City of Las Cruces®

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Council Action and Executive Summary

Item # 16 **Ordinance/Resolution#** 2674

For Meeting of December 17, 2012 (Ordinance First Reading Date) **For Meeting of** January 7, 2013 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☒ LEGISLATIVE ☐ ADMINISTRATIVE

TITLE: AN ORDINANCE ENACTING A NEW SUBSECTION XIX OF DIVISION 3 (NONSTANDARD BOARDS) OF ARTICLE IV (BOARDS, COMMISSIONS, AND COMMITTEES) OF CHAPTER 2 (ADMINISTRATION) OF THE LAS CRUCES MUNICIPAL CODE, 1997, AS AMENDED, WHEREBY CREATING THE CITY ART BOARD.

PURPOSE(S) OF ACTION:

To create the City Art Board.

COUNCIL DISTRICT: All		
Drafter/Staff Contact: Lori Grumet	**Department/Section:** C&CS	**Phone:** 528-3477
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On January 3, 2011, City Council approved Resolution No. 11-156 to create a policy for display of art in City facilities to be known as the Art on Loan Program (AOL). The policy allowed for an Ad-Hoc Board to conduct the activities of the pilot program with the goal of a permanent board to supervise the process.

Resolution No. 11-166 was approved by City Council on February 7, 2011 establishing an Ad Hoc Board to assist in the selection of art to be located in City facilities. The AOL Ad Hoc Board juried qualifying submissions and made selections for pieces to be displayed at City Hall, and the first round of art was installed in May 2011.

The AOL Ad Hoc Board reported to City Council in September 2011 that the program status was good. The Chair of the AOL Board recommended in his report that the existing members of the Board continue for one additional year ending December 31, 2012 to provide continuity to the program. City Council approved Resolution No. 12-069 on October 17, 2011 extending the AOL Ad Hoc Board for one additional year ending on December 31, 2012.

(Continue on additional sheets as required)

Community & Cultural Services (CCS) staff, with input from the local community, prepared a draft City Art Policy to guide City staff to responsibly acquire, maintain, preserve and share the art objects in its custody. The CCS Director presented the draft City Art Policy to City Council at the Work Session on September 10, 2012. City Council was receptive of the draft City Art Policy and they agreed that the City should pursue a Nonstandard Board.

The City of Las Cruces desires to appreciate, foster and promote the civic educational and cultural value of the arts in the lives of its citizens, and it has a responsibility to the citizens of Las Cruces to develop, display, and care for the art objects in its custody. As such, this Ordinance is presented to City Council for approval, thereby creating the City Art Board who will oversee and administer the many aspects of a City Art Program.

SUPPORT INFORMATION:

1. Ordinance

SOURCE OF FUNDING:

Is this action already budgeted?			
N/A	Yes	☐	See fund summary below
	No	☐	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from: _____
		☐	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?			
N/A	Yes	☐	Funds will be deposited into this fund: _____ in the amount of $_____ for FY___.
	No	☐	There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve enactment of a new Subsection XIX of Division 3, Article IV, Chapter 2 of the LCMC 1997, thereby creating the City Art Board.
2. Vote "No"; this will deny enactment of a new Subsection XIX of Division 3, Article IV, Chapter 2 of the LCMC 1997, and the City Art Board will not be created.
3. Vote to "Amend"; this could include changing the membership and/or duties of the City Art Board.
4. Vote to "Table"; this could delay the continuity of the Art on Loan Program.

REFERENCE INFORMATION:

1. Resolution No. 11-156
2. Resolution No. 11-166
3. Resolution No. 12-069

(Continue on additional sheets as required)

COUNCIL BILL NO. 13-019
ORDINANCE NO. 2674

AN ORDINANCE ENACTING A NEW SUBSECTION XIX OF DIVISION 3 (NONSTANDARD BOARDS) OF ARTICLE IV (BOARDS, COMMISSIONS, AND COMMITTEES) OF CHAPTER 2 (ADMINISTRATION) OF THE LAS CRUCES MUNICIPAL CODE, 1997, AS AMENDED, WHEREBY CREATING THE CITY ART BOARD.

The City Council is informed that:

WHEREAS, the City of Las Cruces desires to appreciate, foster and promote the civic educational and cultural value of the arts in the lives of its citizens; and

WHEREAS, the City has a responsibility to the citizens for the development, display, and care of art objects in its custody; and

WHEREAS, the City requires a body to oversee and administer the many aspects of a City Art Policy; and

WHEREAS, the input of local artists, gallery owners, and art lovers is essential to making measured and responsible decisions about objects of art owned by the City.

NOW, THEREFORE, be it ordained by the governing body of the City of Las Cruces:

(I)

THAT LCMC 1997, Subdivision XIX, Sections 2-990 through 2-993 are hereby enacted to read as follows.

Subdivision XIX. City Art Board

Sec. 2-990. Established.

There is established a City Art Board.

Sec. 2-991. Composition; appointment.

(a) The City Art Board shall consist of seven (7) members appointed by the

Mayor, with the advice and consent of City Council from those citizens with an interest, and/or participation in the art community of Las Cruces.

(b) Members shall be appointed "at-large" and the positions shall be numbered one (1) through seven (7).

(c) The term of the members shall be staggered terms of four (4) years so there will be overlapping of tenures. Initial appointment will be two (2) members' term expiring at the end of a two (2) year period; two (2) members' terms expiring at the end of a three (3) year period; and three (3) members' term expiring at the end of a four (4) year period.

Sec. 2-992. Organization.

The Board shall select from those members a Chair, Vice-Chair and Secretary, each of whom shall serve for one fiscal year next succeeding their election and they shall adopt such rules and regulations, to include By-Laws, covering its proceedings as it may deem proper and shall not be inconsistent with the rules, regulations and ordinances of the City of Las Cruces.

Section 2-993. Duties.

(a) The Board shall meet as they deem necessary, but at a minimum four (4) times per year. The Board shall perform various functions and actions in the accomplishment of the purposes of their By-Laws and shall adopt as part of their operational documents a City Art Policy to include the Art on Loan Program that was established as a pilot project in 2011. (Resolution 11-156).

(b) The Board shall keep complete minutes of its procedures and submit

these minutes in a timely fashion to insure that the City Council is fully apprised of City art activities.

(c) Recognizing that staff and the City Council have the ultimate responsibility for the care and development of City art objects and projects, the Board will serve in an advisory capacity to the City Council and will assist staff in the development of guidelines, programming, and administration of policies, rules and regulations and recommendations for new art related projects and programs, will actively participate in the organization and administration of the City art collections, and will make formal recommendations to the City Council relative to the acquisition and commissioning of public art installations.

(II)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

VOTE:
Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Smith: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

_____
City Attorney