



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
[www.cityofdenton.com](http://www.cityofdenton.com)

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Materials Management

**ACM:** Mario Canizares

**DATE:** June 20, 2017

### **SUBJECT**

Consider adoption of an ordinance of the City of Denton, Texas providing for, authorizing, and approving the expenditure of funds for the purchase of the sculpture “Seeing Through the Thorn Vine” by artist James Surls to be displayed on the east side of the City of Denton Civic Center which is available from only one source and in accordance with Chapter 252.022 of the Texas Local Government Code such purchases are exempt from the requirements of competitive bidding; and providing an effective date (File 6461-awarded to the James Surls Studio in the amount of \$105,000). The Public Art Committee recommends approval (8-0).

### **FILE INFORMATION**

This item is for the purchase of a bronze and stainless steel sculpture measuring 8’ tall x 8 ¼’ wide x 9’ deep (Exhibit 2). The sculpture will be displayed on the east side of the Civic Center, in the grass area between the building and Bell Avenue.

On April 18, 2006, City Council established and appointed a Public Art Committee that serves in an advisory capacity to the Parks, Recreation and Beautification Board. On August 20, 2013, City Council adopted Resolution No. 2013-021 to the Public Art Policy that establishes the Public Art Committee to serve as an advisory board to the City Council. This Public Art Committee, established by separate ordinance, will make recommendations on:

- Commissioning, placing, and installing of public art
- Implementation of funding mechanism(s) for public art
- Effective and efficient management of public art
- Ongoing maintenance of public art,
- Accessioning, deaccessioning and re-siting of public art

The Public Art Committee (PAC) began discussing purchasing art by James Surls in 2015, but was unable to secure funding for such a large project. When 2014 Parks System Improvement Bond Program funds became available, the PAC voted to use a portion of funding from the bond program and the Hotel/Motel Occupancy Tax (HOT) fund to make the purchase.

Surls agreed to offer the City of Denton a drastic reduction in price for his outdoor sculpture because of his desire to have his art showcased in Denton, Texas. Surls is originally from Texas and has taught at Southern Methodist University in Dallas. James Surls earned a BS from Sam Houston State University and an MFA from the Cranbrook Academy of Art. In 1998, he moved from Splendora, Texas, to Carbondale, Colorado.

He is known for his largely monotone sculptures, drawings and prints that feature natural and human images and forms. Surls' work is particularly organic and primal.

In 2009, five sculptures, made of bronze and steel, were set up on Park Avenue by the New York City Park's Public Art Program. His work has been shown in major New York museums including the Whitney, Guggenheim, and the Smithsonian American Art Museum.

His work is in numerous public collections: Rice University, HAA Civic Art in Houston, University of Oklahoma, the Helis Foundation in New Orleans, Dallas Museum of Art, Meadows Museum (Southern Methodist University), Modern Art Museum of Fort Worth, El Paso Museum of Art, Dallas Museum of Fine Arts, Fort Worth Art Museum, San Antonio Art Museum, Los Angeles County Museum of Art, Museum of Modern Art and the Whitney Museum of American Art (New York), San Francisco Museum of Modern Art, Seattle Art Museum, and Platform Projects in Singapore, and Stedelijk Museum (Amsterdam).

Ms. Pam Campbell, ASA, ISA-CAPP, with Campbell Fine Art Appraisal and Consulting in Fort Worth, provided a certified Appraisal Report for the James Surls sculpture, "Seeing Around the Thorn Vine" for a market value of \$280,000 – \$295,000, effective February 13, 2017 (Exhibit 3). Upon City Council's approval, the James Surls Gallery will accept the City's offer to purchase, delivery and installation of the art for \$105,000.

James Surls is a sole-source vendor for his original artwork. Section 252.022 of the Local Government Code provides that procurement of commodities and services that are available from only one source are exempt from competitive bidding and, if over \$50,000, shall be awarded by the governing body.

## **RECOMMENDATION**

On April 6, 2017, the Public Art Committee (PAC) recommended approval of the purchase the "Seeing Around the Thorne Vine" sculpture by artist James Surls (Exhibit 4). The PAC has found this piece of art to be best suited for an outdoor location that can be seen by the public and is within the budget of the Capital Improvement Program funding.

## **PRINCIPAL PLACE OF BUSINESS**

James Surls Studio  
Carbondale, CO

## **ESTIMATED SCHEDULE OF PROJECT**

A purchase order will be issued for the purchase of the art work upon City Council approval.

## **FISCAL INFORMATION**

The total cost of the Surls sculpture project will be \$105,000. The project is funded from the 2014 Capital Improvement Program for Public Art for Parks Account number 400182470.1350.30100.

## **STRATEGIC PLAN RELATIONSHIP**

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and

Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area: Organizational Excellence**

**Related Goal: 4.4 Provide and support outstanding leisure, cultural, and educational opportunities**

**EXHIBITS**

Exhibit 1: Agenda Information Sheet

Exhibit 2: Sculpture Illustration

Exhibit 3: Appraisal

Exhibit 4: Public Art Committee Minutes

Exhibit 5: Ordinance

Respectfully submitted:  
Galen Gillum, 349-7656  
Director of Capital Projects

For information concerning this acquisition, contact: Emerson Vorel at 349-7460.