



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Lay on Table</b>	
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<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	An Ordinance to Terminate the Percent for Art Program by Amending Sections 1:832, 1:834 and 1:837 of Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor				
<b>Sponsors:</b>	Jane Lumm				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Public Art Termination Ordinance, 2. Public Art Termination Ordinance Revised				

Date	Ver.	Action By	Action	Result
11/19/2012	1	City Council		
11/19/2012	1	City Council	Lay on the table	Pass

An Ordinance to Terminate the Percent for Art Program by Amending Sections 1:832, 1:834 and 1:837 of Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor  
In November of 2007, City Council approved an ordinance that established the “percent for art” program which funds public art by diverting funds from approved capital projects whose source of funding includes tax millages for streets, parks, and solid waste as well as water and sewer system funds. The action was taken by City Council and not expressly authorized by the voters.

On November 7, 2012, Ann Arbor voters were presented with a ballot proposal for a four year, 0.1 mill tax for art in public places. Over 50,000 ballots were cast (56% of Ann Arbor’s registered voters) and voters rejected the proposal by a 56% to 44% margin.

It is largely acknowledged that since its inception, the “percent for art” program has been both controversial and plagued by operational challenges. The primary questions and concerns that have generated the “percent for art” program controversy include:

- Utilizing taxpayer dollars and public funds for public art.
- Reduced funds for much-needed capital infrastructure projects.
- Concern expressed by many Ann Arbor residents who do not believe voter-authorized tax millage funds for specific purposes should be used for public art, because they believe it is inappropriate and/or an unrelated purpose.
- The slow launch of the program, accumulated, unused surpluses at a challenging fiscal time for the City, and projects not universally accepted.
- The fact that the decision was made by City Council, not the voters, in spite of its impact on spending from voter-approved millages.

These proposed ordinance revisions terminate the requirement that 1% of capital improvement project costs be allocated to public art for all projects funded on or after July 1, 2013. Existing art

funds will be spent on public art according to the ordinance until those funds are exhausted. Recognizing that existing art funds will eventually be depleted, these revisions also address ongoing maintenance, permitting City Council the discretion to appropriate non-art funds and perform major repairs on existing art works. Two other administrative-related revisions are (1) requiring consultation (rather than written consent) by AAPAC for major repairs, relocation, alteration of public art and (2) requiring staff to provide information on available funds on an as-needed basis (rather than at two specific times a year).

Sponsored by: Jane Lumm  
(See Attached Ordinance)