund" means the source fund for construction projects designated and appropriated for works of art under this Chapter.
- D. "Works of art", for the purposes of this Chapter, means all forms of original creations of visual arts, including, but not limited to:
  - 1. Sculpting: Sculpture in the round, bas-relief, high relief, mobile, fountain, kinetic, electronic, etc., in any material or combination of materials;

2. Painting: All media, including portable and permanently affixed works such as murals and frescoes;
3. Graphic arts: Printmaking and drawing;
4. Mosaics;
5. Photography;
6. Crafts: In clay, fiber and textiles, wood, metal, plastics and other material;
7. Calligraphy;
8. Stained glass;
9. Mixed media: Any combination of forms or media, including collage. (Prior code ? 25-24-2)

### **2.30.030 Organization?Membership?Term?Compensation:**

- A. The Design Board shall consist of the following: five (5) members, all of whom shall be appointed by the Mayor with the advice and consent of the City Council from a slate of qualified candidates submitted by the Design Board in cooperation with the Council for the Arts. No more than two (2) members shall be professional artists or arts administrators or art teachers involved in the administration or teaching of art at a recognized institution in the City. One member shall be an architect. The remaining members shall be citizens who are actively interested in the visual arts and civic improvement from the City area. Of the members first appointed, two (2) shall be for a term of three (3) years, two (2) shall be for a term of two (2) years and one (the architect) for a term of one year. Thereafter, as terms expire, all appointments shall be made for terms of three (3) years each.
- B. The Director of the Council for the Arts shall serve as an ex officio and nonvoting member to coordinate administrative responsibilities. One member shall represent the Council for the Arts.
- C. No member of the Design Board shall be permitted to receive or authorize any contracts for any work of art, nor shall any member of the Design Board have any financial interest in or benefits in any way financially from any work of art which is recommended, or from any firm or person which receives any contract for such work of art from the City.
- D. The Design Board may adopt administrative rules, bylaws and procedures necessary to accomplish its purpose.
- E. Members of the Design Board shall receive no compensation for their services, but they may be reimbursed from time to time for proper and necessary expenses incurred in their duties on the Design Board. The Design Board shall have such funds, facilities, assistance and employees as may be designated therefor from time to time by the Mayor.
- F. The recommendations for selection of artists for works of art, by any reasonable method,

together with the reviewing of design, execution and placement, and the acceptance of works of art and ornamentation shall be the responsibility of the Design Board in consultation with the architects or managers for the project, and subject to final written approval in each instance by the Mayor or the Mayor's designee.

- G. Except for works of art donated to the City by a sister city, the Design Board shall be responsible for the examination and acceptance or rejection of all works of art offered to the City as a donation or gift. All such donations or gifts shall meet the same standards as required for percent for arts selection. (Ord. 34-99 ? 1, 1999: prior code ? 25-24-4)

### **2.30.040 Meetings?Absences And Removal From Membership:**

The Design Board shall hold regular monthly meetings to review the business of the Board and such meeting shall be held at a time and place to be established by the Board. A Board member missing three (3) unexcused meetings, shall be removed from membership. (Prior code ? 25-24-7)

### **2.30.050 Jurisdiction:**

The Design Board's jurisdiction shall be limited to:

- A. Making recommendations to the Mayor with regard to the foregoing purposes with the final decision concerning such recommendations and disbursements of all funds resting with the Mayor;
- B. Making operating expenditures subject to prior approval by the Mayor;
- C. Recommending that the City contract, as needed, with individuals, businesses, agencies, organizations or other groups, to render services to the Design Board or City relating to the Board's purposes.
- D. Recommending a redesignation of funds to a different project or projects when the Design Board determines that, in its opinion, the available funds for a specific improvement project are insufficient or that a particular site is inappropriate for public art. (Ord. 34-99 ? 2, 1999: prior code ? 25-24-8)

### **2.30.060 Funds For Works Of Art?Requests For Appropriations:**

- A. When so designated by the City Council, in its appropriation for capital improvements, all City agencies and departments shall expend, as a nondeductible item out of any monies appropriated for the planning, design and construction of construction projects, an amount equal to one percent of such appropriations for the acquisition and installation of works of art and ornamentation. All requests for appropriations for planning, design and construction of construction projects from eligible funds except projects solely for water or sewer main installation or street improvements, shall include an amount equal to one percent (1%) of the estimated cost of such project for such works of art, and shall be accompanied by a request and specific recommendations from the Design Board for authorization to expend such funds. When the City Council denies any such request, the appropriations for such construction projects shall not include the appropriation of funds for works of art. Such

funds shall be expended by the City upon recommendation of the Design Board.

- B. In addition to the cost of works of art, such appropriation shall be used to provide administration costs and expenses for the Design Board in administering individual projects. The administration costs shall not exceed ten percent (10%) of each such appropriation for works of art.
- C. If artwork for a capital project is denied by the City Council as a construction project eligible for inclusion under this Section, and the Design Board believes such capital project should be so designated, the Design Board may submit a recommendation to the Council outlining the reasons why the capital project should be so designated. The Council shall then decide whether such project shall be designated and such decision shall be final. (Ord. 34-99 ? 3, 1999: prior code ? 25-24-3)

### **2.30.070 Percent For Art Fund?Established:**

There is established in the City Treasury a special fund designated "Percent For Art Fund" into which shall be deposited funds and appropriations as contemplated by Section [2.30.060](#) of this Chapter, or its successor. Separate accounts shall be established within the percent for the arts funds to segregate receipts by source or when so directed by the Mayor for specific works of art. Disbursement from such funds shall be made in connection with projects approved by the Design Board on vouchers approved by the Mayor, and the City Finance Director shall draw and the City Treasurer shall pay the necessary warrants and make the necessary transfers of funds. (Prior code ? 25-24-6)

### **2.30.075 Participation Of Artists:**

It is the intent of the city to involve artists at the earliest appropriate stage of a city improvement project. The design board shall establish the artist selection process and, in collaboration with the applicable city department, make recommendations regarding the scope of work on a case-by-case basis. The city may include artists in a broad range of projects including:

- A. **Planning:** Artists may be selected to assist in the evaluation of options, strategies, limitations and opportunities for art and aesthetic design in capital projects before the scope, quality, schedule, and budget are fixed.
- B. **Collaboration With Project Design Team:** Artists may be selected as consultants on construction or project work in which the creation, documentation, and construction of the project is collaboratively developed with the city's project managers, design team, and the public. This is pursuant to the goal of improving the aesthetics of the entire project.
- C. **Site Specific Artwork:** Artists may be selected to design artwork for a specific location.
- D. **Individual Works Of Art:** Artists may be commissioned to create a work of art, or existing works of art may be purchased. (Ord. 34-99 ? 4, 1999)

### **2.30.080 Placement Of Works Of Art:**

Works of art selected and implemented pursuant to the provisions of this chapter, and any amendment to this chapter, may be placed in, on or about any such project. They may be attached or detached within or about such property and may be either temporary or permanent. Placement of such works of art shall be authorized by the design board, and city officers responsible for the design and construction of such projects shall make appropriate space available for the placement of such works of art. The design board shall advise the department responsible for the particular construction project of the mayor's or his/her designee's decision regarding the design, execution and/or placement of works of art in connection with such project. For any proposed work of art or ornamentation requiring extraordinary operation or maintenance expense, the design board shall obtain prior written approval of the department head responsible for such operation or maintenance before submitting a proposal for such to the mayor for approval. (Prior code ? 25-24-5)