



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda Public Art Committee

Thursday, April 4, 2024

4:00 PM

Civic Center Community Room

After determining that a quorum is present, the Public Art Committee of the City of Denton, Texas will convene in a Regular Meeting on Thursday, April 4, 2024, at 4:00 p.m. in the Civic Center Community Room at 321 E. McKinney Street, Denton, Texas, at which the following items will be considered:

1. PRESENTATION FROM MEMBERS OF THE PUBLIC

This section of the agenda permits a person to make comments regarding public business on items not listed on the agenda. This is limited to two speakers per meeting with each speaker allowed a maximum of four (4) minutes. Such person(s) shall have filed a "Blue Card" requesting to speak during this period prior to the calling of this agenda item.

2. ITEMS FOR CONSIDERATION

- A. [PAC24-005](#) Consider approval of the minutes of February 1, 2024.

Attachments: [Exhibit 1- February 1, 2024 Minutes](#)

- B. [PAC24-006](#) Receive a report, hold a discussion, and give input to staff regarding the status of the following Public Art Committee projects:
1. Original Denton District (ODD)
 - a. Traffic Box Wraps
 - b. Development Services Mural
 2. "Serve" Sculpture
 - a. Certificate of Substantial Completion
 - b. Minor remaining fixes
 3. Continuing projects
 - a. Sycamore Street Mural
 - b. S. Bonnie Brae Sculpture
 4. Art Maintenance and Repair
 - a. Dallas Drive Murals
 5. Encounters with Art Status
 6. TCA Letters of Request Process

Attachments: [Exhibit 1- Agenda Information Sheet](#)
[Exhibit 2- Presentation](#)
[Exhibit 3- Landry Graphic Design](#)
[Exhibit 4- Traffic Box Art Map](#)
[Exhibit 5- Deer Moon Site Plan](#)
[Exhibit 6- DRAFT TCA Letter of Support SOP](#)

- C. [PAC24-003](#) Receive a report, hold a discussion, and give input to staff regarding proposed changes to the Public Art Policy (Art in Public Places) and its temporary art

addendum (Temporary Art in Public Places).

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2- Draft \(unsigned\) Resolution](#)
 [Exhibit 3- Art in Public Places Policy](#)

3. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Public Art Committee or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Public Art Committee reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

C E R T I F I C A T E

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on March 29, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



City of Denton

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Legislation Text

File #: PAC24-005, **Version:** 1

AGENDA CAPTION

Consider approval of the minutes of February 1, 2024.

City of Denton Parks, Public Art Committee
Minutes
February 1, 2024

After determining that a quorum of the City of Denton, Texas, Public Art Committee was present, the Committee convened in a Regular Meeting on Thursday, February 1, 2024, at 4:00 p.m. in the Civic Center Community Room at 321 E. McKinney Street, Denton, Texas.

Present: Chair Monet Franklin, Vice-Chair Joey Liechty, and Members Adam Chamberlain, Leigh Johnson, Valois Vera, Jennifer Lane, and Connor Bradford

Absent: Member Francesca Romano

1. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

- None

2. ITEMS FOR CONSIDERATION

A. PAC24-001: Consider approval of the minutes of December 7, 2024.

Member Johnson moved to adopt the item as presented; Vice-Chair Liechty seconded. Motion carried.

AYES (9): Chair Franklin, and Vice Chair Liechty, and Members Chamberlain, Nicholson, Johnson, Vera, Lane, and Bradford

NAYS (0): None

ABSENT (1): Member Romano

B. PAC24-002: Receive a report and hold a discussion on the 2023 Park Bond projects, including those vertical construction projects that have an integrated public art component.

The item was presented, and discussion followed.

Following discussion, staff was provided no direction.

C. PAC24-004: Receive a report, hold a discussion, and give input to staff regarding the status of the following Public Art Committee projects:

1. Original Denton District (ODD)
 - a. Traffic Box Wraps
2. "Serve" Sculpture
 - a. Certificate of Substantial Completion
 - b. Minor remaining fixes
3. Upcoming projects
 - a. Sycamore Street Mural
 - b. S. Bonnie Brae Sculpture
4. Art Maintenance and Repair
 - a. Dallas Drive Murals
5. Developing Encounters with Art Spring Events
6. Future Projects
 - a. Future Bond Projects
 - b. Chairy Orchard

The item was presented, and discussion followed.

Following discussion, staff was provided no direction.

3. CONCLUDING ITEMS

- Update GIS Story map

With no further business, the meeting was adjourned at 4:21p.m.

MONET FRANKLIN
MEMBER
CITY OF DENTON, TEXAS

ROBIN HILL
ADMINISTRATIVE ASSISTANT
CITY OF DENTON, TEXAS

MINUTES APPROVED ON: _____



City of Denton

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Legislation Text

File #: PAC24-006, **Version:** 1

AGENDA CAPTION

Receive a report, hold a discussion, and give input to staff regarding the status of the following Public Art Committee projects:

1. Original Denton District (ODD)
 - a. Traffic Box Wraps
 - b. Development Services Mural
2. "Serve" Sculpture
 - a. Certificate of Substantial Completion
 - b. Minor remaining fixes
3. Continuing projects
 - a. Sycamore Street Mural
 - b. S. Bonnie Brae Sculpture
4. Art Maintenance and Repair
 - a. Dallas Drive Murals
5. Encounters with Art Status
6. TCA Letters of Request Process



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
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AGENDA INFORMATION SHEET

DEPARTMENT: Parks and Recreation

ACM: Christine Taylor, Assistant City Manager

DATE: April 4, 2024

SUBJECT

Receive a report, hold a discussion, and give input to staff regarding the status of the following Public Art Committee projects:

- 1) Original Denton District (ODD)
 - a) Traffic Box Wraps
 - b) Development Services Mural
- 2) “Serve” Sculpture
 - a) Certificate of Substantial Completion
 - b) Minor remaining fixes
- 3) Continuing projects
 - a) Sycamore Street Mural
 - b) S. Bonnie Brae Sculpture
- 4) Art Maintenance and Repair
 - a) Dallas Drive Murals
- 5) Encounters with Art Status
- 6) TCA Letters of Request Process

BACKGROUND

This item is to gather feedback and provide updates on the ongoing, new, and proposed public art projects.

Original Denton District

Traffic Box Wraps

Installation should be complete on the Senior Center and TWU traffic boxes. Staff reached out to Jude Landry – the artist responsible for the Design Downtown Denton artwork – to adapt his design for a traffic box located near the Square (see **Exhibit 3: Landry Graphic Design**). This traffic box wrap will be located at McKinney and Elm, at the location of Old City Hall. The traffic box art that had originally been scheduled to be placed featuring art developed by Seniors at the Denton Senior Center – will instead be moved to a traffic box slightly further north, off Carroll Boulevard (see **Exhibit 4: Traffic Box Art Map**).

Development Services Mural

Jude Landry will also be adapting his Design Downtown Denton artwork for a vinyl art application to be placed on the wall above the main entrance to the Development Services Building. This location has the benefit of being visible through a large window above the entrance doors. Additionally, this wall is illuminated at night, which would allow the mural to serve as a vibrant pop of color in Downtown Denton 24 hours a day. Staff are currently working to determine possible vendors to install Landry’s vinyl art wrap. We have received one quote from the vendor we used previously to install the traffic box art but are also exploring other possible vendors for best pricing.

Christine Sanders “Serve” Sculpture

Ms. Sanders is finishing final detail work on this sculpture and will furnish the city with a transfer of ownership form shortly.

Continuing Projects

Sycamore Street Mural

Street work in the vicinity of the Sycamore Street Bridge is nearing completion. Street staff should be applying the final road surface on the bridge and its immediately surrounding streets. Once that work has been accomplished, Parks and Recreation staff will be in touch with Kirk Seese, the muralist the City contracted with to complete a mural on three surfaces of the bridge, so that he can start his work. We anticipate that once he begins the painted work will be completed within a few days. As a reminder, Seese plans a design that features monarch butterflies against a variegated green vegetal background, a design that was determined in consultation with the public, especially through conversations held with the Southeast Denton Neighborhood Association.

S. Bonnie Brae Sculpture – “Deer Moon”

Artist Robert Barnum is approaching completion of his aluminum and Corten steel sculpture that he created for installation near the intersection of S. Bonnie Brae and Old Bonnie Brae Streets just north of Vintage Boulevard, near The Vintage and Meadows of Hickory Creek neighborhoods. The design features the evocative figures of a buck, tree, hawk, and moon. Staff are working to finalize installation of the plinth and its surrounding context. A working plan for the sculpture’s installation is included in this packet (see **Exhibit 5: Deer Moon Site Plan**).

Art Maintenance and Repair

Dallas Drive Murals

City staff are reaching out to Dan Black for an on-site expert inspection of the Dallas Drive murals to see what repairs might be practicable given the surface damage to the concrete on one side of the bridge that has abraded portions of the mural surface. Staff are not expecting a rapid response from the Railway that owns the bridge and, since the surface damage is merely cosmetic and not structural, the Parks and Recreation Department feels it can carry out a repair to the mural if such a repair is feasible, in Mr. Black’s professional opinion.

Encounters with Art Status Update

After review of the TCA contract, the City of Denton has declined the grant due to contractual concerns and the inability for the contract to be amended.

Fig. 1: Encounters with Art Expenditures

COMPONENT	EXPENDITURE
Tejas Storytelling “Seasonal Stories”	\$2900.00
Music at the Senior Center	1400.00
TOTAL EXPENDITURES:	\$4300.00

TCA Letters of Support Process

City staff wanted to clarify the process by which the City provides letters of support to organizations within the Original Denton District in support of those organizations’ grant applications with the TCA. A SOP was created to help clarify steps moving forward (see **Exhibit 6: PA 1.6 DRAFT Texas Commission on the Arts Letters of Support Procedure**).

Future Projects

Staff continue to make progress on public art related to future bond program construction. There are no new developments to report in this regard. As a reminder the recent 2023 bond vote resulted in roughly \$2.7 million for project-related public art.

RECOMMENDATION

None.

ESTIMATED SCHEDULE OF PROJECT

The S. Bonnie Brae sculpture is tentatively projected to be completed by summer, 2024. The remaining traffic boxes should be installed by May. The Sycamore Bridge Mural installation is expected to be completed by Spring 2024.

OPERATIONAL IMPACT

Each project will have an anticipated maintenance need. Staff have received \$4,600 in HOT funds in FY 23-24 to support additional art maintenance.

FISCAL INFORMATION

1. S. Bonnie Brae Street Sculpture – (Project #450013467), \$25,000 budget.
2. Sycamore Street Mural- (Project #450017474), \$10,000 budget.
3. HOT funds: Current HOT Fund allocation for FY 23-24: Chairy Orchard (\$75,000.00), additional traffic box wraps (\$12,000.00), TCA grant matching (\$8,400.00), and art maintenance (\$4,600.00).

EXHIBITS

Exhibit 1- Agenda Information Sheet

Exhibit 2- Presentation

Exhibit 3- Landry Graphic Design

Exhibit 4- Traffic Box Art Map

Exhibit 5- Deer Moon Site Plan

Exhibit 6- DRAFT TCA Letter of Support SOP

Respectfully submitted:

Gary Packan, Director Parks and Recreation

Prepared by:

Omar Siddiqi, Admin. Analyst,

Parks and Recreation



Public Art Project Update

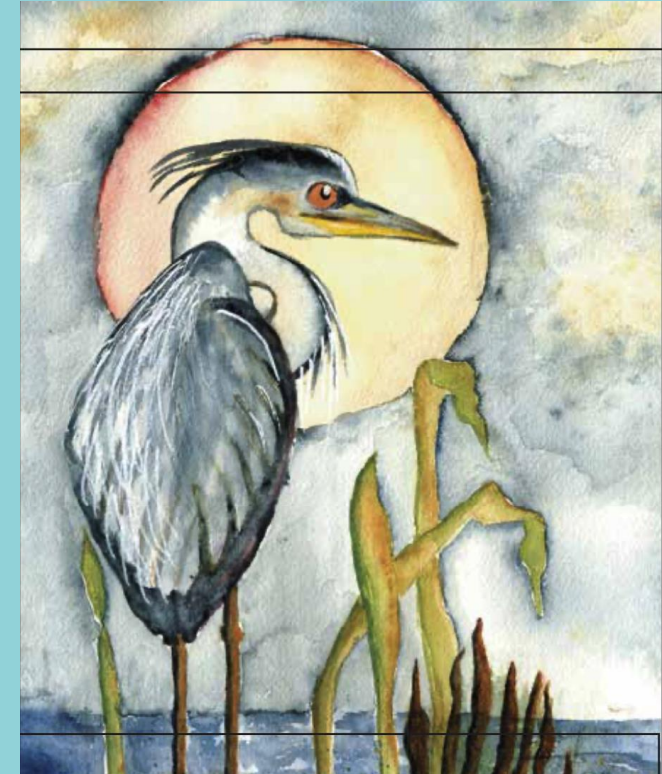
City of Denton
Public Art Committee

April 4 2024

ODD Traffic Boxes



- Installation should soon be complete (or completed soon) on the remaining TWU box at University/Bell and the Senior Center Art box relocated to Carroll/Congress
- Jude Landry is currently finalizing designs for the box at Elm/McKinney next to City Hall West (Old City Hall). The design will be an adaptation of the mural he did for the Design Downtown Denton project.
- Landry's design will also be adapted for a mural application at Development Services Building



“Serve” Sculpture



- Staff have contacted Christine Sanders and are waiting for her to finalize some minor surface issues on the sculpture
- Staff have also asked Sanders to provide a “transfer of ownership” form for the sculpture

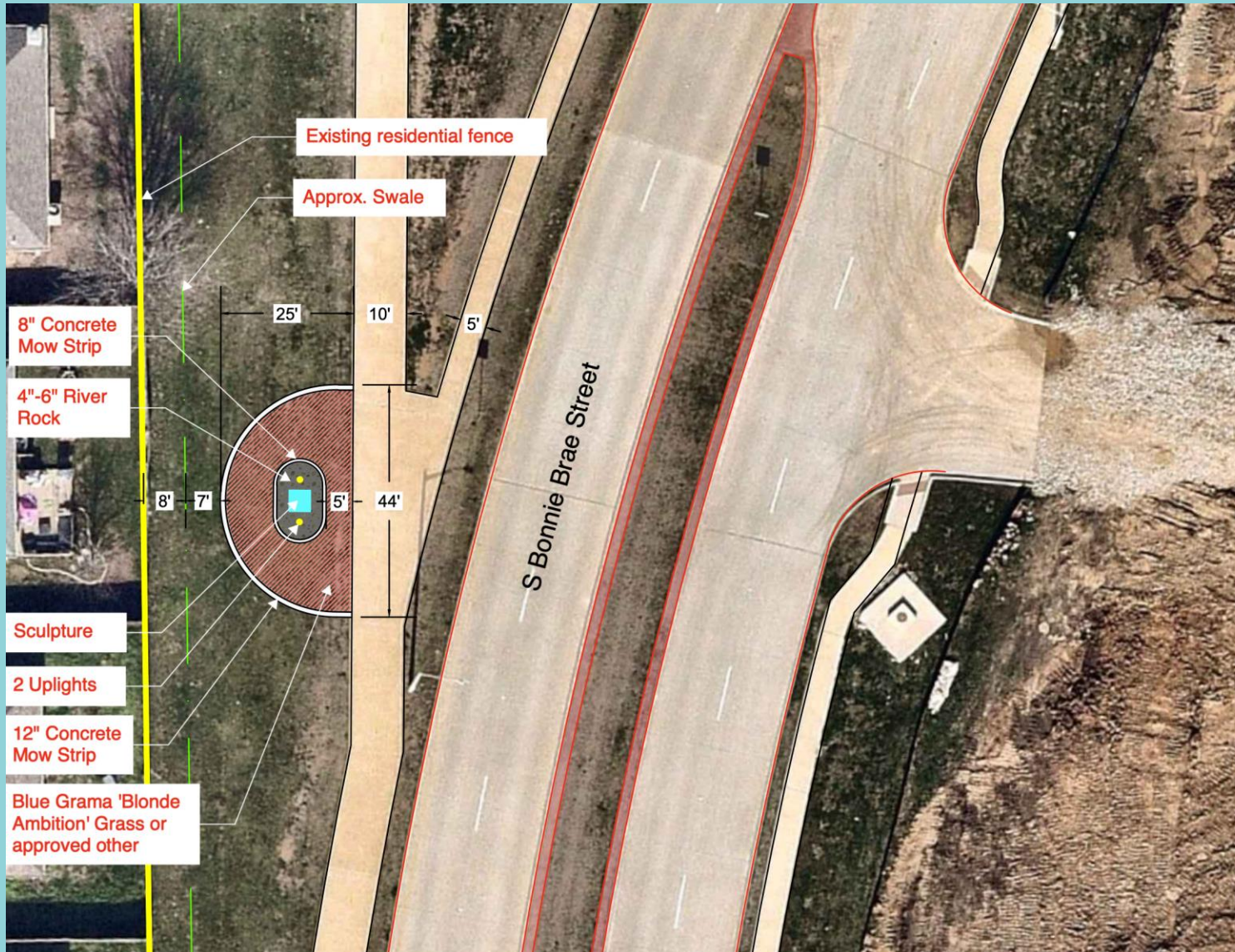


Continuing Projects



1. Sycamore Street Bridge
 - a. Still waiting on the completion of streets projects
 - b. And waiting for the surrounding area to be safe enough for mural work (without heavy equipment travel, e.g.)
2. S. Bonnie Brae Sculpture
 - a. Robert Barnum continues to manufacture the sculpture and is not turning to the fabrication of Corten elements.
 - b. Staff have determined a tentative site plan for the sculpture, and have communicated that to the artist

Continuing Projects



Robert Barnum
"Deer Moon" Proposed Site Plan

Art Repair/Maintenance



- Staff are currently exploring the feasibility of doing surface repair work to the mural on Dallas Drive under the railway bridge
- This artwork was in line for repair when a vehicle of some sort abraded a long section of the surface, and excavating some of the concrete, as well.



4/4/24

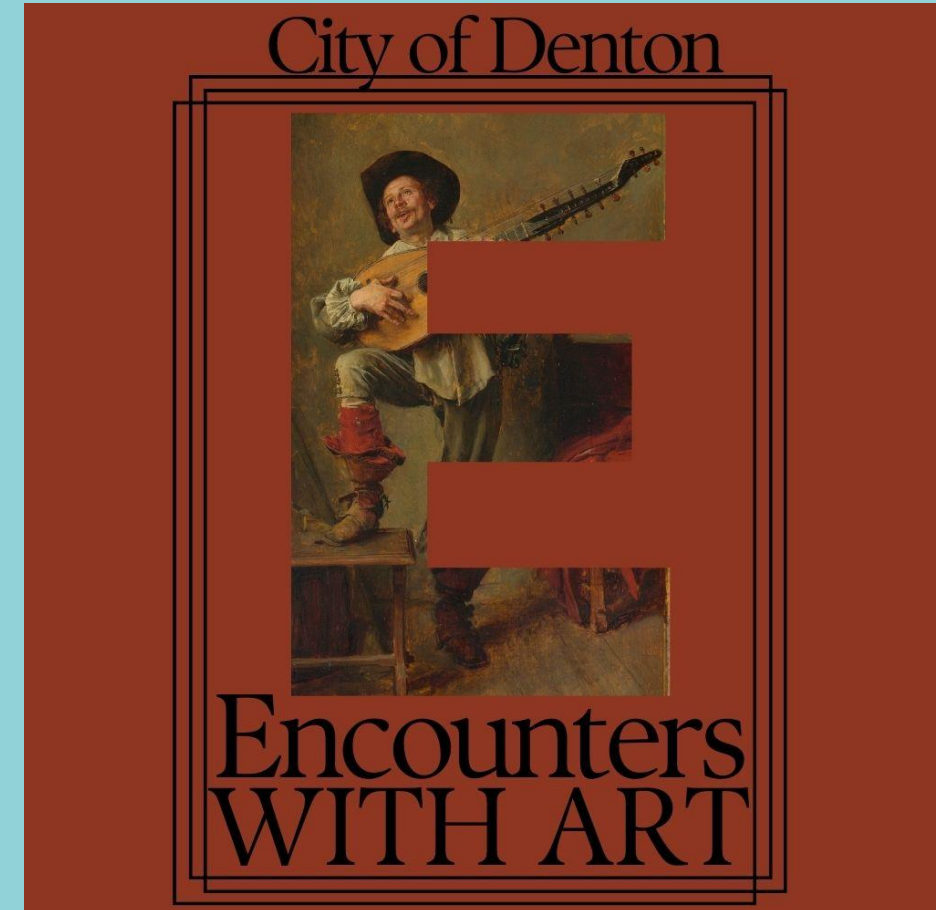


PRB24-006

Encounters with Art



- City staff encountered issues with the TCA Grant
- Staff had been funding activities using the City's match.
- Staff declined the grant
- UNT Chamber Music, and other parties have proved interested in continuing to program music performances at the Senior Center for free!



TCA Letters of Support



- Every year a handful of arts organizations within the Original Denton District ask apply for grants with the TCA as cultural district art organizations
- City staff are working to clarify this process in an SOP to ensure the City is providing letters of support only to organizations we are confident will fulfill their grant obligations
- This new process will include more staff vetting: by considering the organizations past closeout report with the TCA, for example.

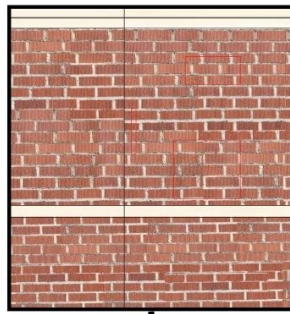
Questions?



DESIGN DOWNTOWN DENTON



Jude Landry Art
Elm/McKinney



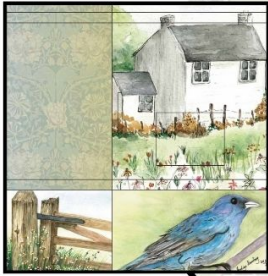
Infrastructure
Camouflage
Locust/Oak



TWU student art
Bell/University



TWU student art
Bell/Chapel



Denton Senior Center Art
Carroll/Congress



Denton Senior Center Art
Oak/Elm



Kaci Martin (UNT)
Sustainability Art
Carroll/Oak



Kaci Martin (UNT) Eclipse Art
Carroll/Hickory



Denton ISD HS Art
Carroll/Mulberry



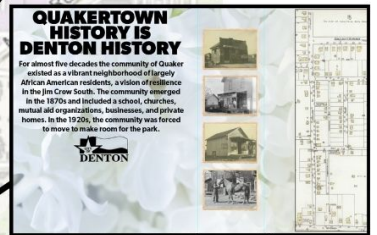
Denton ISD HS Art
Elm/Hickory



Denton ISD HS Art
Elm/Sycamore



Denton ISD HS Art
Locust/McKinney



Quakertown History
Bell/McKinney



Denton ISD HS Art
Locust/Hickory



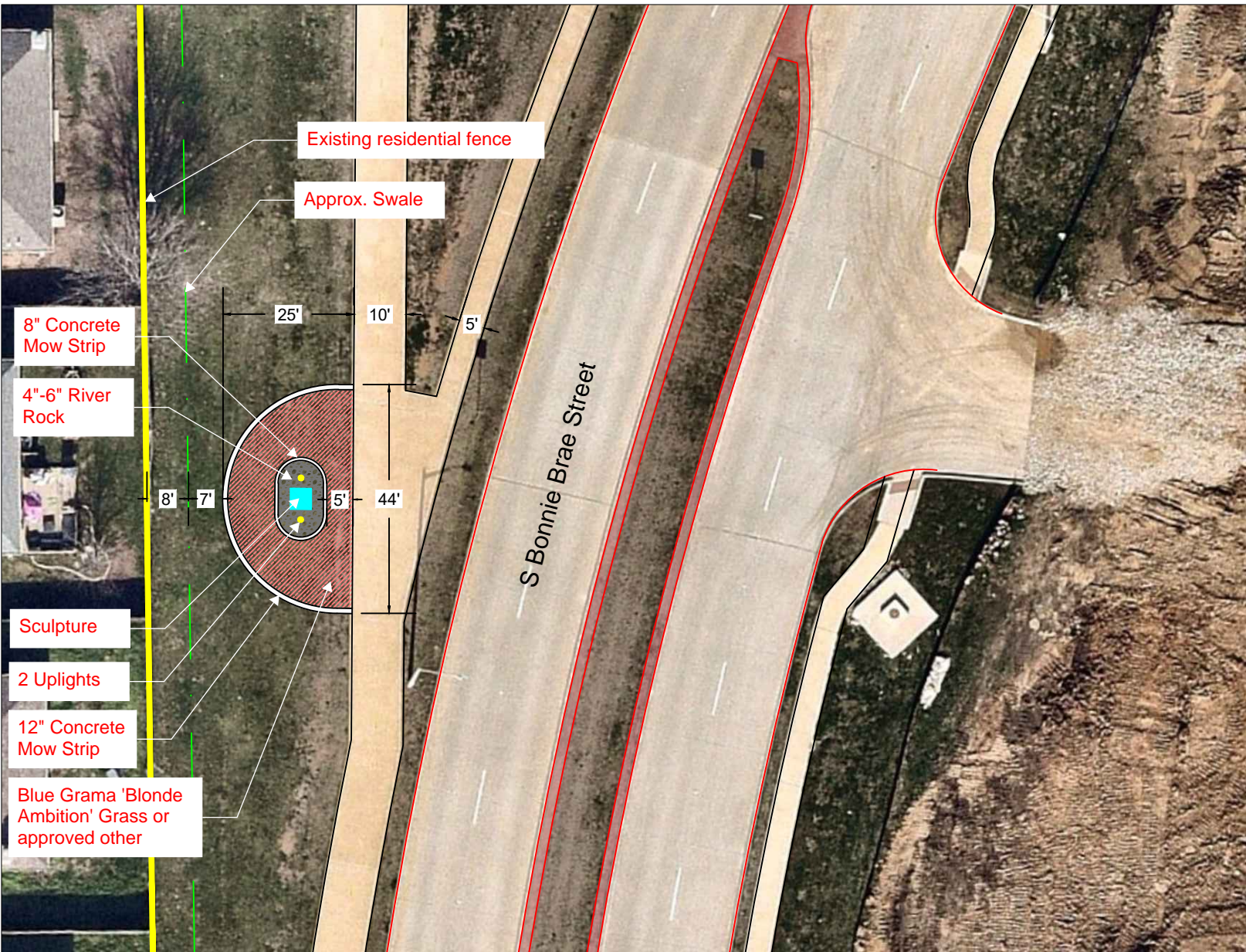
Denton ISD HS Art
Bell/Hickory




Denton ISD HS Art
Locust/Sycamore



Denton ISD HS Art
Bell/Sycamore



		SOP ID #	PA 1.6
		SOP Owner	Director of Parks and Recreation
		Revision #	Implementation
		Implementation Date	2/28/2024
		Last Reviewed/Update Date	2/28/2024

PA 1.6: Texas Commission of Arts (TCA) Letters of Support Procedure

PURPOSE AND SCOPE


The propose of this SOP is to provide the Parks and Recreation Departments guidance on the processing of Texas Commission on the Arts (TCA) letters of support for the TCA’s “Arts Respond- Cultural District Program” Grant.

PRE-REQUISITES

Art organizations asking for letters of support must be an “Established Arts Organizations” as determined by the TCA within their own internal process. For the “Arts Respond- Cultural District Program” Grant, Established Art Organizations must have received that designation from the TCA and must have an operating budget of over \$50,000.00 annually. Additionally, for this grant, organizations must be located within Denton’s cultural district – the Original Denton District – or have the vast majority of their programmed events occurring within the boundaries of the Original Denton District.

ROLES AND RESPONSIBILITIES

- **External Organization Staff:** The organization provides, to the Arts Administrator, a formal letter of request indicating their intention to apply for a Cultural District Program Grant, the amount and purpose for which they seek the grant, and a brief history of previous grants or efforts in support of arts and culture that their organization has provided within the Original Denton District. This letter of request is no longer than one page and is usually sent from the organization’s executive director. The executive director, or other organization staff will also forward their TCA Closeout Report from the previous year to the City of Denton Public Arts Administrator.
- **Parks and Recreation Staff:** The Parks and Recreation Department staff reviews all request letters from outside organizations asking for a letter of support. Staff will also receive and review the organization’s closeout report for the previous year, and asses the project’s overall feasibility. Staff will convey approved letters of request and closeout reports to the Public Art Committee at their June meeting (in advance of the June 15 deadline for TCA-submissions). Staff will also draft the final Letters of Support for projects supported by the Public Art Committee. Parks and Recreation staff members will also retain all records of Letters of Support for the Parks and Recreation Department.
- **Public Art Committee:** The Public Art Committee (PAC) will consider letter of request and closeout reports from organizations that the Public Art Administrator deems initially feasible. The Public Art Committee will recommend approving or denying the letter of support.
- **Parks Department Director:** Will review the draft letters of support created by staff and approve them for consideration by City Manager or Designee.
- **City Manager or Designee:** Will sign each approved letter of support so that the letters can be sent to the organizations in advance of the TCA due date of June 15.

		SOP ID #	PA 1.6
		SOP Owner	Director of Parks and Recreation
		Revision #	Implementation
		Implementation Date	2/28/2024
		Last Reviewed/Update Date	2/28/2024

PROCEDURE

Stage 1: Receive Requests for Letters of Support

- The Texas Commission on the Arts (TCA) accepts applications to the Cultural District Grant Program from May 15 to June 15.
- Organizations wanting to apply for a grant to support a project within the Original Denton District (ODD) are required have a letter of support from the Cultural District Management Organization (in this case the City of Denton) that:
 - a. Endorses the Project
 - b. Defines the Cultural District Management Organization's role in promoting, marketing, or advancing the project.
- Parks and Recreation staff will require that the applying organization:
 - a. Submit their request to the city for a letter or support by May 15 .
 - b. Provide a letter of request that briefly describes the project application.
 - c. Submit along with their letter of request the final TCA closeout report from the previous year Cultural District Project Grant (if applicable).

Stage 2: Parks and Recreation Staff Review


- Parks and Recreation staff will review draft applications and prior year's report to determine feasibility of proposed project and assess the ability of the organization to complete the requirements of TCA for the grant. Parks staff will complete the review process within ten (10) days of receiving the letter of request.
- If feasibility or capability of the organization is deemed insufficient, Parks and Recreation staff will either request additional information from the applying organization or reject the request.
- Once the project is deemed as eligible to receive a letter of support, Parks and Recreation staff will schedule the projects to be reviewed by the Public Art Committee at the meeting in June prior to the due date of June 15.

Stage 3: Public Art Committee Review

- The Public Art Committee will review the proposed projects in their June meeting and decide whether to approve or deny the organization's request for a letter of support.
- If denied, Parks and Recreation staff will reply to the applying organizations with the denial and reasons given by the Committee.

Stage 4: Draft and Sign Letters of Support

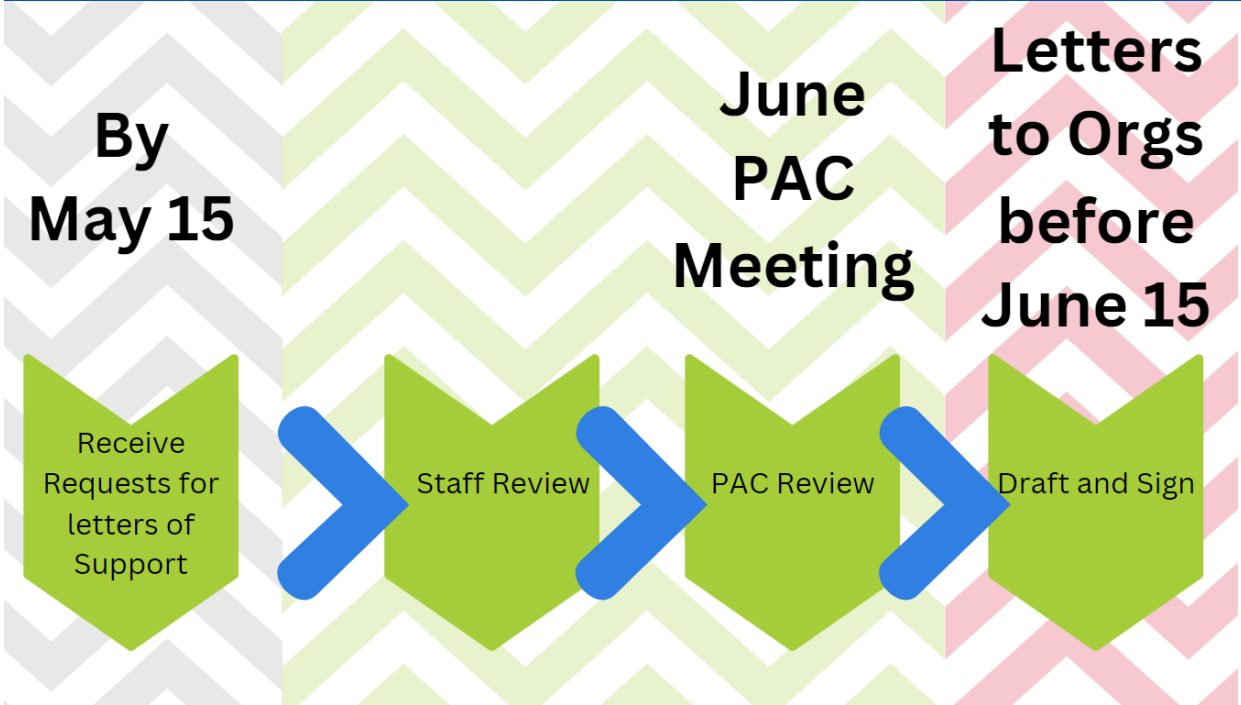
- Once the proposed projects are approved, Parks and Recreation staff will draft a letter of support for each applying organizations' project and submit for review to the City Manager by the Parks Director.
- City Manager or designee will then sign the approved letters of support.
- Public Art staff in Parks and Recreation will send the final letters to the organizations prior to the due date of June 15.
- Letters of Support and all correspondence will be retained in the Parks and Recreation Public Art SharePoint file.

		SOP ID #	PA 1.6
		SOP Owner	Director of Parks and Recreation
		Revision #	Implementation
		Implementation Date	2/28/2024
		Last Reviewed/Update Date	2/28/2024

RELATED DOCUMENTS

- TCA Grant Guidelines can be found here:
<https://www.arts.texas.gov/ow/tcagrants/TXArtsPlan/TAPTOC.htm>

PROCESS VISUALIZATION





City of Denton

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215 E. McKinney St.
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Legislation Text

File #: PAC24-003, **Version:** 1

AGENDA CAPTION

Receive a report, hold a discussion, and give input to staff regarding proposed changes to the Public Art Policy (Art in Public Places) and its temporary art addendum (Temporary Art in Public Places).



City of Denton

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215 E. McKinney Street
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AGENDA INFORMATION SHEET

DEPARTMENT: Parks and Recreation

ACM: Christine Taylor, Assistant City Manager

DATE: April 4, 2024

SUBJECT

Receive a report, hold a discussion, and give input to staff regarding proposed changes to the Public Art Policy (Art in Public Places) and its temporary art addendum (Temporary Art in Public Places).

BACKGROUND

The City of Denton's existing Public Art Policy was adopted in 2013 and needs revision. The attached draft policy augments areas in the following areas where the existing policy lacked detail and depth:

- a. Art Commissioning Process
- b. Art Deaccessioning
- c. Asset Management
- d. Temporary Art Policy

RECOMMENDATION

Provide staff guidance and direction on the public art policy and resolution drafts provided for discussion and consideration.

ESTIMATED SCHEDULE OF PROJECT

Once the changes are approved by PAC, the policy will go to the Park Board and then City Council for consideration, along with a finalized resolution. It is anticipated that this policy will take 1-2 additional months.

OPERATIONAL IMPACT

The new policies will circumscribe how the public art program functions. Operationally, these policies should clarify and streamline processes.

FISCAL INFORMATION

The adoption of new public art policies should not have a significant fiscal effect, apart from the allocation of additional funds toward Temporary Art in Public Places. But this additional cost should be absorbable within the City's annual public art Hotel Occupancy Tax (HOT) fund allocation.

EXHIBITS

- Exhibit 1- Agenda Information Sheet
Exhibit 2- Draft (unsigned) Resolution
Exhibit 3- Art in Public Places Policy

Respectfully submitted:
Gary Packan, Director Parks and Recreation

Prepared by:

RESOLUTION NO R2024-???

A RESOLUTION REPEALING RESOLUTION NO. 2013-021 WHICH ESTABLISHED A REVISED PUBLIC ART POLICY FOR THE CITY OF DENTON; ESTABLISHING AN UPDATED AND REVISED PUBLIC ART POLICY FOR THE CITY OF DENTON, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denton established a Public Art Policy in April 2006, that was subsequently updated in 2013; and

WHEREAS, the City Council wishes to sustain the City's ongoing support for and commitment to the role of art in the community; and

WHEREAS, the City Council wants to revise the existing public art policy to provide more detailed rules and guidelines regarding art commissioning, art inventory asset management, and the leasing of temporary art; and

WHEREAS, the revised policy sustains the role of the Public Art Committee as an advisory board to the City Council; and

WHEREAS, the City Council finds it is in the public interest to repeal Resolution No. R2013-021 which approved the revised Public Art Policy; NOW, THEREFORE;

THE CITY COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

SECTION 1. Resolution No. R2013-021 is hereby repealed.

SECTION 2. The revised City of Denton, Public Art Policy, attached hereto, is hereby adopted and approved

SECTION 3. The resolution shall become effective upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2024

GERARD HUSPETH, MAYOR

ATTEST:
JESSE SALAZAR, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

City of Denton Public Art Policy

SEC. 1 - GENERAL POLICY STATEMENT

It is the policy of the City of Denton (“the City” or “City”) to commission, display, maintain, and manage, as a form of government speech, the City’s public art inventory consistent with the policy guidelines and administrative procedures outlined within this policy.

SEC 2 - PURPOSE

The Public Art Policy provides guidance for the administration, maintenance, and growth of the City’s Public Art collection. This policy concerns permanent, temporary, and ephemeral art; the management of all three within the City’s public art inventory; as well as re-siting and deaccessioning of art within the City’s public art inventory.

The City’s Public Art Policy confirms the commitment of City staff and Denton residents to support Public Art as it:

- Sustains and promotes the City’s unique, creative identity and its diverse cultural and artistic heritage
- Creates distinctive, attractive, and inviting public spaces by integrating public art within carefully considered and designed public spaces and new development
- Maintains and enhances Denton’s reputation as an arts and culture destination and an arts-friendly community by involving local artist in public art projects, when possible
- Fosters community education in, and appreciation of, a variety of art forms
- Promotes a community environment that attracts artists to live and work in Denton, and situates public art works as tourism-attracting community assets that have both economic and aesthetic value
- Encourages productive collaborations between arts organizations and among artists to maintain and enhance Denton’s rich cultural reputation

SEC 3 – SCOPE

This policy defines the administrative procedures surrounding the management and maintenance of all works of art that are commissioned and acquired by, or donated to the City, for any timeframe, that additionally meet the following criteria:

- The artwork is developed or acquired using City funds or in an agreement whereby ownership, management, and maintenance responsibilities belong to the City.

Formatted: Justified

- The artwork is located on City of Denton property within a park, facility, facility grounds, median, or other City-owned property or right-of-way.
- The artwork is continually accessible to the public.

SEC. 4 – LIMITATIONS

This policy does not extend to:

1. Temporary exhibits of artworks owned by other individuals or institutions that are temporarily hosted within city-owned spaces that were not loaned subject to the city's Temporary Art in Public Places Policy.
2. The temporary exhibition of artworks in city-owned property whose exhibition is managed by external organizations (e.g. the Greater Denton Arts Council).
3. Exhibitions and programming in city-owned facilities that are not under the aegis of the public art program, but are instead displayed at the discretion of the facility operator.

SEC. 5 – DEFINITIONS

Artist: A creator whose professional praxis results in the creation of works of aesthetic merit in visual media, performance art, music, or temporary and ephemeral art. An artist is regarded as a professional of significant skill by their peers.

Artwork: A consciously-designed object, performance, musical piece, or temporary/ephemeral element created by one or more artists that has a considerable aesthetic element notwithstanding other intellectual commitments. Types of artworks include: paintings, sculpture, photograph, mural, musical piece, performance. For the purposes of this policy artworks are original works or works within a very limited edition of 50 or fewer copies. Additionally, artworks can be designed to be permanently part of the City's art inventory, or temporarily loaned by the artist. Ephemeral artworks are those that are not intended to exist much beyond their original performance or installation.

Bond Project: For the purposes of this policy, specifically defines a public art project that is connected to a vertical construction project supported by bond funds from a voter-approved bond proposition.

Deaccessioning: The process by which an item in the City's Public Art Inventory is permanently removed either by sale, return to artist, donation, or destruction. Deaccession requires removal of the artwork from its public location, removal of the item from the asset management inventory and maintenance schedule, and the archiving of any related documentation into the City's deaccession files.

Donated Art: An art work that has been provided at no cost to the City of Denton by an organization or individual, and which the Public Art Committee and City Council have decided to accept and enter into the public art inventory.

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Loan: A loan is an agreement entered into by an owner of a particular artwork to have that artwork displayed in public on City of Denton property. Administration of loaned art is governed by the Temporary Art in Public Places policy.

Public Art: Artwork that is owned by the City, and acquired by purchase, paid commission, or donation; or artwork that is temporary loaned to the city by an artist or owner of a particular piece of art, and is displayed on or in City-owned property such a park, facility, or right-of-way. Public art also includes temporary and ephemeral works of art that are commissioned by, or donated to the City, and performed in City's public places.

Public Art Committee: An advisory committee composed of nine members, all of whom are officially appointed by the City Council. Seven members of the committee are nominated by the Council, while two members are nominated by the executive director of the Greater Denton Arts Council (GDAC). The Public Art Committee also has two ex-officio members: the executive director of GDAC and a designated City of Denton staff member, currently the Direct of Parks and Recreation.

Public Art Inventory: The complete collection of extant art work that is owned by the city, whether or not it is actively displayed in public on or in City property.

Public Place: A public place means a City-owned property that is freely accessible to and available for use by the general public during operating hours.

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SEC. 6 – POLICY ADMINISTRATION AND RESPONSIBILITIES

1. Administration of the City's Public Art Policy will be overseen by a Public Art Committee of nine members, appointed by the City Council. This committee will consist of:
 - a. Seven members nominated and appointed by the City Council
 - b. Two members nominated by the Executive Director of the Greater Denton Arts Council (GDAC).
 - c. The Public Art Committee will have the responsibility of making recommendations to City Council on the following:
 - i. The commissioning, placement, and installation of new works of art.
 - ii. Appraising City staff of possible external funding opportunities and engaging in fundraising for the City's public art program in conjunction with the Denton Parks Foundation.
 - iii. Asset management within the City's public art inventory including accessioning, deaccessioning, and artwork maintenance.
 - iv. Oversight of ~~all city programs related to public art~~ any other art-related issues Council assigns to the committee.
 - d. ~~A designated City staff~~ The Director of Parks and Recreation member and the Executive Director of the Greater Denton Arts Council (GDAC) will both serve as ex-officio members of the Public Art Committee.
2. A designated member of City staff will serve as an administrator to the Public Art Committee and the Public Art Program, generally.

Commented [AB1]: Maybe take this out

Commented [AB2]: Do we have a list as of now? Do we want to ad language that mimics the originating ordinance? Do we ant to say and any other Art related issues Council assigns to the Committee.

A: We don't really have a list, I think I had intended for this line to be something of a catch-all for other art-related oversight that I had not specifically enumerated earlier. I changed this to add the language you suggested. Historically, it's not as if the PAC has had sway over every single art piece installed by the City. For example, departments often have commissioned murals for their offices or facilities of their own accord and informed PAC of the outcomes later.

Sec. 7 – Community Involvement

The City Council seeks to ensure citizen involvement through the establishment of the Public Art Committee and the review and approval of each public art project. In addition, the Public Art Committee will work with the GDAC and local educational institutions to educate and inform citizens about projects and the process for involvement. Additionally, all Denton residents are invited to attend any public art committee meeting and are given the opportunity to speak to the board directly, if they wish to do so.

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SEC. 8 – SOURCES OF FUNDING; USES OF FUNDING

Funding for public art should be realized from both public and private sources to insure a broad and balanced program.

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1. Local Public Funding Sources

- a. **Hotel Occupancy Tax (HOT) Funds:** Annually, **at least 2.4%** of total Hotel Occupancy Tax (HOT) revenues will be allocated to public art projects as allowed under Texas Tax Code 351.103 (c). This section of Texas Tax Code allows cities to apply a maximum of 15% of total HOT tax receipts to Public Art. The current allocation, at 2.4% of total HOT receipts annually, represents only 16% of total funds that could legally be allocated to public art according to 351.103 (c).
- b. **Bond Funds for Public Art:** The City Council will consider placing, within bond propositions with a vertical construction component, a percentage allocation for public art or enhanced design within or adjacent to the construction project in question. As bond propositions are clarified, City Council can establish a public art percentage, if existing priorities and the fiscal condition of the city permit, of between 2% and 5% of vertical construction bond propositions. The bond funding for public art will not apply to projects focused on streets, drainage, traffic control, or other horizontal infrastructure. This provision only applies to voter approved General Obligation bond issuances.

2. External and Private Funding

- a. The City's Public Art administrator will explore external public and private external grants that help further the goals of the City's public art program. The public art administrator will additionally:
 - a. Provide an update to the Public Art Committee regarding the grants the City plans to apply for in each annual grant-application cycle.
 - b. Work with the Denton Parks Foundation to apply for and receive grants that require 501 (c)3 eligibility.
 - c. Determine matching grant fund sources and communicate intentions to apply for grants to Grants Management staff

Commented [AB3]: Do we need a definition? Who is currently the Public Art Administrator

A: I currently oversee public art for the City, but this role will probably fall under the future Arts and Culture Manager position at Parks and Rec. I left this a little vague on purpose, in case the position changes or moves outside of Parks sometimes in the future.

3. Additional Art Funding Mechanisms

- a. ~~Tax abatements to developers that include publicly accessible art as a significant component of the development are outlined in the Denton Policy for Tax Abatement. Under this policy, the City may consider granting an additional 5% tax abatement for projects provided that at least 50% of the additional tax abatement is committed to public art by the applicant.~~
- b. ~~a. Development fees: The City Council may choose to levy a public art fee on new development. This fee would be assessed alongside other development fees during the permitting process. The Public Art Committee should work to identify new and novel mechanisms for funding public, with staff support and assistance. Novel funding mechanisms should be shared with Council for their consideration.~~

SEC 9 – PROCEDURES FOR COMMISSIONING ART

The commissioning and accession of new works of art will be overseen by the Public Art Committee.

1. Arts Future Projects List and Site Selection

- a. ~~Arts administrations staff within the Parks and Recreation Department will create an ongoing list of possible future projects that indicates project locations and types. This list will also indicate if funding for the project will come from HOT funds, if the project is a bond-related, or if the project will be sustainable only with external funding sources (grants, or donations).~~
- b. Staff will review this list with the Public Art Committee before the beginning of the new Fiscal Year to clarify which projects to pursue. If there are any grant projects in the *upcoming year* (meaning the year after the new fiscal year) staff will review these with the PAC and clarify which grants will be pursued for the projects, and the if there is a grant match.
- c. ~~Arts administration staff will share this intended grant calendar with Grants Management.~~

2. Project Development

- a. For each project on the Arts Project List staff will indicate:
 - i. The project location
 - ii. The type of project staff would like to build as part of the project
 - iii. information pertaining to special theming or other considerations relevant to the site in question
- b. The provision of public art will normally be expected as part of any large development
 - i. Public art should be considered as an integral part of space in and around development
 - ii. The Public Art Committee should adopt standards and guidelines for the placement of permanent art in public places and for the placement of infrastructure intended to host rotating or temporary art.
 - iii. The Public Art Committee should focus on public art that serve as landmarks within view corridors, pockets, traffic circles, and other prominent locations.

Commented [AB4]: Will the Committee suggest Council begin using this option for all developments?

A: I wonder, in retrospect, if it might be best to leave this section out for the moment. I think this is certainly an avenue for funding worth consideration, but I don't know if there is much support for it in Council, currently. The only city in the region that currently has a developer fee to support public art is Keller. So I might make the language here more general about exploring new and novel ways to fund public art.

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Commented [AB5]: Who are these people? Are they Parks employees? Do we need a definition?

A: Again, currently I am fulfilling this role, but in the future it would be the Arts and Culture Manager. But the text is a little purposefully vague on this, to give flexibility. I added some text to make this less vague, let me know what you think.

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3. Artists' Call / Request for Proposals

- a. For each new art project over \$3,000, arts administration staff will prepare a detailed request for proposals that will include the project details, intended scope, and any specific theme for the requested artwork.
- b. This RFP will also serve as the Call for Artists for the new project, and will be posted on the City's purchasing.
- c. Arts administration staff will also email the Artist's Call / RFP directly to artists on the relevant Artist Contact List (see 6.4 below).
- d. RFPs/Artist Calls will also be posted on public, local and regional artists' forums such as the GDAC website, Glasstire, the Texas Commission on the Arts website, and similar online venues.

4. Artist Contact List

- a. Arts administration staff will maintain an updated list of local, regional, state, and national artist working in various media (e.g. muralists, visual artists, sculptors).
- b. A public facing application form will allow artists to add their contact information to media-specific lists so that they can receive consideration and future RFPs/artist calls.
- c. Artist contact lists will be used in tandem with the City's public-facing RFP portal

5. External Arts Consultant

- a. For large projects with a budget of more than \$500,000 the Public Art Committee can suggest that staff work with an external arts consultant to ensure that the city is able to procure the work of the highest-caliber of artists working nationally and internationally.
- b. External consultants would be hired under the City's existing RFQ process, with input from the Public Art Committee.

6. Council Communication and approval

- a. The Public Art Committee will regularly communicate to Council recommendations regarding the placement of public art, including an annual list of proposed projects. Council will guide the annual project list and approve of individual projects.
- b. All arts projects intended for display in public places (apart from art specifically excluded from this policy) will be approved by the City Council.

~~• The provision of public art will normally be expected as part of any large development scheme.~~

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Sec. 10 Eligible Projects

The Public Art Committee will be responsible for the development of specific guidelines for eligible projects. In general, eligible projects will include:

- The commissioning of permanent works designed for specific public sites in Denton
- The long-term loan, purchase, or donation of art works
- The installation of short-term projects and temporary art in public places (see [Appendix A: Temporary Art in Public Places Policy](#))

Sec. 11 Ownership and Copyright

Permanent pieces of public art shall be the property of the City of Denton. The City shall own the physical work, with unlimited reproduction rights allowed to the City for appropriate promotional and educational purposes. Legal title and copyrights in any work of public art will be spelled out contractually between the City and the artist/owner.

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Sec. 12. Maintenance

Prior to acceptance of any piece of artwork by the Public Art Committee, a recommendation should be developed for its short and long -term maintenance, including a budget for each project. All permanent public art projects must have a maintenance plan that projects both staff time and funding required to properly maintain the work. The City of Denton shall be responsible for the maintenance and management of public art projects approved by the City Council.

1. Parks Maintenance staff will review the condition of public art works in outdoor areas on an annual basis.
2. Parks Maintenance staff, the arts administrator, and outside experts will review the City's indoor public art inventory once every five years to ensure that these works of art are being conserved properly.
3. Public Art staff administrators will provide regular updates to the Public Art Committee about art Maintenance at least on an annual basis.

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Sec. 13 Public Art Asset Management

1. Accessioning and Asset Management

- a. The City's art administrator will maintain a current public art inventory that includes a GIS component. This inventory will catalog all works owned by the city and include data such as the artist, art media, current estimated value, date acquired, current condition, and any relevant maintenance or conservation notes.
- b. Items will be added to the Public Art Inventory as they are purchased by, donated to, or otherwise acquired by the City. Each item will be provided with an inventory tag number and, if appropriate, an asset management label with a n electronic QR-code that connects directly to the item's data on the Public Art Inventory.
- c. The City will provide a public-facing version of this public art inventory that may also include, if resources permit, the cataloging of all public art in Denton. This more expansive list would include, for example, sculptures and murals in areas that are easily visible by the public.

Commented [AB6]: Insurance?

A: Honestly, I'm not sure about insurance. I imagine we would communicate and share the public art inventory with risk management so that they would add these items to the city's assets per facility, in order to determine rates for fire-related or other accidental degradation.

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2. Donations

- a. Gift acceptance and placement of public art donations should be in accordance with historic use and in keeping with the City's ~~of Denton general overall~~ public

art goals. The quality, scale, and character of the gift should be appropriate to the particular setting. Donations of works that require the City of Denton to pay installation, framing, restoration, or repair are not encouraged. The City of Denton will evaluate such expenditures at the time the gift is considered. Works of art requiring high or excessive maintenance may be declined.

- b. All donations of art must be approved by the City Council with due consideration given to any Public Art Committee recommendations.

3. Deaccessioning/Removal

- a. Works of art can be removed from the City's Public Art Inventory for the following reasons:

- i. The work has deteriorated to the point that it can no longer be repaired. It has been destroyed by vandalism. Or the work has otherwise been irredeemably damaged.
- ii. The work poses a current danger to public safety.
- iii. The item is discovered to be a forgery or fake.
- iv. The Public Art Committee and City Council both agree that the artwork should be removed from the City's Public Art inventory.

- b. Deaccessioning can include:

- i. Selling the artwork at auction, with proceeds funding additional public art efforts
- ii. Recycling the artwork and its material components
- iii. Donating the artwork to a local museum or other historical repository
- iv. Storing the artwork outside of public view and access

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4. Deaccession Evaluation

- a. Before a work can be removed the public art administrator must provide to the Public Art Committee a Deaccession Report that will include: information from the Public Art Inventory about the work; a brief explanation of the work's history, its artistic significance, and its provenance; and a thorough explanation of the need for deaccessioning, including the estimated associated costs of the artwork's removal.
- b. The Public Art Committee must receive the Deaccession Report and determine by a majority vote if the artwork is to be deaccessioned.
- c. The City Council will have to provide final approval for the removal of any art from the City's Public Art Inventory.

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Section 14. Temporary Exhibits

See Temporary Art in Public Places Policy (Appendix A)

Section 15-~~1~~. Lending Policy

Artwork may be loaned to other agencies or entities if deemed appropriate by the Public Art Committee and approved by the City Council. The Public Art Committee will be responsible for recommending criteria for establishing a lending policy.

Appendix A: Temporary Art in Public Places

I. PURPOSE AND GOALS

The Temporary Art in Public Places (TAPP) Policy is an addendum to the overall Art in Public Places (APP) Policy for the City of Denton. The purpose of this policy is to provide administrative rules and guidelines for the short-term placement of art in public spaces owned by the City of Denton. The goals of the City of Denton Temporary Art in Public Places (TAPP) program is to beautify the public cityscape, support the local arts and culture economy, provoke a sense of joy and whimsy, and activate City-owned, and publicly accessible spaces across Denton with works of aesthetic distinction.

The Temporary Art in Public Places (TAPP) policy provides rules for the display of artwork that will be featured on City property for a pre-determined period of time, in a manner that is otherwise consistent with the overarching Public Art Policy (Ordinance forthcoming) and all other City of Denton ordinances, policies, and processes.

II. Definitions

- (1) **CALL FOR ARTISTS** means a notice of an artistic opportunity that is open to submissions. The call document will provide artists with a scope of the project, application requirements, and other information artists need in order to consider an artist call and complete their application for that call. Calls for Artists can be open or by invitation.
 - a. An **OPEN CALL** is a call for artists that accepts and considers applications from anyone in the city, region, state, or nation.
 - b. A **LIMITED CALL** is a call for artists that limits the applications considered by various criteria such as: artists city or county of residence, age, institutional affiliation, and artwork medium.
- (2)
- (3) **CITY** means the city of Denton, Texas. **EPHEMERAL ART**, by way of distinction from **TEMPORARY ART**, means art that is designed to be displayed or enjoyed for only a very short period of time – from a few hours (in the case of performance) to at most 30 days for works of visual arts. Ephemeral art is intended to have a finite lifespan. Examples include various types of performance, or visual arts like chalk drawings.
- (4) **PUBLIC ART INVENTORY** means all city-owned artworks that are not under the care and control of nonprofit institutions operating under management agreements with the City.
- (5) **PUBLIC ART COMMITTEE** means an advisory committee comprised of nine members, seven of which are appointed by the City Council, with the remaining two members appointed by the Greater Denton Arts Council (GDAC). The Public Art Committee will also include the two ex-officio members: the Executive Director of GDAC and the City's designated staff liaison, usually the Director of the City Parks and Recreation Department.
- (6) **TEMPORARY PUBLIC ART** means commissioned or donated original works of art installed in public places intended to be displayed for a predetermined period of time that is, in general, longer than two months, but usually not meant to exceed three (3) years, for the purposes of this policy.

III. GENERAL GUIDELINES

This policy concerns the temporary display of visual artworks including but not necessarily limited to genres such as paintings, sculptures, photography, diorama, and mixed media. Artworks offered for consideration within TAPP should be constructed with a degree of robustness appropriate to their intended display location. Temporary artwork intended to be displayed outdoors should be made of material that will require no maintenance for the duration of the loan period. All artwork should be able to sustain general movement and relocation including being sited, installed, and removed.

Works of art must be in compliance with any and all applicable City codes, ordinances, policies, and procedures. Installations must not present a safety hazard and must meet all applicable codes or requirements.

IV. APPLICATION SUBMISSION

Artists wishing to be considered for the TAPP program must submit an application to the City's Public Art Committee (PAC). Applications must be full, complete, and submitted by the required and posted deadlines. Incomplete or late submissions will not be accepted.

Applications must include :

1. Artists Resumé and short biography
2. A catalog of representative past work with images or other media
3. Images or other media of the work proposed for temporary installation.
4. A written narrative describing the work including, if applicable, any special considerations regarding the works installation, and the proposed length of installation.

V. SELECTION

A scoring matrix will be established and approved by the Public Art Committee. Members of the Public Art Committee will individually score eligible applications. Based on the scores received, the Public Art Committee will make a recommendation to the City Council for the selection of TAPP works of art or artists for the given program year. The City Council will have final approval of the selection of the works of art and artists. The Public Art Committee will rank submissions based on the following general criteria:

- Artistic/aesthetic merit
- Appropriateness to temporary art hosting sites

- Feasibility and Durability
- Safety and compliance with City codes and ordinances

VI. LOCAL / REGIONAL ARTISTS

The Public Art Committee scoring rubric may provide additional points for local artists (those in the immediate Denton County area, as well as the Dallas – Fort Worth Metroplex). Preferential scoring for local artists helps meet one of the policies overarching goals: to support the local arts and culture economy by supporting its individual practitioners.

V. GOVERNMENT SPEECH

Artwork selected for Display by the City Council, the Public Art Committee (PAC), or by City Staff administering public art is considered government speech. By displaying artwork the City does not intend to open a public forum for free speech activity. The ultimate authority to accept or deny temporary art work provided for consideration by the public rests with the City Council, and the devolved authority it provides to the Public Art Committee (PAC) and City staff responsible for art administration.

VI. LOCATION/SITING

If a location is not predetermined, the Public Art Committee will make a recommendation regarding placement of the work of art given the artwork medium, size, duration, and other relevant factors during the selection process. All locations must be on City owned land or contained within City owned and occupied spaces or facilities. Art selected through TAPP will not be located on any privately-owned land or facility, or within any facility that charges an admission or entry fee. No entity other than the City of Denton shall be allowed to control access or charge for entry to selected installations.

VII. INSTALLATION/REMOVAL

The selected artist(s) will be responsible for overseeing the installation of the artwork at its predetermined installation location and for any and all installation and removal costs. These costs may include, but are not necessarily limited to, site preparation, changes to the work of art necessitated by its installation or removal, and any insurance requirements for working on City property. The City of Denton assumes no responsibility for any costs associated with the installation, maintenance, or removal of the artwork.

All materials must be removed when the installation is complete and at the conclusion of the exhibit period. Any damages to the site are the sole responsibility of the artist.

VIII. DURATION

The length of time for an installation may depend on the exhibit, location, and the number of applications received. The Temporary Art Program intends to display artwork for longer periods of time, from several months to as long as 2-3 years. Artists should indicate their desired length of time to exhibit on the application. A set length of time for display may be predetermined by the City. The City may extend an installation's timeframe or request that an artist remove their installation at any time at the sole discretion of the City.

IX. FUNDING/STIPENDS

Stipends of up to \$5,000 will be provided to the artist or artists selected for the TPAP program each year, depending on the scale of the artwork and the duration of the loan. ~~The PAC will allocate eligible to this funds for the stipend. The PAC will be responsible for allocating the total temporary art funding allotment in any given year.~~ The program will be funded ~~from by~~ Hotel Occupancy Tax (HOT) revenues ~~and/or other public-art supporting funding sources.~~

Commented [AB7]: Maybe reword this

A: Thanks for catching this. Reworded to make it sensical.

X. ARTWORK SALES

Artists are welcome and encouraged to list the prices of their works in proximity to where they are displayed, or to provide contact information to a website indicating their sales prices. The City of Denton asks artists to either keep sold items on site until the end of the agreed upon installation. The City of Denton, additionally, asks that a 10% gallery fee be provided to the City of Denton Public Art Program for hosting the artwork. These funds will be used to fund future leases of temporary public art.