

ARTICLE VII. ARTS COMMISSION AND THE ARTS

DIVISION 1. GENERALLY

§ 38-487. Purposes.

The Council hereby declares that the artists, performers and various artistic and cultural institutions of the City enhance the public welfare by providing education, recreation, entertainment and culture to the citizens of the City. The Council therefore declares that the purposes of this article are as follows:

- (1) to provide a continuing source of advice concerning artistic, cultural or aesthetic matters to insure that the City will be an attractive and culturally enriched City.
- (2) to promote and encourage programs to further the development of and public awareness and interest in the City in connection with the artistic and cultural development of the City.
- (3) to provide advice to the Council concerning works of art to be placed on municipal property.
- (4) to provide advice and assistance to the City in connection with other artistic and cultural activities.

(Ord. No. 15652, § 1(7A-2), 1-3-80; Code 1980, § 38-487)

§ 38-488. Policy for works of art; budgeting of public funds; selection and placement; definitions.

The policy for budgeting of public funds for works of art and for the selection and placement of works of art upon property owned by the City shall be as follows:

- (1) One percent of the budgeted construction cost of any new building or park development or major renovation thereof, to be constructed or erected on public right-of-way or on property owned by the City utilizing public funds shall be allocated for works of art, with such funding subject to appropriation and encumbrance of revenues as provided for by Oklahoma law applicable to municipal corporations. Provided, funds budgeted for works of art under this section may be used for works of art either incorporated into the project on building projects or on any property owned by the City. The provisions of this section shall apply to any Trust of which the City is beneficiary, if said Trust has by Resolution approved one percent for art provisions. It is the policy of The City that all future special sales tax documents, bond resolutions and Tax Increment Financing documents shall include a provision for one percent for art. All public art purchased by the one percent set aside, shall first be reviewed by the Oklahoma City Arts Commission, which shall make a recommendation regarding its acquisition to the Oklahoma City Council or beneficiary public trust, pursuant to the provisions of paragraph (3) of this ordinance.
- (2) Funds appropriated which are not restricted by law, pursuant to the provisions of this section shall be placed in a separate account to be established and such funds shall be used exclusively for the art selection process, administration costs, artwork maintenance, and the purchase, transport, and installation of works of art. Art obtained

as a result of funding that is restricted by law, shall be purchased within the time frame of the project-restricted proposition and funding shall be placed and spent in accordance with limitations of the restricted funding.

(3) If the Project architect and engineer, with the concurrence of the City Engineer proposes incorporation of art into a City-owned building, structure or grounds, or to be purchased with funds set aside pursuant to the provisions of this section, all such works of art shall be reviewed and a recommendation made by the Arts Commission. Final approval for such art purchases shall be given by the Council or public trust as applicable, pursuant to Subsection 38-499(2) of this chapter. The Arts Commission may also suggest art for inclusion in any construction or renovation project described in this section. Further, as soon as the proposed art is in schematic and/or rendering form, the Arts Commission shall review said proposed art. The Arts Commission shall make its recommendation within sixty (60) days of its receipt of the schematic and/or rendering form, to be forwarded to the City Council or public trust for approval. Notwithstanding the provisions of Sections 3-487 and 3-499 of this Code, or paragraph (2) herein, the City Council or applicable public trust may approve the art without the Art Commission's prior recommendation, when recommended by the City Engineer.

(4) For the purposes of this section, the following terms shall have the meanings indicated:

- a. Building means a structure designed and used in a manner that allows and encourages public access, including but not limited to convention centers, sports arenas, transit stations, City facilities where public meetings are held, City facilities the public is allowed to use for educational or training sessions, and City office facilities where City staff regularly interact with members of the public. Building shall not include those structures reasonably expected to be used exclusively by City employees, including by way of example, but not limited to pump stations or warehouses.
- b. Budgeted construction cost means that amount determined by the City Engineer or other designated person as the price of a public project before its design begins, and shall not include land acquisition costs or testing and consultant fees.
- c. Major renovation means
 1. buildings - any change, addition or modification to an existing building that increases the square footage by a minimum of 20 percent or the renovation of an existing building in which a minimum of 25 percent of the interior square footage is the subject of renovation in a manner that invokes the provisions of the Oklahoma City Building Code.
 2. park development - any significant work on an existing park which enhances the function or use of substantial areas of an existing park.
- d. New means where no pre-existing building or park development existed before construction began.
- e. Works of art means by way of illustration and not of limitation: paintings and photographs; murals; stained glass; sculptures; bas-reliefs; three-dimensional designs; extraordinary landscaping or environmental works, including monuments, fountains, arches or other unusual architectural treatments.

(Code 1980, § 38-488; Ord. No. 18674, § 1, 1-20-87; Ord. No. 23935, § 1, 9-15-09)

§§ 38-489--38-494. Reserved.

DIVISION 2. ARTS COMMISSION*

***Cross references:** Boards and commissions generally, § 2-681 et seq.

§ 38-495. Created.

There is hereby created the Arts Commission.

(Ord. No. 15650, § 7A-3, 1-3-80; Code 1980, § 38-495; Ord. No. 20021, § 2, 8-24-93)

§ 38-496. Status.

The Arts Commission shall be a part of the Division of Public Affairs.

(Code 1980, § 38-496)

Charter references: Division of Public Affairs, Art. IV, §§ 5, 6.

§ 38-497. Members.

(a) The Arts Commission shall be composed of 15 members, who shall be appointed by the Mayor with the approval of the Council. The Arts Commission shall have the following composition, with at least 3/4 of the members being residents of the City:

- (1) six members at large.
- (2) one member shall represent the Arts Council of Oklahoma City.
- (3) one member shall represent the Allied Arts Foundation.
- (4) three members shall be professional artists, performers and/or architects.
- (5) four members shall be from other arts and cultural organizations not specifically referenced herein.

(b) All members of the Arts Commission shall serve without compensation. The term of each member shall be three years or until a successor takes office. The term will expire on September 1 in the year in which the term would normally expire. All members shall serve three-year terms after the current term expires or until a successor takes office.

(c) Any incumbent member of the Arts Commission shall be eligible for reappointment at the end of his term of office. A member appointed to fill a vacancy shall serve the remainder of the unexpired term. Any member of the Arts Commission may be removed from office for neglect of duty or malfeasance. Removal shall be effected by a majority vote of the Council.

(d) All members shall serve without compensation.

(Ord. No. 15652, §§ 7A-3--7A-5, 1-3-80; Ord. No. 15704, § 1, 2-19-80; Code 1980, § 38-497; Ord. No. 19281, § 1, 9-12-89; Ord. No. 20021, § 2, 8-24-93; Ord. No. 23054, § 1, 8-1-06)

Charter references: Appointment of members to boards, commissions, etc., in Division of Public

Affairs, Art. IV, § 6.

§ 38-498. Officers.

The Arts Commission shall select one of its members as chairman, another as vice-chairman and another as secretary. The chairman, vice-chairman and secretary shall receive no salary for their services.

(Ord. No. 15652, § 7A-4, 1-3-80; Ord. No. 15704, § 1, 2-19-80; Code 1980, § 38-498; Ord. No. 20021, § 2, 8-24-93)

§ 38-499. Functions.

Unless otherwise specified in this Code, the duties of the Arts Commission shall be as follows:

- (1) to make regular assessments of the conditions and needs of the City concerning the arts;
- (2) to advise the Council concerning works of art to be placed on municipal property;
- (3) to make recommendations to the Council concerning grants from Federal and State agencies, private groups and individuals, and, when so directed by the Council, oversee arts and cultural projects and programs;
- (4) to increase public awareness of the value of our arts and cultural resources by developing and participating in public information programs;
- (5) to advise and assist the Council in connection with such other arts and cultural matters as may be referred to it by the Council;
- (6) to encourage greater arts and cultural involvement by departments of the City and to better utilize private arts and cultural agencies for services to citizens;
- (7) to keep minutes and records of all meetings and proceedings, including voting records, attendance records, resolutions, findings of fact and decisions; and
- (8) to perform any other functions imposed by this article or otherwise specified by the Council; and
- (9) to advise the Council concerning the promotion of coordination among units of government in their projects and programs which involve the arts and cultural matters.

(Ord. No. 15652, § 7A-7, 1-3-80; Code 1980, § 38-500; Ord. No. 20021, § 2, 8-24-93)

§§ 38-500--38-510. Reserved.