

**CITY OF NORMAN
ORDINANCE O-2223-54**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA,
REPEALING ARTICLE 2-111-2, ART IN PUBLIC PLACES PROGRAM.**

WHEREAS, the Norman Arts Council has administered funds and coordinated Public Arts Board efforts since the Art in Public Places Program was created; and

WHEREAS, the Norman Arts Council Board requested that the City make modifications to the ordinance such that the Public Arts Board would operate as a subcommittee of the Norman Arts Council Board of Directors to improve efficiency and oversight; and

WHEREAS, administration of the Art in Public Places Program funds is better addressed through a contract with the Norman Arts Council than legislative ordinance and it is the intent to ask Council to approve a revised contract with the Norman Arts Council in coordination with the Second and Final Reading of this proposed ordinance.

NOW THEREFORE, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

SECTION 1: **REPEAL** “2-309 Public Arts Board” of the City of Norman Municipal Code is hereby *repealed* as follows:

R E P E A L

2-309 Public Arts Board

- ~~(a) *Creation.* The Public Arts Board (PAB) shall function as a subcommittee of the City Arts Council (Council).~~
- ~~(b) *Membership.*~~
 - ~~(1) *Number.* The Public Arts Board shall consists of a total of seven members. The PAB shall elect one Chairman and one Vice-Chairman. Members shall be appointed by the following entities:~~
 - ~~a. Three members to be nominated by the Mayor and confirmed by the City Council.~~
 - ~~b. One member to be appointed by the Board of Directors of the City Arts Council.~~
 - ~~c. Two members to be appointed by the City Arts Council Roundtable Advisory Group.~~
 - ~~d. One member to be appointed by the board of the Norman Convention and Visitors Bureau.~~
 - ~~e. The Director of Parks and Recreation or his designee shall serve as an~~

~~ex-officio member.~~

- ~~(2) *Qualifications.* Members chosen to serve on the PAB shall be selected according to the following criteria:~~
 - ~~a. Knowledge or expertise in the area of public art.~~
 - ~~b. Ability to manage funds responsibly.~~
 - ~~c. Objectivity in selection of art for public display.~~
 - ~~d. Residency in the City for at least one year.~~
- ~~(3) *Term.* Members of the Public Arts Board shall serve staggered three-year terms. Any person who has served:~~
 - ~~a. Two full consecutive terms; or~~
 - ~~b. 50 percent or more of a full term and two consecutive full terms on the PAB;~~

~~will not be eligible for consecutive reappointment to the PAB, unless appointing entity finds that such reappointment is in the best interests of the City based upon unusual circumstances or special conditions, or unless the term limits for the PAB are specifically set forth in the state statutes or in the bylaws of the PAB. Any person who has served less than 50 percent of a full term will be eligible for consecutive reappointment for a full term.~~
- ~~(4) *Vacancy.* Whenever a vacancy shall occur, either by death, resignation, removal, change of residency, impending expiration of term or for any other cause, such vacancy shall be filled by the appointing entity.~~
- ~~(5) *Attendance at meetings.* The effective operation of a board depends upon regular attendance of the members at the meetings. The Board shall meet no less frequently than quarterly to evaluate and propose works of art for public places. If members miss 25 percent of the meetings held by the Board in a given year, such member shall be subject to dismissal upon a two-thirds vote of the remaining members of the Board.~~
- ~~(6) *Quorum.* The quorum for the conduct of business at any meeting shall be the majority of all the members of the PAB. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.~~
- ~~(7) *Manner of acting.* In all matters coming before the PAB, the affirmative vote of a majority of those present shall be the action of the PAB, provided that a quorum is present, except that amendments of the operating procedures shall require the affirmative vote of five members of the PAB. Ex-officio members shall not be entitled to vote.~~
- ~~(8) *Conflict of interest.* In the event any members shall have a personal interest of any kind in a matter, then before the PAB, they shall disclose their interest to the PAB. The PAB shall consider the interest and determine, by a vote, whether said member is qualified to participate in action on the matter before the PAB. The City Attorney shall advise on any conflict of interest, and the City Attorney's opinion shall be final.~~
- ~~(9) *Rules of order.* Generally, meetings can be held in any manner that ensures orderly and focused discussion and facilitates the input of all members of the PAB. When necessary, in order to effectively conduct business, as determined~~

- by majority of those present, Robert's Rules of Order shall be in effect.
- (10) *Residency requirements.* Members of the PAB must reside within the corporate limits of the City.
 - (11) *Appointment of committees.* The Chairman of the PAB, with the concurrence of a majority of the Board members, may establish such committees as may be necessary for the conduct of the business of the PAB. The Chairman shall appoint the members of such committees.
 - (12) *Amendments.* The operating procedures of the PAB may be amended at any regular meeting of the PAB, provided that the proposed amendment has been introduced at a prior regular meeting of the PAB.
- (e) *Mission.* The mission of the Public Arts Board is as follows:
- (1) To create exciting, appealing, and harmonious public spaces by integrating art into public places in the City.
 - (2) To celebrate the multicultural and diverse character of the City with place-specific art.
 - (3) To enhance the City's image locally, regionally, and nationally by ensuring the creation of the highest quality art for display in public places.
 - (4) To promote artists to live and to work in the City and to participate in public presentations of their art in the City.
 - (5) To encourage federal, State, and private support for the City's public art program.
 - (6) To enhance and enrich the lives of the City's residents and visitors by incorporating visual arts into public spaces.
 - (7) To contribute to the City's civic pride and sense of identity through the selection and display of public art.
 - (8) To increase access to works of art for residents and visitors to the area.
 - (9) To enhance the City's reputation as a City that celebrates the arts.
- (d) *Duties and powers of the Public Arts Board.*
- (1) Adopt operating procedures for the operation of the PAB.
 - (2) Prescribe methods for competitive selection of art for display, including a method for appealing the decisions of the Public Arts Board.
 - (3) Prescribe procedures for the acquisition and display of art in public places.
 - (4) Solicit submissions for works of art to be displayed in public places.
 - (5) Maintain a detailed record of all art in public places, including site drawings, photographs, designs, names of artists, and names of architects, where feasible, and said records shall be housed by and maintained by the City Arts Council. The PAB shall attempt to give appropriate recognition to the artists and provide publicity and promotional materials regarding art in public places on the City website and with annual inserts provided in the City utility bill.
 - (6) Contract with artist (after approval by the City Arts Council) for the donation, commission, or purchase of art, and providing for the ownership in the name and title of said art to be held by the City.
 - (7) Review all art submissions and make recommendations to the City Arts Council regarding which pieces should be displayed by the City in a public

~~place, as well as the location of the display of said art. Such determinations are to be made in accordance with the mission stated herein and according to the operating procedures as adopted by the PAB.~~

- ~~(8) Seek community input whenever possible from those potentially affected by the placement of public art.~~
- ~~(9) Develop a master plan for the placement of public art in the City and present said plan to the City Council for approval within nine months from the effective date of the ordinance from which this division is derived.~~
- ~~(10) Employ outside consultants as necessary to assist in the mission of the PAB.~~
- ~~(11) Make recommendations to the City Arts Council regarding the acquisition, commission, and display of public art.~~
- ~~(12) Submit to the City Council, not later than March of each year, a report of its activities for the prior year.~~
- ~~(e) Receipt of monies from the Art in Public Places Fund. Upon receipt of monies from the Fund, the City Arts Council shall deposit such monies into an account used solely for the actions of the PAB in furtherance of the purposes set forth in this division.~~

~~(Code 1976, § 4-202; Ord. No. O-0708-5, § 3; Ord. No. O-1718-37, § 1)~~

SECTION 2: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

_____.

AYE

NAY

ABSENT

ABSTAIN

Presiding Officer

Attest

Larry Heikkila, Mayor, City of
Norman

Brenda Hall, City Clerk, City of
Norman