

RESOLUTION NO. 2009 - 822

A RESOLUTION TO ESTABLISH AN INTERIM PERCENT FOR ART PROGRAM TO BE IN EFFECT UNTIL THE ENACTMENT OF A PERCENT FOR ART ORDINANCE.

Whereas, a percent for art program enhances the built environment of Raleigh, helps to define the city's identity, and encourages a dynamic and creative urban life:

Whereas, a percent for arts program enriches the lives of citizens by bringing art into everyday life for a greater number of people; and

Whereas, a percent for art program encourages the careers of local artists and provides opportunities for their advancement; and

Whereas, a percent for art program enhances the reputation of Raleigh and promotes attracting business and increasing tourism; and

Whereas, the City Council wishes to establish an interim program to implement a percent for arts plan until an ordinance to create a permanent program can be developed and until the "City's 2009-2010 annual budget is enacted;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:

1. There is hereby established an interim percent for arts program for the City of Raleigh to begin funding for selected projects beginning construction after April 1, 2009.
2. The initial funding level for percent for arts projects will be one half of one percent (1/2 %) of the cost of a capital project. For purposes of this program, cost shall mean only the direct construction costs of the project. The term will exclude land acquisition, design costs, engineering costs and other such unrelated costs. The initial allocation of the percentage shall be based on the City's pre-bid estimate of the cost to construct. If the actual construction bids are higher than the City's pre-bid estimate the percentage shall be accordingly adjusted upward. Until a permanent

ordinance can establish the final plan for selecting projects the City Manager will be charged with selecting several capital projects ready to commence construction on or soon after April 1, 2009. This list will be submitted to the Arts Commission for its recommendation on the appropriateness of the project for public art, the type of art, and a process for recommending an artist for the project. The Arts Commission shall report its findings to the City Council which will make the final decision on the art and artist for the project.

3. It is recognized that the permanent program may take a variety of forms, including but not limited to the creation of a fund into which the one-half percent allocations may be allowed to accumulate if some projects may not be ideal for the incorporation of public art. It is also recognized that the permanent program may only apply to buildings to which the public has significant access and may not apply to buildings such as utility plants and public works facilities to which the public has no regular access.
4. The City Attorney and the City Manager are directed to work with the Arts Commission to develop and recommend to the City Council an ordinance to implement a permanent percent for art program. It is understood the permanent program design may in part depend upon the results of the pilot projects. It is further understood that the final budget for staffing and operation of the program will be established by the City Council as a part of its 2009-2010 annual budget deliberations.
5. This Resolution is effective upon adoption.

Adopted: February 17, 2009

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This Resolution was prepared by the Raleigh City Attorney's Office