

ORDINANCE NO. 5385

AN ORDINANCE CREATING ALBANY MUNICIPAL CODE CHAPTER 2.96 REQUIRING ONE PERCENT OF THE MONEYS FOR CONSTRUCTION OR ALTERATION OF CITY BUILDINGS TO BE USED FOR ACQUISITION OF ART WORKS.

WHEREAS, the City Council recognizes the responsibility of the City of Albany to foster culture and the arts in Albany; and

WHEREAS, the City Council recognizes the role of City buildings and facilities that are open to the public in providing access to the visual arts for Albany's citizens; and

WHEREAS, the Council recognizes that the visual arts enrich and improve the social and physical environment and help people better connect to each other and to the community.

THE PEOPLE OF THE CITY OF ALBANY DO HEREBY ORDAIN AS FOLLOWS:

Section 1: Section 2 of the Albany Municipal Code is hereby amended as follows by the addition of Chapter 2.96, One Percent for Art.

Section 2.96.010: One Percent for Art.

(1) All appropriations for the construction or alteration of any building of the City of Albany, except as exempted in Section 2.96.020, shall contain an appropriation of one percent of the cost of the construction or alteration for the acquisition of works of art that may be an integral part of the building or may be capable of display in other City of Albany buildings.

(2) When it would not be appropriate to place works of art in a given City building or if artwork placed in that building could not be viewed by the general public, the funds required in subsection 1 of this section will be used to purchase works of art for placement in other City buildings or facilities that are open to the public.

Section 2.96.020: Exclusions. The provisions of this section shall not apply to:

(1) Any construction, physical plant rehabilitation, improvement, or remodeling project that has an estimated cost of less than \$500,000.

(2) Indirect construction or alteration costs, such as inspection fees, professional services, interest under construction, advertising, furnishings, soil testing, construction permits, and legal fees.

(3) Remodeling or renovation projects in which more than 75 percent of the project cost represents improvements to mechanical or electronic systems.

(4) Projects for construction or alteration of motor pools, heating plants, parking lots, maintenance sheds, roads, bridges, sewer lines, rest room facilities at City parks, water lines, wastewater treatment plants, or water treatment plants.

(5) Construction projects that are underway upon adoption of this ordinance.

Section 2.96.030: Acquisitions.

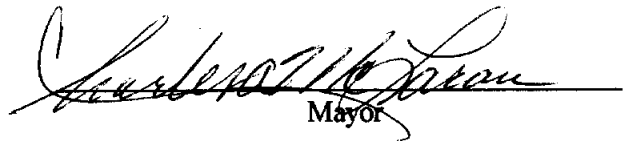
(1) The Albany Arts Commission or other person or agency selected by the Albany City Council, in consultation with the City Manager, the affected department or departments, and the architect for the particular building, shall determine the amount available for each City building, shall solicit proposals for suitable works of art, and shall contract for and purchase selected works of art for each City building constructed or altered after adoption of this section.

- (2) The Albany Arts Commission or other person or agency selected by the Albany City Council shall be solely responsible for the placement and acceptance of all works of art acquired pursuant to this section.
- (3) To the extent reasonable, the Albany Arts Commission or other person or agency selected by the Albany City Council shall consult with appropriate citizens groups and the affected City department or departments in determining the selection and placement of the works of art.
- (4) Title to all works of art acquired pursuant to this chapter vests with the City of Albany.

Passed by the Council: October 14, 1998

Approved by the Mayor: October 14, 1998

Effective Date: October 14, 1998


Mayor

ATTEST:



City Recorder

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