

COUNCIL BILL NO. 13-019  
ORDINANCE NO. 2674

**AN ORDINANCE ENACTING A NEW SUBSECTION XIX OF DIVISION 3 (NONSTANDARD BOARDS) OF ARTICLE IV (BOARDS, COMMISSIONS, AND COMMITTEES) OF CHAPTER 2 (ADMINISTRATION) OF THE LAS CRUCES MUNICIPAL CODE, 1997, AS AMENDED, WHEREBY CREATING THE CITY ART BOARD.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces desires to appreciate, foster and promote the civic educational and cultural value of the arts in the lives of its citizens; and

**WHEREAS**, the City has a responsibility to the citizens for the development, display, and care of art objects in its custody; and

**WHEREAS**, the City requires a body to oversee and administer the many aspects of a City Art Policy; and

**WHEREAS**, the input of local artists, gallery owners, and art lovers is essential to making measured and responsible decisions about objects of art owned by the City.

**NOW, THEREFORE**, be it ordained by the governing body of the City of Las Cruces:

**(I)**

**THAT** LCMC 1997, Subdivision XIX, Sections 2-990 through 2-993 are hereby enacted to read as follows.

***Subdivision XIX. City Art Board***

**Sec. 2-990. Established.**

There is established a City Art Board.

**Sec. 2-991. Composition; appointment.**

(a) The City Art Board shall consist of seven (7) members appointed by the

Mayor, with the advice and consent of City Council from those citizens with an interest, and/or participation in the art community of Las Cruces.

- (b) Members shall be appointed "at-large" and the positions shall be numbered one (1) through seven (7).
- (c) The term of the members shall be staggered terms of four (4) years so there will be overlapping of tenures. Initial appointment will be two (2) members' term expiring at the end of a two (2) year period; two (2) members' terms expiring at the end of a three (3) year period; and three (3) members' term expiring at the end of a four (4) year period.

**Sec. 2-992. Organization.**

The Board shall select from those members a Chair, Vice-Chair and Secretary, each of whom shall serve for one fiscal year next succeeding their election and they shall adopt such rules and regulations, to include By-Laws, covering its proceedings as it may deem proper and shall not be inconsistent with the rules, regulations and ordinances of the City of Las Cruces.

**Section 2-993. Duties.**

- (a) The Board shall meet as they deem necessary, but at a minimum four (4) times per year. The Board shall perform various functions and actions in the accomplishment of the purposes of their By-Laws and shall adopt as part of their operational documents a City Art Policy to include the Art on Loan Program that was established as a pilot project in 2011. (Resolution 11-156).
- (b) The Board shall keep complete minutes of its procedures and submit

these minutes in a timely fashion to insure that the City Council is fully apprised of City art activities.

- (c) Recognizing that staff and the City Council have the ultimate responsibility for the care and development of City art objects and projects, the Board will serve in an advisory capacity to the City Council and will assist staff in the development of guidelines, programming, and administration of policies, rules and regulations and recommendations for new art related projects and programs, will actively participate in the organization and administration of the City art collections, and will make formal recommendations to the City Council relative to the acquisition and commissioning of public art installations.

(II)

**THAT** City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

**DONE AND APPROVED** this 7 day of January, 2013.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

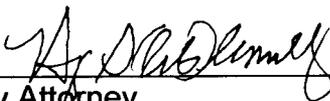
  
\_\_\_\_\_  
Deputy City Clerk

(SEAL)

Moved by: Smith

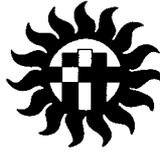
Seconded by: Thomas

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Smith:	<u>Aye</u>
Councillor Pedroza:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Sorg:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>



# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 12

Ordinance/Resolution# 2674

For Meeting of December 17, 2012  
(Ordinance First Reading Date)

For Meeting of January 7, 2013  
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

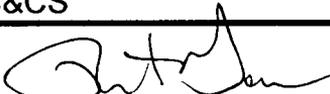
LEGISLATIVE

ADMINISTRATIVE

**TITLE:** AN ORDINANCE ENACTING A NEW SUBSECTION XIX OF DIVISION 3 (NONSTANDARD BOARDS) OF ARTICLE IV (BOARDS, COMMISSIONS, AND COMMITTEES) OF CHAPTER 2 (ADMINISTRATION) OF THE LAS CRUCES MUNICIPAL CODE, 1997, AS AMENDED, WHEREBY CREATING THE CITY ART BOARD.

**PURPOSE(S) OF ACTION:**

To create the City Art Board.

<b>COUNCIL DISTRICT:</b> All		
<b><u>Drafter/Staff Contact:</u></b> Lori Grumet	<b><u>Department/Section:</u></b> C&CS	<b><u>Phone:</u></b> 528-3477
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

On January 3, 2011, City Council approved Resolution No. 11-156 to create a policy for display of art in City facilities to be known as the Art on Loan Program (AOL). The policy allowed for an Ad-Hoc Board to conduct the activities of the pilot program with the goal of a permanent board to supervise the process.

Resolution No. 11-166 was approved by City Council on February 7, 2011 establishing an Ad Hoc Board to assist in the selection of art to be located in City facilities. The AOL Ad Hoc Board juried qualifying submissions and made selections for pieces to be displayed at City Hall, and the first round of art was installed in May 2011.

The AOL Ad Hoc Board reported to City Council in September 2011 that the program status was good. The Chair of the AOL Board recommended in his report that the existing members of the Board continue for one additional year ending December 31, 2012 to provide continuity to the program. City Council approved Resolution No. 12-069 on October 17, 2011 extending the AOL Ad Hoc Board for one additional year ending on December 31, 2012.

(Continue on additional sheets as required)

Community & Cultural Services (CCS) staff, with input from the local community, prepared a draft City Art Policy to guide City staff to responsibly acquire, maintain, preserve and share the art objects in its custody. The CCS Director presented the draft City Art Policy to City Council at the Work Session on September 10, 2012. City Council was receptive of the draft City Art Policy and they agreed that the City should pursue a Nonstandard Board.

The City of Las Cruces desires to appreciate, foster and promote the civic educational and cultural value of the arts in the lives of its citizens, and it has a responsibility to the citizens of Las Cruces to develop, display, and care for the art objects in its custody. As such, this Ordinance is presented to City Council for approval, thereby creating the City Art Board who will oversee and administer the many aspects of a City Art Program.

**SUPPORT INFORMATION:**

1. Ordinance

**SOURCE OF FUNDING:**

Is this action already budgeted?  N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?  N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

N/A
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**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

**OPTIONS / ALTERNATIVES:**

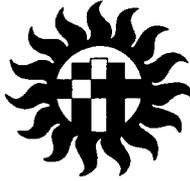
1. Vote "Yes"; this will approve enactment of a new Subsection XIX of Division 3, Article IV, Chapter 2 of the LCMC 1997, thereby creating the City Art Board.
2. Vote "No"; this will deny enactment of a new Subsection XIX of Division 3, Article IV, Chapter 2 of the LCMC 1997, and the City Art Board will not be created.
3. Vote to "Amend"; this could include changing the membership and/or duties of the City Art Board.
4. Vote to "Table"; this could delay the continuity of the Art on Loan Program.

**REFERENCE INFORMATION:**

1. Resolution No. 11-156
2. Resolution No. 11-166
3. Resolution No. 12-069

(Continue on additional sheets as required)

2674



# City of Las Cruces®

PEOPLE HELPING PEOPLE

## COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of December 17, 2012  
(Ordinance First Reading Date)

For Meeting of January 7, 2013  
(Adoption Date)

TITLE:

AN ORDINANCE ENACTING A NEW SUBSECTION XIX OF DIVISION 3 (NONSTANDARD BOARDS) OF ARTICLE IV (BOARDS, COMMISSIONS, AND COMMITTEES) OF CHAPTER 2 (ADMINISTRATION) OF THE LAS CRUCES MUNICIPAL CODE, 1997, AS AMENDED, WHEREBY CREATING THE CITY ART BOARD.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes  No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact			
Department Director		528-3476	11-26-12
Other			
Assistant City Manager /CAO		541-2078	11/28/12
Management & Budget Manager		541-2107	11-28-12
Assistant City Manager/COO		2271	11/28/12
City Attorney		2128	11/29/12
City Clerk		X2115	12/5/12

# Legal Advertising Affidavit

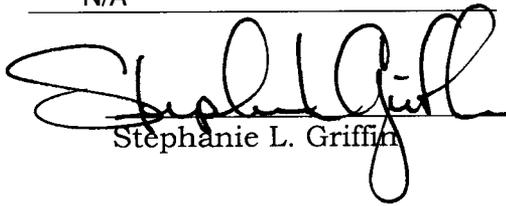
Stephanie L. Griffin, who, being duly sworn as the Assistant to the Publisher of the Las Cruces BULLETIN, a weekly newspaper of general distribution published in the City of Las Cruces, County of Doña Ana, State of New Mexico, disposes and states that the legal advertising for

City of Las Cruces

Notice of Intent to Adopt

I/M/O Ordinance No. 2674

In accordance with the laws of the State of New Mexico, the attached was published in its entirety one time(s) in the Las Cruces BULLETIN, the first publication date being 12/21/12 and subsequent publications being N/A



Stephanie L. Griffin

Sworn to and subscribed before me this 21 day of December 2012 in the

CITY OF LAS CRUCES  
COUNTY OF DOÑA ANA  
STATE OF NEW MEXICO

My Commission expires: **October 28, 2015**



Jacqueline McCollum - Notary Public

## NOTICE OF INTENT TO ADOPT

The City Council of The City of Las Cruces, New Mexico, Hereby Gives Notice of Its Intent to Adopt The Following Ordinance at a Regular City Council Meeting to be Held on January 7, 2013:

1. Council Bill No. 13-019; Ordinance No. 2674: An Ordinance Enacting a New Subsection XIX of Division 3 (Nonstandard Boards) of Article IV (Boards, Commissions, and Committees) of Chapter 2 (Administration) of the Las Cruces Municipal Code, 1997, as Amended, Whereby Creating the City Art Board.

Copies Are Available for Inspection During Working Hours at the Office of the City Clerk. Witness My Hand and Seal of the City of Las Cruces on this the 13th day of December 2012.

Esther Martinez-Carrillo, CMC  
City Clerk

Pub # 12597  
Dates 12/21, 2012

\$29.36

Advertising Costs

# LAS CRUCES SUN-NEWS

## PROOF OF PUBLICATION

I, being duly sworn, Frank Leto deposes and says that he is the Publisher of the Las Cruces Sun -News, a newspaper published daily in the county of Dona Ana, State of New Mexico; that the notice 51493 is an exact duplicate of the notice that was published once a week/day in regular and entire issue of said newspaper and not in any supplement thereof for 1 consecutive week(s)/day(s), the first publication was in the issue dated December 16, 2012 and the last publication was December 16, 2012

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

Signed



**Publisher  
Official Position**

**STATE OF NEW MEXICO**

ss.

**County of Dona Ana**

**Subscribed and sworn before me this**

8<sup>th</sup> day of January

Maria Isabel Del Villar

**Notary Public in and for  
Dona Ana County, New Mexico**

August 6, 2016

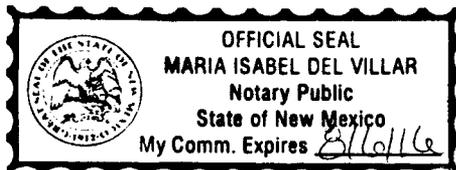
My Term Expires

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Copies Are Available for Inspection During Working Hours at the Office of the City Clerk. Witness My Hand and Seal of the City of Las Cruces on this the 13th day of December 2012.  
Esther  
Martinez-Carrillo, CMC City  
Clerk  
Pub#51493  
Date Dec 16



# Legal Advertising Affidavit

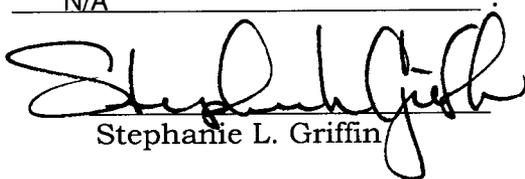
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City of Las Cruces

Notice of Adoption

I/M/O Ordinance No. 2674

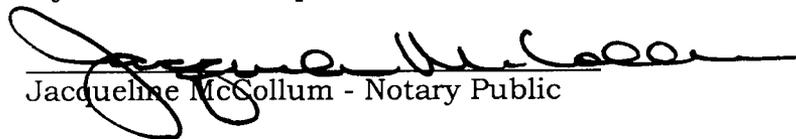
In accordance with the laws of the State of New Mexico, the attached was published in its entirety one time(s) in the Las Cruces BULLETIN, the first publication date being 1/11/13 and subsequent publications being N/A

  
Stephanie L. Griffin

Sworn to and subscribed  
before me this 11 day  
of January 2013  
in the

CITY OF LAS CRUCES  
COUNTY OF DOÑA ANA  
STATE OF NEW MEXICO

My Commission expires: **October 28, 2015**

  
Jacqueline McCollum - Notary Public

\$26.78  
Advertising Costs

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Copies Are Available for Inspection During Working Hours at the Office of the City Clerk. Witness My Hand and Seal of the City of Las Cruces on this the 8th day of January, 2013.

Linda Lewis, CMC  
Deputy City Clerk

Pub # 12622  
Dates 1/11, 2013

# LAS CRUCES SUN-NEWS

## PROOF OF PUBLICATION

I, being duly sworn, Frank Leto deposes and says that he is the Publisher of the Las Cruces Sun -News, a newspaper published daily in the county of Dona Ana, State of New Mexico; that the notice 52202 is an exact duplicate of the notice that was published once a week/day in regular and entire issue of said newspaper and not in any supplement thereof for 1 consecutive week(s)/day(s), the first publication was in the issue dated January 13, 2013 and the last publication was January 13, 2013

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

Signed



\_\_\_\_\_  
Publisher  
Official Position

STATE OF NEW MEXICO

ss.

County of Dona Ana

Subscribed and sworn before me this

22<sup>nd</sup> day of January

Maria Isabel Del Villar

Notary Public in and for  
Dona Ana County, New Mexico

August 4, 2016  
My Term Expires

## NOTICE OF ADOPTION

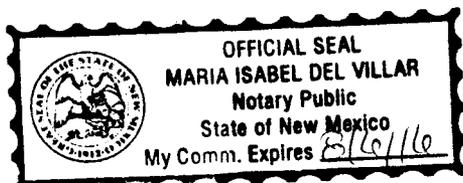
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Copies Are Available for Inspection During Working Hours at the Office of the City Clerk. Witness My Hand and Seal of the City of Las Cruces on this the 8th day of January, 2013.

Linda Lewis, CMC  
Deputy City Clerk

Publication #52202  
Publication Date: Jan. 13, 2013



BYLAWS  
CITY ART BOARD

Pursuant to Council Bill #13-019, Ordinance No. 2674 of the City of Las Cruces, New Mexico; and in compliance with Article I-Code of Ethics, and Article IV-Boards, Commissions and Committees, of Chapter 2-Administration, of the City Code; the following Bylaws are adopted by the City Art Board;

ARTICLE I. NAME

The name of the Board shall be the "City Art Board" (hereinafter referred to for this purpose as the "Board").

ARTICLE II. MISSION

Recognizing the responsibility that the City of Las Cruces bears to enrich quality of life of all its citizens through public art, in any media, and to enhance the City's diverse cultural heritage, and recognizing that a community's arts and cultural enterprises have proven to be an effective generator of economic growth and stability, the Board serves as an advisory body to the Mayor and City Council in all matters related to public art, including, but not limited to implications for site specificity, community involvement and collaboration, and art in City owned or leased publicly accessible buildings and other city owned public spaces.

ARTICLE III. PURPOSE

The purpose of the Board is, but is not limited to:

- (A) Promote close cooperation between the City and private citizens, institutions, organizations and agencies interested in activities related to the arts in the city, so that all available arts resources may be coordinated to maximize promotion and support of the arts and culture in the city;
- (B) Draft guidelines, rules, policies and/or procedures pertaining to the display and presentation of public art and art on loan, the commissioning and de-commissioning of public art, registering and achieving, maintaining and conserving public art, the acquisition of public art by the City or the acceptance by the City of donated public art, and selection criteria for the selection of artists and artwork in public places;
- (C) Make formal recommendations to the City Council relative to the location, acquisition and commissioning of any and all public art installations, including percent-for-art projects, advise in developing artist's contracts and monitor progress toward their completion

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Per m

- (D) Seek to improve communication and coordination between the City, artists, and art and culture groups to improve visibility and promotion of the arts and culture in Las Cruces;
- (E) Assist the City Council in using public art to enhance existing development in public parks and other public lands and structures;
- (F) Provide periodic reports to the Mayor and City Council pertaining to the activities of the Art Board.
- (G) Establish a budget line item within the City budget. Work with the City Liaison to develop line budget for the operation of the Board.

#### ARTICLE IV. MEMBERS

- (A) The Board will consist of seven (7) members appointed by the Mayor, with the advice and consent of City Council. Each member shall reside in the City of Las Cruces. Members should include artists and other individuals with diverse backgrounds in the arts, arts organizations and/or businesses.
- (B) Members will be appointed "at-large" and the positions shall be numbered one (1) through seven (7).
- (C) The term of the members shall be staggered terms of three (3) years beginning July 1<sup>st</sup> on the year of appointment.
- (D) To accomplish overlapping of tenures, initial appointments have been made with three (3) members having two (2) year terms; four (4) members having three (3) year terms.;
- (E) A member may serve two (2) consecutive terms, but shall be eligible for reappointment only at the discretion of the Mayor, with the advice and consent of City Council.
- (F) An individual Board member may not act in an official capacity except through the action of the Board.
- (G) A member may resign by submitting a Letter of Resignation to the Board. In the event of a vacancy, the Board will ask that the Mayor and City Council fill the position by appointment. Any vacancy shall be filled for the unexpired term.
- (H) Any member may be removed from their position on the Board for any reason, or for no reason, by a majority vote of the City Council.

#### ARTICLE V. OFFICERS

- (A) Chairman, Vice-Chairman and Secretary shall be elected annually by majority vote of the members of the Board at the first regular meeting after July 1, and will serve for one fiscal year next succeeding their election. The officers may choose to stand

for reelection at the end of the one-year term, but are limited to serve a maximum of two (2) one-year terms in any one office.

- (B) The Chair presides at all Board meetings, serves as coordinator and oversees all Board activities. The Chair, or a Board member appointed by the Chair, shall meet with City Council on a regular basis to provide updates and to determine how the Board may best serve and assist City Council.
- (C) At the request of the Chair, or in his/her absence of disability, the Vice-Chair shall perform all the duties of the Chair and, when so acting, shall have all the powers of and be subject to all the restrictions of the Chair. The Vice-Chair shall perform such other duties and have such authority as from time to time may be assigned by the Chair or the Board.
- (D) The Secretary shall perform the duties delegated to the Secretary by the Chair or the Board.

#### ARTICLE VI. MEETINGS

- (A) The Board shall meet as they deem necessary, but at a minimum four (4) times per year in July, October, January and April.
- (B) Each member shall vote on all agenda items, except on matters involving a conflict of interest, substantial financial interest, or the City's Ethics Ordinance. In such instances, the member shall make the required disclosure and shall refrain from participating in both the discussion and vote on the matter.
- (C) If a quorum is present, an agenda item must be approved by a majority of the Board members present at the meeting.
- (D) Written minutes shall be made of the Board's procedures and submitted in a timely fashion by the Staff Liaison to insure that the City Council is fully apprised of City art activities. The Staff Liaison is the custodian of all Board records and documents.
- (E) Board members are to notify the Chairman and the Staff Liaison prior to the date of the meeting if they will be absent. Excessive absenteeism will be subject to action at the discretion of the Board and may result in the member being replaced on the Board in accordance with the City's Boards, Commissions, and Committees Ordinance.
- (F) The Board may hold work sessions at the request of the Board Chair, or in his or her absence, the Vice Chair.

#### ARTICLE VII. PUBLIC PARTICIPATION IN MEETINGS

- (A) In accordance with City policy, the public is welcome and invited to attend Board meetings and, within the following limits, may with the permission of the chairperson speak on any item on the agenda. A person wishing to address the

Board must sign up to speak on available sign-up sheets and be submitted to the Chairman prior to the start of the meeting. Any written materials provided to the Board shall also be provided to the Staff Liaison for inclusion in the minutes of the meeting. Speakers shall be allowed a maximum of three minutes to speak. If a person wishes to speak on an issue that is not posted on the agenda, they must file a written request with the Staff Liaison no later than one week before the scheduled meeting. That written request must state the specific topic to be addressed and include sufficient information to inform the Board and the public.

- (B) A person who disrupts the meeting may be asked to leave and/or be removed.
- (C) Public notice of Board meetings shall be provided and all Board meetings and deliberations shall be open to the public, except for properly noticed closed session matters. The Board may only conduct closed sessions as allowed by law and in accordance with the relating City Ordinance.

#### ARTICLE VIII. SUBCOMMITTEES

- (A) When deemed necessary by a majority of the Board, subcommittees comprised of Board members and non-members may be formed for specific projects/programs related to Board matters. Any subcommittee must contain two Board members as co-chairs of the subcommittee, and the Chair may attend any subcommittee meeting as ex-officio member.
- (B) No subcommittee, or member of a subcommittee, has the authority to expend funds, incur an obligation on behalf of the City or the Board, or act for the Board in any manner in support of a specific project/program.
- (C) Subcommittee meetings and deliberations shall be open to the public, except for properly noticed closed session matters.

#### ARTICLE IX. BYLAW AMENDMENTS

- (A) These Bylaws may be amended by majority vote of the Board members at any posted meeting.

City of Las Cruces  
City Art Board Policies and Procedures

Original adoption: mm.dd.yyyy  
Current version: mm.dd.yyyy  
Implementation Date: mm.dd.yyyy  
Published by:

Final Draft, Policy and Revisions  
12/14/13

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- Mission or Vision Statement
- Definitions
- Introduction
- General Information
- Policies
- Procedures

## **MISSION STATEMENT**

Recognizing the responsibility that the City of Las Cruces bears to enrich the quality of life of all its citizens through public art, in any media, and to enhance the City's diverse cultural heritage, and recognizing that a community's arts and cultural enterprises have proven to be an effective generator of economic growth and stability, that the Board serves as an advisory body to the Mayor and the City Council in all matters related to public art, including, but not limited to implications for site specificity, community involvement, collaboration and art in City owned/ leased buildings and other city owned public spaces.

The Board's mission supports art that is accessible to all and encourages public dialogue and understanding about public art. The City Art Board, through its actions, will encourage the acquisition, commission and placement of art in public places, both permanent and temporary, that enhances our community and all its neighborhoods and that reflects and celebrates our diverse cultural heritage while envisioning a dynamic future. The City Art Board will recommend programs to provide opportunities for artists to advance their art forms and make their art accessible to our community. The City Art Board will initiate and endorse programs that facilitate the interaction of the arts community with businesses and organizations to further support for, and appreciation of, public art programs and opportunities.

## **DEFINITIONS**

**"Art in Public Places, State of New Mexico"** (AIPP) means a program administered by the State of New Mexico to enrich public spaces through acquisition of works of art to be placed in, upon or around public buildings (Section 13-4A-2 through 13-4A11 NMSA 1978 as amended). Funding is generated by a portion of state budgeted, capital expenditures. This is often referred to as the "1% for public art program.

**"Las Cruces Public Art, City of Las Cruces"** (LCPA) means a program, under consideration by the Las Cruces City Council, with similar goals and requirements as the state AIPP program.

**"Board"** shall mean the City of Art Board.

**"Board Committee"** shall mean individuals appointed by action of a majority of the Board for specific projects, programs or activities related to Board matters. Committee appointments consist of two Board members, who function as co-chairs, and non-members as necessary to accomplish the Committee's purpose.

**"City Art Collection"** shall mean the entirety of Works of Art (defined below) owned by the City of Las Cruces, but not including works of art owned by the Las Cruces Museum system, regardless of where housed, when acquired or the manner acquired.

**"City Council"** or **"Council"** shall mean the duly elected Mayor and City Councillors unless a distinction is made in the subsequent sections of this document.

**"City Staff"** shall mean employees, either salaried or hourly, of the City of Las Cruces. Volunteers, members of other City Boards or Commissions shall be identified as such when used in subsequent sections of this document.

**"City of Las Cruces Budget"** shall mean the annual budget of the City of Las Cruces authorized by City Council action.

**"Project"** or **"Projects"** shall mean a related group of actions necessary to accomplish provisions included in:

- 1) Council Bill No. 13-019; Ordinance No. 2674; or
- 2) City Art Board Bylaws; or
- 3) Subsequent action of City Council.

**"Public Art"** shall mean works of art in the City Art Collection and that are, or may be, installed, in places accessible by the public.

**"Works of Art"** are all media and all styles of artistic endeavor and may include infrastructure, such as (but not limited to), works of art created for shade structures, bike racks or used to designate or enhance bus stops.

## **INTRODUCTION**

The City Art Board was established by action of the City Council pursuant to its adoption of Council Bill No. 13-019; Ordinance No. 2674 on January 7, 2013.

## **GENERAL INFORMATION**

The City Art Board consists of seven (7) members appointed by the Mayor, with the advice and consent of the City Council, and serves in an advisory capacity to the City Council.

The Board meets four (4) times annually on the second Tuesday in July, Oct, January and April and at other times as may be required to achieve its mission and goals. Meeting dates are posted as prescribed by City Ordinances.

Funding for City Art Board Projects, for which the Board may recommend guidelines or actions to City Council and City staff, comes from 1% for Art in Public Places Program administered by the State of New Mexico; 1% for Art in Public Places Program, upon establishment of a program by the Las Cruces City Council; funds contained in the City of Las Cruces Budget for the promotion or funding of art works or art activities; and grants or gifts from national, state and private foundations, corporate and small businesses, organizations and individuals.

The City Art Board Functions include:

- 1) Consults with, and makes recommendations to, City staff in the development of budgets, guidelines, programming and administration of policies, rules and regulations and for art acquisition, projects and programs;
- 2) Consults with, and makes recommendations to, City staff in the organization, administration, and achieving of the City Art Collection;
- 3) Makes formal recommendations to the City Council relative to the acquisition and commissioning, and maintenance of public art installations;
- 4) Develops policies and procedures for the Art on Loan Program; consults with City staff, organizations or individuals to insure that the program is administered in compliance with those policies and procedures.

The Board's actions shall include:

- 1) Recommendations to the City Council for public art projects that:
  - a. Reflect the diverse spectrum of beliefs, cultural heritage and tradition, and artistic and aesthetic expressions of the region;
  - b. Contribute to a community where the quality of life its residents is enhanced;
  - c. Enhance the visual identity of the city.
- 2) Identifying and pursuing sources of funding, donations or gifts;
- 3) Promoting the presence of Art in Public Places throughout the City;
- 4) Informing the public about opportunities to participate in the Art in Public Places programs;
- 5) Promoting the City Art Collection through outreach, education, media and social events;
- 6) Consulting with City staff to insure that the City Art Collection, regardless of the source of acquisition, is inventoried, maintained and conserved;
- 7) Developing opportunities for local and regional artists to participate in Art in Public Places and the Art on Loan Programs;
- 8) Working in cooperation with City and Regional arts and culture organizations to promote the arts.

## **POLICIES**

Board actions are governed by Council Bill No. 13-019; Ordinance No. 2674 of the City of Las Cruces, New Mexico; Article I Code of Ethics and Article IV Boards, Commissions and Committees; and City Art Board Bylaws.

The City Art Board shall adhere to federal, state and local laws related to inclusion and non-discrimination in its actions and recommendations.

The Board shall adhere to the provisions of the City of Las Cruces Municipal Code relating to Conflicts of Interest.

With regard to public art, the Board seeks to create an open and accessible experience for all individuals.

The Board may seek advice from the City Council, the public, City staff and art professionals in forming its recommendations to the City Council.

No member of the Board or board committees, project or activity Manager or project or activity participant is authorized to enter into a contract or expend funds on behalf of the City of Las Cruces.

These policies and procedures may be amended by vote of a majority of Board members in attendance at a scheduled board meeting with a quorum present.

## **SPECIFIC PROJECTS**

### **GENERAL PROCEDURES**

#### Art on Loan

The Board will establish guidelines and advise City Council and City staff on the administration of an Art on Loan program for display of works in and/or around publicly owned facilities.

#### Art in Public Places, State of New Mexico (AIPP)

The Board will assist the Council and City staff in identifying qualifying capital improvement projects and assist and advise in the selection of works of art and provision for its maintenance.

#### Las Cruces Public Art, City of Las Cruces (LCPA)

The Board will recommend the establishment of an Art in Public Places program for the City, similar to the State of New Mexico's AIPP program and established national AIPPs. The Board will consult with City staff to define funding sources from the City's General Fund, capital improvement projects Budget and develop an Ordinance, for City Council action, to set aside funds for the program. After City Council action, the Board will establish program guidelines, assist in identifying qualifying projects and assist and advise in the works of art selection and provision of its maintenance.

City Art Collection

While recognizing that City staff and City Council have the ultimate responsibility for the care and development of the City Art Collection, the Board will actively participate in the organization and administration of the said collection, but not the collections of the City museums.

Future Art Projects and Funding

Design and establish guidelines for the administration and selection of future art projects.

Recommend that the City Council and City staff identify funds within the city department general fund budgets currently used for marketing, promotion and support of art and culture-related projects, etc., and advise that City Council and City staff consider pooling those funds to increase the funding for, and effective use of, "arts" marketing and promotion, including cultural tourism and cultural awareness.

Recommend and participate in (to the extent feasible) the pursuit of grants and gifts from all sources, to include corporate benefactors, charitable foundations and individuals.

Art Promotion

Recommend that the City vigorously promote and support visual, performing and literary arts activities throughout the City.

Recommend and participate in, at an appropriate time, renewed pursuit of the establishment of designated Art & Culture District(s).

Request that City Council and City staff raise the profile of their appreciation for the arts by establishing an electronic "arts" presence on the City and CVB websites as well as on social media sites (Facebook, Twitter, etc.).

Collaborate with local art and culture-related groups.

**PROCEDURES [RESERVED]**

The Board has two standing committees, both focus on funding for art in public places programs and projects. Additional committees may be created on either an *ad hoc basis*, or standing committees will be created, as needed.

Procedural Guide Lines implementing policy will be developed and published for all Committees.

## **Esther Martinez-Carrillo**

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**From:** Martha Moreno  
**Sent:** Friday, November 01, 2013 2:12 PM  
**To:** unsettlegallery@aol.com; frarysj@comcast.net; greg.gendall@gmail.com;  
rico.gonzales@epelectric.com; northcuttjb@comcast.net; KatSquiresStudio@gmail.com  
**Cc:** Rob Caldwell; Mark Johnston; Harry (Pete) Connelly; Esther Martinez-Carrillo  
**Subject:** Art Board By-Laws  
**Attachments:** Art Board By-Laws\_001.pdf

Hello,

Attached are the final By-Laws.

As per City Attorney, in Article VII Public Participation In Meetings (Added) *with the permission of the chairperson.*

By-Laws will be forwarded to the City Clerk's office for filing.

Thank you,

Martha Moreno  
Office Assistant Senior  
Parks & Recreation Department  
575-541-2702