

Ordinance 16-006

An Ordinance Creating the Brookings Public Arts Commission for the City of Brookings, South Dakota

Be It Ordained and Enacted by the City Council of the City of Brookings, State of South Dakota, as follows:

I.

Sec. 1. – Creation/Name.

There is hereby created the Brookings Public Arts Commission (BPAC) for the City of Brookings.

Sec. 2. – Purpose/Role of the Brookings Public Arts Commission.

Public art enhances the built environment of a city and enriches the lives of its citizens. A dedicated funding source for an established program of public art enhances the reputation of a city and serves as a vehicle for attracting new businesses and citizens. A public art program encourages a community's artists and citizens to engage in creative activities and artistic development. A public arts commission can develop and implement a unified public art strategy for a community.

The role of the Brookings Public Arts Commission is as follows:

1. To develop a unified public art strategy for the City of Brookings;
2. To advise the City Council and other community groups and agencies who are initiating a public art project concerning the proposed site, selection of a professional artist and commissioning of a public artwork;
3. To oversee the Public Art Fund;
4. To guide and monitor design development process through reviews at various stages to ensure artistic and design quality, integration with the site and relevance to the community;
5. To approve the final design prior to fabrication; and
6. To approve the final artwork, installation procedures, and maintenance plan prior to installation.

Sec. 3. – Manner of Appointment, Composition, Terms, Compensation.

- a. Members of the Brookings Public Arts Commission (BPAC) will be appointed by the Mayor, with the advice and consent of the City Council, for three-year terms that commence in January. Members may be appointed for additional three-year terms. The initial terms of office shall be staggered in 1, 2 and 3 year increments. Any members whose term expires may be reappointed.
- b. The Brookings Public Arts Commission (BPAC) shall include specific professional expertise in public art or the visual arts, such as contemporary arts curator, museum director, professor of art or art history, and design

professionals such as architects, landscape architects, or urban planners. The BPAC shall consist of at least three art or design professionals. The Commission shall be comprised of eight (8) to ten (10) members who are representative of the following:

1. Brookings Arts Council
2. SDSU School of Design
3. South Dakota Art Museum
4. Chamber of Commerce and/or Convention Visitor's Bureau Board
5. Art professional, design professional, landscape architect/urban planner
6. Representative from the Historical Preservation Commission
7. Citizen-at-large
8. Citizen-at-large

- c. Non-voting liaisons shall include, but are not limited to, Community Development Director, City Park and Recreation Director, City Clerk, and Finance Director.
- d. All members of the Brookings Public Arts Commission (BPAC) shall serve without compensation.

Sec. 4. – Qualification of Members.

A majority of the members of the Brookings Public Arts Commission (BPAC) shall be residents of the city.

Sec. 5. – Vacancies.

If a vacancy on the Brookings Public Arts Commission (BPAC) occurs prior to the expiration of a term, the vacancy may be filled by appointment for a term not exceeding three years. If a member is absent from three consecutive regular meetings without authorization from the Chairperson, the member's seat may be considered vacant, and a new member may be appointed.

Sec. 6. – Officers.

The Brookings Public Arts Commission (BPAC) will designate from among its membership a chairperson, vice-chairperson and such other officers and subcommittees as it deems appropriate and necessary.

Sec. 7. – Meetings.

The Brookings Public Arts Commission (BPAC) will meet at such times and places as may be determined by the Commission. A majority of members of the Brookings Public Arts Commission (BPAC) shall constitute a quorum. BPAC meetings shall be open to the public and shall comply with City open meetings policies.

Sec. 8. – Powers and Authority of the Brookings Public Arts Commission.

The powers and authority of the Brookings Public Arts Commission (BPAC) shall

include, but are not limited to:

- a. The Commission shall develop Brookings Public Art Guidelines, which shall include criteria for accepting donations or gifts, both of cash and tangible art, a method or methods for the selection of artists and public art projects and for the placement of public art projects. The City Council shall have final approval of all Brookings Public Art policies and guidelines.
- b. The Commission shall be responsible for the public art program by directing the selection, placement, maintenance, relocation, and deaccessioning of artwork acquired through the public art program, and shall recommend revisions to the Public Art Guidelines.
- c. The Commission shall have the custody and care of all works of art owned by the city and under the control of any department of the city. The term "work of art" shall apply to and include all paintings, mural decorations, statues, bas-reliefs, sculptures, monuments, fountains, arches, ornamental gateways and other structures of a permanent character intended for ornament or commemoration.
- d. No work of art shall become the property of the city by purchase, gift or otherwise, until it, or a design or model thereof, and a proposed plan for it shall have been approved by the Commission.
- e. No work of art shall be erected or placed in, over or upon, or allowed to extend in, over or upon any street, avenue, square, park or other property belonging to the city. The Commission may order the removal, relocation or alteration of any existing work of art owned by the city, and no such work of art shall be removed, relocated or altered without such order and approval.
- f. The Commission shall study, prepare recommendations and report upon the design or proposed design of any municipal building, bridge, approach, fence or other structure erected or to be erected upon land belonging to the city, and upon the design or proposed design of any arch, bridge, structure or approach which is the property of any person, firm or corporation, and extends in, over or upon any street, avenue, highway, park or public place.
- g. The Commission shall purchase public art projects or commission the design, execution and/or placement of public art projects. The Commission shall consult with the department responsible for a particular construction project regarding the design, execution and/or possible placement of a public art project in connection with such construction project.
- h. The Commission shall review the inventory of public art, including assessing the status of maintenance, compile a list of potential sites for

public art projects, and prepare recommendations as to location, relocation, and deaccessioning of public art.

- i. The Commission may also initiate public forums when appropriate to determine thematic approaches and location options for public art.

II.

Any or all ordinances in conflict herewith are hereby repealed.

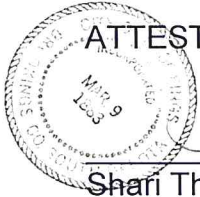
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CITY OF BROOKINGS



Tim Reed, Mayor

ATTEST:



Shari Thornes, City Clerk