2014-2019 Public Arts Master Plan

DRAFT

City of Leander

Leander Public Arts Commission

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ACKNOWLEDGEMENTS

The Leander Public Arts Commission, in partnership with the City Parks & Recreation Department, prepared *the 2014-2019 Public Arts Master Plan*. We thank the following individuals for their guidance, support and involvement.

CITY COUNCIL

Mayor	Christopher Fielder
Mayor Pro Tem	Simon Garcia
Place 1	Andrea Navarrette
Place 2	Kirsten Lynch
Place 4	Ron Abruzzese
Place 5	Jason Dishongh
Place 6	David Siebold

PUBLIC ARTS COMMISSION

Chair	Stan Holcomb
Vice Chair	
Secretary	Cindy Tauer-Eckart
Commissioners	Jen Daugherty
	Sherry LeBlanc
	Ashli Williamson
City Council Liaison	Simon Garcia

CITY STAFF

City Manager, Kent Cagle

Development Services Director, Tom Yantis

Parks & Recreation Director, Stephen Bosak

EXECUTIVE SUMMARY

The planning process began in January 2013. A needs survey was available for public input in March and April 2013 and the survey results were then incorporated into draft goals and objectives. Open houses were held in October and November to receive public input on the goals and objectives, and in December the Commission reviewed the input and began drafting the Plan. Each section was drafted and discussed at monthly meetings, and in September 2014, a final draft was forwarded to the City Council for consideration of adoption. The Public Arts Master Plan is a five-year vision adopted by the City Council September ___, 2014.

Plan Goals

- Goal 1 – To bring performing and visual art to public places
- Goal 2 – To bring art projects, programs and features to Leander
- Goal 3 – To increase communication & awareness of art in Leander

Implementation Action Plan

- High Priority Action Items
  - Seek out private sector donations and resources to purchase public art
  - Secure public art displays through sponsorships and partnerships
  - Host one theme festival involving art, food, wine and/or craft beers each year
  - Promote local artists and the Leander Public Arts Commission
  - Support and promote art education
- Medium Priority Action Items
  - Host one musical event every year
  - Support the incorporation of art into the design of city infrastructure
- Low Priority Action Items
  - Encourage interactive playscapes in parks
  - Encourage young artists in public and private schools

INTRODUCTION

LEANDER PUBLIC ARTS COMMISSION

The Leander Public Arts Commission was established by Ordinance by the City Council in 2008. The Commission's mission is to promote public art and education that contributes to a sense of community. Commissioners are appointed by the Council and the Commission may consist of up to seven members, each of which serves a four-year term.

Commission funding sources include utility bill donations, a percentage of certain City capital improvement projects, voluntary donations by private capital improvement project developers and other private donations or grants.

MASTER PLAN PURPOSE & PROCESS

The purpose of the plan is to provide a five-year vision for public art in Leander. The vision was developed through the efforts of service-minded volunteers on the Public Arts Commission, public input and the support of the City Council.

The process began in January 2013 when the Commission crafted a community-wide survey that was implemented in March and April. The survey was publicized in the print media and city website, and hard copies were made available at City Hall, the Leander Public Library, Parks & Recreation Office and the Chamber of Commerce Office.

Draft goals and objectives were developed from public input received through the survey and open houses were held November 14 and 19, 2013 to allow public comment on the draft goals and objectives.

A draft Master Plan was then prepared based on input received and made available to the public for comment. The plan was endorsed by the Public Arts Commission July 14, 2014 and adopted by the City Council _____ 2014.

ABOUT LEANDER

Location

Leander lies on the northeast edge of the Texas Hill Country, roughly ten miles west of Interstate 35 on US 183, approximately 30 miles northwest of Austin, Texas. The city has grown from 7,600 residents in 1995 to more than 32,000 in 2014.

Affordability and the quality of life have been the historical drivers for the community's growth. Single-family homes run the gamut from starter homes to executive-style living. The Leander Independent School District (LISD) provides schools for Leander and LISD is one of the fastest growing school districts in the state, educating more than 35,000 students at its 38 campuses.

Climate

Leander gets an average of 34 inches of rain per year while the US average is 37 inches. The number of days with measurable precipitation is 78. On average there are 229 sunny days each year with July being the hottest month (96 degrees) and January the coolest (36 degrees).

History

The City of Leander was originally called Bagdad when it was established July 17, 1882. The first settlers arrived in the area in 1845, receiving bounty land grants in exchange for military service during the Texas Revolution. These settlers lived in log cabins and were frequently subjected to being attached by Indians that also called the area home. If it had not been for the many Indian attacks, the area of Bagdad would probably have been settled earlier. The frequent attacks required Texas Ranger protection, so one of the first buildings constructed in Williamson County was built to house the Texas Rangers.

During the 1850's, the town of Bagdad was surveyed and many businesses began opening. One of the first stores was a blacksmith shop. The first post office was opened in 1858. Although Leander's location was somewhat isolated, an abundance of water and timber attracted many settlers. Farming became the mainstay of the area with settlers growing much of their own food and making most of their own clothing.

During the Civil War many men left to join the Confederate forces. At the end of the war most of the men returned to the community along with many freed slaves. Bagdad Cemetery was established in 1857 with the burial of three-year old John Babcock whose father gave the community the tract of land where the cemetery now exists. Other earlier burials included Civil War veterans. The United Methodist Church was established in 1860.

Bagdad was also a stop on the stage line from Austin to Lampasas. By the 1870's, Bagdad had a hotel, school, several general stores, two blacksmith shops and several churches. In 1871 the first school was started by the Masonic Lodge and it was the only free school in the area. Church socials played an important role in the lives of the settlers and they were the main form of entertainment at that time.

The Railroad Comes Through

By the 1880's many changes were on the way. The railroad industry expanded to Texas with plans to build tracks through Bagdad's downtown area. Citizens opposed the railroad, so the Austin & Northwestern Railroad officials decided instead to build the tracks one mile east of town. Soon after the railroad was completed and the townspeople realized they had made a mistake and relocated the town next to the railroad tracks.

The area was surveyed, lots were sold by the railroad and the new town of Leander was established in 1882. The town was named after Leander "Catfish" Brown, who was one of the men who was responsible for completion of the railroad line. The post office was brought from Bagdad to Leander in 1882 and the first bank, Humble & Chapman, was established. Doctor and lawyers' offices and a drug store joined the new community, and in 1883 the Leander Presbyterian Church was established. The cedar post business was prospering with most of the posts being shipped out on the railway. Ranching and farming were increasing, cotton was the main crop and soon Wesley Craven and J.Sampley built cotton gins.

The population in Leander in the early 1890's was estimated to be around 329 people. In 1893 the first public schools opened in both Leander and Bagdad. On June 7, 1899 the Leander High School Association incorporated under Texas law and the school was formed without profit for a period of 50 years.

The population in the 1990's dropped to 283 and mules moved the Methodist Church to its present location in 1901. Farming was still the main activity and life was centered on the schools and churches. Baseball teams and community theater were both quite popular at this time. School only went to the 10th grade and if you wanted to study further you had to go to Liberty Hill or Georgetown. In 1919 A.K. Davis went to Mexico to bring workers to the Leander area. He brought back many families – some of which became American citizens and Williamson County's earliest Hispanic settlers.

The Depression Hits Leander

When the depression hit the population dropped to 200. The schools continued to grow and they consolidated with Pleasant Hill in 1928. After the school burned down in 1938 the district continued growing and consolidated with Round Mountain and Volente in 1938 and then with Nameless. Whitestone joined the district in 1952. The school was still the most important part of the community and churches provided the social life where gatherings were held.

Many young men left to join the war effort during World War II. Locals had to adjust to sugar rationing and they organized watch groups to report any sightings of enemy aircraft to authorities. During this time traveling shows would set up at Brushy and Willis Streets for entertaining the townspeople. Three more churches were established during the 1940's (St. Mary Margaret Catholic Church, Leander Church of Christ, First Baptist Church of Leander). Citizens banked at the 1st State Bank of Leander and Barnes & Jones Lumber Company well a well-established business. During the 1950's the population had risen back to around 300. There were three stores that provided groceries and goods (MacFarland Grocery, The Red & White Store, Hub Powell's). Housing subdivisions began to develop in the late 1950's and early 1960's. A new high school was built in 1969, but the population was still only around 300. Many citizens worked in Austin with Highway 183 being a major thoroughfare for commutes to Austin and shopping trips to Austin were becoming common by this time.

On January 21, 1978 the City of Leander was incorporated, Joe Bates was the first mayor and the city was continuing to grow more rapidly. Subdivisions were being built west of the city where the water and sewer systems were available. The city continued to grow into the 1980's and additional schools were built in the Cedar Park area. LISD was experiencing tremendous growth and a new city

hall was established along with some new additions in the downtown area. With all of this growth Leander continued to be a mostly rural community.

With more homes being build in west Leander the population was 3,398 by 1990. LISD was growing rapidly and build its second high school in Cedar Park. Service shops and fast food establishments began to locate in Leander and the Crystal Falls Municipal golf Course was built.

Leander Today

Leander presently has a population is estimated at over 33,000. LISD has grown into the largest school district in Williamson County and the fastest growing district in the State of Texas. It presently has five high schools, eight middle schools, 24 elementary schools and two alternative schools. It encompasses the Cities of Leander, Cedar Park, Jonestown and parts of northwest Austin. New businesses are on their way and the residential growth experienced over the past few years is phenomenal. A long-term water supply is now secure for City residents and an expanded wastewater treatment plant is on-line. The city continues to expand its roadway network, including the 183A Tollway. Three new parks are in the planning stages, and numerous high-end residential developments are being constructed throughout the city.

GOALS & OBJECTIVES

GOAL 1 - TO BRING PERFORMING & VISUAL ART TO PUBLIC PLACES

A. Support musical events and concerts throughout the community
B. Bring permanent and/or temporary visual art to parks, Old Town and municipal buildings

GOAL 2 - TO BRING ART PROJECTS, PROGRAMS & FEATURES TO LEANDER

A. Support the creation of art, food and/or wine festivals
B. Support the incorporation of art into the design of city infrastructure (i.e.: park benches, light posts, signage, bridges, buildings, etc.)
C. Encourage interactive playscapes in public and private parks
D. Support and promote art education

GOAL 3 – TO INCREASE COMUNICATION & AWARENESS OF ART IN LEANDER

A. Promote local art and artists
B. Encourage young artists in public and private schools
C. Secure resources to bring art into the community

IMPLEMENTATION ACTION PLAN

High Priority Action Items

- ✓ Seek out private sector donations and resources to purchase public art
- ✓ Secure public art displays through sponsorships and partnerships
- ✓ Host one theme-festival involving art, food, wine and/or craft beers each year
- ✓ Promote local artists and the Leander Public Arts Commission
- ✓ Support and promote art education

Medium Priority Action Items

- ✓ Host one musical event every year
- ✓ Support the incorporation of art into the design of city infrastructure

Low Priority Action Items

- ✓ Encourage interactive playscapes in parks
- ✓ Encourage young artists in public and private schools

APPENDICES

Community Wide Survey Results

Open House Questionnaire Results

Ordinances Creating the Public Arts Commission

COMMUNITY WIDE SURVEY RESULTS

(130 respondents)

INDICATE THE TYPES OF ART YOU WOULD LIKE TO SEE IN PUBLIC SPACES.

- I would like to see DANCE AND/OR THEATER in our public spaces.
  - Strongly Agree 52%
  - Somewhat Agree 35%
  - No Opinion 5%
  - Somewhat disagree 3%
  - Strongly disagree 5%

- I would like to see INTERACTIVE EXHIBITS in our public spaces.
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- I would like to see MUSICAL CONCERTS FEATURING ROCK, POP, COUNTRY, JAZZ OR OTHER TYPES OF POPULAR MUSIC in our public spaces.
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- I would like to see SYMPHONY, OPERA, CLASSICAL AND/OR CHAMBER MUSIC in our public spaces.
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- I would like to see VISUAL ART SUCH AS SCULPTURE, PAINTING, MURALS AND/MOSAICS in our public spaces.
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- I would like to see OTHER TYPES OF ART in our public spaces.
  - Poetry reading.
  - The draw to Leander is its proximity to Austin while being affordable for families. I think this area would support a great deal more culture than is being offered – especially if it is affordable.
  - There's room for a farmer's market type area as well (though I'm not sure you all mean the foodie culture).
  - I have a book on Texas outdoor sculptures organized by town. My sister's city, Farmersville, is in it. Leander is not, but Leander is larger than Farmersville.
  - Need both permanent and temporary exhibits.
  - I miss seeing the fabulous themed displays at City Hall in the Council Chambers. Hope you are able to return these themed displays for all to see.
  - Thank you for all that you do sharing your many talents with the public. We are very blessed to have you.
  - I'd like to see art at bus/metro stops. Art inspires and empowers everyone.

- I would like to see OTHER TYPES OF ART in our public spaces (Continued).
  - Anything that brings community together is good.
  - We much prefer visual arts to concerts and audio arts. Let's leave those to Austin and the Cedar Park Center unless you want to build a building.
  - Take a note from the Benini Sculpture in ranch in Johnson City.
  - It would be nice to have weekend festivals in conjunction with the arts - like the Bluegrass Festival, etc.
  - Would like to see arts and crafts, oil paintings.
  - Children's hands-on learning experiences!
  - Would like to see Leander host various themed art exhibits, especially featuring local artists.
  - Different cultures, sand painting and wood sculpture too.
  - Manufacturing, martial art exhibitions, car shows, motorcycles, animal shows, gardening plants, native cultures and building skills.
  - Ballet, cultural art, and environmental awareness
  - I do not want any of our public funds (and there are no such things – only tax payer funds) providing these items. With only 24% of people actually paying taxes you should be looking at better business encouragement services, lessening the burden of regulation on small business, and getting rid of the eyesores in our community – not wasting money on these items.
  - Children art summer camps.
  - Quilt and craft exhibits
  - It's my opinion that our fine city should not spend money on art in public places. It is a fantastic waste of resources. Rather allow individuals who would want to provide art to the city the opportunity to display for a time in existing buildings. Also, permanent installations are a mistake. Our city needs infrastructure that will bring in more business, not a face lift.

- I would like to see OTHER TYPES OF ART in our public spaces (Continued).
    - Would like to see comedy type concerts.
    - The more art in Leander the better our community will be. Include children's are as well. Involve or schools and teacher.

RATE THE BENEFIT OF THE FOLLOWING POTENTIAL PROJECTS, PROGRAMS OR FEATURES.

- Art Festival
    - Strongly Agree
    - Somewhat Agree
    - No Opinion
    - Somewhat Disagree
    - Strongly Disagree

- Wine & Food Festival
    - Strongly Agree
    - Somewhat Agree
    - No Opinion
    - Somewhat Disagree
    - Strongly Disagree

- Art Shows & Lectures from Well-Known Artists
    - Strongly Agree
    - Somewhat Agree
    - No Opinion
    - Somewhat Disagree
    - Strongly Disagree

RATE THE BENEFIT OF THE FOLLOWING POTENTIAL PROJECTS, PROGRAMS OR FEATURES (Continued).

- City Art Competitions
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- City Sponsored Sculpture Garden
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- Art Museum
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

RATE THE BENEFIT OF THE FOLLOWING POTENTIAL PROJECTS, PROGRAMS OR FEATURES (Continued).

- Private Loaned Art Collection Displayed in a Public Place
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- City Owned Art Collection Displayed in a Public Space
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- Art as Architecture Incorporated in Public Buildings
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- Civic Infrastructure that includes Art Such as Park Benches, Lampposts, Signs, etc.
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- Education & Interactive Art Programs
    - Strongly Agree
    - Somewhat Agree
    - No Opinion
    - Somewhat Disagree
    - Strongly Disagree

- Interactive Play Space
    - Strongly Agree
    - Somewhat Agree
    - No Opinion
    - Somewhat Disagree
    - Strongly Disagree

TELL US THE BEST PLACES FOR THE PLACEMENT OF PUBLIC ARE PIECES.

- Along Major Streets/Corridors
    - Strongly Agree
    - Somewhat Agree
    - No Opinion
    - Somewhat Disagree
    - Strongly Disagree

- At Gateways to the City
    - Strongly Agree
    - Somewhat Agree
    - No Opinion
    - Somewhat Disagree
    - Strongly Disagree

TELL US THE BEST PLACES FOR THE PLACEMENT OF PUBLIC ARE PIECES (Continued).

- At Municipal Facilities
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- At the Capital Metro Train Station
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

- Leander Old Town Area
  - Strongly Agree
  - Somewhat Agree
  - No Opinion
  - Somewhat Disagree
  - Strongly Disagree

FINANCING OF PUBLIC ART

- Would you be willing to support a bond election to acquire and promote public art (paintings, sculpture, music plays, etc.) in Leander?
  - Yes 67%
  - No 22%
  - No opinion 12%

ARE YOU A LEANDER RESIDENT?

- Yes 75%
- No 25%

WHAT IS YOUR AGE GROUP?

- 0 to 18 years 0%
- 19 to 35 years 18%
- 36 to 50 years 43%
- 51+ years 39%

OPEN HOUSE QUESTIONNAIRE RESULTS

Open houses were held November 14 and 19, 2013 at the Leander Public Library to public solicit input. The open house consisted of a PowerPoint presentation and attendees were asked to comment on results of the community wide survey and the draft goals and objectives. After the presentation there was an open discussion and attendees were asked to complete a questionnaire relative to the proposed plan goals and objectives. Results of the questionnaire are as follow.

	Strongly Agree	***Agree***	***No Opinion***	***Disagree***	***Strongly Disagree***
GOAL ONE: TO BRING PERFORMING AND VISUAL ART TO PUBLIC PLACES	2	1	1		
Objective 1: To support musical and concert events	2	1			
Objective 2: Continue funding for Leander Car Show concerts	1	2			
Objective 3: Seek new opportunities and partnerships for new music events	1	1	1		
GOAL TWO: TO BRING ART PROJECTS, PROGRAMS & FEATURES TO LEANDER		1			
Objective 1: Support the creation of art, food and wine festivals	3				
Objective 2: Support the incorporation of art into the design of city infrastructure (park benches, light posts, signage, bridges, buildings, etc.)	1	1	1		
Objective 3: Encourage interactive playscapes in public and private parks	1	1	1		
Objective 4: Support and promote art education	2				
GOAL THREE: TO INCREASE COMMUNICATION & AWARENESS OF ART IN LEANDER	1				
Objective 1: Promote local art and artists	1	2			
Objective 2: Encourage young artists in public and private school	2		1		
Objective 3: Secure resources to bring art into the community	2	1			
Comments: Charity – Design Doghouse/chair/sandcastle/building, etc.; Have Chamber teams – architect/designers/shindigs; Objective 1.2 (Like 1st Thursday – we need to grow more retail/restaurants); Objective 2.2 (Consistent message w/light posts, signs, buildings. Appear organized.					

ORDINANCE NO. 08-017-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, ADOPTING ARTICLE 1.1400 OF CHAPTER 1 OF THE CODE OF ORDINANCES; PROVIDING FOR A PUBLIC ART COMMITTEE; PROVIDING CERTAIN DUTIES AND RESPONSIBILITIES OF THE PUBLIC ART COMMITTEE; FOR A PUBLIC ARTS FUND AND FOR CONTRIBUTIONS TO THAT FUND; PROVIDING FOR ART IN PUBLIC PLACES; PROVIDING FOR SEVERABILITY, OPEN MEETINGS AND RELATED MATTERS

Whereas, the City of Leander ("City") has identified a need for a Public Art Committee to encourage public programs to develop the fine and performing arts;

Whereas, the Public Art Committee will make recommendations to the City Manager, Mayor and City Council in connection with cultural and artistic endeavors involving the City;

Whereas, this Public Art Committee will act as the City's advocate and advisor in connection with cultural and artistic endeavors involving the City;

Whereas, the Public Art Committee will encourage donations, grants and other support to expand the arts in the community;

Whereas, the Committee will assist, advise the City Manager, Mayor and City Council, and monitor the Public Art initiative, as approved by the City Council, throughout the City;

Whereas, it is the intent of this ordinance to establish a policy for the City, in keeping with the vision for which it is nationally recognized, and in order to enhance its aesthetic environment, to encourage private developers/owners of commercial properties to provide a work of art for each new development or mall or commercial structure or, in lieu thereof, to donate monies to the City for the Public Art Fund;

Whereas, the private developers/owners should be encouraged to invest time, effort and money into the art displayed on their sites, recognizing that the art not only will become integral, lasting components of the cityscape but will be of intrinsic value to their developments; and

Whereas, the City, desiring to expand public experience and exposure to culture through various art forms and to enhance the appearance of public facilities and improve the environment of the City on behalf of its citizens, intends to provide for the incorporation of visual art in the design and construction of public facilities within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Chapter of the City of Leander Code of Ordinances is hereby amended to add Article 1.1400, to read as follows:

Article 1.1400 Public Art Committee

Sec. 1 Public Art Committee Established. (a) The Public Art Committee is hereby established and shall be composed of seven (7) members who shall be residents of the City and who shall be appointed by the Mayor and approved by the City Council. Each member of the Public Art Committee shall be appointed for a term of four (4) years, and no member shall serve more than two (2) terms. If a vacancy shall occur on the Public Art Committee, a successor shall be appointed to serve for the remainder of the unexpired term of the member previously appointed to the vacant position. Any member of the committee that consistently fails to attend meetings without good cause shown (as determined by the committee), or without prior approval of the chair of the committee (based on the good cause criteria established by the committee) may be referred by the committee to the City Council for removal from the committee. The City Council shall consider the referral and committee recommendation and may, in its sole discretion by majority vote, remove the referred member of the committee. The committee shall be composed of the following members:

(1) One (1) City Council member;

(2) One (1) Executive Director of an active local Arts Non Profit Corporation;

(3) One (1) landscape architect, architect, urban planner, or related design professional.

(4) One (1) active professional artist, and;

(5) Three (3) citizens, supportive of and educated or active in the field of public art, education or community affairs

Sec. 2 Organization, Support, Meetings and Reports.

(a). Expense Reimbursement. Members of the Public Art Committee shall receive reimbursement for reasonable expenses, for travel outside the corporate limits and extraterritorial jurisdiction of the City, that are incurred with the advance approval of the Committee. Such reimbursement shall not be inconsistent with City policy.

(b) Quorum and Conduct of Meetings.

(1) Organization. The presence of four (4) or more members of the Public Art Committee shall constitute a quorum.

(2) Conduct of meetings. The Public Art Committee may adopt rules to govern the conduct of its meetings in accordance with the provisions of this chapter and the City Charter.

(3) The officers of the Committee shall be a chair, a vice-chair and a secretary. The first officers shall be appointed by the Mayor and approved by the City Council, provided that the City Council member shall not serve as an officer of the Committee. Thereafter, the Committee shall elect the officers of the Committee. The only limitation on the number of terms of office to which the officers may be appointed is the limitation of the number of terms each member of the Committee may serve.

(4) The chair of the Committee may call meetings of the Committee. Meetings may also be called by notice signed by two (2) members of the Committee.

(5) The Committee shall convene no less frequently than once each month, unless deemed unnecessary by a majority of the Committee voting at a Committee meeting. The Committee may meet more often, should the need arise.

(6) The Committee shall comply with the Open Meetings Act.

(7) The Committee may, at any meeting, set a future meeting date(s).

(8) Minutes shall be kept of all meetings, including the vote taken by each member upon any action by the Committee.

(9) The City shall furnish administrative support and office space to the Committee for the purpose of assisting in the implementation of recommendations and advice of the Committee; and, the City Manager shall provide for the employment or assistance of an administrator and staff members to assist the Committee, as required.

(10) Any policy decision requiring approval by the Committee shall be by motion and shall require the approval by a majority of those members present and voting, provided that at least four (4) members must vote for the action to be approved.

(11) The Public Art Committee shall provide monthly reports to the City Council with recommendations of policy(s) the Committee recommends the City Council consider and implement.

(12) Legal counsel. The legal department shall provide legal counsel as may be reasonably required by the Committee for the performance of its functions.

(c) It is specifically provided that no word, term, phrase or provision of this Article shall be interpreted or construed in a manner to be inconsistent with, or to conflict with, the City Charter of the City. In the event of the appearance of any inconsistency or conflict, this Article shall be read and construed consistent with the City Charter.

Sec. 3. Rules of Procedure. The Public Art Committee may adopt procedural rules governing the transaction of its business. The rules may include provisions for the date, time and place of regular meetings of the Committee, maintaining minutes of meetings, and records of all Committee reports, conclusions recommendations. After the expiration of the one year term of the initial officers, the Committee shall elect officers annually. The officers shall include a Chair, Vice-Chairperson and Secretary who shall each be elected to serve a one year term All Committee meetings shall be open to the public except as provided by the Open Meetings Act, and notice of meetings shall comply with the Open Meetings Act. The Committee may adopt procedures that address the receipt and processing of citizen proposals and requests.

Sec. 4Authority of Public Art Committee. The purpose, functions and responsibilities of the Public Art Committee are as follows:

(a) On behalf of the City, to encourage, conduct, sponsor or cosponsor public
nonprofit programs to further the development and public awareness of, and interest in, fine arts and the performing arts;

(b) To provide recommendations to the Mayor and City Council in connection with cultural and artistic endeavors and projects in which the City may become involved, and act as a representative of the community in such matters;

(c) To encourage donations, grants and other financial support to further expand the arts and cultural services and programs available to citizens of Leander and members of the Leander community;

(d) To review and make recommendations to the City Council with respect to all public and private banner proposals that request to utilize City of Leander graphics

(e) To work diligently and aggressively to receive funding from state and national endowments to provide for continuous funding for the City's Public Art Programs.

(f) To create and recommend guidelines to the City Council regarding any area or activity of a public arts program, and once the guidelines are approved by the City Council, to distribute, manage, and allocate funding to applicants with a high level of accountability pursuant to the Committee's guidelines, and which. place priority on projects that meet more than one community need, e.g., Art for youth outreach and services; provided that all funds shall be subject to the budget and audit process.

(g) The Committee shall prepare implementation guidelines, selection procedures and organizational policies to facilitate Art in Public Places, subject to the approval of the Mayor and the City Council.

(h) The Committee shall be responsible for program planning; designation of sites for Public Art; determining project scope and budget for Council approval; overseeing the artist selection process; commissioning artworks; reviewing design, execution and placement of artworks; and overseeing maintenance of the artworks and the process for removal of artworks from the City's Public Art collection, provided, however, that any decision to contract, purchase or remove artwork shall all be subject to the City Manager's recommendation and final review and approval by the City Council.

(i) The Committee, acting on behalf of the Mayor and City Council, shall include within its scope of authority and activities, the invitation of professionals in the visual arts and design fields, to serve (as reviewers and an advisory panel) in the artist selection process in order to ensure works of highest quality, or to assist in the determination or artistic merit of works of art offered to the City as a donation or for purchase. The Committee shall also establish guidelines for appropriate community participation in this process and public education activities as part of the Public Art projects.

(j) The Committee shall coordinate, investigate, review and recommend to the Mayor and City Council other means by which artworks may be obtained, including but not limited to, donations to the Public Art fund, gifts of artwork, and grant applications for Public Art projects.

(k) The Committee shall act as the liaison with private developers to encourage and facilitate private contributions and private art installations within corporate construction and reconstruction projects.

(l) The Committee shall include in its mission the encouragement of Public Art throughout the City and shall seek through its programs to educate and stimulate the participation of all citizens in a joint public and private effort to promote art in public places.

(m) Prior to the recommendations to the City Council for the selection and commissioning of artists, review of design and the recommendation of the acceptance of works of art relative to municipal construction projects, the Committee shall submit the action proposed to be taken to the Mayor for his recommendation to the City Council..

(n) The Committee shall record, over the chairman of the Committee's signature, its recommendations on each matter considered and submitted to the City Council.

(o) The Committee shall adopt rules and regulations, including the creation of subcommittees, to implement this chapter of the City Code.

(p) The Committee shall take such other actions as the City Council may direct from time to time.

Sec. 5. Implementation and Funding

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) "Commercial Structure" means any building or structure, all or part of which is to be used as an auditorium, private convention center, professional or commercial office, bank, private library (other than school), manufacturing plant, factory, assembly plant, processing plant, mill, warehouse, shopping mall, store, shop, market, hotel, storage building, freight depot, and/or private automobile parking structure which is not connected to or incorporated in other structures.

(A) "Commercial Structure" shall include developmental projects that involve more than one (1) phase of construction.

(B) "Phase", when used with respect to a Commercial Structure, shall mean that portion of a developmental project that represents a completed portion of the entire commercial structure.

(2) "Construction Costs" means the total value of the construction of, or reconstruction work on, commercial structures as determined by the chief building inspector in issuing a building permit for the construction or reconstruction. Relative to a municipal construction project, construction costs shall include architectural and engineering fees, site work and contingency allowances. It does not include land acquisition cost and/or subsequent cost changes to the construction contract. All construction costs shall be calculated as of the date the contract [which contract?] is executed.

(3) "Municipal Construction Project" means any project to be paid for wholly or in part by the City, regardless of the source of the monies, to construct, remodel or reconstruct any public buildings, decorative or commemorative structures, parking facilities and/or parks, or any portion of any of such buildings, structures, facilities or parks, belonging to the City within its geographical boundaries as they now exist or shall exist in the future.

(4) "Reconstruction" means alterations or repairs made to a Commercial Structure or Municipal Construction Project within any twelve-month period in which alterations or repairs exceed fifty (50) percent of the value of the existing structure, so that such structure is required to conform to the requirements for new buildings pursuant to this Code.

(5) "Works of Art" or "Artworks" means tangible creations by artists exhibiting the high quality of skill and aesthetic principles, including but not limited to paintings, sculptures, stained glass, statues, bas reliefs, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, tapestries, photographs, drawings, monuments and fountains.

(b) Public Art Fund.

(1) There is hereby created a Public Art Fund which shall be a separate account set up by the City to receive monies appropriated for the Public Art program. The Public Art Fund shall consist of the following:

(A) One (1) percent of the construction cost of a Municipal Building Project as bid, contracted and accepted by the City. Unexpended monies in this fund may be used for works of art at existing public properties and facilities as deemed appropriate by the Public Art Committee and approved by the City Council.

(B) All funds donated to the Public Art Fund by the private sector.

(C) Other funds allocated by the City for Public Art through the budgetary process.

(D) The Public Art Fund shall be used solely for the selection, commission, acquisition, installation, maintenance, administration and insurance of the works of art or in relation thereto; and the administration of such funds shall be recommended to the Mayor and City Council by the City Manager after the City Manager receives the recommendation of the Public Arts Committee. The decision of the Mayor and City Council shall be final.

(2) Appropriations for Municipal Construction Projects.

(A) All appropriations for Municipal Construction Projects shall include an amount of up to one (1) percent of the construction cost of a Municipal Construction Project as bid, contracted and accepted by the City, but not to exceed the sum of two hundred thousand dollars ($200,000.00) for any single Municipal Construction Project; provided that the Public Arts Committee may recommend to the Mayor and City Council an increased expenditure for those projects of exceptional size or unique function, however, in no event shall the appropriation exceed one (1) percent.

(B) The Public Art Committee shall recommend to the Mayor and the City Council the amount of monies to be allocated for selection, commissioning, acquisition and installation of individual works of art to be incorporated as a part of a Municipal Construction Project for which monies are appropriated under C(1) above.

(C) Monies appropriated pursuant to this section as part of a Municipal Construction Project but not spent in connection with the project may be utilized to supplement other appropriations for the acquisition of works of art or to place works of art in, on or near either existing City facilities or other City properties.

3) Commercial Structures.

(A) Any private developer/owner who applies to the City for a building permit to construct or reconstruct a Commercial Structure shall be encouraged to commit one (1) percent of the construction or reconstruction costs of the Commercial Structure, up to, but not limited to, the sum of two hundred thousand dollars ($200,000.00), for the acquisition of fine art to be included on the same property as the Commercial Structure or to be contributed to the Public Art Fund)

(B) Private developers/owners constructing Commercial Structures, to be accomplished in phases, will be encouraged to contribute only one (1) percent of construction or reconstruction costs up to but not limited to two hundred thousand dollars ($200,000.00) for the Phase.

(C) If the private developer/owner constructing or reconstructing a Commercial Structure does not wish to have fine art located on the property with the Commercial Structure, he/she may donate to the Public Art Fund an amount equal to the percentage of the construction cost of the commercial structure as a charitable donation.

(D) Each building permit issued by the City for any Commercial will include data relative to the developer/owner participating in the Public Art program.

(E) The Building Official shall report building permits issued for the construction or reconstruction of a Commercial Structure to the Public Art Committee.

Sec. 6. Ownership and Maintenance of Public Art.

(a) Ownership of all works of art acquired by the City shall be vested in the City which shall obtain title to each work of art. The Public Art Committee shall develop a process for acceptance of any and all works of art and for cataloging all such works.

(b)

(b) Artists, as a part of any contractual agreement with the City for the provision of a work of art, shall be required to submit to the Public Art Committee a "Maintenance and Inventory Sheet," including annual cost projections, which details the maintenance and ongoing care of the artwork.

(c) All donations of art or funds shall be subject to acceptance and approval by the City Council.

Sec 7. Meetings and Staff Services. Subject to the directions of the City Manager, the Parks Department shall be responsible for providing administrative and staff services for the Committee and may assign Parks Department staff to provide services to the Committee.

Sec. 8. Budget. The Public Art Committee programs and operating expenses shall be funded from the City General Fund, grants, donations and admission charges. The Parks Department shall be responsible for submitting the annual operating budget to the City Manager for submission and recommendation to and Mayor and City Council. Donations, receipts and monies contributed

to the Public Art Fund shall be expended only as authorized by the budget and appropriations approved by the City Council.

Section 2 Amendment of Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Article are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Article and any other code or ordinance of the City, the terms and provisions of this Article shall govern.

Section 3. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Article are severable and, if any phrase, sentence, paragraph or section of this Article should be found to conflict with the City Charter, or declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Article, since the same would have been enacted by the City Council without the incorporation in this Article of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Article shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Article which can be given effect without the invalid provision, and to this end the provisions of this Article are declared to be severable. This Article shall be read, construed and interpreted in a manner consistent with the City Charter of the City, and, if any term, provision or condition of this Article is inconsistent with or conflicts with any term, provision or condition of the City Charter, the City Charter shall govern and control.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on First Reading this the 18th day December 2008.

THE CITY OF LEANDER, TEXAS

John D. Cowman

John D. Cowman, Mayor

Attest:

Debbie Haile

Debbie Haile, City Secretary

ORDINANCE NO. 12-004-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING ARTICLE 1.1400 OF CHAPTER 1 OF THE CITY OF LEANDER CODE OF ORDINANCES; PROVIDING FOR RENAMING THE PUBLIC ARTS COMMITTEE AS THE PUBLIC ARTS COMMISSION; AND PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, EFFECTIVE DATE, OPEN MEETINGS, AND RELATED MATTERS

Whereas, the City of Leander, Texas (the "City") identified the need for a Public Arts Committee to encourage public programs to develop the fine and performing arts;

Whereas, an ordinance was adopted by the City Council for the City of Leander creating a Public Arts Committee and establishing relevant rules and regulations;

Whereas, the Public Arts Committee should be renamed in order to be consistent with the names of other similar bodies and organizations;

Whereas, the Public Arts Committee should be renamed as the Public Arts Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings of Fact. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment to Article 1.1400 of the Leander Code of Ordinances. Change of Name of Public Arts Committee to Public Arts Commission. The Public Arts Committee is renamed as the Public Arts Commission. All references to Public Arts Committee in Article 1.1400 of the Leander Code of Ordinances are amended to read "Public Arts Commission."

Section 3. **Conflicting Ordinances.** Article 1.1400, Leander Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 4. **Severability.** Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 5. **Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 6. **Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 19th day January 2012.

THE CITY OF LEANDER, TEXAS

John D. Cowman

John D. Cowman, Mayor

Attest:

Debbie Haile

Debbie Haile, City Secretary