

CITY OF GRAND JUNCTION
RESOLUTION NO. 20-97

A resolution of the City of Grand Junction creating an Art in Public Places program, authorizing allocation of funds for art in the construction of certain City capital improvement projects, establishing a method of calculating art appropriations for City capital projects, providing for an art selection process, and establishing a Public Art Fund.

WHEREAS, the City of Grand Junction wishes to enhance the aesthetic environment of its public spaces, buildings, and property by integrating high quality urban design and art into its capital improvement projects; and,

WHEREAS, the City wishes to create a more visually pleasing environment and expand the opportunities for residents and visitors to experience quality works of art by facilitating the acquisition, display, and development of such works of art in public places;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. Purpose.

The purpose of this ordinance is to establish and implement an Art in Public Places program which provides for acquisition by the City of works of art in conjunction with certain City capital improvement projects by requiring that all applicable City projects include funding for a work or works of art to be placed at that site in a location visible and accessible to the general public.

Section 2. Definitions.

Capital Improvement Project means any capital improvement project included in the City of Grand Junction Capital Improvement Plan with a total budgeted allocation of \$50,000 or higher, paid for and/or completed wholly or in part by the City, regardless of the source of funding, for construction, renovation or remodeling of any public building, structure, or park. Projects not subject to this program shall be: Water, Sewer and Sanitation Enterprise Fund projects; land acquisition; projects consisting solely of purchase or installation of equipment, including but not limited to, lighting, traffic signals, signage, underground utilities, electronics, playground, equipment, or HVAC; and projects to resurface, repaint, reroof or overlay existing streets, sidewalks, trails, cart paths, parking lots, buildings, or structures.

Commission on Arts and Culture means the board established and appointed by the City Council pursuant to Resolution No. 44-89.

Public Art Fund means a separate account established by the City to receive monies appropriated to the Art in Public Places program.

Structure means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Works of Art means all forms of original creations of visual art, including but not be limited to sculpture, painting, fountains, mosaics, graphic arts, printmaking, drawing, photography, ceramics, stained glass, fiber art, woodworking, metal work, and mixed media. Works of art may also include unique and artistic landscaping features or environmental installations when located within a park, and decorative or ornamental architectural embellishments not part of the basic design of a structure or building.

Section 3. Funding.

All appropriations for applicable City capital improvement projects shall include an amount equal to one percent (1%) of the lesser of the City's Engineer's estimate (or other City staff estimate if an engineer's estimate is not available) or the amount of the bid awarded; *i.e., multiply by 0.01* the lesser of any available engineer's estimate or the original bid award for the capital construction project but exclude costs of real property acquisition and exclude the amounts of any subsequent change orders, additions or deletions.

Section 4. Uses of Funds.

Funds appropriated for art shall be transferred to a "Public Art Fund" established for this purpose. Money collected in this fund shall be used solely for selection, acquisition, purchase, commissioning, placement, installation, exhibition and display of works of art. Artwork may be temporary or permanent, may be integral to the architecture, and/or may be incorporated into the site of the construction project for which the appropriation is allocated or may be placed at a more appropriate site maintained within the same City department.

Any costs and responsibilities associated with administration of this program shall be reflected in the budget of the Grand Junction Commission on Arts and Culture or other appropriate department of the City, and any costs and responsibilities associated with maintenance or repair of the artwork shall be reflected within the budget of the department having possession of the work.

Any excess or unexpended funds in the "Public Art Fund" shall carry forward in this account at the end of each fiscal year and may be allocated in conjunction with future capital improvement projects.

Section 5. Responsibilities.

Responsibility for administration of the Art in Public Places Program shall rest with the Grand Junction Commission on Arts and Culture. The Commission shall establish and amend, with City Council approval, criteria and guidelines governing the selection, acquisition, purchase, commissioning, placement, installation, and maintenance of works of art. Selection and placement of works of art shall be in conjunction with representatives of the City Council and the City department responsible for the specific capital improvement project.

Following placement or installation, maintenance and repair of the artwork shall be the responsibility of the department having possession of the work. Any proposed works of art requiring extraordinary operation or maintenance expenses shall receive prior approval of the department head responsible for such operation or maintenance.

Section 6. Public Art Fund.

There is hereby established a "Public Art Fund" into which shall be deposited funds appropriated pursuant to Section 3 of this ordinance, together with any other funding appropriated by City Council for the purchase of works of art, and any grants or donations received from other sources for this purpose. Funds shall be approved for expenditure in accordance with City financial policies, department regulations, and criteria established pursuant to Section 5 of this ordinance.

Section 7. Other Works of Art.

Nothing in this ordinance shall be construed to preclude the selection, acquisition, purchase, commissioning, placement, or installation of works of art in public places other than those placed pursuant to this ordinance.

Passed and adopted this 19th day of February, 1997.

ATTEST:

/s/ Linda Afman
President of the Council

/s/ Stephanie Nye
City Clerk