

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

ORDINANCE

**APPROVING A PRE-QUALIFIED LIST OF ART PROFESSIONALS
WHO MAY BE USED TO IMPLEMENT ART PROJECTS IN AMOUNTS
NOT TO EXCEED THE ELIGIBLE ALLOCATION, APPROVING
CONTRACTS FOR SUCH PROJECTS, AND AUTHORIZING PAYMENT
SUBJECT TO THE AVAILABILITY OF FUNDS.**

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WHEREAS, in November 2020, the Department of Arts and Culture (“Department”) issued an open call as part of a competitive and curated process to update the City’s pre-qualified list of public art professionals (“List”), comprised of public artists and art support services, and undertook extensive outreach efforts in an effort to seek new art professionals to be added to the already active List, with a specific focus on attracting a more diverse artist pool; and

WHEREAS, the Department evaluated the submitted qualifications of public artists and art support service providers and recommended the addition of 158 public art professionals, including 100 public artists, 45 art support services and 13 who applied in both categories, and in February, the San Antonio Arts Commission (“Commission”) and its Public Art Committee approved the additions to the List; and

WHEREAS, individuals and groups are placed on the List for a three-year period, however, inclusion on the List does not guarantee that an individual or group will be provided a contracting opportunity, as final selections for public art project commissions will be made through an evaluation process that will include representatives of the Public Art Committee, the Commission, stakeholders, such as local art professionals, neighborhood and community members, and representatives of City departments where the art will be located and final artist selections and projects are reviewed and approved by the Public Art Committee and the Commission; **NOW THEREFORE:**

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

SECTION 1. City Council approves the pre-qualified list of Public Art Professionals and authorizes contracts for services in amounts not to exceed the eligible allocations with individuals and groups from the List who are selected to implement projects, provide artworks or to provide public art services. A copy of the List is attached to this Ordinance as **Exhibit I**.

SECTION 2. The City Manager, or his designee, is authorized to execute contracts with Public Art Professionals from the List selected to implement projects, provide artworks or provide services in amounts not-to-exceed the eligible funding. The template agreements attached to this

Ordinance as **Exhibits II, III and IV** shall be utilized to contract for such services, as appropriate. As not all template provisions apply to all contracts, the City Attorney's Office shall provide assistance in determining the necessary provisions from the attached templates. Individuals and groups on the List may be contracted on an on-call basis for work across several projects.

SECTION 3. Funds will be encumbered upon issuance of purchase orders and expenditures will be in accordance with the Fiscal Year 2021 and subsequent budgets that fall within the term period of the contracts authorized by City Council.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

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 4th day of March, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney