

Sec. 2-109. - Municipal public art program.

- (a) **Purpose.** The City of Corpus Christi accepts responsibility for expanding the opportunities for its citizens to experience art in public places. The city also recognizes the substantial economic benefits to be gained through the enhancement of tourism. A policy is therefore established to direct the inclusion of works of art in certain city construction projects or other city owned properties and to encourage the inclusion of works of art in private developments in the City of Corpus Christi.

- (b) **Definitions.** For the purposes of this section:

*Art selection panel* means a committee which may be established by the commission on an ad hoc basis to assist the commission in administering, procuring, or incorporating artwork with a particular city construction project.

*Arterial street* means streets identified as arterials in the master transportation plan.

*City construction project* means any capital project paid for wholly or in part by funds appropriated by the city council to construct or remodel a building, parking facility, park, arterial street, sidewalk, or any portion thereof.

*Construction cost* means the total city-funded portion of a city construction project less demolition costs, equipment costs, and real property acquisition costs.

*Demolition costs* means payments for any work needed for the removal of buildings or other existing structures from city property.

*Equipment costs* means payments for any equipment or furnishings that are portable and of standard manufacture. Equipment shall not mean items that are custom designed for, or that create a new use for, a facility, whether portable or affixed.

*Real property acquisition costs* means payments made for the purchase of parcels of land, existing buildings or structures, and costs incurred by the city for appraisals or negotiations in connection with such purchase.

*Visual arts committee* means a standing committee of the commission which reviews the suitability of artwork, recommendations of art selection panels, and monitors the continued implementation of the commission's procedures, guidelines, and recommendations for the municipal public art program. The visual arts committee shall report directly to and make recommendations to the commission.

*Works of art or artwork* shall mean any form of original, permanent creation of visual art which shall include, but not be limited to:

- (1) Paintings of all media such as frescoes and murals;
- (2) Sculptures, in any material or combination of materials, for ornamentation or commemoration such as statues, monuments, fountains, arches, bas-reliefs, mobiles, or kinetic, electronic, and neon sculptures; and
- (3) Other forms such as inscriptions, stained glass, fiber works, carvings, mosaics, photography, drawings, collages, textile works, prints, or decorative or utilitarian crafts utilizing clay, fiber, wood, metal, glass, stone, plastic, and other materials.

- (c) **Funds for works of art.**

- (1) **Allocations.** All allocations for funds for city construction projects shall include an amount equal to one and one-quarter (1¼) per cent of the construction cost, to be used for the selection, acquisition, commissioning, and display of works of art and any other associated costs such as professional fees, community education, insurance, curatorial services, identification, documentation and publicity. If the source of funding, applicable law governing any particular project, or the expenditure of such funds precludes art as permissible expenditure, the amount of funds so restricted shall be excluded from the construction cost, as defined herein, in determining the amount to be allocated as provided herein. City construction projects with a

construction cost of less than fifty thousand dollars (\$50,000.00) shall be excepted, and no allocation shall be made on such projects. Eligible city construction projects for operational facilities that are not visited by the public on a routine basis nor designed for public access shall not have publicly funded interior artwork, but the exterior of such facilities remain eligible for artwork. Concurrent with the appropriation to fund a related city construction project, the city council shall appropriate funds as specified herein and request the municipal arts commission to appoint an art selection panel for the project. Separate accounts shall be established whenever funds are required to be used at a designated city construction project. Except for the following city construction projects approved by voter referendum on April 5, 1986, namely the police station and municipal court facility, airport terminal interior: treatment of ceilings and lighting and renovations of restrooms, development of unimproved parkland, and the recreation center, which shall be subject to the allocation for public art, all future appropriations for city's construction projects previously authorized by bond referendum prior to the effective date of this section shall be exempt from the allocation for public art. However, Relocation of Fire Station No. 1 shall be eligible for exterior public artwork.

- (2) *Grant applications.* From the effective date of this section, applications for capital projects to granting authorities shall include amounts for work of art as specified herein, insofar as permissible by the granting authority.
- (d) *Uses of funds.* Funds allocated in accordance with this section may be used for the selection, acquisition, purchase, commissioning, placement, installation, exhibition or display of works of art. The works of art shall be permanent, may be integral to the architecture, or may be placed in, on, or about a city construction project or other city property. To the extent practical, artist, selection should be concurrent with selection of the architect or designer, to ensure integration of the artwork into the project architecture.

In the event that a particular city construction project is deemed inappropriate for the placement of artwork by the municipal art commission, if not otherwise prohibited by law, the funds appropriated for artwork shall be used at other more appropriate public sites.

(e) *Municipal arts commission responsibilities.*

- (1) *Program administration.* The commission shall be responsible for advising the city manager and the city council on all aspects of the administration of the municipal public art program, including establishing policies and guidelines, designating sites, determining project budgets, selecting artists and commissioning artworks, reviewing the design, execution and placement of works of art and the removal of works of art from the city collection.  
  
The commission shall also direct appropriate citizen involvement in the selection process. Appropriate community education activities should be part of the placement of artworks under this section. Such activities may include, but are not limited to, exhibitions, workshops, artist residencies, dedications, and other programs designed to ensure public acceptance and enjoyment of the artworks.
- (2) *Art selection panels.* When requested by the art council the commission shall appoint art selection panels to utilize professionals in the visual arts and design fields as part of the artwork selection process to ensure artwork of the highest quality. Each panel shall have voting and nonvoting members as prescribed by the guidelines and rules of the commission. The art selection panels shall include members of the commission and others. It is within the sole discretion of the commission to select persons to be appointed to an art selection panel.
- (3) *Maintenance.* The commission shall require that any recommended work of art needing extraordinary operation or maintenance costs be accompanied with a fiscal note, detailing such extraordinary costs. Maintenance of the artwork under the various city departments' care shall be the responsibility of those departments, provided that all repairs and maintenance of artworks by city departments or any other person or agency shall have the prior consultation with the commission.

Such repair and maintenance shall comply with any contractual obligations which may have been entered into upon the acquisition of those artworks. The commission shall, at least annually, conduct a survey of the entire city-owned artwork collection. Such survey shall be submitted to the city council and shall include a review of the condition of each artwork in the collection and shall contain recommendations for the care and maintenance of the artworks, along with the estimated cost thereof. Annually, the city council shall make available such sums for the maintenance of the city collections as it deems appropriate.

- (4) *Gifts and donations.* The commission shall have further responsibility for reviewing and recommending for approval any artworks proposed to be donated to the city. The commission shall establish such policies and guidelines as may be appropriate to facilitate and encourage the donation of works of art of high quality to the city.
- (5) *Style.* The public art program is not intended to support exclusively works of art of any particular school, style, taste or medium. The commission shall ensure that, over time, the city collection shall represent a broad range of artistic styles, tastes and media.

(Ord. No. 19663, § 1, 3-10-1987; Ord. No. 21435, § 1, 7-14-1992)