

ORDINANCE NO. 2054

AN ORDINANCE OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, REPEALING DIVISION 2 OF ARTICLE V, CHAPTER 2 OF THE SCOTTSDALE REVISED CODE, RELATING TO THE CURATORIAL BOARD, AND AMENDING CHAPTER 20 OF THE SCOTTSDALE REVISED CODE, RELATING TO PARKS, RECREATION AND CULTURAL AFFAIRS, BY ADDING ARTICLE VII, RELATING TO PUBLIC ART

WHEREAS, the City Council voted to dissolve the Curatorial Board at its meeting held on October 17, 1988; and

WHEREAS, it is necessary and appropriate to amend the Scottsdale Revised Code to reflect the dissolution of the Curatorial Board, conforming the code to reflect accurately the City's relationship with the Cultural Council in light of the dissolution of the Curatorial Board and transferring certain provisions of the code for more logical placement within the code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. Division 2 of Article V, Chapter 2 of the Scottsdale Revised Code is hereby repealed and reserved.

Section 2. Chapter 20 of the Scottsdale Revised Code is hereby amended to add Article VII, consisting of sections 20-121 through 20-123, relating to public art, as follows:

ARTICLE VII. PUBLIC ART.

Sec. 20-121. City's permanent collection of art; placement of art work in public places.

(a) Acceptance of responsibility. The City of Scottsdale accepts responsibility for enhancing the environment with visual art. Such art has enabled people in all societies to better understand their communities and individual lives. Artists capable of creating art for public places must be encouraged.

(b) Appropriation to fund. One (1) percent of the amount budgeted for capital improvement projects in the annual budget is appropriated to the fine arts trust fund. This appropriation shall be made based upon the pro rata share of each fund type budgeted for capital improvements.

(c) Duties of city. The city shall, either directly, or by contract with the Scottsdale Cultural Council, to the extent that such authority is expressly granted by such contract:

(1) Determine a method or methods of selection and commissioning of artists with respect to the design, execution and placement of works of art for which appropriations have been made, and pursuant to such method or methods, select and commission artists by contract for such purposes.

(2) Determine the specific location and/or amounts to be expended on works of art.

(3) Require that any proposed work of art requiring extraordinary operations or maintenance expenses receive prior approval of the city manager, or designee.

(4) Establish guidelines to facilitate the implementation of its responsibilities hereunder.

(d) Accession and acceptance of art work. The city council shall either accept works on behalf of the city directly or designate, by contract, the authority of the Scottsdale Cultural Council to accept works of art and to expend funds pursuant to this division for the accession of art. Once approved by the Scottsdale Cultural Council, under such conditions as may be required by contract, such works shall be accepted by the Cultural Council, on behalf of the city, shall become the property of the city and a part of the city's permanent collection.

(e) Placement of works. Works of art selected and implemented, and residing in the city's permanent collection, pursuant to the provisions of this article and any amendment thereto, and other works of art in the City's permanent collection, may be placed in, on or about any municipally owned, leased or rented property, or in such other location as may be deemed beneficial to the city. The art work may be attached or detached within or about such property, and may be either temporary or permanent. Placement of works of art shall be authorized either directly by the city, or such authority shall be designated by contract to the Scottsdale Cultural Council.

Sec. 20-122. Fine arts trust fund--Generally; disbursements.

There exists in the city treasury a special fund designated "fine arts trust" into which funds appropriated as contemplated by this division article shall be deposited. Disbursements from such fund shall be made either directly by the city council, or authority for disbursements shall be granted by the city council to the Scottsdale Cultural Council, in which case such disbursements shall be made in a manner and under such conditions as are set forth by contract, and no further city council approval is required.

Sec. 20-123. Same--Allocation from city's investment earnings.

The fine arts trust shall have interest income allocated to it based upon the city's regular monthly investment earnings.

PASSED AND ADOPTED by the City Council of the City of Scottsdale,
Arizona, this 3rd day of January, 1989.

CITY OF SCOTTSDALE
A MUNICIPAL CORPORATION

Herbert R. Drinkwater, Mayor

ATTEST:

Mark G. Mazzie
Acting City Clerk

APPROVED AS TO FORM:

By: _____
Deputy City Clerk

Thomas J. Wilson
City Attorney