LB
04/02/15
Item No. 38

AN ORDINANCE 2015-04-02-0238

AUTHORIZING THE CREATION OF THE SAN ANTONIO ARTS COMMISSION BY CONSOLIDATING THE CULTURAL ARTS BOARD AND PUBLIC ART BOARD; APPROVING BYLAWS FOR THE SAN ANTONIO ARTS COMMISSION; AMENDING THE ARTS FUNDING GUIDELINES AND PUBLIC ART POLICIES AND GUIDELINES; RESCINDING THE CULTURAL ARTS BOARD BYLAWS; AND APPOINTING MEMBERS.

* * * * *

WHEREAS, in 1984, City Council created the Cultural Arts Board to make recommendations on arts and cultural funding programs and in 2009 City Council created the Public Art Board to make recommendations on the development and enhancement of the City's public art program; and

WHEREAS, beginning in 2014, the Department for Culture and Creative Development initiated discussions with both boards about their merging into one advisory board and at a joint board retreat held on February 24, 2015 the final draft bylaws were reviewed and the boards recommended bringing this consolidation to the City Council's Quality of Life Committee, which considered and approved the consolidation on March 17, 2015; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. City Council authorizes the creation of the San Antonio Arts Commission and adopts the bylaws attached to this Ordinance as **Exhibit I.**

SECTION 2. The Public Art Policies and Guidelines, approved by Ordinance No. 2011-09-08-0743, and the Arts Funding Guidelines, approved by Ordinance No. 2014-05-08-0323, are amended to reflect the new San Antonio Arts Commission, as set forth in **Exhibits II** and **III.**

SECTION 3. The Cultural Arts Board Bylaws are rescinded.

SECTION 4. The following individuals are appointed to the San Antonio Arts Commission for terms of office commencing April 2, 2015 and expiring May 31, 2015:

	Representing	**Standing Committee**
Ernest M. Gonzales *Performing Arts*	City Council D1	Arts Funding
Nettie P. Hinton *Arts Patronage*	City Council D2	Arts Funding
Ernesto Olivo *Visual Arts*	City Council D3	Public Art
Susana M. Segura *Literary Arts*	City Council D4	Arts Funding

Valeria Hernandez *Visual Arts*	City Council D5	Public Art
Richard L. Lapaglia *Performing Arts*	City Council D6	Arts Funding
Henry Brun *Cultural Festivals and Events*	City Council D7	Arts Funding
Debra D. Nichols *Visual Arts*	City Council D8	Arts Funding
Tracy A. Curran-Herman *Visual Arts*	City Council D9	Public Art
Mark Rogers *Arts Patronage*	City Council D10	Arts Funding
Guillermo C. Nicolas *Chair*	Mayor	
Rene P. Barilleaux *Public Art & Urban Design*	Mayor	Public Art
Alice Carrington Foultz *Public Art & Urban Design*	Mayor	Public Art
Eduardo Garcia *Public Art & Urban Design*	Mayor	Public Art
Jessica R. Sanchez *Public Art & Urban Design*	Mayor	Public Art

SECTION 5. This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

PASSED AND APPROVED this 2nd day of April, 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek
City Clerk

APPROVED AS TO FORM:

Martha G. Sepeda
Acting City Attorney

Agenda Item:	**38 (in consent vote: 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44)**
Date:	04/02/2015
Time:	11:33:45 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing the creation of the San Antonio Arts Commission by consolidating the Cultural Arts Board and Public Art Board; approving bylaws for the San Antonio Arts Commission; amending the Arts Funding Guidelines and Public Art Policies and Guidelines; rescinding the Cultural Arts Board bylaws; and appointing members. [Ed Belmares, Assistant City Manager; Felix Padron, Director, Culture and Creative Development]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				x
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				

Exhibit I

BYLAWS OF THE
CITY OF SAN ANTONIO ARTS COMMISSION

SECTION 1: PURPOSE

The creation of the San Antonio Arts Commission ("Arts Commission") merges the functions and duties of the Arts and Culture Advisory Board and the Public Art Board into one encompassing body. The Arts Commission serves in an advisory capacity to San Antonio City Council.

SECTION 2: MISSION

The purpose of the Arts Commission is to enhance the cultural environment of the City of San Antonio through the creative development of arts and culture. The Arts Commission will work with City staff to develop, promote, educate and preserve the artistic and cultural experiences unique to San Antonio.

SECTION 3: MEMBERSHIP

3.1 Eligibility for Membership

The Arts Commission members must be residents of the City of San Antonio. Council District residency shall be based on one of the following: place of residency, place of employment or otherwise significant ties to a community through volunteer service.

3.2 Composition

Arts Commission member shall be a recognized, qualified representative from one of the following seven categories and in the quantity shown in parenthesis.

The following categories identify the membership of the Arts Commission:

1. Chair - (1) a mayor-appointed, professional and/or active community participants with leadership qualities and experience regarding the arts and cultural community as a whole

2. Visual Arts - (4) professional and/or active community participants associated with the creation, education, and exhibition of art involving the visual senses, inclusive of traditional two-dimensional art (painting, photography, printmaking, etc) and three dimensional art (sculpture, ceramics, as well as film, new media, conceptual art

3. Performing Arts - (2) professional and/or active community participants associated with the creation, education and production of performance-based art that is experienced by audiences; such as theatre, music, dance, and performance art

4. Literary Arts - (1) professional and/or active community participants associated with the creation, education and publication of literary art consisting of writings; such as prose (fiction/non-fiction), drama and poetry

5. Public Art & Urban Design - (4) - professional and/or active community participants associated with public art and urban design; such as public artists, public art administrators, curators, urban planners, and architectural design

6. Cultural Festivals & Events - (1) professional and/or active community participants associated with the organization and production of arts and culture festivals and events

7. Art Patronage - (2) professional and/or community representatives associated with fine arts patronage and advocates for the advancement of arts

3.3 Membership Terms

Arts Commission members shall follow the term limits and appointment procedures set forth in Chapter 2, Article IX of the City Code - General Rules and Procedures for City Council Boards and Arts Commissions.

3.4 Membership Size

The Arts Commission shall be composed of fifteen (15) members. One (1) member appointment to be recommended by each City Council District and confirmed by City Council, and five (5) at-large appointments to be recommended by the Mayor and confirmed by City Council. Members shall be appointed as outlined in Chapter 2, Article IX of the City Code - General Rules and Procedures for City Council Boards and Commissions.

3.5 Compensation

Members of the Arts Commission shall serve without compensation.

3.6 Conflict of Interest

Arts Commission members shall not bind the City of San Antonio by contract or otherwise. In order to avoid conflicts of interest, no member of the Arts Commission shall vote or participate as a member in any matter that materially affects the property, income, or business interest of that member or in which the member holds a substantial interest. Such member shall give notice of abstention form voting prior to the taking of a vote and shall file all required conflict of interest documentation with City.

SECTION 4: DUTIES AND RESPONSIBILITIES

4.1 The Arts Commission shall review and make recommendations concerning the establishment and implementation of cultural policies and procedures, including arts funding, public art, items proposed by the DCCD Director, and issues relevant to the citywide advancement of arts, culture and creative development.

4.2 The Arts Commission shall inform City Council members and the public about all art-related developments and/or issues concerning its progress, recommendations and strategic goals and objectives.

4.3 The Arts Commission shall work through its Public Art Committee to oversee adherence to the City's public art ordinance, including developing, presenting and approving a public art plan, and reviewing and making recommendations of artists, proposed gifts and donations, and matters affecting the City's public art collection.

4.4 The Arts Commission shall work through its Arts Funding Committee to oversee adherence to the City's arts funding guidelines, including developing, presenting and approving the application process and recommendations to City Council pertaining to proposed agencies and grant recipients to receive funds.

SECTION 5: SELECTION AND TERM OF CHAIRPERSON AND VICE-CHAIRPERSON

5.1 Appointment of the Chairperson

The Chairperson shall be nominated by the Mayor and confirmed by City Council.

5.2 Chairperson Duties

The Chairperson's responsibilities include, but are not limited to: presiding over all Arts Commission meetings; keeping members informed of matters pertaining to their representation; meeting and communicating with the DCCD Director or his/her designee; calling special meetings, as needed; make panelist appointments, as needed to fill vacancies; encouraging members to participate in discussions and to arrive at decisions in a timely and democratic manner; undertaking certain administrative duties, such as approving draft minutes, proposed meeting venues and meeting dates.

The Chairperson will serve as the principle spokesperson for the Arts Commission, maintain communication with staff and report on the Arts Commissions progress to City Council.

5.3 Selection of the Vice-Chairpersons

One Vice-chairperson shall be nominated by each Standing Committee and elected by a majority vote of the Commission membership. One Vice-Chairperson shall be elected to the Arts Funding Committee and a second Vice-Chairperson elected to the Public Art Committee, respectively. Each Vice-Chairperson will serve for a term of one (1) year and is eligible to serve for consecutive terms if elected by a majority of the membership each year. The selection of the Vice-Chairperson will occur during the first month of the calendar year.

5.4 Vice-Chairpersons Duties

The Vice-Chairpersons' responsibilities include, but are not limited to: assisting the Chairperson on all assigned tasks and will perform the duties of the Chairperson when necessary; serving as a member of the Executive Committee; presiding over assigned Committee and appointing its members; as well as, meeting and communicating with the DCCD Director or his/her designee.

SECTION 6: MEETINGS OF MEMBERS

In accordance to in Chapter 2, Article IX of the City Code "General Rules and Procedures for City Council Boards and Arts Commissions", all meetings shall be in compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551 to include posting of agenda that will clearly

identify, for the general public, the purpose of the items and the proposed action to be taken. Proper records (i.e. minutes, recordings, handouts, etc.) of all meetings shall be maintained, cataloged and made available to the public. All general meetings will be conducted in accordance with *Robert's Rules of Order* and all meetings will be open to the public

6.1 General Meetings

The Arts Commission may hold monthly meeting, however the Arts Commission must hold no less than 4 quarterly general meetings per calendar year. Meetings will be held on specified time and specific day of the month as voted on by the majority of the membership during the first meeting of the calendar year. A meeting schedule will be provided to the members for the entire year five (5) working days after the meetings' specified time and specific date are adopted by the membership.

6.2 Notice of General Meetings

DCCD staff, at the direction of the Department Director, shall provide printed and /or electronic notification of each meeting to each voting member no less than seventy-two (72) working hours prior to the meeting.

6.3 Special Meetings

Special meetings may be called by the chairperson under the advisement of the Department Director.

6.4 Notice of Special Meetings

DCCD staff, at the direction of the Department Director., shall provide printed and /or electronic notification of Special meetings to each voting member no less than seventy-two (72) working hours prior to the meeting.

6.5 Meeting Agenda

The DCCD staff, at the direction of the Department Director, will draft meeting agendas for review and approval by the Executive Committee.

DCCD staff, at the direction of the Department Director, shall provide printed and /or electronic copy of the approved Agenda to each voting member no less than seventy-two (72) working hours prior to the meeting.

6.6 Quorum

Simple majority of fifty percent (50%) plus one (1) of the currently appointed membership must be present to constitute a quorum. A quorum is needed for any vote when the Arts Commission is determining whether to make an official position or program recommendation to City Council or to City Staff. No action may be taken without a quorum present.

6.7 Decision Making

There shall be an effort extended to achieve a consensus of members present for all issues that require decision making. It is particularly desirable for a policy change to be completed through consensus. Issues to be voted on will be decided by a simple majority of the membership present provided there is a quorum. Proxy votes are not allowed. Each Arts

Commission member may vote on issues before the entire Commission and issues before their assigned Standing Committee and subcommittee(s).

SECTION 7: EXECUTIVE COMMITTEE

The Arts Commission shall form an Executive Committee responsible for reviewing and approving all meeting agendas; and reviewing all subcommittee recommendations to be presented to the full Arts Commission for consideration and action.

The Executive Committee shall have and may exercise all the authority of the Arts Commission outside of general and/or special meetings. However, the Executive Committee shall not have the authority of adopting any recommendation developed for City Council consideration and/or action.

7.1 Composition

The Executive Committee shall consist of the Chairperson, the two (2) Vice-chairpersons (representing the Arts Funding Committee and the Public Art Committee) and the DCCD Director or his/her designee.

7.2 Executive Committee Chair

The Commission Chairperson shall chair of Executive Committee.

7.3 Meetings

The Executive Committee will meet at least one (1) week prior to the date of a general meeting or at least three (3) working days prior to a special meeting.

SECTION 8: STANDING COMMITTEES

8.1 Arts Funding Committee (7 Members)

The Arts Commission shall form an Arts Funding Committee responsible for reviewing and making recommendations pertaining to the Arts Funding Programs in accordance with established policies, guidelines, and criteria set forth by City ordinance.

The Art Funding Committee shall be comprise of the Vice-Chairperson for Art Funding and six (6) members representing Visual Arts, Performing Arts, Literary Arts, Cultural Festivals and Events, and Art Patronage. No more than seven (7) members may serve on the Arts Funding Committee.

The Vice-Chairperson for Arts Funding shall preside over the Arts Funding Committee and shall serve as the principle spokesperson for Arts Funding Committee, maintain communication with staff and report on the Arts Funding Committee's progress to the Arts Commission. Vice-Chairperson for Arts Funding shall appoint a presiding alternate to preside over the committee in his/her absence.

The Arts Funding Committee's responsibilities include, but not limited to:

- Reviewing changes to the operational and project funding policy;

- Participating in public meetings concerning arts funding;
- Reviewing progress of funding recipients; and
- Making reports at regular SAAC meetings.

8.2 Public Art Committee (7 Members)

The Arts Commission shall form a Public Art Committee responsible for reviewing and making recommendations pertaining to the Public Art San Antonio (PASA) Program to the SAAC in accordance with established policies, guidelines, and criteria set forth by City ordinance.

The Public Art Committee shall be comprised of the Vice-Chairperson for Public Art and six (6) members representing Visual Arts and Public Art and Urban Design. No more than seven (7) members may serve on the Public Art Committee.

The Vice-Chairperson for Public Art will preside over the Public Art Committee and shall serve as the principle spokesperson for Public Art Committee, maintain communication with staff and report on the Public Art Committee's progress to the Arts Commission. Vice-Chairperson for Public Art shall appoint a presiding alternate to preside over the committee in his/her absence.

The Public Art Committee's responsibilities include, but not limited to:

- Reviewing and making recommendations concerning the public art plan, artist selection procedures, the design and placement of public art, proposed gifts and loans, and changes to the public art policy;
- Participating in public meetings concerning public art;
- Reviewing progress of public art projects and master plans; and
- Making reports at regular SAAC meetings.

8.3 Committee Meetings

The Arts Funding Committee and Public Art Committee may meet monthly or at any other time as determined necessary by the Vice-Chairperson of the Arts Funding Committee or the Vice-Chair of the Public Art Committee, respectively.

The Arts Funding Committee and Public Art Committee shall provide minutes of each meeting held and present reports of their activities to the Arts Commission at a general meeting as determined by the Executive Committee or a special meeting as determined by the Arts Commission Chairperson.

SECTION 9: SUBCOMMITTEES

The Arts Commission may create subcommittees, as needed, to further discuss any aspect of a DCCD funding, programming, projects, planning or policy development. Members are encouraged to serve and actively participate on at least one subcommittee.

SECTION 10: GENERAL PROVISIONS

The Arts Commission and DCCD will hold an annual orientation and retreat for current and newly appointed members.

Newly appointed members will have an orientation upon appointment.

SECTION 11: AMENDMENTS

These rules of procedure may be amended at any regular or special meeting of the Arts Commission, provided that notice has been sent not less than fourteen days before such meeting setting forth and explaining any proposed amendments.

SECTION 12: EFFECTIVE DATE

Said Arts Commission shall assume its duties effective Month __, Year

Exhibit II

PUBLIC ART SAN ANTONIO (PASA)

Statement of Purpose

The purpose of Public Art San Antonio (PASA) is to support a public process for incorporating artist services and artworks in the design of civic spaces and capital projects and to define the City of San Antonio's policies and guidelines for acquiring and commissioning art of the highest standards which shall enrich the quality of life for all residents and visitors of San Antonio. The goals of Public Art San Antonio (PASA) are to create a better visual environment for the residents and visitors of San Antonio, to integrate the design work of artists into the development of City eligible capital improvement projects, and to promote tourism and the economic vitality of the City through the enhancement of public spaces. Public Art San Antonio (PASA) serves the entire City of San Antonio as the public art program for all City departments, capital projects and public art initiatives, and is a division of the Department for Culture and Creative Development (DCCD). Public Art San Antonio (PASA) specifically seeks:

- *To encourage the selection of artists at the beginning stages of each project who can work successfully as members of the project design team, and to encourage collaboration among all arts and building disciplines;*
- *To foster quality design and the creation of an array of artwork in all media, materials and disciplines that best respond to the distinctive characteristics of each project site and the community that it serves;*
- *To select experienced artists who represent the diverse cultural landscape of San Antonio;*
- *To encourage the selection of design enhancements that are accessible to the public and respects the historical resources and mobility of the citizenry;*
- *To encourage artists, design enhancements and programs for open spaces, parks, infrastructure and facilities that contribute to neighborhood revitalization and enhance the quality and pride of neighborhoods in the City;*
- *To encourage participation by citizens in the process of acquiring and commissioning of design enhancements;*
- *To encourage the role of public art and design enhancements in enhancing economic development and cultural tourism;*
- *To encourage the role of artists in the functional design of eligible capital improvement projects;*
- *To exhibit art in designated City facilities for the enjoyment of the public and to heighten awareness and appreciation for local artists; and*
- *To maintain and provide stewardship of the City public art and design enhancements collection.*

Section 1. Definitions.

(a) ANNUAL PUBLIC ART PLAN means a prioritized list, to be recommended by the San Antonio Arts Commission and approved by the City Council, of visual projects, including budgets and recommended design approaches, developed through a process using planning recommendations and selection criteria administered by Public Art San Antonio in consultation with City departments anticipating capital improvement projects.

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(b) CAPITAL IMPROVEMENT PROGRAM means any permanent public improvement project paid for wholly or in part by monies appropriated by the City to design, construct, improve, or renovate a building, including its appurtenant facilities, a decorative or commemorative structure, a park, a street, a sidewalk, a parking facility, a utility, or any portion thereof, within the City limits or under the jurisdiction of the City.

(c) ELIGIBLE APPROPRIATIONS means any capital improvement project contained in a bond proposition approved by the voters, or any non-bond program capital improvement project with a total project cost of greater than $500,000, excluding certain identified capital projects designated solely for real property acquisition, demolition, equipment, normal major maintenance, financing, below-grade water or wastewater improvements, and costs of repairing existing streets, sidewalks, and drainage facilities.

(d) PUBLIC ART ACCOUNT means a separate account established within each capital improvement project fund by the City to receive monies appropriated to the public art program; provided that:

1. City bond proceeds to be used for the public art program must be maintained in the respective bond funds established in accordance with the City ordinance authorizing the issuance of the bonds; and

2. Monies from non-bond sources that are eligible and appropriated from a City fund to be used for the public art program must be maintained in a separate account within that fund.

Section 2. Funding.

(a) Public Art and Design Enhancement Allowances

1. Appropriation Procedures.

a. Standard appropriations for City capital improvement projects, whether financed with City bond proceeds or City monies from any other source, shall include one percent of Eligible Appropriations to be used for design services of artists, for the selection, acquisition, fabrication, installation, conservation, and display of artworks, and for PASA administration of the public art projects. Monies appropriated as part of one project, but not deemed necessary by the City Council in total or in part for the project, may be expended on other projects approved under the annual public art projects plan; provided that proceeds from bonds issued and authorized for a particular use or purpose shall not be used or diverted for a different use or purpose.

b. Special appropriations for capital improvement projects that prioritizes public art and design enhancement within their planning and/or scope of work shall include a budgeted amount within corresponding capital improvement project appropriation that is commensurate with estimated costs relating the artwork to the design and scale of each project or site.

2. Grants and contributions from non-City sources.

   a. City departments shall include in every application to a granting authority for a capital improvement project grant an amount for artists' services and artworks. The public art appropriation shall apply to all capital improvement projects financed with grants or contributions from private persons or governmental or public agencies, subject to conditions of the granting or contributing person or agency. If the public art appropriation is not allowed as a reimbursable expense, only the City-funded portion of the project is subject to the public art appropriation.

   b. Contributions to PASA from private sources shall be deposited into a separate PASA account, subject to any donor's conditions within the instrument of conveyance. Disbursements must be made in accordance with the annual projects plan and this article.

3. Accounting. Amounts appropriated pursuant to this article shall be established by the City of San Antonio as separate budget items designated within the capital improvement program for public art and design enhancements.

4. City bond financed projects.

   a. This article shall apply to a City capital improvement project financed with proceeds from:

      i. General obligation bonds authorized and approved by the voters on or after January 1, 2011; or

      ii. Revenue bonds, certificates, notes, or other obligations authorized and approved by the City Council on or after January 1, 2011.

   b. This article shall not apply to any refunding bond proceeds.

5. In developing the capital improvement program for bond-financed capital improvement projects, the City Manager may recommend that the City Council exempt certain bond-financed capital improvement projects from the application of this article. The City Manager's recommendations shall govern unless the City Council provides otherwise.

6. If a City capital improvement project is financed with City bond proceeds, the use of any amounts appropriated for artists' services and works of art in accordance with this article must be consistent with any voted proposition approved by the voters of the City, any resolution or ordinance adopted by the City Council authorizing issuance of the bonds, and applicable state or federal law.

7. Uses of public art and design enhancement appropriated funds.

a. Monies appropriated under this article may be used for artists' design concepts and for the selection, acquisition, purchase, fabrication, placement, installation, exhibition, conservation, and display of artworks.

b. A percentage of the total annual public art appropriations may be used for Public Art San Antonio (PASA) administration and may be used to pay the costs incurred in the administration of the program, including project administration, artist-selection-related costs, outside design fees where collaboration is involved, design, drawing, sculptural models, community education, insurance, curatorial services, identifying plaques, documentation, publicity, and such other purposes as may be deemed appropriate for the administration of the PASA public art program.

(b) Development of Annual Public Art Plan.

1. PASA shall review with City departments all planned capital improvement projects to determine if they are eligible for public art and design enhancement treatment in order to develop the Annual Public Art Plan. The following selection criteria will be utilized to develop the annual plan.

   a. Coordination and collaboration with existing/planned infrastructure improvement projects, including partnership projects.

   b. Connectivity between neighborhoods, community facilities, cultural landmarks, and economic/development centers.

   c. Leverage existing improvements and funding, both public and private.

   d. Complete and/or sustain significance of previously established projects.

   e. Support transportation and/or pedestrian connectivity and areas of density.

   f. Support improvements within established boundaries, such as special districts or focal areas in need of revitalization and upgrade.

   g. Achieve an overall balance of public art projects throughout the City based upon planning recommendations.

   h. Improve value of public and private property and overall quality of life.

   i. Support identified needs or projects within adopted strategic plans.

2. PASA will consider the feasibility, budget size, scope, and community impact as criteria for identifying and recommending capital projects suitable for public art and design enhancement treatment.

3. PASA shall discuss each eligible project with the assigned departmental staff and stakeholders to develop a project description, allowance, and timeline.

(c) Eligible Public Art and Design Enhancements. It is the policy of the City of San Antonio that all public art and design enhancements commissioned or acquired through PASA are designed by an artist, craftsman or an artist or craftsman in collaboration with the project architect, landscape architect or engineer. Such artworks may include, but are not limited to the following:

1. The incremental costs of infrastructure elements, such as sound-walls, utility structures, roadway elements and other items if designed by an artist or design team that includes an artist co-designer.

2. Artistic or aesthetic elements of the overall architecture or landscape design if created by a professional artist or a design team that includes a professional visual artist.

3. Earthworks, neon, glass, mosaics, photographs, prints, calligraphy, any combination of forms of media including sound, literary elements, film, holographic images, and video systems; hybrids of any media and new genres.

4. Murals or portable paintings in any material or variety of materials.

5. Sculpture: freestanding, wall supported, or suspended; kinetic and electronic in any material or combination of materials.

6. Temporary artworks or installations, if such artworks serve the purpose of providing community and educational outreach purposes.

7. Public art and design enhancements that are an integral part of architecture, landscape architecture, and landscape design.

Section 3. Responsibilities.

(a) Public Art San Antonio (PASA).

1. Administer the public art and design enhancement allowances, artists' registry, and the artist selection panels;

2. Implement policies and procedures relative to applying for and accepting gifts and grants, and disposition, relocation, maintenance, repair, and alteration of the City art collection;

3. Manage artist selection panels, and public art administration for the San Antonio Arts Commission, San Antonio Arts Commission's Public Art Standing Committee, and public art services of City departments, artists, design and building professionals and the public;

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4. Develop a public art and design enhancement plan linked to eligible City capital improvement projects;

5. Coordinate and implement public art education and community outreach programs.

6. Present to City Council for acceptance all cash gifts given for the purpose of purchasing or commissioning artworks;

7. Coordinate with all City departments and project designers the possibility of their acceptance and placement of a gift or loan of an artwork to the City at specific sites;

8. Coordinate with City departments regarding eligible sites for the placement of a gift or loan of an artwork the cost of care and maintenance of said artwork; and

9. DCCD, through PASA, shall staff the seven (7) member Public Art Standing Committee of the San Antonio Arts Commission, according to adopted By-laws and city policies and guidelines.

(b) Other City Departments.

1. Plan, develop and coordinate with PASA regarding existing and future projects opportunities for the incorporation of artworks and artist services.

2. Develop and implement artwork projects at specific sites.

3. Assess information and coordinate with PASA on proposals for gifts or loans of artworks and monies.

4. Inform PASA regarding any and all departmental activity related to the development and implementation of artwork and artist services.

5. Assist PASA in allocation of funds, monitoring project budgets and educating the public.

6. Inform PASA on planning for capital improvement projects, which could potentially incorporate an art project.

7. Utilize PASA as the primary professional public art resource for the City of San Antonio.

(c) San Antonio Arts Commission and Public Art Committee.

1. Be composed as defined by adopted San Antonio Arts Commission By-laws.

4. Develop and approve an annual public art plan.

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Deleted: who shall be nominated by the Mayor and confirmed by Council for appointment, advisory to City Council, and serve as an adjunct public art review board to the Historic and Design Review Commission.

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Deleted: a seven member at-large council advisory board

Deleted: nominated by Mayor and confirmed by City Council, consisting of three (3) visual arts representatives (artist, professional, and patron), one (1) architect, landscape architect, or design professional, one (1) visual arts professor from lOCAl college or university, one (1) lOCAl art and architecture historian or conservationist, and one (1) community and/or neighborhoods representative. Public Art Board members shall follow the term limits and appointment procedures set forth in the City's general rules and procedures for City Council Boards and Commissions set forth in Chapter 2, Article IX of the City Code.

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Deleted: Have a chairperson and shall be initially selected by the Mayor, and shall have a term of one (1) year. Subsequent chairpersons shall be elected by the Public Art Board for one-year terms to manage the functions of the Board; and

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5. Develop policies and goals for the selection, placement, and maintenance of artwork in the City's collection.

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6. Review and make recommendations on artist selection panelists, artist selections, and all final public art and design enhancement projects and following the criteria set forth in Section 7; and

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7. Review and make recommendations on all proposed public art gifts, loans and memorials following the criteria set forth in section 4(g); and

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8. Review and make recommendations on the disposition of artworks following the criteria set forth in Section 7 (h); and

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9. Review and make recommendations on the conservation, maintenance, repair, or alteration of artworks in the City art collection; and

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10. Review and make recommendations on the inventory of artworks in the City art collection, which shall be periodically inspected; and

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11. Develop, promote, educate and preserve aesthetic excellence in public spaces for San Antonio residents and visitors.

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12. Actively promote PASA's call for artist opportunities for the purposes of recruiting a diverse group of talented artists for City of San Antonio projects.

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13. The San Antonio Arts Commission shall not bind the City of San Antonio by contract or otherwise. In order to avoid conflicts of interest, no member of the San Antonio Arts Commision shall vote or participate as a member in any matter that materially affects the property, income, or business interest of that member or in which the member holds a substantial interest. Such member shall give notice of abstention form voting prior to the taking of a vote.

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(d) Artist Selection Panels.

1. Be composed of active members of the prequalified artist selection panel pool. (See Section 7 (a))

2. Make recommendations to PASA and the San Antonio Arts Commission's Public Art Committee on design, execution, and placement and of public art and design enhancement projects in connection with specific capital projects.

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3. Make recommendations to PASA on appropriate methods of artist selection, commissioning, placement and execution of artworks related to the design of each appropriate project.

4. Review submitted artist materials and any additional sources deemed appropriate or necessary to make final recommendations to PASA and on the artist(s) applying for the specific projects.

5. Review and select artists taking into consideration the recommendations of the client and/or department and the criteria established by PASA.

6. Cease to exist once the artist(s) is selected and approved.

7. Shall not bind the City of San Antonio by contract or otherwise.

8. Conflicts of Interest - No member of the artist selection panel shall vote or participate as a member in any matter that materially affects the property, income, or business interest of that member or in which the member holds a substantial interest. Such member shall give notice of abstention form voting prior to the taking of a vote.

(e) Artist(s).

1. Submit credentials, visuals, proposals and/or project materials as directed for consideration by the artist selection panel.

2. Conduct necessary research, including attending project orientations and touring project sites, when possible.

3. Design, execute, complete and transfer title of the artwork in a timely and professional manner.

4. Work closely with the project manager and/or other design professionals associated with the project.

5. Submit to PASA, City staff, the San Antonio Arts Commission, and whenever applicable to the Historic and Design Review Commission any significant changes in the scope of the project, color, material, or design of the approved artwork.

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6. Make public presentations, conduct community education workshops or a residency, as required by the contract with the City of San Antonio.

7. Provide a maintenance plan that includes a list of materials, diagrams, and names of fabricators describing processes used in fabricating the artwork, and the descriptions and drawings of installations, specifications and details of connecting methods.

(f) Outside Agencies and Organizations.

1. Coordinate with PASA and the San Antonio Arts Commission regarding the planning and implementation of existing and future public art projects located within the public right of way, and/or that use public funding, and/or are installed on private property that is highly visible to the general public.

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2. Submit to PASA, City staff, and the San Antonio Arts Commission, any significant changes in the scope of the project, color, material, or design of the approved artwork.

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Section 4. Conservation.

(a) All routine maintenance and repairs of permanent public art and design enhancements, including cleaning, shall be the responsibility of the City department housing the artwork, in consultation with PASA. Each department that houses public art and design enhancements shall notify PASA whenever it believes an artwork requires attention. City departments may request from PASA guidance in maintenance, cleaning and curatorial services for the City art collection.

(b) Maintenance and conservation of artworks in the public art collection shall follow the specific instructions and specifications listed under artist's maintenance and conservation plan.

(c) Donations of artworks to the City must include monetary donation of at least 5% of the value of the artwork to be deposited into the City's PASA Fund for long-term maintenance of the public art collection.

(d) Whenever applicable, City departments will consider maintenance of artworks through the annual budget process.

Section 5. Temporary Exhibits.

(a) PASA has the joint responsibility with other City departments in implementing and administering exhibitions of art in City facilities such as libraries, the airport, and City Hall. PASA shall design appropriate selection processes and panels to review and select proposals.

(b) All final approvals of artworks and exhibitions will be the responsibility of PASA and the participating department exhibition space staff. Contracts will be negotiated between the representative of the proposed exhibit, PASA, and the participating department and/or agency.

Section 6. Education and Community Outreach.

(a) Purpose. Public participation is a key aspect of PASA. PASA will make significant efforts to involve the public in community outreach and public education programs. These efforts can create a context in which citizens can better understand and appreciate the artworks and the design contributions of the artists.

(b) Policy. PASA will make significant community outreach and public education efforts on each public art and design enhancement project. Possible activities may include:

1. Efforts to raise the level of general awareness about public art and design enhancement, such as slide lectures or presentations to various community groups and service organizations, a regular program of media coverage, and periodic "town hall" meetings in City Council districts.

2. Community involvement, including appropriate community meetings before the project is defined, community representation on the artist selection panels, community co-sponsorship of public art and design enhancement projects, and public "unveilings" or dedications.

3. More formal public education programs, including design competitions and design awards, sponsorship of public art and design enhancement lectures by local museums and galleries, guided tours of public art and design enhancement in the City, and periodic symposia on public art and design enhancement.

4. A program for school children that includes the development of curriculum guides for public art and design enhancement, sponsorship of artist residencies in the public schools, and a speaker's bureau on public art and design enhancement for the school system.

5. Media relations efforts that target the local print and broadcast outlets, participation by the San Antonio Arts Commission and staff members on local media talk shows, and regular press development activities in the form of press releases and media packages.

6. A publication program that includes catalogs and guides to the City art collection, a newsletter to interested citizens, and the creation of posters to accompany the unveiling of new artworks.

Section 7. Review and Approval Procedures

(a) Qualification of Artist Selection Panelists

1. Opportunities to participate as a member of the prequalified panelist pool shall be made available on an ongoing basis through an application and training process.

2. The San Antonio Arts Commission's Public Art Committee may propose candidates to be appointed as participants in the panelist pool based upon a candidate's special experience and/or unique qualifications.

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(b) Selection Panel Composition and Procedures

1. PASA shall review information regarding each new project opportunity in order to nominate qualified Artist Selection Panelists to the San Antonio Arts Commission's Public Art Committee for recommendation and approval of the panel's composition.

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2. PASA shall manage the Artist Selection Panel duties and responsibilities.

3. The Artist Selection Panel shall review the Call for Artists submitted materials and proposed its recommended artist selection to the San Antonio Arts Commission's Public Art Committee.

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4. The San Antonio Arts Commission shall consider final artist selection and provide recommendations and approvals to PASA.

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5. PASA shall notify artists of selection process results.

(c) Calls for Artists.

1. PASA, in consultation with appropriate City departments, shall define the scope of work, project criteria, and budget, develop a community profile, assembles the artist selection panel and manages the artist selection process.

2. PASA shall brief the artist selection panel on the project and make appropriate modifications to the process according to the panel's recommendations.

3. The artist selection panel shall review a presentation by PASA of materials submitted by artists in response to a call for artists, invitation, or other method of selection recommended by PASA, and may choose to interview finalists.

4. Upon request, finalists may be required to submit additional qualifications and/or a concept proposal to the panel prior to being interviewed. If asked to submit a proposal, PASA shall coordinate with finalists to discuss the site and any additional project background.

5. Qualifications may include a resume and images of artists' past work. Proposals may include models, drawings, or other visual representations, and a written statement.

6. At the conclusion of presented artists' qualifications, the panel shall deliberate the materials presented, interviews, project scope of work and related criteria.

7. Artists who have completed past public art projects with the City of San Antonio shall submit an inventory of past works, and PASA shall brief the panel on artists' previous performance and past works.

8. Final recommendation of selected artist shall be decided by majority vote. A final recommendation shall be presented to the San Antonio Arts Commission through PASA.

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9. PASA may request a formal proposal from the final artist(s) selected specifying the time frame for project development, payment schedule, ownership and copyrights. All materials related to the proposal including models, drawings etc. will be the property of the artist, but the City shall have the right to exhibit and use them for educational and promotional purposes.

10. Types of Call for Artists:

    a. Open Competition. Any artist may submit qualifications or proposals subject to any requirements established by the artist selection panel or PASA. Calls for artists for open competitions shall be sufficiently detailed to permit artists to determine whether their work is appropriate to the project under consideration.

    b. Invitational. The artist selection panel may invite a limited number of artists to submit credentials or proposal.

    c. Direct Selection. The artist selection panel may directly select an artist(s). Generally, direct selection will not be employed except on those projects where an open or limited competition would be inappropriate or impractical, such as an urgent project timeline or very specific project requirements.

11. Local and Non-Local Artists. PASA shall seek a balance in the awarding of contracts for the public art and design enhancement projects among San Antonio-based, Texas, national and international artists. Factors such as the size of the project, the level of visibility, the availability of funding, and other conditions, all may influence the selection of artists. PASA shall seek special opportunities to help develop a growing population of professional public artists in the San Antonio area.

(d) Artist Selection Criteria. The artist selection process shall be managed by PASA and, whenever possible, shall begin at the conceptual stage of the project so the artist(s) will be able to integrate art concepts and artworks with the design of the specific projects. Early participation also allows for dialogue between the artist(s), the community the project serves and architect or designer to discuss the design processes and the inclusion of specifications for the artwork's site preparation that are subject to zoning, design, and construction codes. The selection of artists or artworks must meet the following criteria:

1. The design capabilities of the artist(s) and the inherent quality of the artworks.

2. All media forms of visual arts may be considered, subject to any requirements set by the artist selection panel or PASA.

3. Public art and design enhancements of all schools, styles, and tastes should be considered for the public art and design enhancement program.

4. Public art and design enhancements should be appropriate in scale, materials, form and content for the immediate social and physical environments with which they relate.

5. Consideration should be given to structural and surface integrity, permanence and protection of the artwork against theft, vandalism, weathering, and excessive maintenance and repair costs.

6. Consideration should be given to the fact that public art and design enhancement, as defined by the program, is a genre that is created in a public context and that must be judged by standards that embrace factors other than the aesthetic, including public participation, social and political attitudes, and functional considerations. Public art and design enhancement may also serve to establish fOCAl points, terminate areas, modify, enhance or define specific spaces, establish identity, or address specific issues of urban design.

7. Public art and design enhancements should be examined for unsafe conditions or factors that may bear on public liability.

8. PASA should strive for diversity of style, scale and media, and will also strive for an equitable distribution of artworks throughout the City, subject to sources of project funding.

9. Consideration should be given to budget suitability and/or constraints for each specific project.

10. The artist selection process shall ensure that the interests of all concerned parties are represented, including the public, the art community and the City departments.

(e) Final Artist Approvals Recommendations.

1. The San Antonio Arts Commission's Public Art Committee shall have the responsibility of reviewing and approving the artwork for a project and providing final recommendations to the full San Antonio Arts Commission and City Council, as well as other boards and commissions whenever necessary.

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2. The Historic and Design Review Commission shall have the responsibility of reviewing and approving public art memorials requiring a certificate of appropriateness for their placement within the City, including those that affect a designated historical landmark, property within a designated historic district, a state archaeological landmark, a recorded Texas historical landmark, property within a National Register Historic District, property listed on the National Register of Historic Places, a National Historic Landmark, or property within the river improvement overlay (RIO) district.

(f) Artist Contracts

1. Design teams selected for projects eligible for public art and design enhancement treatment will be contracted to provide architects/engineering and unique public art and design enhancement features. The artist may be asked to prepare a budget that includes costs for fabrications, materials, labor, transportation, site preparation and installation, insurance, artist fee and a contingency fund. Contracts will require the artist to develop a maintenance plan for the artwork, which must be submitted to PASA and appropriate City departments before final acceptance of artwork by City is issued.

2. Fabrication of the artwork will be by the artist or under the artist's direct supervision.

3. Installations shall be coordinated between PASA and the appropriate representatives of each department having jurisdiction over the site and/or construction. Whenever possible, the installation of artworks will become part of the final project's construction contract, and will be executed by the contractor under the artist's supervision.

(g) Public Art Gifts and Loans Acceptance Policy.

1. These guidelines set forth below for public art gifts and loans outline the process PASA follows in regard to donations of artwork gifts, extended artwork loans, and memorial artworks (including art monuments, art plaques, property for placement of artwork, and funds for the acquisition of artwork) that may be proposed for donation to the City of San Antonio for placement on City property. Due to limited funds for maintenance and conservation of public art and the limited number of suitable sites on City property for the placement of donated artwork, a review process has been established. The Guidelines for Public Art Gifts, Loans, and Memorials outline a procedure and criteria for the San Antonio Arts Commission's Public Art Committee to review proposed public art gifts, loans, and memorials and make recommendations to the full Commission. The intent of the guidelines is to ensure that the same standards of excellence applied to City's public art and design enhancements are also applied to public art gifts, loans, and memorials and to the placement of such on City property.

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2. PASA shall:
   a. Serve as liaison between the Donor and the City and its designated advisory board, the San Antonio Arts Commission.

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   b. Convene and facilitate the San Antonio Arts Commission's Public Art Committee and its Public Art Gifts, Loans, and Memorials Committee (GLMC, defined below) to review possible donations.

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   c. Oversee the fabrication (when applicable), site preparation (including, but not limited to foundations and lighting), and the installation of all accepted artworks/memorials and related materials such as donor plaques.

3. The San Antonio Art Commission's Public Art Committee shall:

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   a. Appoint a Public Art Gifts, Loans, and Memorials Committee (GLMC). Committee members shall be appointed for a term of two or three years (staggered terms) and may serve a maximum of two terms. Additional adjunct members will be appointed as needed for each proposal. Standing committee members (five in total), will include three arts and/or design professionals -- a curator, a or art maintenance and conservation specialist, an architect, a landscape architect, a graphic designer, etc., one of whom must be an artist; a historian familiar with the City; and a neighborhood

representative who will be assigned depending on the proposal/so A member of the San Antonio Arts Commission, who serves as a non-voting facilitator, will chair the GLMC. Other non-voting advisors to the review process may include representatives of the City Departments of CIMS, Risk Management, Development Services, or Legal, as deemed appropriate by the San Antonio Arts Commission. The GLMC shall convene once every six months on average or on an as-needed basis, as determined by the San Antonio Arts Commission and depending on when a gift, loan, or memorial is offered.

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b. Serve as a board of appeals for any issues that arise in conjunction with the artwork/memorial donations.

4. The Gifts, Loans, and Memorials Committee (GLMC) is a committee of the San Antonio Arts Commission's Public Art Committee, facilitated by PASA staff, and responsible for reviewing and making recommendations on proposed public artwork gifts, loans, or memorials to the San Antonio Arts Commission. GLMC shall follow the procedures for review of gifts, loans, and memorials (described below.)

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5. Works of Public Art are all forms of original creations of visual art or art services, including but not limited to:

   a. Painting of all media, including both portable and permanently affixed works such as murals;

   b. Sculpture which may be in the round, bas-relief, high-relief, mobile, fountain, kinetic, electronic, etc. in any material or combination of materials;

   c. Other visual media including, but not limited to prints, drawings, stained glass, calligraphy, mosaics, photography, clay, fiber, textiles, wood, metals, plastics, or other materials or combination of materials, or crafts or artifacts;

   d. Media-based artwork (i.e. electronic, video, Internet reliant);

   e. Art that incorporates the use of sound; and

   f. Artist design services.

6. Artist is a practitioner in the visual arts generally recognized by critics and peers as a professional of serious intent and recognized ability who produces works of art.

7. Public Art San Antonio Manager is an employee of the City responsible for the operation of the public art program.

8. San Antonio Public Art Collection refers to all works on the accession records/inventory of the City.

9. Gift of Art is a work of art donated free and clear to the City for inclusion in the City art collection.

10. Loaned Art, for these purposes, is a work of art given without charge for use over a period of time exceeding 90 days, to be returned to the owner at the end of the use period; Artworks loaned for less than one year will be reviewed by the PASA Manager and staff.

11. Public Art Memorial is a work of art designed to artistically memorialize or create an artwork monument to an event, person, group, or other entity on public property. Public Art Memorials must conform to the criteria outlined within the City of San Antonio's policies regarding Markers, Memorials, and Plaques.

12. Procedures. All persons interested in donating or gifting works of art to the City will be required to submit the following information in writing to PASA at least six months prior to the anticipated installation date of the project.

    a. Review Process. PASA staff will convene the GLMC and present an agenda and schedule for the public art proposals to be considered. The donation information will have been sent to the GLMC for review prior to the meeting. Acceptance or rejection of proposals will be recommended by the GLMC based on the following criteria.

    b. Criteria for Eligibility. Public Art Memorials must conform to the criteria outlined within the City of San Antonio's policies regarding Markers, Memorials, and Plaques.

    c. Final Recommendations and Acceptance. Final recommendations and approvals of donated public art memorial will be made by the Public Art Board upon recommendation of its GLMC and acknowledged through a written statement to the donor or donor's agent. The San Antonio Arts Commission's Public Art Committee has the responsibility of reviewing and approving the aesthetic appropriateness of a public art memorial and making recommendations whenever necessary to the full San Antonio Arts Commission and the Historic and Design Review Commission. The Historic and Design Review Commission shall have the responsibility of reviewing and approving public art memorials requiring a certificate of appropriateness for their placement within the City, including those that affect a designated historical landmark, property within a designated historic district, a state archaeological landmark, a recorded Texas historical landmark, property within a National Register Historic District, property listed on the National Register of Historic Places, a National Historic Landmark, or property within the river improvement overlay (RIO) district. Final acceptance will require an Acceptance Agreement approved by City Council.

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(h). Disposition of Art.

1. Policy. The PASA Manager shall initiate a disposition review for a public artwork placed on City property, upon the existence of one (1) or more of the following conditions:

   a. The condition or security of the artwork cannot be ably guaranteed.

   b. The artwork requires excessive maintenance or has faults of design or workmanship and repair or remedy is impractical or unfeasible.

   c. The artwork has been damaged and repair is impractical or unfeasible.

   d. The artwork endangers public safety.

   e. No suitable site is available, or significant changes in the use of character or design of the site have occurred, which affect the integrity of the work.

   f. Significant adverse public reaction over an extended period of time.

   g. The quality of the artwork is called into question.

   h. Written request from the artist has been received.

   i. The San Antonio Arts Commission wishes to replace the artwork with a more appropriate work by the same artist.

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2. Review Procedures. The following steps are required:

   a. Review of the artist's contract and other agreements that may pertain.

   b. Discussion with the artist of the circumstances prompting the review.

   c. Gathering of opinions of more than one (1) independent professional qualified to recommend on the concern prompting review (conservators, engineers, architects, critics, art historians, safety experts, etc.).

   d. Review of written correspondence, press and other evidence of public debate, if applicable

   e. Review the artwork's historic significance and if placed within a City designated historic or RIO district adhere to Historic and Design Review Commission guidelines, if applicable.

3. Recommendations.

a. A recommendation of reasonable measures is formulated to address the concerns that prompted the review and forwarded to the San Antonio Arts Commission's Public Art Committee by the PASA Manager.

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b. The recommendation shall be reviewed at an open public meeting of the San Antonio Arts Commission and upon its acceptance by the Commission; the PASA Manager shall take necessary steps to implement the recommended action short of "removal."

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c. If the recommendation is removal, or if San Antonio Arts Commissiondetermines that reasonable efforts to resolve the concern(s) which prompted the review have been made but have failed to resolve the situation, then the San Antonio Arts Commission shall appoint a mediating organization or consultant to designate a panel of impartial persons qualified to carry out steps in considering the removal of the artwork. The San Antonio Arts Commission shall consider the varying needs of the parties to the dispute in selecting the mediating organization or consultant.

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d. The mediating organization/consultant may draw panel members from groups such as preservationists, art historians, museum curators, artists, urban planners, arts or public interest lawyers, social psychologists, policy analysts, and community improvement activists. The panel shall:

i. Review the San Antonio Arts Commission determination that reasonable efforts to resolve the concern have been made, yet have failed to resolve it.

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ii. The panel may recommend any specific measures to resolve the concern including relocation or removal. This recommendation shall provide a reasonable timeframe in which to carry out the recommended measures.

iii. Upon the panel's determination that the San Antonio Arts Commission decision was correct, or that recommendations referred to in (1a) above have not resolved all concerns, the panel shall then consider the following, in the following order of priority:

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a. Relocation of public display (if the work was designed for a specific site, best efforts should be made to relocate it to a new site consistent with the artist's intention. As a courtesy, the artist(s) should be consulted in this determination. In the event of death or incapacitation of the artist, best efforts should be made to consult and/or notify the executor of the artist's estate as to the proposed disposition of the work of art in question.

b. Removal from the collection by sale, extended loan, or gift. Three independent professional appraisals of the fair market value of the work shall be secured on which to base decisions.

iv. If sale, trade, gift, extended loan, or relocation is not feasible, the work will be destroyed, subject to any moral rights retained by the artist.

a. If feasible, the artist should be given first option on purchase.

b. Sale may be through auction, gallery resale, or direct bidding by individuals.

c. Trade may be through artist, gallery, museum, or other institutions.

d. Proceeds from the sale of the work of art shall be deposited into an account to be used for future public art projects. Any pre-existing contractual agreements between the artist and the (responsible agency) regarding resale shall be honored.

e. Any of the options enumerated above require the prior approval by the San Antonio Arts Commission, and may require review by Historic and Design Review Commission if artwork is deemed historic or located in a historic or RIO district.

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e. Project Files and Records. PASA shall maintain records on each project, which shall include, but not be limited to the following:

i. All materials in proposals submitted and other visual or written materials relating to the artist's design or method of execution as submitted or become available.

ii. Conveyance of title enumerating any donor conditions.

iii. Records of the San Antonio Arts Commision and City action bearing on the project.

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iv. Any agreements relating to the project.

v. Correspondence and memoranda relating to the project.

vi. Records of all billings made in connection with the project.

f. Exceptions. These guidelines shall not apply to:

i. Artwork loaned to the City for one (1) year or less.

ii. Artwork loaned for inclusion in temporary exhibitions in City facilities and City-owned and managed by the City.

iii. Artwork loaned or donated to City employees or appointed City officials for display in their personal offices.

iv. Gifts of state presented to the City by other governmental entities (municipal, state, national, foreign).

v. Artwork loaned or donated to the private collections of nonprofit organizations that manage City entities, or included in temporary exhibitions at those facilities.

(i) Documentation. PASA shall document the selection process and critical stages of specific projects such as fabrication and installation. The documentation will be used for the production of City promotional material and self-guided tour brochures. A video and still photography of each project may be part of the documentation. This documentation will be used as a promotional, educational and archival resource. All records relating to all projects such as contracts, correspondence, memoranda, proposals, models, and billings will be kept by PASA.

Exhibit III

FY2015
City of San Antonio
Department for Culture & Creative Development

Arts Funding Division
Proposed Funding Guidelines

The goal of the Arts Funding Division is to invest in arts and cultural programs that deliver excellence, innovation and engage audiences in the unique experience of San Antonio. To achieve this goal, the Arts Funding Division has designed five distinctive programs that support a wide range of arts and cultural organizations, individual artists, artist collectives and neighborhood groups to collectively animate the economic vitality of the arts for our diverse community. The Arts Funding Programs are:

Cultural Arts Operational support – Multi-year grants that strengthen our City by providing a base of financial support to San Antonio's non-profit arts and cultural agencies. These critical investments play a pivotal role in enabling our arts and cultural institutions to provide artistic excellence that are accessible to our entire community.

Festivals and Community Celebrations – One year grants available to arts organizations, community groups, artists or artist collectives to further the presentation, production and preservation of arts and cultural programs that are unique to the San Antonio experience.

stART Place – One year grants available to arts organizations, neighborhood associations, and local artists/artists collectives to support creative projects that provide meaningful community enrichment and transformation. Through this effort, DCCD aims to create vibrant and energetic neighborhoods infused with culture and to showcase San Antonio as a center for creative activity.

Artist Re-granting – One year grants made to non-profit arts organizations whose mission is the funding of local professional artist advancement. Through the program DCCD wants to enhance both the creative vitality of our community and the awareness that San Antonio is an excellent destination for artists of all genres to live and work.

Technical and Economic Development Assistance – On- going competitive assistance program that provides grants designed to help local non-profit arts and cultural agencies as well as individual artists with small grants aimed at providing professional assistance in the areas of organizational stability, fiscal management and professional growth.

The Arts Funding Programs listed above are supported by the Hotel Motel Tax and invested to promote and engage residents, visitors and the convention and hotel industry in the San Antonio experience through the creation, encouragement, promotion and exhibition of the arts and culture of San Antonio. Occasionally other funding sources are made available to DCCD and at such time additional awards and funding opportunities can be offered and support projects that otherwise cannot be supported by the Hot Tax.

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GENERAL APPLICATION INFORMATION:

PROGRAM OBJECTIVES:

- Serve a broad audience, and encourage excellence, growth and viability within the arts and diverse cultures;
- Encourage appreciation, interest and access to the arts across all ages, culturally diverse populations, underserved and economically disadvantaged residents and persons living with disabilities;
- Support the economic growth of the arts and cultural environment through strategic planning, professional development and economic impact studies;
- Provide financial support to enable organizations and artists to leverage the City's investment by securing additional funding from the public and private sectors;
- Support the goals and objectives of SA2020 (increase access to and awareness of arts and cultural activities, downtown development, economic competitiveness, enhance quality of life in neighborhoods);
- Invest in eligible art and cultural organizations and artists working within all art forms that support and define the development of the San Antonio experience;
- Promote the San Antonio arts and cultural experience to all residents and visitors.

DCCD WILL NOT FUND THE FOLLOWING:

- Programs with culminating events not accessible to the public;
- Workshops and educational programs held on a school campus that are provided by the school district;
- Scholarships, purchase awards, or cash prizes;
- Benefits and projects planned primarily for fundraising purposes;
- Deficiencies in previously completed projects or unanticipated costs in ongoing projects or payment of prior deficits;
- Social functions, parties and receptions, including food and beverage;
- Programs that are essentially recreational, rehabilitative, or therapeutic;
- Loans, fines, penalties, costs of litigation or associated interest payments;
- Non-profit agencies and foundations that directly support City Departments;
- Accredited academic teaching institutions, and departments thereof. (Exception): The Southwest School of Art is eligible to apply since they have an established history of being a DCCD operational grantee as an arts institution and continues to provide services to the community under its 501(c)3 organization status;
- Programs where the primary effect of funding would be to support a religion;
- Programs where the primary effect of funding would be for political purpose for or against a political candidate, ballot measure or bill;

- Projects, productions, workshops and/or programs that include obscene material as defined in Section 43.21, Penal Code of Texas; and

- Organizations whose offices and events are not located within the boundaries of the City of San Antonio proper.

GENERAL POLICIES

The following apply to all programs, but set policies are detailed further within each individual Program section.

- Art and cultural organizations can only submit one application in the **CORE PROGRAM category** (Cultural Arts, Festivals, stART). Such organizations can also apply to the Technical & Economic Development Program;

- The City reserves the right to suspend, defer or cancel all or part of the funding process at any time;

- For the Core Programs, reviews will be conducted by an independent panel (Review Committee) that has significant expertise in the assigned discipline and subject to final recommendations from the San Antonio Arts Commission (SACC) and Staff. Final Approval is made by City Council;

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- All organizations receiving a total city investment of $250,000 or more must submit an annual audit report from an independent CPA;

- SAAC and Staff have the option to recommend adjustments to levels of annual awards if an organization's service levels or financial history is or becomes unstable. The DCCD Executive Director or City Manager has the final authority to make adjustments, or reallocation of awards to existing or new organizations, programs or projects during the course of the year. Adjustments or reallocations that would bring a contract above $50,000 or are outside the director's approval authority are subject to City Council approval;

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- All initial or continuation of awards are contingent on availability of City funds;

- Applicants are required to have a business office address in the City of San Antonio which is accessible by the public. PO Boxes are not allowable;

- Applicants must make all DCCD funded programs, events and services accessible to the public;

- Applicants must be governed by board of directors/trustees that meets regularly;

- Members of the SAAC can apply and/or be part of a collaborative application for funding from DCCD, but he/she must recuse him/herself from any votes, and cannot discuss their application with any other Board member during the application and review process. Any violation of this activity immediately disqualifies the application;

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- All awarded organizations are subject to comply with the specific funding program's requirements and contract obligations;

- Upon submission, all materials become property of DCCD, City of San Antonio.

ASSURANCES

All applicants for funding programs must execute an Assurances Form certifying that s(he) is authorized to submit a Proposal and that, at the time of application, the applicant assures that:

- The activities and services for which financial assistance is sought will be administered by the applicant organization.

- As a party to any resultant contract, Applicant understands and agrees to comply with the *Non-Discrimination Policy* of the City of San Antonio contained in Chapter 2, Article X of the City Code and further, shall not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, veteran status, age or disability, unless exempted by state or federal law, or as otherwise established herein.

- It is not knowingly fostering, encouraging, promoting, or funding any project, production, workshop, and/or program that includes obscene material as defined in Section 43.21, Penal Code of Texas.

- It will not identify the City as a funding provider for any events and activities for which City has not authorized funding. Only events and activities identified in the contract shall be considered to be authorized for funding by the City.

- It will maintain auditable financial records reflecting Generally Accepted Accounting Principles related to its overall activities, submit itemized reports or expenditures as required by established City procedures, and submit timely reports reflecting the progress made in achieving its approved goals and objectives.

- It will comply with the City's Ethics Code, particularly Section 2-61 that prohibits a person or entity seeking a City contract – or any other person acting on behalf of such a person or entity – from contacting City officials or their staff, regarding such contract, from the time the application opens to the time such contract is posted as a City Council agenda item.

APPEALS PROCESS:

For the **Cultural Arts Operational Support Program** and the **Festivals & Community Celebrations Program,** applicants may submit a written appeal in response to the SAAC Arts Funding Committee preliminary funding recommendation only if the applicant can demonstrate that one of the following occurred:

1. The DCCD failed to follow published application and review procedures;
2. Undue influence was placed on the Review Committee or SAAC by a member(s) with an undisclosed conflict of interest;
3. The Review Committee's or SAAC Arts Funding Committee's decision was based on insufficient information through no fault of the applicant; and/or
4. The Review Committee's or SAAC Arts Funding Committee's decision was based on information not related to the proposed outcome of the application.

DCCD staff will determine whether an appeal meets one or more of the above requirements and is eligible for review by SAAC.

At a second public meeting, after review of eligible appeals, SAAC will issue final funding recommendations.

SAAC makes final funding recommendations based on the following:

1. Staff and SAAC Arts Funding Committee's preliminary funding recommendations.
2. Appeals considerations (considered in writing only).
3. Applicants' Scores and Comments from the Review Committee members.

Funding awards will be made without discrimination and will comply with all applicable local, state and national laws.

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DEFINITIONS:

ACCESS
The opportunity and the means for San Antonio citizens and visitors to participate in the arts and cultural activities that are provided by the programs that DCCD invests in. These opportunities must exist regardless of race, gender, ethnicity, language, sexual orientation, physical ability, or neighborhood.

ARTIST COLLECTIVE
Two or more local artists, whether of the same artistic discipline or not, working together in a project with a goal of developing and producing a specific art or cultural project(s) designed to engage a community in a participatory activity. The collective can be under its own management or may be managed by an umbrella organization or individual.

ARTISTIC EXCELLENCE or MERIT
"Artistic excellence" includes but is not limited to a mastery of artistic skills and techniques, professional approaches to process and presentation, and communication of a unique vision or perspective.

"Artistic merit" includes but is not limited to a work that has an impact on the artistic or cultural development of a community or individuals; whose quality enhances the visibility and acceptance of art in the community or whose presentation has the potential to broaden access to, expand and diversify audiences.

Artistic excellence is evaluated based on the material and work samples submitted with the application.

COMMUNITY BASED ORGANIZATION
Is a small to mid-sized organization that is deeply rooted in a community, often culturally specific, and whose mission or focus is to create, present and preserve artistic and culturally relevant programs that respond to the needs of economically or culturally underserved communities.

COMMUNITY ENGAGEMENT
Works that are done to attract and sustain audiences for the arts, build community, expand access to arts and culture, generate revenue or business opportunities, serve neighborhoods which generally lack arts programming, meets the needs of special audiences such as youth, senior citizens or persons living with disabilities.

CREATIVE PLACE MAKING
Means how artistic and cultural strategies help activate a specific community's place (public or private) and engage people to celebrate, inspire and give them a sense of belonging.

CULTURAL EQUITY
Means the state of fairness in approach, access, or treatment used by DCCD for culturally specific groups who would otherwise experience disadvantages or barriers.

FESTIVALS and COMMUNITY CELEBRATIONS
These are public presentations that showcase the diverse artistic expressions, multicultural traditions or the unique heritage of San Antonio. Festivals and Community Celebrations are defined by their artistic and cultural, not commercial, value. Festivals can be City-wide or community or neighborhood based. Festivals and Community Celebrations must be open to all members of the public.

INNOVATION/INNOVATIVE PROGRAMS
Innovative programs are activities that have the potential for meaningful change, whether in the development or enhancement of new or existing art forms, new approaches to the creation or presentation of art, or new ways of engaging the public with artistic and cultural excellence by utilizing unconventional solutions.

PROFESSIONAL ARTIST
Must be a resident of San Antonio and must meet the following criteria:

- At least five years of relevant work experience, or has received specialized training in his or her artistic field, such as a degree or certification
- Derives a portion of individual earned income from their artistic practice or areas related to their field or demonstrates a clear investment of time and resources into the creation of new works.
- Has a professional portfolio that includes published or publicly displayed works.

SAN ANTONIO BASED
An organization that has an office within the city limits of San Antonio and does a significant part of its work/outreach within the San Antonio community. Significant in this instance can refer to either a qualitative measure, like importance, and/or quantitative, as in a percentage of time.

CORE PROGRAMS 2015

Cultural Arts Operational Support

Overview

The Cultural Arts Operational Support Program invests in arts and cultural organizations that offer artistic and cultural excellence through programming that is made available to the general public and visitors to San Antonio. The goal of the program is to support the celebration of extraordinary and innovative presentations that showcase artistic excellence and the multi-cultural diversity of the City of San Antonio.

- Investments will be made for two (2) years and based on an organization's most recently filed 990 tax returns. Adjustments will be made to second year funding allocation based on the maximum investment allowed under these guidelines and determined by the most current 990's.

- The SAAC and/or staff have the option to recommend one year of funding if the service levels or financial history of an agency is determined to be unstable or unsustainable.

- Continuation of annual investment is dependent on availability of funds and the continuation of an equivalent level of services and financial position of the funded organization.

- Organizations that apply for **Cultural Arts Operational Support** are not eligible for **Festival & Community Celebrations** and/or ***st*ART Place**. An organization that receives funding in the ***Core Program*** category is eligible to submit applications for Technical and Economic Development Program.

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Eligibility Requirements

Art and Cultural Organizations that apply to the Cultural Arts Operational Support Program must:

- Be an arts and/or cultural organization. An arts and/or cultural organization includes organizations whose mission (as articulated within its mission statement) and actual operation are the creation, education, preservation and/or presentation of arts and/or cultural programming including but not limited to music, dance, drama, literature, painting, printmaking, sculpture, folk arts, photography, film and media arts;

- Have a business office address in the City of San Antonio accessible to the public. (PO Boxes are unacceptable);

- Have programs whose intent and impact is to create, preserve and present relevant artistic programs that showcase San Antonio's unique arts and culture experience;

- Be recognized and an active art or cultural 501(c)3 organization with a proven track record of at least two years of producing and presenting of arts and cultural activities;

- Be governed by board of directors/trustees that meets regularly;

- Have a salaried full or part-time administrator that is responsible for and authorized to address the contractual obligations of the City Contract and the business management of the organization. Verification of administrator employment is required at time of application;

- Be the primary presenter/producer of the work and are responsible for all aspects of its provision to the community. Applicants are **not** allowed to be fiscal sponsors;

- Have all culminating events open to the public and ensure accessibility for the disabled;

- It is mandatory to attend prescribed workshops to be eligible for funding in this category. At minimum, one (1) key representative from each organization will be expected to attend. Workshops will address application instructions, requirements and review process;

ORGANIZATIONAL MAXIMUM FUNDING AWARDS AND MATCH REQUIREMENTS

Operating Budget Size	Award Size	Cash Match Ratio:
Over $ 2 Million	Up to 10% of actual operating expense budget	1:3
$800,000 to $2 Million	Up to 20% of actual operating expense budget	1:2
Up to $800,000*	Up to 35% of actual operating expense budget	1:1
*Community Based Organizations in this budget range	Up to 50% of actual operating expense budget.	In kind contributions listed in an organization's 990 tax form will be allowed for computation of an organization's total expense budget. The amount of the inclusion is limited to 50% of verifiable cash expense budget.

Verification of Arts-Related Budget

Budget verification means the actual arts related expenses from the last completed fiscal year as shown on the organization's filed 990 tax forms. For organizations that are solely arts or cultural institutions their entire 990 expense budgets will be accepted. For those organizations that have additional programmatic missions, social service, education, etc only those portions of the budgets that relate to the creation, presentation or preservation of arts or cultural programming will be accepted. Budget verification occurs every year for organizations receiving Cultural Arts Operational Support based on the two-year funding cycle.

Applicants must submit a current 990 to verify the organization's good standing with IRS regulations and requirements. No extensions will be accepted. Awards are for two (2) years, but are subject to annual budgetary adjustment to meet the adopted maximum award allowed by the adopted funding guidelines.

In addition and for informational purposes, all organizations must also submit a current, Board approved, financial statement to facilitate and determine the organization's most current financial position.

APPLICATION PROCESS

GENERAL

Applications are reviewed through a competitive process and adhere to City Council adopted guidelines and review criteria. Each application goes through several tiers of review. First, they are reviewed for eligibility by staff. Second, independent panels and staff establish applications comments and scores. Third, Staff develops a funding recommendation, which SAAC Arts Funding Committee reviews and after deliberation issues a preliminary funding recommendation. Fourth, SAAC holds a subsequent meeting where appeals can be heard and then they issue a final recommendation. Fifth, the final recommendations are forwarded to City Council for their consideration and approval.

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GUIDELINES AVAILABLE

Application guidelines are made available on the Department for Culture and Creative Development website.

WORKSHOPS AVAILABLE

Staff conducts several workshops to provide guidance and instructions of guidelines and application process. It is mandatory that all potential applicants have staff attend at least one workshop in order to be eligible to submit.

APPLICATION SUBMITTED

Electronic applications (narrative and support materials) are submitted to DCCD on-line and are required to meet one specific deadline. No application will be accepted after the deadline. Applicant receives acknowledgment of application receipt. Applications are forwarded to arts funding staff.

APPLICANT CATEGORIES

Applicants apply to be reviewed by one of three categories:

Museums, Visual Arts and Exhibition Institution - Organizations whose primary focus is the presentation, preservation or creation of visual art forms, artifacts and other objects of scientific, artistic, cultural, educational or historical importance and makes them available for public viewing through exhibits that may be permanent or temporary.

Live Performance - Organizations whose primary focus is the presentation, preservation and/or creation of live performance, including, but not limited to: music, theatre, dance, and the spoken word.

Community Based Organizations - Small to mid-sized organizations that are deeply rooted in a community, often culturally specific, and whose mission or focus is to create, present and preserve artistic and culturally relevant programs that respond to the needs of economically or culturally underserved communities

New applicants may be subject to scheduled DCCD staff site visits after the eligibility requirements are met to review various aspects of the organization's operations.

STEP ONE: STAFF REVIEW

Staff reviews applications for completeness and eligibility. Staff may contact applicants if questions arise. Application materials are assigned and made electronically available to panelists about a month before the panel convenes.

STEP TWO: PANEL & STAFF REVIEW

Applications are reviewed in different categories by panels comprised of seven members, made up of one SAAC Arts Funding Committee member, two local peer experts and four experts from outside of the San Antonio area. All panels are assembled to ensure knowledge and experience in the area under review and diversity with regard to race, ethnicity, and artistic points of view. Panels will deliberate their final score in a public setting but applicants are not allowed to interact with the panels. Panels will rank each application based on two criteria including Artistic/ Cultural Excellence and Community Engagement and Audience Development. City shall require that no panelist have a conflict of interest with an applicant it is reviewing. Staff will review and rank applications on Financial Position and Administrative Capacity.

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Review Criteria

It is important that applicant organizations address these criteria in the narrative of their application.

Artistic/Cultural Excellence *(50 points)*

- Quality of the artists, professional staff, works of art and services supported by the organization and proposed programs.
- Demonstration of the artistic and cultural relevance of programs that support the San Antonio unique experience for local residents and visitors.
- Evidence of how artistic offerings further the development of the creative needs in the community and respond to SA2020 (increase access to and awareness of arts and cultural activities, downtown development, economic competitiveness, enhance quality of life in neighborhoods);
- Opportunities created through proposed arts and culture programs for initiating meaningful educational/community dialogue.

Community Engagement & Audience Development *(35 points)*

- Strategies for increasing and engaging culturally diverse audiences with excellent art;
- Evidence of innovative strategies that create meaningful change to develop new artistic experiences and audiences;
- Ability to engage underserved populations who have limited access and experience with the arts;
- Strategies and relevant programs that further community engagement;
- Strategy for documenting and evaluating audience engagement and growth;
- Indication of fostering partnerships that promote engagement for locals and visitors;
- Presentation of a specific marketing/promotion plan, including budgeted allocation of dollars.

DCCD staff will evaluate and provide a financial score using support materials, site visits, and/or information on file and the following review criteria:

Financial Position and Administrative Capacity ***(15 points)***

- Accurate Arts and Cultural Budget with evidence of a diverse base of financial support through earned income and other non City funding;
- Proven history of planned growth and innovation that support organizational stability;
- Evidence of a proactive Board governance structure, level of involvement and responsibilities;
- Confirmation of a formal strategy to manage administrative/fiscal challenges and/or potential changes in leadership and key staff positions;
- Effectiveness and efficiency in the organization's operation and delivery of services;
- Past Contract Compliance, Performance Reviews and Fiscal/Programmatic responsibility, as applicable.

STEP THREE: FUNDING RECOMMENDATIONS

Staff develops funding recommendations for each application after all applications are reviewed and scored. Application panel comments, scores and funding recommendations are forwarded to applicant and the SAAC Arts Funding Committee. SAAC Arts Funding Committee convenes in a public accessible meeting to discuss each application and staff funding recommendations. Each applicant is given opportunity to present to SAAC Arts Funding Committee before SAAC Arts Funding Committee determines its preliminary funding recommendations. Staff forwards SAAC Arts Funding Committee preliminary funding recommendations to each applicant. Applicants are given an opportunity to submit a request to appeal if it meets the approved appeals guidelines (See page 6). Scores and funding recommendations are forwarded to SAAC for reveiw. SAAC convenes in a second publically accessible meeting to discuss any appeals and to deliberate on final funding recommendations.

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Considerations for Determining Funding Recommendations

- Applications scoring below 75 (scoring of 74.5 to 74.99 will be rounded up to 75) will not be eligible for funding through the Arts Funding Program; however, applicant may be qualified for other funding sources, if available.
- Dollars available;
- Applicant's total scores (DCCD will consider all scores and comments provided by the panelists);
- Minimum and Maximum awards and matching requirements provided under these guidelines;
- Equity of programmatic service to ensure that dollars support a balance of artistic and cultural offerings to existing and new audiences;

STEP FOUR: CITY COUNCIL APPOVAL

Staff forwards SAAC's final recommendations to City Council for final consideration and approval.

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Festivals & Community Celebrations

Overview

The Festivals & Community Celebrations Program was developed in response to the increased number of arts and cultural festivals and celebrations in our community and requests to support them.

The goal is to support the extraordinary artistic presentations and performances through a competitive process specific to festivals and community celebrations that give increased access to the arts, culture and diverse heritage in San Antonio.

Eligibility Requirements

Organizations interested in applying must:

- Submit a complete on-line application on or before the deadline; All application forms, documents and support materials are to be completed and uploaded on-line;
- Applicant organization must be a San Antonio based IRS recognized non-profit or an artist or artist's collective with a proven track record of producing a community recognized festival with wide audience accessibility at the time of the application;
- The festival has a clear and credible programmatic focus area of arts, culture or heritage where festival participants or audience engage and/or interact around the programmatic focus area;
- The festival must have been in existence a minimum of three (3) years;
- The festival will occur between October 1, 2014 and September 30, 2015;
- It is mandatory to attend prescribed workshops to be eligible for funding in this category. At minimum, one (1) key representative from each organization will be expected to attend. Workshops will address application instruction, requirements and review process;
- Religious organizations may apply provided the festival has an arts and cultural focus and impacts the broader San Antonio community;
- All programs, events and services must be open to the public and ADA compliant;
- Applicants will submit biographies of festival administrator and/or artistic director, curator, principal artist(s);
- Be able to meet the required 1:3 cash match by raising the funding from non City sources.

Restrictions

- Organizations that apply for **Cultural Arts Operating Support or *st*ART Place Program** cannot apply to **Festival & Community Celebrations**.
- Organizations that submit an application under a fiscal sponsor are ineligible.
- Events that are officially recognized as part of the annual FIESTA are ineligible.
- DCCD will not consider multiple requests for the same festival or from the same organization.
- Festivals that are religious in nature or specifically serve only church membership or faculty/student body are ineligible.

- The City will not fund religious purposes that promote or celebrate any sect, church, creed or sectarian organization, conduct any religious service or ceremony, nor for the inhibition or promotion of religion, nor to convey a religious message.

What's Required:

- All Applicants will be required to submit an on-line application by or before the deadline which will include the following:
- Festival history and the audiences that it serves, short biography for each of the key participants, a copy of the Media/Marketing Plan for the Festival, a budget form (template provided), and a document outlining Festival Sponsorship Levels.

- Funding Amount: Applicants will not be asked for a request amount as part of the application, but will be required to submit a document outlining Festival budget and Sponsorship Levels.

  Awards will be up to 20% of event's overall budget.

- Funds can only be used for the following (must be itemized in submitted budget):
  - Contracted Services and Artist Fees including travel and per diem. Guest artist's fees and travel expenses including lodging.
  - Production Expense. Production management, staging and sound and lighting equipment rental specifically designated for the Festival.
  - Space rental. Includes stage and rental for the Festival only.
  - Marketing and Promotion. Including media ads, graphic design, website management and promotional material and printing costs.

Review Criteria

Audience Engagement *(45 points)*

- Demonstrated efforts to achieve broad, diverse, accessibility and participation.
- Festival relevance and capacity to engage audiences and communities.
- Evidence of strong Marketing and Promotional materials and efforts.
- Evidence of reasonable fees and/or free admission.

Programmatic Excellence *(35 points)*

- Evidence of quality of artistic selection.
- Expanse and diversity of artistic/cultural offering.
- Demonstration of innovative and excellent programs.
- Qualification of staff that supports the festival implementation.
- Uniqueness of programming and relevance to overall cultural fabric of San Antonio.

Fiscal Position and Capacity ***(20 points)***

- Organization develops thoughtful, rational plans for the festival's financial sustainability.
- Demonstrated staff capacity to administer award and carry out the event.
- Realistic budget including diverse sponsorship levels.

Review Process

- All proposals will be reviewed by an independent panel which can include DCCD staff, SAAC Arts Funding Committee members and local, regional or national experts and patrons.
- Applicants will be reviewed and scored based on submitted applications and established criteria.
- SAAC Arts Funding Committee will review preliminary funding recommendations during a publically held meeting.
- SAAC will make final funding recommendations during a publically held meeting.
- See page 6 for the appeals process.
- City Council makes all final funding recommendations.

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Considerations for Determining Funding Recommendations

- Applications scoring below 75 (scoring of 74.5 to 74.99 will be rounded up to 75) will not be eligible for funding through the Arts Funding Program; however, applicant may be qualified for other funding sources, if available.
- Total funds available annually for programmatic disbursement, including dollars allocated to this program.
- Application total score (DCCD will consider all scores and comments provided by the panelists);
- Minimum and Maximum awards and matching requirements provided under these guidelines;
- Equity of Programmatic Service to ensure that dollars support a balance of artistic and cultural offerings to existing and new audiences.

*st*ART Place Program

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San Antonio's urban neighborhoods benefit from the arts by shaping the lives of residents and their urban experience. The **stART Place** program is designed to further stimulate neighborhood vitality by supporting creative projects that provide meaningful community enrichment and transformation. **stART PLACE** will encourage the presentation of new arts and cultural activity in non-conventional spaces.

Eligibility Requirements

Applicant organizations must meet:

- Submit a complete on-line application on or before the deadline(s)
- Be a recognized neighborhood association, a community group, local artist or artists' collaborative or an arts or cultural organization that is not funded in the Cultural Arts Operational Support or Festivals and Community Celebrations core programs, or collaboration between any of the aforementioned entities. (Artists or collaborative may approach and include an arts organization that receives funding in the other DCCD Core programs for assistance with the administration of the project but cannot pay for any of those services with the awarded funds. The *st*ART Place program application must be submitted by the artists or collaborative as the lead).
- Proposed projects must be designed for a specific community and accessible to all.
- Proposed projects must take place within the City of San Antonio city limits.
- All artistic genres are acceptable including, but not limited to, visual, place making, performing, media and literary arts.
- Proposed projects are encouraged to be implemented in non-traditional art venues and must be accessible to the public.

Restrictions

- Organizations that apply for **Cultural Arts Operational Support** or the **Festivals and Community Celebrations Program** cannot be the lead applicant for a ***st*ART PLACE** grant.
- The City will not fund religious purposes that promote or celebrate any sect, church, creed or sectarian organization, conduct any religious service or ceremony, nor for the inhibition or promotion of religion, nor to convey a religious message.
- The City will not fund any programs not accessible to all.

Funding amount will range from $500 to $10,000. Matching funds are not required; however, applicants demonstrating cash matching funds will be given extra consideration in the review process

Funds can only be used for the following items (must be itemized in the budget):

- Venue Rental
- Contracted Services and Artist Fees
- Production Expense. Production management, staging and sound and lighting equipment rental specifically designated for the event.

Review Criteria

Artistic Excellence *(50 points)*

- Artistic product of high quality.
- Quality of staff that will be carrying the project.
- Innovation and creativity in program(s) to be offered and local artist(s) selected.
- Relevance and relationship of artistic offering to the community where it is being presented.

Impact to Neighborhood being served *(30 points)*

- Project is aimed at recognized underserved populations or that respond to communities that are targeted for social or urban change.
- Project respond to existing community artistic talents, or helps advance awareness of the art forms being presented
- Relevance and appropriateness of location selection to its target audience
- Accessibility of program to its target audience

Feasibility *(20 points)*

- Presentation of a clear and realistic budget for the project.
- Effectiveness and efficiency of organization and staff to plan and carry out the project.
- Demonstrated evidence of strong support from the community for the organization, artists or artist collaborative.

Review Process

- All proposals will be reviewed by DCCD staff and a panel of SAAC Arts Funding Committee members and regional or national experts and patrons.
- Applicants will be reviewed and scored based on submitted application and established criteria.
- SAAC Arts Funding Committee will review preliminary funding recommendations during a publically held meeting.
- SAAC will make final funding recommendations during a publically held meeting.
- City Council will have final approval for all final recommendations.

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Funding Recommendations will be determined by considering the following:

- Applications scoring below 75 (scoring of 74.5 to 74.99 will be rounded up to 75) will not be eligible for funding through the Arts Funding Program; however, applicant may be qualified for other funding sources, if available.
- Total funds available annually for programmatic disbursement, including dollars allocated to this program.
- Application total score (DCCD will consider all scores and comments provided by the panelists);

- Minimum and Maximum awards and matching requirements provided under these guidelines;
- Equity of Programmatic Service to ensure that dollars support a balance of artistic and cultural offerings to existing and new audiences.

ADVANCEMENT PROGRAMS 2015

Artist Re-Granting Program

Overview

DCCD recognizes that San Antonio has arts organizations whose primary focus is the provision of financial support to local professional artists for the purpose of advancing their professional development. These organizations support a granting opportunity currently not provided by DCCD but respond to our mission and maintain a public processes that is valued by the community. The Artists Re-Granting Program is developed to provide funding to eligible artist granting organizations for the sole purpose of expanding their granting opportunities to San Antonio artists, with the specific intent of expanding the artist's professional development through their creation of new works.

Eligibility

Applicant organizations interested in applying must meet the following eligibility requirements:

- Submit a complete electronic application on or before the deadline.
- Applicant organization must be a San Antonio based IRS approved non-profit at the time of the application with a primary mission dedicated to providing grants to professional artists, specifically including San Antonio professional artists.
- Organizations must have a physical location within the City of San Antonio and have been in existence a minimum of three years.
- Organization must have in place a funding process that is open and accessible. A definable review and selection process of professional artists must be presented that is fair and equitable. Organizations that support artist works in any or all artistic genres including but not limited to areas of visual, place making, performing, media, literary, interdisciplinary, etc. Organizations must submit a copy of their previous year's IRS 990 form.

Restrictions

- Organizations that receive grants from DCCD in the **Core Programs** are not eligible to apply in this category.
- Organizations cannot utilize a fiscal sponsor to submit an application.
- The re-granting of City funds cannot be made to artists who do not have a permanent residence (minimum of 6 months) within the city limits of San Antonio.
- DCCD will not consider multiple requests from the same organization.

- DCCD will not grant funds that are re-granted to artists for religious or political purpose or against a political candidate, ballot measure or bill.
- Artist's projects or works used with a primarily fund-raising focus are ineligible.

Evaluation Criteria

- Commitment to supporting artists that reflect the diversity of the community.
- Proven track record of implementing an open, fair and equitable funding process.
- Proven commitment to high artistic standards and the professional growth of local artists.

What's Required

Applicants must submit a written on-line application to DCCD on or before the deadline, specifically citing the following:

- Amount of request and associated total budget for the project.
- Brief description of organization including adopted policies and procedures for selecting and evaluation of artists.
- Samples illustrating the artists awarded in past and type of projects supported.
- The time frame selecting artists expected project outcomes ***(All applicants will be required to submit a report at the completion of their project detailing the artists selected and their project outcomes)***.
- Additional support material(s) that may substantiate the request should be submitted along with the application.

Review Process

- DCCD staff and SAAC Arts Funding Committee will review the request(s) and approve all final funding recommendations.

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Funding Recommendations will be determined by considering the following:

- Dollars available.
- Funding under this program will be limited to a maximum of $30,000 per eligible organization and not to exceed 50% of the organization's prior year expense budget as evidenced by the organization's IRS 990 filing.
- Funding must be used to re-grant to San Antonio professional artists for expenses related

to the creation of new works and said work must be publicly displayed/performed in San Antonio. An organization is able to utilize up to 10% of the grant dollars from DCCD for administrative purposes in overseeing the grant funding and compliance.

Technical and Economic Development Program

General Overview

Technical and Economic Development Assistance is a competitive program with the goal to assist local not for profit arts and cultural organizations and professional artists pay for specific expenses related to organizational stability, development and professional growth. Up to a maximum of $2,500 may be awarded per fiscal year to an eligible applicant. Unlike the other funding programs available, the application process is on-going on a monthly basis through the fiscal year. Applicants must submit their application to DCCD by 4:00 p.m. on the second Friday of each month.

Eligibility Requirements

Arts and cultural organizations or Individual local professional artists may apply for this program.

Arts and cultural organizations:

- Must have a 501(c)(3) status;
- Applicants must have a primary business or residence in San Antonio. PO Boxes are unacceptable;
- Technical and Economic Development Assistance funds will support arts and cultural organizations in areas and activities that enhance artistic and strategic development and training, board governance, fiscal reporting/responsibilities, nonprofit management and leadership, and program/audience development.

Individual local professional artists:

- Applicants must have a primary business or residence in San Antonio. PO Boxes are unacceptable;
- Technical and Economic Development Assistance funds will support local artists in areas that enhance their careers through artistic and professional development through classes, workshops, and residency-related activities.

Funding Guidelines:

- Awards are given to eligible recipients on a first come, first served basis and are limited to $2,500;
- All requests must be received by 4:00 pm on the second Friday of the month. No applications accepted after the deadline for that month;
- Staff will review the request(s) by the close of business on the last day of that month;
- All applicants will be notified in the month following their application as to whether or not they have been funded. **This review time-frame needs to be considered when applying for funding.** Any application that falls outside of the time frame will automatically be disqualified;

- The awards are made for specific expenses and are paid on a reimbursement basis for only those expenses approved in the original award;
- A maximum award of *50%* of the total cost of the approved expenses are eligible;
- All awardees must enter into a contract with DCCD before they begin their project;
- Only one application per artist/organization annually.

Budget Verification
Applicants must provide documentation that the matching funds are in place. Matching funds may not be from other City funding sources. A budget for the entire activity must be submitted.

Technical and Economic Development Program Accountability

Awardees will be required to submit a report on the project's success attached to the invoice for reimbursement on eligible expenses with all associated support documentation at completion of the activity.

Application and Review Process

Applications will be accepted monthly and can be downloaded from DCCD website on an on-going basis.

The Technical and Economic Development Assistance Program (TA) is an on-going, monthly competitive program. Applicants must submit their Application Package to the Department for Culture and Creative Development by 4 p.m. by the second Friday of each month. Application package may be submitted by email, mail delivery or drop off to the DCCD offices.

The Application Package consists of the following:

1. Technical Assistance (TA) Application Form, completed and signed
2. TA Checklist, completed
3. Activity Budget – Applicants will need to submit a detailed budget for the activity that funding is requested for, including expenses and sources of support
4. Any additional supporting documentation, as requested on Application Form and/or noted on Checklist

The TA Guidelines, TA Checklist, TA Questions & Answers and TA Application are on the DCCD website and are fully downloadable.

Applications will be reviewed on a monthly basis by DCCD staff.

Review Criteria includes, but not limited to the following:

- Meeting the deadline.
- Clarity of the request for assistance; the need/value to the organization
- Amount requested from DCCD relative to overall activity budget
- Proven commitment to community and professional growth

- High artistic quality of organization, project or artist's work
- Enhances artistic/cultural diversity of community
- Dollars available

CITY OWNED FACILITY MAINTENANCE FUND

Overview

In an effort to maintain the quality and integrity of City Owned Facilities, DCCD will annually set aside funds specifically to improve the condition, safety, accessibility, security, and/or energy efficiency of these buildings.

Annually, a committee comprised of staff from Building Equipment Services (BESD), Transportation & Capital Improvements (TCI) and DCCD will review a list of recommended repairs submitted by each of the COFA agencies (*Carver, Centro Cultural Aztlan, Guadalupe, Magik Theatre, The Playhouse,* and the *Witte*) and forward to SAAC for consideration of the recommended allotment for that fiscal year.

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The recommendation will be taken to City Council for final approval.

Services may be done by BESD and/or TCI.