

RESOLUTION NO. 125-08

A RESOLUTION REVISING THE CITY OF GRAND JUNCTION'S ART IN PUBLIC PLACES PROGRAM – ONE PERCENT FOR ART

RECITALS:

In February 1997 the City of Grand Junction (“City”) created the City’s Art in Public Places program, authorizing the allocation of funds for the acquisition of art in conjunction with 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. The program has been successful. The City chooses to continue the program with some revisions.

The City 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.

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.

The City wishes to provide for the placement of works of art in the most appropriate locations for the enjoyment of the general public and the enhancement of City spaces and property; and to provide for the pooling of funds allocated through the 1% for Art program in a Public Art Fund; and to increase the minimum amount of the capital improvement construction budget toward which the 1% for Art appropriation applies;

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

Section 1. Purpose

The purpose of this resolution is to amend the City’s Art in Public Places program, which provides for acquisition by the City of works of art in conjunction with certain City capital improvement projects. The program requires that all applicable City projects include funding for a work or works of art to be placed at that site or at an alternate and more appropriate, publicly visible and accessible location.

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 \$100,000 or higher, paid for 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 the Art in Public Places program are 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 and includes construction of 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. For purposes of this resolution a traffic circle or vehicular roundabout shall be considered a Structure. Works of Art shall be installed in a traffic circle or vehicular roundabout if inclusion of artwork would not interfere with sight distance or other safe vehicular and/or pedestrian movement at such a location.

Work(s) 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, mixed media and decorative or ornamental architectural embellishments not part of the basic design of a structure or building. Works of Art may also include unique and/or artistic landscaping features, installations or environmental designs when located within a park, traffic circle or vehicular roundabout.

Section 3. Funding

All appropriations for 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 established) 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 *Works of Art* shall be transferred to a *Public Art Fund* established for the purposes stated in this Resolution. Money collected in the 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 selected by the Grand Junction Commission on Arts and Culture and accessible to the general public.

Any costs and responsibilities associated with administration of the 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 or, if an alternative site is selected, the City department in which the artwork will be located.

Following placement or installation, maintenance and repair of the artwork shall be the responsibility of the department having possession of the work, with the advice and guidance of the Commission on Arts and Culture. 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 resolution, 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 resolution.

Section 7. Other Works of Art.

Nothing in this resolution 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 resolution.

Resolution No. 20-97 is hereby repealed and replaced with Resolution 125-08.

Passed and adopted this 15th day of September 2008.

ATTEST:

/s/ Debra Kemp
Debra Kemp
Deputy City Clerk

/s/ Teresa Coons
Teresa Coons
President of the Council Pro Tem