

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
ESTABLISHING A VISUAL ARTS JURY.

WHEREAS, the City Council has deemed it advisable and in the public interest to establish a commission to review and make recommendations on works of art that shall become the property of the City, or displayed in public places; and,

WHEREAS, the City Council recognizes that professional expertise is desirable in artistic matters; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the proposed guidelines relating to a Visual Arts Jury and Articles and By-Laws, attached hereto as "Exhibit A," are hereby adopted and approved by the City Council.

PART 2: That this resolution shall take effect immediately from and after its adoption.

ADOPTED this 13 day of October, 1988.

ATTEST:

Op Moore
CITY SECRETARY

Dale E. Ferguson
MAYOR

APPROVED:

Harvey C. ...
CITY ATTORNEY

Exhibit "A" to
RESOLUTION NO. 48-1988
VISUAL ARTS JURY

SECTIONS:

Purpose and Authority
Membership
Terms of Office
Meetings and Procedures
Interaction with other City Bodies
Definitions
Duties of the Visual Arts Jury

PURPOSE AND AUTHORITY

- (a) The Visual Arts Jury shall serve as an advisory commission to the City Council of the City of Abilene, and shall have those powers granted by this resolution and those which may be hereafter approved by the City Council.
- (b) The Visual Arts Jury shall perform such other duties and undertake such other responsibilities as the City Council may from time to time direct.

MEMBERSHIP. The Visual Arts Jury shall consist of eleven members: the Designee of; or the President and Director of the Cultural Affairs Council; the Director of the Abilene Fine Arts Museum; the President of the Abilene chapter of the A.I.A.; and the heads of the art departments at the three colleges. Four additional members at large shall be appointed by the Mayor.

TERMS OF OFFICE. Members appointed to the jury by virtue of their art affiliation shall serve until they vacate the position. The four members at large appointed by the Mayor shall serve three year terms.

MEETINGS AND PROCEDURES.

- (a) Meetings. The Visual Arts Jury shall meet as necessary. Special meetings may be called by the chairperson or by any three members of the Visual Arts Jury upon personal notice being given to all members or by written notice being mailed to each member seventy two (72) hours prior to such meeting. All meetings shall comply with the Open Meetings Act.

- (b) Procedures. The Visual Arts Jury shall select from their membership a Chairperson and other officers as necessary, and prescribe such bylaws, forms, applications, rules and regulations as it deems necessary for the conduct of its business.

INTERACTION WITH OTHER CITY BODIES. If the functions of the Visual Arts Jury overlap the functions of another City committee, commission, board, task force, or the like, the Arts Jury shall in cooperation with such other City body devise a procedure for coordinating such functions to avoid duplication of efforts, to maximize cooperation, and to utilize the expertise of the Visual Arts Jury in a manner most compatible with the public interest.

DEFINITIONS. FOR THE PURPOSE OF THIS RESOLUTION, UNLESS IT IS plainly evident from the context that a different meaning is intended, certain terms as used herein are defined as follows:

- (1) "Art in Public Places" means any visual work of art displayed for two weeks or more in an open city-owned area, on the exterior of any city-owned facility, within any city-owned facility in areas designated as public area, lobbies, or public assembly areas, or on non-city property if the work of art is installed or financed, either wholly or in part, with City funds or grants procured by the City.
- (2) "Work of Art" shall include, but shall not be limited to, a sculpture, monument, mural, fresco, relief, painting, fountain, banner, mosaic, ceramic, weaving, carving, and stained glass. The term "work of art" would normally not include landscaping, paving, or architectural ornamentation.
- (3) "Permanent installation" means a work of art in a public place intended to remain or remaining for one year or more.
- (4) "Temporary installation" means a work of art in a public place intended to remain for less than one year.

DUTIES OF THE VISUAL ARTS JURY. The duties of the Visual Arts Jury with respect to the art in public places program shall be as follows:

- (1) To advise the City Council in matters pertaining to the quality, quantity, scope and style of art in public places.
- (2) To advise and assist the City Council and other public bodies in the selection and commissioning of artists with respect to the design, execution and placement of art in

public places and, pursuant to such methods, to advise on the selection and commissioning of artists for such purposes.

- (3) To review plans for the temporary or permanent installation of art in public places.
- (4) To review the inventory of art in public places and to advise in matters pertaining to the maintenance, placement, alteration, sale, transfer, ownership, and acceptance or refusal of donations of, and other matters pertaining to, art in public places.
- (5) To recommend the retention of consultants, consistent with the City's consultant selection procedures, to assist the City and the Visual Arts Jury in making decisions concerning the art in public places program as may be appropriate.

VISUAL ARTS JURY
ARTICLES & BY-LAWS

Article I

Purpose

The Visual Arts Jury shall serve as an advisory commission to the City Council of the City of Abilene, and shall have those powers granted by Resolution of the City Council and those which may be hereafter approved by the City Council.

The Visual Arts Jury shall perform such other duties and undertake such other responsibilities as the City Council may from time to time direct.

Article II

Membership

The Visual Arts Jury shall consist of eleven members: The Designee of; or the President of the Cultural Affairs Council; the Director of the Cultural Affairs Council; the Director of the Abilene Fine Arts Museum; the President of the Abilene chapter of the American Institute of Architects; the heads of the art departments of Abilene Christian University, Hardin-Simmons University, and McMurry College. Additional four members-at-large shall be appointed by the Mayor.

Section 1. Terms of Office. Members appointed to the jury by virtue of their art affiliation shall serve until they vacate the position. The four members-at-large shall serve three year terms.

Section 2. Chairperson. The chairperson shall be elected by the jury at the first meeting following the beginning of the City's fiscal year. He/She shall serve a one year term and may be re-elected for one additional term.

Section 3. Vacancies. In the event there is a vacancy caused by a member of the Visual Arts Jury leaving their position with the college, museum, etc., they will no longer serve on the jury. The person replacing them will be asked to serve on the jury as soon as they assume their position.

If there is a vacancy in a position appointed by the Mayor, the Mayor shall make every attempt to fill the position within 30 days.

Article III

Meetings

Section 1. Meetings. The Visual Arts Jury shall meet as necessary. Special meetings may be called by the chairperson or by any three members of the Visual Arts Jury upon personal notice being given to all members or by written notice being mailed to each member seventy-two (72) hours prior to such meeting and posted on the bulletin board at City Hall. All meetings shall comply with the Open Meetings Act.

Section 2. Quorum. At any duly called meeting of the Visual Arts Jury seven (7) of the respective members constitute a quorum.

Section 3. Conduct. The meetings shall be conducted in accordance with Roberts Rules of Order.

Article IV

Definitions

For the purpose of these by-laws, unless it is plainly evident from the context that a different meaning is intended, certain terms as used herein are defined as follows:

(1) "Art in public places" means any visual work of art displayed for two weeks or more in an open city-owned area, on the exterior of any city-owned facility, within any city-owned facility in areas designated as public area, lobbies, or public assembly areas, or on non-city property if the work of art is installed or financed, either wholly or in part, with city funds or grants procured by the city.

(2) "Work of art" shall include, but shall not be limited to, a sculpture, monument, mural, fresco, relief, painting, fountain, banner, mosaic, ceramic, weaving, carving, and stained glass. The term "work of art" would normally not include landscaping, paving, or architectural ornamentation.

(3) "Permanent installation" means a work of art in a public place intended to remain or remaining for one year or more.

(4) "Temporary installation" means a work of art in a public place intended to remain for less than one year.

Article V

Duties of the Visual Arts Jury

The duties of the Visual Arts Jury with respect to the art in public places program shall be as follows:

(1) To advise the city in matters pertaining to the quality, quantity, scope and style of art in public places.

(2) To advise and assist the Cultural Affairs Council Director and other directors of public bodies in the selection and commissioning of artists with respect to the design, execution and placement of art in public places and, pursuant to such methods, to advise the Cultural Affairs Council Director on the selection and commissioning of artists for such purposes.

(3) To review plans for the installation of art in public places.

(4) To review the inventory of art in public places and to advise the city in matters pertaining to the maintenance, placement, alteration, sale, transfer, ownership, and acceptance or refusal of donations of, and other matters pertaining to, art in public places.

(5) To recommend the retention of consultants, consistent with the city's consultant selection procedures, to assist the city and the Visual Arts Jury in making decisions concerning the art in public places program as may be appropriate.

Article VI

Standards for Review

In performing its duties with respect to the art in public places program, the Visual Arts Jury shall give special attention to the following matters:

(1) Conceptual compatibility of the design with the immediate environment of the site.

(2) Appropriateness of the design to the function of the site.

(3) Compatibility of the design and location within a unified design character or historical character of the site.

(4) Creation of an internal sense of order and a desirable environment for the general community by the design and location of the work or art.

(5) Preservation and integration of natural features with the project.

(6) Appropriateness of the materials, textures, colors, and design to the expression of the design concept.

(7) Representation of a broad variety of tastes within the community and the provision of a balanced inventory of art in public places to insure a variety of style, design, and media throughout the community that will be representative of the eclectic tastes of the community.

Article VII

General Rules for Art in Public Places

Section 1. Approval. All permanent installations must be reviewed by the Visual Arts Jury. Temporary installations shall receive the prior review and advice of the Director of the Cultural Affairs Council and the Visual Arts Jury. Permanent installations shall not be removed, altered, or changed without the prior review of the Visual Arts Jury.

Section 2. Procedure to Obtain Approval for Permanent Installations. The organization or individual interested in donating a work of art to the city must contact the chairperson and schedule an appointment with the Visual Arts Jury at least 30 days prior to the city council meeting at which they would like to obtain final approval. The presentation must include a maquette of the work, slides, or when feasible, the actual work to be donated.

In some instances, if the artist's work is well known, and the work is to be commissioned specifically for the site, the Visual Arts Jury may grant their approval based on slides of previous work.

Section 3. Private Sites for Art in Public Places. No work or art financed or installed either wholly or in part with city funds or with grants procured by the city shall be permanently installed on privately-owned property without a written agreement between the city and the owner specifying the proprietary interests in the work of art, binding the owner to the general rules for art in public places, specifying that the owner shall assure installation of the work of art in a manner which will protect the work of art and the public and that the work of art will be maintained in good condition, and providing for appropriate insurance and indemnification, as well as any other provisions deemed necessary or desirable by the city attorney.

Section 4. Consultation with the Artist. Installation, maintenance, alteration, refinishing, and moving of art in public places shall be done in consultation with the artist whenever feasible.

Section 5. Inventory of Art in Public Places. The Cultural Affairs Council Director shall maintain a detailed record of all

art in public places, including site drawings, photographs, designs, names of artists, and names of architects, whenever feasible.

Article VIII

Jurisdiction

If the functions of the Visual Arts Jury overlap the functions of another city committee, commission, board, task force, or the like, the Director of the Cultural Affairs Council, in cooperation with the Visual Arts Jury and such other city body, shall devise a procedure for coordinating such functions to avoid duplication of efforts, to maximize cooperation between city bodies, and to utilize the expertise of the Visual Arts Jury in a manner most compatible with the public welfare.