



Public Arts and Culture Commission Meeting Agenda

**Leander Activity Center
11880 Hero Way West STE 600
March 8, 2023 @ 6:00 pm**

Naruby Ballom
Keysha Bradford
Lisa Haynes
Mike Herrera
Jessica Johnson
Steve Kuwitzky

Sammy Panzarino
George Quist
Stephanie Rand
Na'Cole Thompson – Council Liaison
Mark Tummons – Director, Staff Liaison

1. Call to Order
2. Roll Call
3. Public Comments
4. Approval of Minutes – February 8, 2023
5. City Council Liaison Update
6. Staff Liaison Update
 - a. Budget Review
 - b. Grants through Texas Commission on Art Account
 - c. Donation of sculpture art piece at Lakewood Park Sculpture Garden
7. Subcommittee Updates
 - a. Events: Arts Fest, KiteFest, Juneteenth Jubilee
8. Regular Agenda
 - a. Discuss and consider action on the purchase of a new booth canopy
 - b. Discuss and consider action to accept LPACC Master Plan
 - c. Discuss and consider action on Subcommittee structure
 - d. Discuss and consider action on approval of the Master Calendar and participation at various events for the upcoming calendar year
 - e. Discuss and consider recommendation on New Events: BBQ Cook-Off, Music in the Parks, SNL Live from Leander, Cooking Challenge Competition Fundraiser
 - f. Discuss and consider recommendation to City Council on RFP Mural Project #S23-004
 - g. Discuss the use of Asana Project Management Software
9. Future Agenda Items
10. Adjournment

CERTIFICATION

The City of Leander is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the Parks & Recreation Asst. Director at 512.528.9909 for information. Hearing impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 512.528.2800.

I certify that the above notice of the City of Leander Public Arts and Culture Commission was posted on the bulletin board at City Hall in Leander, Texas on the 3rd day of March, 2023 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code.


Mark Tummons, Parks and Recreation Director



EXECUTIVE SUMMARY

03/3/2023

AGENDA SUBJECT: Approval of minutes for February 8, 2023.

BACKGROUND: Attached are the minutes for meeting held on February 8, 2023.

ATTACHMENTS:

1. Draft minutes for February 8, 2023

PREPARED BY: Mark Tummons



**MINUTES
PUBLIC ART AND CULTURE COMMISSION
CITY OF LEANDER, TEXAS**

Leander Activity Center
11880 Hero Way West, Ste. 600



February 8, 2023

Place 1 – Stephanie Rand	Place 7 – Steve Kuwitzky
Place 2 – Keysha Bradford	Place 8 – Michael Herrera
Place 3 – George Quist	Place 9 – Naruby Schlenker
Place 4 – Lisa Haynes, Chair	Staff Liaison – Mark Tummons
Place 5 – Jessica Johnson	Council Liaison – Na’Cole Thompson
Place 6 – Sammy Panzarino	

1. Call to Order

Chair Haynes called the meeting to order at 6:02 PM

2. Roll Call

All Commissioners were present except Commissioner Herrera.

3. Public Comments

There were 3 citizens in attendance. They all introduced themselves to the commissioners.

4. Approval of Minutes

Commissioner Panzarino moved to approve the minutes. Commissioner Rand seconded and the motion was passed unanimously.

5. City Council Liaison Update – No update.

6. Staff Liaison Update

Staff Liaison Tummons shared the updates of the Art Fund account balance with the Commission and discussion on partnering with the Leander Historical Preservation Commission on creating History Themed Murals.

7. Subcommittee Updates – No update.

8. Regular Agenda

- a. City Secretary Crabtree gave a presentation of the Advisory Board and Commission Reference book to the Commissioners.
- b. Following discussion, the Commissioners decided to table the action of moving forward with the presented subcommittee organization structure to the next meeting on March 8 2023. Before the next meeting, Commissioners are asked to review and determine which subcommittee they wish to participate on, if any.
- c. Following discussion on the Mural RFP, Commissioner Rand motioned to approve the RFP, Commissioner Schlenker seconded and the motion was passed unanimously.

- d. Following discussion of the new booth canopy, the Commissioners decided to table the topic and revisit at the next meeting on March 8 2023. Parks and Recreation Staff will share the details of the canopy booths that she purchased for events.
- e. Following a presentation on the LPACC Master Plan, the Commissioners decided to table the revision and review the plan before the next meeting, March 8 2023. The Commissioners anticipate having a final draft by April.
- f. Parks & Recreation Manager, Anderson, gave an update on the 2023 MLK Day March and Celebration event as well as the budget sheet. Discussion ensued.
- g. Following the presentation by Staff Liaison Tummons, the Commissioners decided to move forward and accept the art piece. Commissioner Kuwitzky motioned to accept the art sculpture donation to Lakewood Park and Commissioner Rand seconded. The motion was passed unanimously.

9. Future Agenda Items

- a. Subcommittee Structure and assignments.
- b. Potential events for LPACC to host this year
- c. Master Plan
- d. Grand Reveal for the donated sculpture

10. Adjournment

The meeting was adjourned at 8:52pm.

CHAIR SIGNATURE

SECRETARY SIGNATURE

Leander Public Art – Dedicated City Funds

Fiscal Year 2023

75 – Park Dedication Fund

75-00-4715 – Park Public Art Fund

The Park Dedication Fund was established to account for funds collected during the subdivision platting process. The City's subdivision ordinance requires developers of residential property to set aside parkland ("parkland dedication") or pay an "in-lieu of" fee. The City then can use these funds for the future acquisition of parkland or for improvements to existing parks.

The Park Public Art Fund is dependent on Park Dedication revenues received by the City during the fiscal year. A portion of the Park Dedication revenue collected (15%) is to be used for public art in parks. Below is the Park Public Art Fund balance as of Sept. 30, 2022:

FY 2021 Balance	=	\$79,335.83
+ FY 2022 Revenues	=	\$81,310.57
(-) FY 2022 Expenses	=	(\$10,000.00)
Balance on Oct. 1, 2022	=	\$150,646.40

PLEASE NOTE – These funds may only be used for permanent, long-term art projects in City-owned parks. They cannot be used for events, workshops, concerts, performances, contests, artist in residence, storyboards, leased art, materials or supplies, etc. Further, permanent art cannot be placed in locations that have not been designated by Leander City Council as public park spaces.

10 – Public Arts Fund

The Public Arts Fund was established by Leander City Council to be a sustainable and significant source of funds to promote the arts in Leander. By ordinance, the City contributes a sliding scale percentage of the cost of certain capital projects to the fund.

Public Arts Fund revenue is secured upon the award of construction bids from City capital improvement projects (CIPs). Four projects are anticipated to add \$53,000 in revenue to the fund this fiscal year – Northline Town Center Park, Senior Activity Center, Old Town Park, and Fire Station No. 2 Renovation. However, construction bids for all four projects have yet to be awarded. Below is the Public Arts Fund balance as of Sept. 30, 2022:

FY 2021 Balance	=	\$40,209.51
+ FY2022 Revenues	=	\$ 6,082.17
(-) FY2022 Expenses	=	(\$43,861.34)
Balance on Oct. 1, 2022	=	\$2,430.34

PLEASE NOTE – These funds may be used for permanent, long-term art projects or temporary art projects and related art activities to include those listed above.

PUBLIC ART FUND
REVENUE EXPENDITURE HISTORY
FY 2020 - FY 2023

	<u>YEAR</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
SUMMARY INFORMATION					
CASH - BEG.		120,815.89	110,342.94	40,209.51	2,430.34
REV		1,393.39	430.11	6,082.17	62.86
EXP		(11,866.34)	(70,563.54)	(43,861.34)	-
CASH - END		110,342.94	40,209.51	2,430.34	2,493.20

DETAIL BREAKDOWN INFORMATION

REVENUE-DETAIL	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
DONATIONS	222.00	249.00	1,272.00	60.00
INTEREST	1,171.00	181.00	8.00	3.00
TRANSFER IN - GF	-	-	4,802.00	-
	1,393.00	430.00	6,082.00	63.00

TRANSFER IN DETAIL	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
GOLF DRIVING RANGE			4,801.67	
	-	-	4,801.67	-

EXPENDITURE DETAIL	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
MATERIALS & SUPPLIES	30.00	2,079.00	1,118.00	-
ART COMMITTEE GRANTS	-	-	-	-
JR. ARTISAN WORKSHOP	(89.00)	-	2,378.00	-
CONCERT & EVENTS	125.00	677.00	2,649.00	-
ART & SCULPTURES	(200.00)	5,700.00	17,317.00	-
PUBLIC ART & SCULPTURES	12,000.00	39,500.00	16,900.00	-
LAKEWOOD PARK	-	22,608.00	3,500.00	-
	11,866.00	70,564.00	43,862.00	-

<u>PAYEE</u>	<u>PUBLIC ART & SCULPTURES-DETAIL</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
KARG ART GLASS	DESIGNATION OF ART BENCH	4,000.00			
ELIZABETH AKAMATSU FENCI	ART BENCH -LPAC	4,000.00			
LAWLER WHITE SCULPTURE STUDIOS	DESIGNATION OF ART BENCH	4,000.00			
KARG ART GLASS	SCULPTURE FOR LAKEWOOD PARK		7,000.00		
SARAH DYATT	SCULPTURE FOR LAKEWOOD PARK		14,000.00		
MICHAEL SCOTT SHUBIN	SCULPTURE FOR LAKEWOOD PARK		7,000.00		
MARFA CEMENT WORKS	LAKEWOOD PARK - BIRDS OF LEANDER		6,500.00		
ORANGE CAT INC.	DIABLITO SCULPTURE		5,000.00		
MARFA CEMENT WORKS	LAKEWOOD PARK ART SCULPTURES			6,500.00	
MARFA CEMENT WORKS	LAKEWOOD PARK ART SCULPTURES			5,200.00	
MARFA CEMENT WORKS	LAKEWOOD PARK ART SCULPTURES			5,200.00	
		12,000.00	39,500.00	16,900.00	-

<u>PAYEE</u>	<u>LAKEWOOD PARK</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
KARG ART GLASS	SCULPTURE FOR LAKEWOOD PARK		14,000.00		
MARFA CEMENT WORKS	SCULPTURE FOR LAKEWOOD PARK		5,500.00		
	LAKEWOOD PARK ART PADS		13.35		
	REBAR ART PADS		94.94		
MARFA CEMENT WORKS	DIABLITO SCULPTURE		3,000.00		
MARFA CEMENT WORKS	SCULPTURE FOR LAKEWOOD PARK			3,500.00	
		-	22,608.29	3,500.00	-



EXECUTIVE SUMMARY

03/3/2023

AGENDA SUBJECT: Discuss and consider action on the purchase of a new booth canopy.

BACKGROUND: Discussion of different options of canopies for a new booth including pricing.

PREPARED BY: Mark Tummons



EXECUTIVE SUMMARY

03/3/2023

AGENDA SUBJECT: Discuss and consider action to accept the Leander Public Arts and Culture Commission (LPACC) 2023 - 2028 Master Plan.

BACKGROUND: Commissioner Quist will discuss with Commission the DRAFT LPACC 2023 - 2028 Master Plan and determine the best way to proceed with finalizing and preparing the plan for Council approval.

ATTACHMENTS:

1. LPACC Master Plan 2023 - 2028

PREPARED BY: Mark Tummons

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Public Arts & Culture Master Plan 2023 – 2028



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LEANDER PUBLIC ARTS AND CULTURE COMMISSION

Chapter 1. General Provisions ARTICLE 1.14. PUBLIC ART PROGRAM Division 1. Generally

§ 1.14.001. Implementation and funding.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial structure. Any building or structure, all or part of which is to be used as an auditorium, private convention center, professional or commercial office, bank, private library (other than school), manufacturing plant, factory, assembly plant, processing plant, mill, warehouse, shopping mall, store, shop, market, hotel, storage building, freight depot, and/or private automobile parking structure which is not connected to or incorporated in other structures.

1. "Commercial structure" shall include developmental projects that involve more than one (1) phase of construction.
2. "Phase," when used with respect to a commercial structure, shall mean that portion of a developmental project that represents a completed portion of the entire commercial structure.

Construction costs. The total value of the construction of, or reconstruction work on, commercial structures as determined by the chief building inspector in issuing a building permit for the construction or reconstruction. Relative to a municipal construction project, construction costs shall include architectural and engineering fees, site work and contingency allowances. It does not include land acquisition cost and/or subsequent cost changes to the construction contract. All construction costs shall be calculated as of the date the contract is executed.

Municipal Construction Project. Any project to be paid for wholly or in part by the city, regardless of the source of the monies, to construct, remodel or reconstruct any public buildings, decorative or commemorative structures, parking facilities and/or parks, or any portion of any of such buildings, structures, facilities or parks, belonging to the city, within its geographical boundaries as they now exist or shall exist in the future. This does not include road/street projects either new or repaving and/or utility projects, such as water or waste water lines.

Parks. Projects types include active parks, in whole or in part, such as athletic fields or courts; aquatic facilities; trails/greenways; and indoor facilities designed for activities/recreation, etc. Also includes passive parks which include public spaces such as garden areas; food courts, wildlife viewing areas; dog parks; picnic shelters; etc.



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Reconstruction. Alterations or repairs made to a commercial structure or municipal construction project within any twelve-month period in which alterations or repairs exceed fifty (50) percent of the value of the existing structure, so that such structure is required to conform to the requirements for new buildings pursuant to this code.

Works of art or artworks. As a guide, public art is art in any media that has been planned and executed with the intention of being staged in the physical public domain, usually outside, but not always, and accessible to all. Public art may be incorporated into architecture itself in the creation or renovation of buildings and sites; it could be interactive and designed to encourage public participation; and may also be installed in natural, environmental or landscape settings. In addition, tangible creations by artists exhibiting the high quality of skill and aesthetic principles, including but not limited to paintings, sculptures, stained glass, statues, bas reliefs, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, tapestries, photographs, drawings, monuments and fountains, fulfill the definition of public art.

(b) Public art fund.

1. Established. There is hereby created a public art fund, which shall be a separate account set up by the city to receive monies appropriated for the public arts and culture program. The public art fund shall consist of the following:
 - a. Up to one (1) percent of the construction cost of a municipal building project as bid, contracted and accepted by the city. Artwork should be first and foremost considered as a part of the project itself, and used in/for that particular city project. Any unexpended monies in this fund may be used for works of art at existing public properties and facilities as deemed appropriate by the public art commission and approved by the city council.
 - b. All funds donated to the public art fund by the private sector.
 - c. Other funds allocated by the city for public art through the budgetary process.
 - d. Art funds can only be used within the scope of the specific project if utilizing bond funds. Bond funds cannot be used to supplement works of art at other public spaces other than the specific project to which they are attached.
 - e. The public art fund shall be used solely for the selection, commission, acquisition, installation, maintenance, administration and insurance of the works of art or in relation thereto, and the administration of such funds shall be recommended to the mayor and city council by the city manager after the city manager receives the recommendation of the public art commission. The decision of the mayor and city council shall be final.

(2) Appropriations for municipal construction projects.

- a. All appropriations for public art through municipal construction projects shall include an amount of up to one (1) percent of the construction cost of a municipal construction project as bid, contracted and accepted by the city. Qualified projects are those with construction costs between one hundred thousand (\$100,000.00) dollars and a maximum of twenty million (\$20,000,000.00) dollars. The following will be used as a guide in determining the amount to be placed in the construction budget:

\$100,000.00-\$5,000,000.00 = 0.5% (\$25,000.00 maximum)

\$5,000,001.00-\$10,000,000.00 = 0.75% (\$75,000.00 maximum)

\$10,000,001.00-\$20,000,000.00 = 1.0% (\$200,000.00 maximum)

\$20,000,000.00+ = \$200,000.00 maximum

The public art commission may recommend to the mayor and city council an increased expenditure for those projects of exceptional size or unique function; however, in no event shall the appropriation exceed one (1) percent.

- b. The public art commission shall review prior to and recommend to the mayor and the city council the amount of monies to be allocated for selection, commissioning, acquisition and installation of individual works of art to be incorporated as a part of the municipal construction project for which monies are appropriated under subsection (2)(A) above.
- c. Except as provided by subsection (1)(D) above, monies appropriated pursuant to this section as part of a municipal construction project but not spent in connection with the project may be utilized to supplement other appropriations for the acquisition of works of art or to place works of art on or near either existing city facilities or other city properties.

(3) Commercial structures.

- a. Any private developer/owner who applies to the city for a building permit to construct or reconstruct a commercial structure shall be encouraged to commit one (1) percent of the construction or reconstruction costs of the commercial structure, up to, but not limited to, the sum of two hundred thousand dollars (\$200,000.00), for the acquisition of fine art to be included on the same property as the commercial structure or to be contributed to the public art fund.
- b. Private developers/owners constructing commercial structures to be accomplished in phases will be encouraged to contribute only one (1) percent of construction or reconstruction costs up to but not limited to two hundred thousand dollars (\$200,000.00) for the phase.
- c. If the private developer/owner constructing or reconstructing a commercial structure does not wish to have fine art located on the property with the commercial structure, he/she may donate to the public art fund an amount equal to the percentage of the construction cost of the commercial structure as a charitable donation.
- d. Each building permit issued by the city for any commercial [structure] will include data relative to the developer/owner participating in the public arts and culture program.
- e. The building official shall report building permits issued for the construction or reconstruction of a commercial structure to the public art commission.

(Ordinance 08-017-00, sec. 5, adopted 12/18/08; Ordinance 12-004-00 adopted 1/19/12; Ordinance 18-019-00, sec. 6, adopted 4/19/18;

Ordinance 18-019-00, sec. 7, adopted 4/19/18)

§ 1.14.002. Ownership and maintenance of public art.

- a. Ownership of all works of art acquired by the city shall be vested in the city, which shall obtain title to each work of art. The public art commission shall develop a process for acceptance of any and all works of art and for cataloging all such works.

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- b. Artists, as a part of any contractual agreement with the city for the provision of a work of art, shall be required to submit to the public art commission a "maintenance and inventory sheet," including annual cost projections, which details the maintenance and ongoing care of the artwork.
 - c. All donations of art or funds shall be subject to acceptance and approval by the city council. (Ordinance 08-017-00, sec. 6, adopted 12/18/08; Ordinance 12-004-00 adopted 1/19/12)

§ 1.14.003. Through § 1.14.030. (Reserved)

Division 2. Public Arts and Culture Commission

§ 1.14.031. Established; membership; removal of members for absence from meetings.

The public arts and culture commission is hereby established and shall be composed of nine (9) members who shall be residents of the city and who shall be appointed by the mayor and approved by the city council. Each member of the public arts and culture commission shall be appointed for a term of two (2) years, and no member shall serve more than three (3) consecutive terms (six years maximum). The parks and recreation department shall solicit for members in August as needed and make recommendations to the board selection committee and the city council in September. The board selection committee shall interview and make recommendations to the city council. Newly appointed member terms shall begin on November 1st and end on October 31st. If a vacancy shall occur on the public arts and culture commission, a successor shall be appointed to serve for the remainder of the unexpired term of the member previously appointed to the vacant position in April during mid-year appointments. Any member of the commission that consistently fails to attend meetings without good cause shown, or without prior approval, may be referred by the commission to the city council for removal from the commission. The city council shall consider the referral and commission recommendation and may, in its sole discretion by majority vote, remove the referred member of the commission. The commission shall whenever possible be composed of one or more of the following members:

1. One (1) city council member (ex-officio, non-voting member);
2. One (1) member/instructor of an active local arts nonprofit organization/corporation or a commercial art dealer;
3. Two (2) art instructors within a local LISD middle/high school; an accredited private school or an art instructor with a local college/university such as Austin Community College or Art Institute;
4. Two (2) active professional artists;
5. Two (2) citizens, supportive of, educated in, and/or active in the field of public art or community affairs; and
6. Two (2) citizens, at-large.

(Ordinance 18-019-00, sec. 8, adopted 4/19/18; Ordinance 22-108-00 adopted 12/1/2022; Ordinance 23-006-00 adopted 1/19/2023)

§ 1.14.032. Organization and meetings; expense reimbursement.

- a. Expense reimbursement. Members of the public arts and culture commission shall receive reimbursement for reasonable expenses, for travel outside the corporate limits and

extraterritorial jurisdiction of the city, that are incurred with the advance approval of the commission. Such reimbursement shall not be inconsistent with city policy.

- b. **Organization and meetings; administrative support; reports to council.**
 - 1. **Quorum.** The presence of five (5) or more members of the public arts and culture commission shall constitute a quorum.
 - 2. **Adoption of rules.** The public arts and culture commission may adopt rules to govern the conduct of its meetings in accordance with the provisions of this article and the city charter.
 - 3. **Officers.** The officers of the commission shall be a chair, a vice-chair and a secretary. Thereafter, the commission shall elect the officers of the commission.
 - 4. **Calling of meetings.** The chair of the commission may call meetings of the commission. Meetings may also be called by notice signed by two (2) members of the commission.
 - 5. **Number of meetings.** The commission shall convene no less frequently than once each month, unless deemed unnecessary by a majority of the commission voting at a commission meeting. The commission may meet more often, should the need arise.
 - 6. **Open meetings.** The commission shall comply with the Open Meetings Act.
 - 7. **Meeting dates.** The commission may, at any meeting, set a future meeting date(s).
 - 8. **Minutes.** Minutes shall be kept of all meetings, including the vote taken by each member upon any action by the commission.
 - 9. **Support and meeting space.** The city shall furnish administrative support to the commission for the purpose of assisting in the implementation of recommendations and advice of the commission. The city will provide a location for the commission to hold meetings.
 - 10. **Approval of decisions.** Any policy decision requiring approval by the commission shall be by motion and shall require the approval by a majority of those members present and voting, provided that at least five (5) members must vote for the action to be approved.
 - 11. **Reports to council.** The public arts and culture commission shall provide annual reports to the city council with recommendations of policy(s) the commission recommends the city council consider and implement.
 - 12. **Legal counsel.** The legal department shall provide legal counsel as may be reasonably required by the commission for the performance of its functions.
- c. **Conflicts with City Charter.** It is specifically provided that no word, term, phrase or provision of this article shall be interpreted or construed in a manner to be inconsistent with, or to conflict with, the city charter. In the event of the appearance of any inconsistency or conflict, this article shall be read and construed consistent with the city charter.
(Ordinance 08-017-00, sec. 2, adopted 12/18/08; Ordinance 12-004-00 adopted 1/19/12; Ordinance 18-019-00, sec. 9, adopted 4/19/18; Ordinance 22-108-00 adopted 12/1/2022; Ordinance 23-006-00 adopted 1/19/2023)

§ 1.14.033. Rules of procedure; officers.

The public arts and culture commission may adopt procedural rules governing the transaction of its business. The rules may include provisions for the date, time and place of regular meetings of the commission, maintaining minutes of meetings, and records of all commission reports, conclusions and

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recommendations. After the expiration of the one-year term of the initial officers, the commission shall elect officers annually. Officers may be elected and may serve as an officer only for a maximum of two consecutive terms (two years) and must rotate off, even if they are appointed for a second or third successive two-year commission appointment. The officers shall include a chair, vice-chairperson and secretary, who shall each be elected to serve a one-year term. All commission meetings shall be open to the public except as provided by the Open Meetings Act, and notice of meetings shall comply with the Open Meetings Act. The commission may adopt procedures that address the receipt and processing of citizen proposals and requests.

(Ordinance 18-019-00, sec. 10, adopted 4/19/18; Ordinance 23-006-00 adopted 1/19/2023)

§ 1.14.034. Powers and duties.

The purpose, functions and responsibilities of the public arts and culture commission are as follows:

1. On behalf of the city, to encourage, conduct, sponsor or cosponsor public nonprofit programs to further the development and public awareness of, and interest in, fine arts and the performing arts and culture.
2. To provide recommendations to the mayor and city council in connection with cultural and artistic endeavors and projects in which the city may become involved, and act as a representative of the community in such matters.
3. To encourage donations, grants and other financial support to further expand the arts and cultural services and programs available to citizens of Leander and members of the Leander community.
4. To review and make recommendations to the city council with respect to all public and private banner proposals that request to utilize city graphics.
5. To work diligently and aggressively to receive funding from state and national endowments to provide for continuous funding for the city's public arts and culture programs.
6. To create and recommend guidelines to the city council regarding any area or activity of a public arts and culture program, and, once the guidelines are approved by the city council, to distribute, manage, and allocate funding to applicants with a high level of accountability pursuant to the commission's guidelines, and which place priority on projects that meet more than one community need, e.g., art for youth outreach and services; provided that all funds shall be subject to the budget and audit process.
7. The commission shall prepare implementation guidelines, selection procedures and organizational policies to facilitate art in public places, subject to the approval of the city council.
8. The commission shall be responsible for program planning; designation of sites for public art; determining project scope and budget for council approval; overseeing the artist selection process; commissioning artworks; reviewing design, execution and placement of artworks; and overseeing maintenance of the artworks and the process for removal of artworks from the city's public art collection; provided, however, that any decision to contract, purchase or remove artwork shall all be subject to the city manager's recommendation and final review and approval by the city council.
9. The commission, acting on behalf of the city council, shall include within its scope of authority and activities the invitation of professionals in the visual arts and design fields, to serve (as

reviewers and an advisory panel) in the artist selection process in order to ensure works of highest quality, or to assist in the determination of artistic merit of works of art offered to the city as a donation or for purchase. The commission shall also establish guidelines for appropriate community participation in this process and public education activities as part of the public arts and culture projects.

10. The commission shall coordinate, investigate, review and recommend to the city council other means by which artworks may be obtained, including but not limited to donations to the public art fund, gifts of artwork, and grant applications for public arts and culture projects.
11. The commission shall act as the liaison with private developers to encourage and facilitate private contributions and private art installations within corporate construction and reconstruction projects.
12. The commission shall include in its mission the encouragement of public arts and culture throughout the city and shall seek through its programs to educate and stimulate the participation of all citizens in a joint public and private effort to promote arts and culture in public places.
13. Prior to the recommendations to the city council for the selection and commissioning of artists, review of design and the recommendation of the acceptance of works of art relative to municipal construction projects, the commission shall submit the action proposed to be taken to the city council.
14. The commission shall record, over the chairman of the commission's signature, its recommendations on each matter considered and submitted to the city council.
15. The commission shall adopt rules and regulations, including the creation of subcommittees, to implement this article of the city code.
16. The commission shall take such other actions as the city council may direct from time to time.
17. To actively plan and participate with the parks and recreation department in all matters pertaining to arts and culture.
18. The commission defines culture as within people and is contagiously and globally spread throughout their food, their music, their language, their arts, their shared knowledge, their religion and their way of life. Culture is actively fostering growth and understanding in shared social patterns of behavior and interactions that are learned by socialization.

(Ordinance 08-017-00, sec. 4, adopted 12/18/08; Ordinance 12-004-00 adopted 1/19/12; Ordinance 23-006-00 adopted 1/19/2023)

§ 1.14.035. Administrative and staff services.

Subject to the directions of the city manager, the parks department shall be responsible for providing administrative and staff services for the commission and may assign parks department staff to provide services to the commission.

(Ordinance 08-017-00, sec. 7, adopted 12/18/08; Ordinance 12-004-00 adopted 1/19/12; Ordinance 23-006-00 adopted 1/19/2023)

§ 1.14.036. Budget.

The public arts and culture commission programs and operating expenses shall be funded from the city general fund, grants, donations and admission charges. The parks department shall be responsible for

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submitting the annual operating budget to the city manager for submission and recommendation to and [the] mayor and city council. Donations, receipts and monies contributed to the public art fund shall be expended only as authorized by the budget and appropriations approved by the city council. (Ordinance 08-017-00, sec. 8, adopted 12/18/08; Ordinance 12-004-00 adopted 1/19/12; Ordinance 23-006-00 adopted 1/19/2023)

Exhibit 10A. Subdivision Ordinance

ARTICLE IV. IMPROVEMENTS

§ 61. Park Land Dedication and Park Improvements

f. Park Fund Established:

The City hereby creates a separate fund to be entitled "Park Fund." Money, and the interest on such money, collected as a fee-in-lieu of park land dedication, and park improvements fees, shall be held in said fund in trust to be used by the City solely and exclusively for the purpose of purchasing, improving, and/or renovating public park and recreational land and shall not be used for maintaining or operating public park facilities. Improvements to Public Park and recreational land includes public art installations. The Park Fund will contain a category entitled "Park Public Art Fund" where fifteen percent (15%) of fee-in-lieu and park improvements fees, and interest on such money, will be held to be used for public art in public parks and recreational land; provided that the City Council may, from time to time, authorize use of the funds for purchasing parkland or non-public art improvements or renovations when determined necessary in relation to a particular public park project. Such fund shall be invested or held in an interest-bearing account and all earnings and interest shall accrue to the Park Fund.

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ACKNOWLEDGEMENTS

The Leander Public Arts and Culture Commission, in partnership with the City Parks & Recreation Department, prepared the 2023-2028 Public Arts and Culture Commission Master Plan. We thank the following individuals for their guidance, support and involvement.

CITY COUNCIL	
Mayor	Christine DeLisle
Mayor Pro Term	Na'Cole Thompson
Place 1	Kathryn Pantalion-Parker
Place 2	Esme Mattke Longoria
Place 3	David McDonald
Place 4	Na'Cole Thompson
Place 5	Chris Czernek
Place 6	Becki Ross

PUBLIC ARTS AND CULTURE COMMISSION	
Chair	Lisa Haynes
Vice Chair	George Quist
Secretary	Steve Kuwitzky
Commissioners	Stephanie Rand
	Keysha Bradford
	Jessica Alonzo
	Sammy Panzarino
	Michael Herrera
	Naruby Bollom

CITY STAFF

City Manager, Rick Beverlin

Executive Director of Development Services - Robin Griffin Also add: Chief of Staff - Michael Neu
Parks & Recreation Director, Mark Tummons

EXECUTIVE SUMMARY

The purpose of this master plan is to communicate the Leander Public Arts and Culture Commission's goals and implementation plans for increasing the presence and awareness of art in the City of Leander.

Plan Goals

- Goal 1 – Bring performing and visual art to public places
- Goal 2 – Bring art projects, programs and features to Leander
- Goal 3 – Increase communication & awareness of art in Leander

Implementation Action Plan

High Priority Action Items

- Seek out private sector donations and resources to purchase public art
- Secure public art displays through sponsorships and partnerships
- Host one theme festival involving art, food, music, wine and/or craft beers each year
- Promote local artists and the Leander Public Arts and Culture Commission
- Support and promote art education

Medium Priority Action Items

- Support the incorporation of art into the design of city infrastructure
- Work with City Council to ensure that new housing developments are required to incorporate art into their plans
- Encourage young artists in public and private schools

Low Priority Action Items

- Co-Host one musical event every year

INTRODUCTION

LEANDER PUBLIC ARTS AND CULTURE COMMISSION

The Leander Public Arts and Culture Commission was established by Ordinance by the City Council in 2008. The Commission's mission is to promote public art, culture and education that contributes to a sense of community. Commissioners are appointed by the Council and the Commission may consist of up to nine members, each of which serves a two-year term.

Commission funding sources include utility bill donations, a percentage of certain City capital improvement projects, voluntary donations by private capital improvement project developers and other private donations or grants.

PREVIOUS MASTER PLAN PURPOSE & PROCESS

The purpose of the plan is to provide a five-year vision for public art in Leander. The 2023-2028 master plan is based on the vision that was developed through the efforts of service-minded volunteers on the Public Arts and Culture Commission, public input and the support of the City Council which was detailed in the 2014-2019 Public Arts Master Plan.

The process began in January 2013 when the Commission crafted a community-wide survey that was implemented in March and April. The survey was publicized in the print media and city website, and hard copies were made available at City Hall, the Leander Public Library, Parks & Recreation Office and the Chamber of Commerce Office.

Draft goals and objectives were developed from public input received through the survey and open houses were held November 14 and 19, 2013 to allow public comment on the draft goals and objectives.

A draft Master Plan was then prepared based on input received and made available to the public for comment. The plan was endorsed by the Public Arts and Culture Commission July 14, 2014 and adopted by the City Council in 2014. For further details including the community survey results please refer to the 2014-2019 Public Arts Master Plan.

ABOUT LEANDER

Location

Leander lies on the northeast edge of the Texas Hill Country, roughly ten miles west of Interstate 35 on US 183, approximately 30 miles northwest of Austin, Texas. The city has grown from 7,600 residents in 1995 to more than 81,806¹ in 2022.

Affordability and the quality of life have been the historical drivers for the community's growth. Single-family homes run the gamut from starter homes to executive-style living. The Leander Independent School District (LISD) provides schools for Leander and LISD is one of the fastest growing school districts in the state, educating more than 42,000 students at its 44 campuses².

Climate

Leander gets an average of 34 inches of rain per year while the US average is 37 inches. The number of days with measurable precipitation is 78. On average there are 229 sunny days each year with July being the hottest month (96 degrees) and January the coolest (36 degrees).

History

The City of Leander was originally called Bagdad when it was established July 17, 1882. The first settlers arrived in the area in 1845, receiving bounty land grants in exchange for military service during the Texas Revolution. These settlers lived in log cabins and were frequently subjected to being attacked by Indians that also called the area home. If it had not been for the many Indian attacks, the area of Bagdad would probably have been settled earlier. The frequent attacks required Texas Ranger protection, so one of the first buildings constructed in Williamson County was built to house the Texas Rangers.

During the 1850's, the town of Bagdad was surveyed, and many businesses began opening. One of the first stores was a blacksmith shop. The first post office was opened in 1858. Although Leander's location was somewhat isolated, an abundance of water and timber attracted many settlers. Farming became the mainstay of the area with settlers growing much of their own food and making most of their own clothing.

During the Civil War many men left to join the Confederate forces. At the end of the war most of the men returned to the community along with many freed slaves. Bagdad Cemetery was established in 1857 with the burial of three-year old John Babcock whose father gave the community the tract of land where the cemetery now exists. Other earlier burials included Civil War veterans. The United Methodist Church was established in 1860.

¹ <https://www.kvue.com/article/money/economy/boomtown-2040/leander-population-signs-spike-growth/269-6cfae881-0179-4b71-8030-88ec96fd6232>

² <https://www.leanderisd.org/about/>

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Bagdad was also a stop on the stage line from Austin to Lampasas. By the 1870's, Bagdad had a hotel, school, several general stores, two blacksmith shops and several churches. In 1871 the first school was started by the Masonic Lodge, and it was the only free school in the area. Church socials played an important role in the lives of the settlers, and they were the main form of entertainment at that time.

The Railroad Comes Through

By the 1880's many changes were on the way. The railroad industry expanded to Texas with plans to build tracks through Bagdad's downtown area. Citizens opposed the railroad, so the Austin & Northwestern Railroad officials decided instead to build the tracks one mile east of town. Soon after the railroad was completed, and the townspeople realized they had made a mistake and relocated the town next to the railroad tracks.

The area was surveyed, lots were sold by the railroad and the new town of Leander was established in 1882. The town was named after Leander "Catfish" Brown, who was one of the men who was responsible for completion of the railroad line. The post office was brought from Bagdad to Leander in 1882 and the first bank, Humble & Chapman, was established. Doctor and lawyers' offices and a drug store joined the new community, and in 1883 the Leander Presbyterian Church was established. The cedar post business was prospering with most of the posts being shipped out on the railway. Ranching and farming were increasing, cotton was the main crop and soon Wesley Craven and J. Sampley built cotton gins.

The population in Leander in the early 1890's was estimated to be around 329 people. In 1893 the first public schools opened in both Leander and Bagdad. On June 7, 1899 the Leander High School Association incorporated under Texas law and the school was formed without profit for a period of 50 years.

The population in the late 1890's dropped to 283 and mules moved the Methodist Church to its present location in 1901. Farming was still the main activity and life was centered on the schools and churches. Baseball teams and community theater were both quite popular at this time. School only went to the 10th grade and if you wanted to study further you had to go to Liberty Hill or Georgetown. In 1919 A.K. Davis went to Mexico to bring workers to the Leander area. He brought back many families – some of which became American citizens and Williamson County's earliest Hispanic settlers.

The Depression Hits Leander

When the depression hit the population dropped to 200. The schools continued to grow and they consolidated with Pleasant Hill in 1928. After the school burned down in 1938 the district continued growing and consolidated with Round Mountain and Volente in 1938 and then with Nameless. Whitestone joined the district in 1952. The school was still the most important part of the community and churches provided the social life where gatherings were held.

Many young men left to join the war effort during World War II. Locals had to adjust to sugar rationing and they organized watch groups to report any sightings of enemy aircraft to authorities. During this time traveling shows would set up at Brushy and Willis Streets for entertaining the townspeople. Three more churches were established during the 1940's (St. Mary Margaret Catholic Church, Leander Church of Christ, First Baptist Church of Leander). Citizens banked at the 1st State Bank of Leander and Barnes & Jones Lumber Company a well-established business. During the 1950's the population had risen back to around 300. There were three stores that provided groceries and goods (MacFarland Grocery, The Red & White Store, Hub Powell's). Housing subdivisions began to develop in the late 1950's and early 1960's. A new high school was built in 1969, but the population was still only around 300. Many citizens worked in Austin with Highway 183 being a major thoroughfare for commutes to Austin and shopping trips to Austin were becoming common by this time.

On January 21, 1978 the City of Leander was incorporated, Joe Bates was the first mayor and the city was continuing to grow more rapidly. Subdivisions were being built west of the city where the water and sewer systems were available. The city continued to grow into the 1980's and additional schools were built in the Cedar Park area. LISD was experiencing tremendous growth and a new city hall was established along with some new additions in the downtown area. With all this growth Leander continued to be a mostly rural community.

With more homes being built in west Leander the population was 3,398 by 1990. LISD was growing rapidly and built its second high school in Cedar Park. Service shops and fast-food establishments began to locate in Leander and the Crystal Falls Municipal golf Course was built.

Leander Today

Leander presently has a population is estimated at over 81,806³. LISD has grown into the largest school district in Williamson County and the fastest growing district in the State of Texas. It presently has six high schools, nine middle schools, 29 elementary schools and four alternative schools.⁴ It encompasses the Cities of Leander, Cedar Park, Jonestown and parts of northwest Austin. New businesses are on their way and the residential growth experienced over the past few years is phenomenal. A long-term water supply is now secure for City residents and an expanded wastewater treatment plant is on-line. The city continues to expand its roadway network, including the 183A Tollway. Three new parks are in the planning stages, and numerous high-end residential developments are being constructed throughout the city.

³ <https://www.kvue.com/article/money/economy/boomtown-2040/leander-population-signs-spike-growth/269-6cfae881-0179-4b71-8030-88ec96fd6232>

⁴ <https://www.leanderisd.org/schools/>

GOALS & OBJECTIVES

GOAL 1 - BRING PERFORMING & VISUAL ART TO PUBLIC PLACES

- A. Support musical events and concerts throughout the community
- B. Bring permanent and/or temporary visual art to parks, Old Town and municipal buildings
- C. Support the incorporation of art into new housing developments and communities

GOAL 2 - BRING ART PROJECTS, PROGRAMS & FEATURES TO LEANDER

- A. Support the creation of art, food and/or wine festivals
- B. Support the incorporation of art into the design of city infrastructure (i.e.: park benches, light posts, signage, bridges, buildings, etc.)
- C. Support and promote art education

GOAL 3 – INCREASE COMUNICATION & AWARENESS OF ART IN LEANDER

- A. Promote local art and artists
- B. Encourage young artists in public and private schools
- C. Secure resources to bring art into the community

IMPLEMENTATION ACTION PLAN

High Priority Action Items

- Seek out private sector donations and resources to purchase public art
- Secure public art displays through sponsorships and partnerships
- Host one theme festival involving art, food, music, wine and/or craft beers each year
- Promote local artists and the Leander Public Arts and Culture Commission
- Support and promote art education

Medium Priority Action Items

- Support the incorporation of art into the design of city infrastructure
- Work with City Council to ensure that new housing developments are required to incorporate art into their plans
- Encourage young artists in public and private schools

Low Priority Action Items

- Co-Host one musical event every year

APPENDICES

Ordinances Creating the Public Arts and Culture Commission⁵

ORDINANCE NO. 08-017-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, ADOPTING ARTICLE 1.1400 OF CHAPTER 1 OF THE CODE OF ORDINANCES; PROVIDING FOR A PUBLIC ART COMMITTEE; PROVIDING CERTAIN DUTIES AND RESPONSIBILITIES OF THE PUBLIC ART COMMITTEE; FOR A PUBLIC ARTS FUND AND FOR CONTRIBUTIONS TO THAT FUND; PROVIDING FOR ART IN PUBLIC PLACES; PROVIDING FOR SEVERABILITY, OPEN MEETINGS AND RELATED MATTERS

Whereas, the City of Leander ("City") has identified a need for a Public Art Committee to encourage public programs to develop the fine and performing arts;

Whereas, the Public Art Committee will make recommendations to the City Manager, Mayor and City Council in connection with cultural and artistic endeavors involving the City;

Whereas, this Public Art Committee will act as the City's advocate and advisor in connection with cultural and artistic endeavors involving the City;

Whereas, the Public Art Committee will encourage donations, grants and other support to expand the arts in the community;

Whereas, the Committee will assist, advise the City Manager, Mayor and City Council, and monitor the Public Art initiative, as approved by the City Council, throughout the City;

Whereas, it is the intent of this ordinance to establish a policy for the City, in keeping with the vision for which it is nationally recognized, and in order to enhance its aesthetic environment, to encourage private developers/owners of commercial properties to provide a work of art for each new development or mall or commercial structure or, in lieu thereof, to donate monies to the City for the Public Art Fund;

Whereas, the private developers/owners should be encouraged to invest time, effort and money into the art displayed on their sites, recognizing that the art not only will become integral, lasting components of the cityscape but will be of intrinsic value to their developments; and

⁵ <https://docs.google.com/file/d/1KTCDVIAqBVU-QIQ64mS9JV6Itms6uR5I/edit?filetype=msword>

Whereas, the City, desiring to expand public experience and exposure to culture through various art forms and to enhance the appearance of public facilities and improve the environment of the City on behalf of its citizens, intends to provide for the incorporation of visual art in the design and construction of public facilities within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:
Section 1. Chapter of the City of Leander Code of Ordinances is hereby amended to add Article 1.1400, to read as follows:

Article 1.1400 Public Art Committee

Sec. 1 Public Art Committee Established. (a) The Public Art Committee is hereby established and shall be composed of seven (7) members who shall be residents of the City and who shall be appointed by the Mayor and approved by the City Council. Each member of the Public Art Committee shall be appointed for a term of four (4) years, and no member shall serve more than two (2) terms. If a vacancy shall occur on the Public Art Committee, a successor shall be appointed to serve for the remainder of the unexpired term of the member previously appointed to the vacant position. Any member of the committee that consistently fails to attend meetings without good cause shown (as determined by the committee), or without prior approval of the chair of the committee (based on the good cause criteria established by the committee) may be referred by the committee to the City Council for removal from the committee. The City Council shall consider the referral and committee recommendation and may, in its sole discretion by majority vote, remove the referred member of the committee. The committee shall be composed of the following members:

- (1) One (1) City Council member.
- (2) One (1) Executive Director of an active local Arts Non-Profit Corporation.
- (3) One (1) landscape architect, architect, urban planner, or related design professional.
- (4) One (1) active professional artist, and.
- (5) Three (3) citizens, supportive of and educated or active in the field of public art, education or community affairs

Sec. 2 Organization, Support, Meetings and Reports.

- (a). Expense Reimbursement. Members of the Public Art Committee shall receive reimbursement for reasonable expenses, for travel outside the corporate limits and extraterritorial jurisdiction of the City, that are incurred with the advance approval of the Committee. Such reimbursement shall not be inconsistent with City policy.
- (b) Quorum and Conduct of Meetings.
 - (1) Organization. The presence of four (4) or more members of the Public Art Committee shall constitute a quorum.
 - (2) Conduct of meetings. The Public Art Committee may adopt rules to govern the conduct of its meetings in accordance with the provisions of this chapter and the City Charter.
 - (3) The officers of the Committee shall be a chair, a vice-chair and a secretary. The first officers shall be appointed by the Mayor and approved by the City Council, provided that the City Council member shall not serve as an officer of the Committee. Thereafter, the Committee shall elect the officers of the Committee. The only limitation on the number of terms of office to which the officers may be appointed is the limitation of the number of terms each member of the Committee may serve.
 - (4) The chair of the Committee may call meetings of the Committee. Meetings may also be called by notice signed by two (2) members of the Committee.
 - (5) The Committee shall convene no less frequently than once each month, unless deemed unnecessary by a majority of the Committee voting at a Committee meeting. The Committee may meet more often, should the need arise.
 - (6) The Committee shall comply with the Open Meetings Act.
 - (7) The Committee may, at any meeting, set a future meeting date(s).
 - (8) Minutes shall be kept of all meetings, including the vote taken by each member upon any action by the Committee.
 - (9) The City shall furnish administrative support and office space to the Committee for the purpose of assisting in the implementation of recommendations and advice of the Committee; and, the City Manager shall provide for the employment or assistance of an administrator and staff members to assist the Committee, as required.

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(10) Any policy decision requiring approval by the Committee shall be by motion and shall require the approval by a majority of those members present and voting, provided that at least four (4) members must vote for the action to be approved.

(11) The Public Art Committee shall provide monthly reports to the City Council with recommendations of policy(s) the Committee recommends the City Council consider and implement.

(12) Legal counsel. The legal department shall provide legal counsel as may be reasonably required by the Committee for the performance of its functions.

(c) It is specifically provided that no word, term, phrase or provision of this Article shall be interpreted or construed in a manner to be inconsistent with, or to conflict with, the City Charter of the City. In the event of the appearance of any inconsistency or conflict, this Article shall be read and construed consistent with the City Charter.

Sec. 3. Rules of Procedure. The Public Art Committee may adopt procedural rules governing the transaction of its business. The rules may include provisions for the date, time and place of regular meetings of the Committee, maintaining minutes of meetings, and records of all Committee reports, conclusions recommendations. After the expiration of the one year term of the initial officers, the Committee shall elect officers annually. The officers shall include a Chair, Vice-Chairperson and Secretary who shall each be elected to serve a one year term All Committee meetings shall be open to the public except as provided by the Open Meetings Act, and notice of meetings shall comply with the Open Meetings Act. The Committee may adopt procedures that address the receipt and processing of citizen proposals and requests.

Sec. 4 Authority of Public Art Committee. The purpose, functions and responsibilities of the Public Art Committee are as follows:

(a) On behalf of the City, to encourage, conduct, sponsor or cosponsor public nonprofit programs to further the development and public awareness of, and interest in, fine arts and the performing arts;

(b) To provide recommendations to the Mayor and City Council in connection with cultural and artistic endeavors and projects in which the City may become involved, and act as a representative of the community in such matters;

(c) To encourage donations, grants and other financial support to further expand the arts and cultural services and programs available to citizens of Leander and members of the Leander community;

- (d) To review and make recommendations to the City Council with respect to all public and private banner proposals that request to utilize City of Leander graphics
- (e) To work diligently and aggressively to receive funding from state and national endowments to provide for continuous funding for the City's Public Art Programs.
- (f) To create and recommend guidelines to the City Council regarding any area or activity of a Public Arts and Culture Commission program, and once the guidelines are approved by the City Council, to distribute, manage, and allocate funding to applicants with a high level of accountability pursuant to the Committee's guidelines, and which. place priority on projects that meet more than one community need, e.g., Art for youth outreach and services; provided that all funds shall be subject to the budget and audit process.
- (g) The Committee shall prepare implementation guidelines, selection procedures and organizational policies to facilitate Art in Public Places, subject to the approval of the Mayor and the City Council.
- (h) The Committee shall be responsible for program planning; designation of sites for Public Art; determining project scope and budget for Council approval; overseeing the artist selection process; commissioning artworks; reviewing design, execution and placement of artworks; and overseeing maintenance of the artworks and the process for removal of artworks from the City's Public Art collection, provided, however, that any decision to contract, purchase or remove artwork shall all be subject to the City Manager's recommendation and final review and approval by the City Council.
- (i) The Committee, acting on behalf of the Mayor and City Council, shall include within its scope of authority and activities, the invitation of professionals in the visual arts and design fields, to serve (as reviewers and an advisory panel) in the artist selection process in order to ensure works of highest quality, or to assist in the determination or artistic merit of works of art offered to the City as a donation or for purchase. The Committee shall also establish guidelines for appropriate community participation in this process and public education activities as part of the Public Art projects.
- (j) The Committee shall coordinate, investigate, review and recommend to the Mayor and City Council other means by which artworks may be obtained, including but not limited to, donations to the Public Art fund, gifts of artwork, and grant applications for Public Art projects.

- (k) The Committee shall act as the liaison with private developers to encourage and facilitate private contributions and private art installations within corporate construction and reconstruction projects.
- (l) The Committee shall include in its mission the encouragement of Public Art throughout the City and shall seek through its programs to educate and stimulate the participation of all citizens in a joint public and private effort to promote art in public places.
- (m) Prior to the recommendations to the City Council for the selection and commissioning of artists, review of design and the recommendation of the acceptance of works of art relative to municipal construction projects, the Committee shall submit the action proposed to be taken to the Mayor for his recommendation to the City Council..
- (n) The Committee shall record, over the chairman of the Committee's signature, its recommendations on each matter considered and submitted to the City Council.
- (o) The Committee shall adopt rules and regulations, including the creation of subcommittees, to implement this chapter of the City Code.
- (p) The Committee shall take such other actions as the City Council may direct from time to time.

Sec. 5. Implementation and Funding

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
 - (1) "Commercial Structure" means any building or structure, all or part of which is to be used as an auditorium, private convention center, professional or commercial office, bank, private library (other than school), manufacturing plant, factory, assembly plant, processing plant, mill, warehouse, shopping mall, store, shop, market, hotel, storage building, freight depot, and/or private automobile parking structure which is not connected to or incorporated in other structures.
 - (A) "Commercial Structure" shall include developmental projects that involve more than one (1) phase of construction.

- (B) "Phase", when used with respect to a Commercial Structure, shall mean that portion of a developmental project that represents a completed portion of the entire commercial structure.
- (2) "Construction Costs" means the total value of the construction of, or reconstruction work on, commercial structures as determined by the chief building inspector in issuing a building permit for the construction or reconstruction. Relative to a municipal construction project, construction costs shall include architectural and engineering fees, site work and contingency allowances. It does not include land acquisition cost and/or subsequent cost changes to the construction contract. All construction costs shall be calculated as of the date the contract [which contract?] is executed.
- (3) "Municipal Construction Project" means any project to be paid for wholly or in part by the City, regardless of the source of the monies, to construct, remodel or reconstruct any public buildings, decorative or commemorative structures, parking facilities and/or parks, or any portion of any of such buildings, structures, facilities or parks, belonging to the City within its geographical boundaries as they now exist or shall exist in the future.
- (4) "Reconstruction" means alterations or repairs made to a Commercial Structure or Municipal Construction Project within any twelve-month period in which alterations or repairs exceed fifty (50) percent of the value of the existing structure, so that such structure is required to conform to the requirements for new buildings pursuant to this Code.
- (5) "Works of Art" or "Artworks" means tangible creations by artists exhibiting the high quality of skill and aesthetic principles, including but not limited to paintings, sculptures, stained glass, statues, bas reliefs, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, tapestries, photographs, drawings, monuments and fountains.
- (b) Public Art Fund.
- (1) There is hereby created a Public Art Fund which shall be a separate account set up by the City to receive monies appropriated for the Public Art program. The Public Art Fund shall consist of the following:
- (A) One (1) percent of the construction cost of a Municipal Building Project as bid, contracted and accepted by the City. Unexpended monies in this fund may be used for works of art at existing public properties and facilities as deemed appropriate by the Public Art Committee and approved by the City Council.
- (B) All funds donated to the Public Art Fund by the private sector.

- (C) Other funds allocated by the City for Public Art through the budgetary process.
 - (D) The Public Art Fund shall be used solely for the selection, commission, acquisition, installation, maintenance, administration and insurance of the works of art or in relation thereto; and the administration of such funds shall be recommended to the Mayor and City Council by the City Manager after the City Manager receives the recommendation of the Public Arts and Culture Commission Committee. The decision of the Mayor and City Council shall be final.
 - (2) Appropriations for Municipal Construction Projects.
 - (A) All appropriations for Municipal Construction Projects shall include an amount of up to one (1) percent of the construction cost of a Municipal Construction Project as bid, contracted and accepted by the City, but not to exceed the sum of two hundred thousand dollars (\$200,000.00) for any single Municipal Construction Project; provided that the Public Arts and Culture Commission Committee may recommend to the Mayor and City Council an increased expenditure for those projects of exceptional size or unique function, however, in no event shall the appropriation exceed one (1) percent.
 - (B) The Public Art Committee shall recommend to the Mayor and the City Council the amount of monies to be allocated for selection, commissioning, acquisition and installation of individual works of art to be incorporated as a part of a Municipal Construction Project for which monies are appropriated under C (1) above.
 - (C) Monies appropriated pursuant to this section as part of a Municipal Construction Project but not spent in connection with the project may be utilized to supplement other appropriations for the acquisition of works of art or to place works of art in, on or near either existing City facilities or other City properties.
- 3) Commercial Structures.
- (A) Any private developer/owner who applies to the City for a building permit to construct or reconstruct a Commercial Structure shall be encouraged to commit one (1) percent of the construction or reconstruction costs of the Commercial Structure, up to, but not limited to, the sum of two hundred thousand dollars (\$200,000.00), for the acquisition of fine art to be included on the same property as the Commercial Structure or to be contributed to the Public Art Fund)

(B) Private developers/owners constructing Commercial Structures, to be accomplished in phases, will be encouraged to contribute only one (1) percent of construction or reconstruction costs up to but not limited to two hundred thousand dollars (\$200,000.00) for the Phase.

(C) If the private developer/owner constructing or reconstructing a Commercial Structure does not wish to have fine art located on the property with the Commercial Structure, he/she may donate to the Public Art Fund an amount equal to the percentage of the construction cost of the commercial structure as a charitable donation.

(D) Each building permit issued by the City for any Commercial will include data relative to the developer/owner participating in the Public Art program.

(E) The Building Official shall report building permits issued for the construction or reconstruction of a Commercial Structure to the Public Art Committee.

Sec. 6. Ownership and Maintenance of Public Art.

(a) Ownership of all works of art acquired by the City shall be vested in the City which shall obtain title to each work of art. The Public Art Committee shall develop a process for acceptance of any and all works of art and for cataloging all such works.

(b)

(b) Artists, as a part of any contractual agreement with the City for the provision of a work of art, shall be required to submit to the Public Art Committee a "Maintenance and Inventory Sheet," including annual cost projections, which details the maintenance and ongoing care of the artwork.

(c) All donations of art or funds shall be subject to acceptance and approval by the City Council.

Sec 7. Meetings and Staff Services. Subject to the directions of the City Manager, the Parks Department shall be responsible for providing administrative and staff services for the Committee and may assign Parks Department staff to provide services to the Committee.

Sec. 8. Budget. The Public Art Committee programs and operating expenses shall be funded from the City General Fund, grants, donations and admission charges. The Parks Department shall be responsible for submitting the annual operating budget to the City Manager for submission and recommendation to and Mayor and City Council. Donations, receipts and monies contributed

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to the Public Art Fund shall be expended only as authorized by the budget and appropriations approved by the City Council. Section 2 Amendment of Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Article are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Article and any other code or ordinance of the City, the terms and provisions of this Article shall govern.

Section 3. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Article are severable and, if any phrase, sentence, paragraph or section of this Article should be found to conflict with the City Charter, or declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Article, since the same would have been enacted by the City Council without the incorporation in this Article of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Article shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Article which can be given effect without the invalid provision, and to this end the provisions of this Article are declared to be severable. This Article shall be read, construed and interpreted in a manner consistent with the City Charter of the City, and, if any term, provision or condition of this Article is inconsistent with or conflicts with any term, provision or condition of the City Charter, the City Charter shall govern and control.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Tex. Gov't. Code.

PASSED AND APPROVED on First Reading this the 18th day December 2008.

THE CITY OF LEANDER, TEXAS Attest:

John D. Cowman Debbie Haile

John D. Cowman, Mayor Debbie Haile, City Secretary



DRAFT

ORDINANCE NO. 12-004-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING ARTICLE 1.1400 OF CHAPTER 1 OF THE CITY OF LEANDER CODE OF ORDINANCES; PROVIDING FOR RENAMING THE PUBLIC ARTS COMMITTEE AS THE PUBLIC ARTS COMMISSION; AND PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, EFFECTIVE DATE, OPEN MEETINGS, AND RELATED MATTERS

Whereas, the City of Leander, Texas (the “City”) identified the need for a Public Arts Committee to encourage public programs to develop the fine and performing arts;

Whereas, an ordinance was adopted by the City Council for the City of Leander creating a Public Arts Committee and establishing relevant rules and regulations;

Whereas, the Public Arts Committee should be renamed in order to be consistent with the names of other similar bodies and organizations;

Whereas, the Public Arts Committee should be renamed as the Public Arts Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings of Fact. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment to Article 1.1400 of the Leander Code of Ordinances. Change of Name of Public Arts Committee to Public Arts Commission. The Public Arts Committee is renamed as the Public Arts Commission. All references to Public Arts Committee in Article 1.1400 of the Leander Code of Ordinances are amended to read “Public Arts and Culture Commission Commission.”

DRAFT

Section 3. Conflicting Ordinances. Article 1.1400, Leander Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 4. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 5. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.⁶

PASSED AND APPROVED on this the 19th day January 2012.

THE CITY OF LEANDER, TEXAS Attest:

John D. Cowman Debbie Haile

John D. Cowman, Mayor Debbie Haile, City Secretary

⁶ <https://docs.google.com/file/d/1KTCDVIAqBVU-QIQ64mS9JV6Itms6uR5I/edit?filetype=msword>



EXECUTIVE SUMMARY

03/3/2023

AGENDA SUBJECT: Discuss and consider action on Subcommittee Structure.

BACKGROUND: The current subcommittees are numerous and overlapping in subject matter. Proposing to realign the categories to streamline for efficiency and effectiveness.

PREPARED BY: Mark Tummons



EXECUTIVE SUMMARY

03/3/2023

AGENDA SUBJECT: Discuss and consider action on approval of the Master Calendar and participation at various events for the upcoming calendar year.

BACKGROUND: Discussion of master calendar to determine commissioner's participation either by social media or booth at the various events for the upcoming calendar year.

ATTACHMENTS:

1. LPAC 2023-2024 Calendar

PREPARED BY: Mark Tummons

Month		March	April	May		July	August	September	October	November	December	January	February
2	Heritage Designations	Women's History Month		Asian American Pacific Islander Heritage Month				Latino Heritage Month		Native American Heritage Month			
5	FUNDRAISERS	2024 Live from Leander	LPAC NIGHT at the MOVIES Live from Leander	Kick off: Live from Leander		Live from Leander	Arts Fest LPAC Preview/ Cook off preview Live from Leander	Live from Leander	Live from Leander	Live from Leander	Live from Leander	Live from Leander	
6	LPAC Events	Mason Heritage Days (Booth) 2024: Holi (Booth)	Tentaive: Earth Day Art Contest (HOST)/ Sunset Music Series (booth)	KiteFest (Booth)		"Wild for Leander" Mural Reveal (HOST) Libertyfest (Booth)	Arts Fest (Host/ Booth) LPAC Cook-Off (Host)	Tentative: BBQ Cookoff (TBD with Parks and Rec)	Blue Grass Festival (Booth)	Día De Los Muertos 2023 (Co-Host) 2023 Diwali (Booth) Harvest Festival (Booth)	Old Towne Holiday Festival (Parade Float/ Booth) Chanukah 2023 Kawanzaa 2023	MLK Celebration (Host/ Booth)	Black History Month Event - TBD
7	LPAC Proposed Exhibits	Texas Humanities Exhibit: Changing the Face of Power: Women in the US Senate or Women's Suffrage in Texas (2024)				Texas Humanities Exhibit: Forgotten Gateway - Coming to American Through Galveston Island		Texas Humanities Exhibit: Latinos and Latinas in WWII					
8	TEXAS HERITAGE EVENT (Proposed)	2023 Mason Homestead Heritage Days	Sunset Music Series		Tentative: 2023/ 2024 Juneeth - Witte Traveling Exhibit: Black Cowboys: An American Story - Activity Center/ Library		Leander Cook-off	Texas Humanities Exhibit: Latinos and Latinas in WWII	Leander's Living Art Show (Jessica)	2023 Dia de los Muertos		2024 MLK Celebration	
9	COMMUNITY PARTNERSHIP EVENTS	Leander Hist. Soc: 2023 Mason Homestead Heritage Days Indian-American Comm: Holi	LISD/ Clawson: (LISD Comm. Director) Earth Day Sculpture Contest (2023)		Leander P&R: Juneteeth (Booth)		VFW: Leander Cook-Off			Library: 2023 Dia de los Muertos Leander HOA/ Communities: 2023 Diwali	Chanukah 2023 Kawanzaa 2023		2024 - LISD: CAMACHO ELEM LUNAR NEW YEAR CELBERATION 2024 Black History Month - Leander Historical Society
10	Budget	\$550	\$50	\$50		\$100 - Mural Reveal \$XXX - Galv. Exh.	\$1000 - Art Fest \$TBD - Cook off	\$350 - TX HUM. EX.	\$TBD - Art show	\$TBD	\$200 - Float	\$TBD	



EXECUTIVE SUMMARY

03/3/2023

AGENDA SUBJECT: Discuss and consider recommendation on New Events proposed by Commissioner Johnson.

BACKGROUND: Commissioner Johnson has proposed several new events including BBQ Cook-Off, Music in the Parks, SNL Live from Leander, and Cooking Challenge Competition Fundraiser. This item will provide the commission an opportunity to discuss funding source and other details relating to the events.

PREPARED BY: Mark Tummons



EXECUTIVE SUMMARY

03/3/2023

AGENDA SUBJECT: Discuss and consider recommendation to City Council on RFP Mural Project #S23-004.

BACKGROUND: Staff Liaison Tummons will provide update on bid opening and bidder.

ATTACHMENTS:

1. Mural RFP

PREPARED BY: Mark Tummons



Purchasing Division
105 N. Brushy Street
Leander, TX 78641
www.leandertx.gov

Solicitation #S23-004

**REQUEST FOR PROPOSAL / CALL TO ART
PUBLIC ART PROJECT OPPORTUNITY – MURALS**

Responses Due: March 2, 2023



**REQUEST FOR PROPOSAL / CALL TO ART
PUBLIC ART PROJECT OPPORTUNITY – MURALS**

PART I

GENERAL

1. **PURPOSE:** The City of Leander, herein after “City”, seeks an agreement with a qualified Individual, Firm, or Corporation, herein “Respondent”, to create and provide a mural initiative throughout the City of Leander beginning with the Robin Bledsoe site first.

It's no secret that murals make our neighborhoods beautiful! They add color to building walls and streets that would otherwise go unnoticed, which is a treat for local residents and tourists alike. Murals attract new local businesses, help bring customers to pre-existing locations, and boost the economy of an area.

For this project, are seeking to have a permanent mural painted on the rear-side of a park restroom facility which is located on the north side of the park. The site is adjacent to a picnic area, playground, and walkways which are very visible to the future mural. Robin Bledsoe Park also contains high-use recreation amenities such as aquatic center and splash pad; soccer/multipurpose sports complex; basketball court; and amphitheater. The new mural will be highly exposed to a large variety of residents and visitors on a near daily basis.

Lastly, the project coincides with the LPACC Master Plan.

2. **BACKGROUND:** The City of Leander is a premier community in the Austin/Central Texas area. The City lies on the northeast edge of Texas Hill Country, roughly ten miles due west of Interstate 35 on US 183, and just north of Austin TX. Since 2000, the community has grown from 7,600 to nearly 87,000 residents and is one of the fastest growing cities in Texas and the nation. The Leander Public Arts and Culture Commission's (LPACC) mission is to promote art, culture and education that contributes to a sense of community. LPACC is comprised of 9 community residents passionate about art and cultural events within the Leander community.
3. **LOCATION:** Robin Bledsoe Park {601 S. Bagdad, Leander, TX. 78641}.
<https://www.leandertx.gov/parksrec/page/robin-bledsoe-park>
4. **BUDGET:** \$20,000 - \$25,000. The final budget will include all costs associated with the project; including but not limited to artist fees, labor, materials, installation, insurance, travel, and lodging.
5. **DEFINITIONS, TERMS AND CONDITIONS:** By submitting a response to this solicitation, the Respondent agrees that the City's standard Definitions, Terms and Conditions, in effect at the time of release of the solicitation, shall govern but shall be superseded by those terms and conditions specifically provided for otherwise within this solicitation, in a separate agreement or on the face of a purchase order. The City's Definitions, Terms and Conditions are herein made a part of this solicitation and can be found on the City's website by visiting
https://www.leandertx.gov/sites/default/files/fileattachments/finance/page/233/purch_terms_2020.pdf.

5.1. Any exception to or additional terms and conditions attached to the response will not be considered unless respondent specifically references them on the front of the Solicitation Document. WARNING: Exception to or additional terms and conditions may result in disqualification of the response.

6. **ATTACHMENTS**: Attachments A through C are herein made a part of this solicitation.

6.1. Attachment A: Reference Sheet

6.2. Attachment B: CIQ Form

6.3. Attachment C: Application Form

7. **CLARIFICATION**: For questions or clarifications of specifications, you may contact:

Kay Johnson
Purchasing Department
City of Leander
Telephone: 512-528-2730
kjohnson@leandertx.gov

The individual listed above may be contacted by telephone or visited for clarification of the specifications only. No authority is intended or implied that specifications may be amended or alterations accepted prior to solicitation opening without written approval of the City of Leander through the Purchasing Department.

8. **RESPONDENT REQUIREMENTS**: The opening of a solicitation shall not be construed as the City's acceptance of such as qualified and responsive.

8.1. Respondents shall be firms, corporations, individuals or partnerships normally engaged in the provision or service described herein.

9. **BEST VALUE EVALUATION AND CRITERIA**: Respondents may be required to make an oral presentation to the selection team to further present their qualifications. These presentations will provide the Respondent the opportunity to clarify their proposal and ensure a mutual understanding of the services to be provided and the approach to be used.

All solicitations received may be evaluated based on the best value for the City. In determining best value, the City may consider:

- Proposed fees.
- Reference of Respondent and of Respondent's services.
- Quality of the Respondent's services.
- The extent to which the services meet the City's needs.
- Respondent's past relationship with the City.
- Any relevant criteria specifically listed in the solicitation.

9.1. The City reserves the right to reject any or all responses, or delete any portion of the response, or to accept any response deemed most advantageous, or to waive any irregularities or informalities in the response received that best serves the interest and at the sole discretion of the City.

10. **COMMITTEE REVIEW**: An evaluation committee will review each response to determine the most highly qualified Respondent on the basis of demonstrated competence and qualifications using the following weighted criteria. A consensus score will be assigned to each response. Appointed

members of the Leander Public Arts and Culture Commission, City of Leander, and Leander Chamber of Commerce & Visitors Center will accept and review all entries.

Criteria	Possible Points
Artist Resume	25
Proposed budget	30
Samples of original artwork	30
References	15
Total	100

The evaluation process may reveal additional information for consideration. The City reserves the right to modify, without notice, the evaluation structure, and weighted criteria to accommodate these additional considerations to serve the best interest of the City.

11. **AWARD:** The City reserves the right to enter into an Agreement or a Purchase Order with a single award, split awards, non-award, or use any combination that best serves the interest and at the sole discretion of the City. Award announcement will be made upon City Council approval of staff recommendation and executed agreement. Award announcement will appear on the City's website at <https://bids.leandertx.gov/>.
 - 11.1. The City reserves the right to reject any or all responses, or delete any portion of the response, or to accept any response deemed most advantageous, or to waive any irregularities or informalities in the response received that best serves the interest and at the sole discretion of the City.
 - 11.2. Chapter 176, Texas Local Government Code requires that disclosures of certain relationships be made in relation to certain contracts with the City. Local government officers are the members of the City Council, the City Manager, and other City employees or agents who exercise discretion in planning, recommending, selecting, and contracting of a vendor. Please contact the City Secretary for a list of City employees and agents who may qualify as local government officers. Click here [**Chapter 176, Texas Local Government Code**](#), to review this requirement.
 - 11.3. A completed CIQ Form, herein Attachment B, is required with each response.
 - 11.4. Once a selection is made and the City has the intent to award, the successful respondent will be required to submit Form 1295 to the State of Texas electronically prior to executing the agreement or purchase order.

https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm
12. **AGREEMENT TERM:** The terms of the awarded agreement shall include but not be limited to the following:
 - 12.1. The term "agreement" shall mean the executed contract awarded as a result of this solicitation and all exhibits thereto. At a minimum, the following documents will be incorporated into the agreement:
 - 12.1.1. Solicitation document, attachments, and exhibits.
 - 12.1.2. Solicitation addendums, if applicable.
 - 12.1.3. City's Definitions, Terms and Conditions.
 - 12.1.4. Successful Respondent's submission.
 - 12.2. If the Respondent fails to perform its duties in a reasonable and competent manner, the City shall give written notice to the Respondent of the deficiencies and the successful Respondent shall have thirty (30) days to correct such deficiencies. If the Respondent fails to correct the

deficiencies within the thirty (30) days, the City may terminate the agreement by giving the Respondent written notice of termination and the reason for the termination.

- 12.3. If the agreement is terminated, for any reason, respondent shall turn over all material, records and deliverables created to date within fifteen (15) working days after completion of duties through the termination date.
13. **PROMPT PAYMENT POLICY:** Payments will be made in accordance with the Texas Prompt Payment Law, Texas Government Code, Subtitle F, Chapter 2251. The City will pay Vendor within thirty days after the acceptance of the supplies, materials, equipment, or the day on which the performance of services was completed or the day, on which the City receives a correct invoice for the supplies, materials, equipment or services, whichever is later. The Vendor may charge a late fee (fee shall not be greater than that which is permitted by Texas law) for payments not made in accordance with this prompt payment policy; however, this policy does not apply to payments made by the City in the event:
- 13.1. There is a bona fide dispute between the City and Vendor concerning the supplies, materials, services, or equipment delivered or the services performed that causes the payment to be late; or
- 13.2. The terms of a federal agreement, grant, regulation, or statute prevent the City from making a timely payment with Federal Funds; or
- 13.3. There is a bona fide dispute between the Vendor and a subcontractor or between a subcontractor and its suppliers concerning supplies, material, or equipment delivered or the services performed which caused the payment to be late; or
- 13.4. The invoice is not mailed to the City in strict accordance with instructions, if any, on the purchase order or agreement or other such contractual agreement.
14. **NON-APPROPRIATION:** The resulting Agreement is a commitment of the City's current revenues only. It is understood and agreed the City shall have the right to terminate the Agreement at the end of any City fiscal year if the governing body of the City does not appropriate funds sufficient to purchase the estimated yearly quantities, as determined by the City's budget for the fiscal year in question. The City may affect such termination by giving Vendor a written notice of termination at the end of its then current fiscal year.

PART II
SCHEDULE

1. **SOLICITATION SCHEDULE**: It is the City's intention to comply with the following solicitation timeline:

Event	Event Date*
RFP Released	February 9, 2023
Deadline for Vendor Questions Submitted to the City of Leander	February 16, 2023, at 5:00 PM CST
Questions and Answers to be posted on the City of Leander website on or before	February 23, 2023, at 5:00 PM CST
RFP Opened (last day to submit Responses)	March 2, 2023, at 2:00 PM CST
Contract Award Target	No later than May 2023
Oral Presentation (if necessary)	TBD
Services to begin upon execution of contract	

*The City of Leander reserves the right to change the dates in the Schedule of Events above upon written notification to prospective Vendors through a posting on the City of Leander website. It is the responsibility of interested Vendors to check the City of Leander website for all updates and changes.

All questions regarding the solicitation shall be submitted via website <https://bids.leandertx.gov/>. by 5:00 PM on the due date noted above. A copy of all the questions submitted and the City's response to the questions shall be posted on our webpage at: <https://bids.leandertx.gov/>.

2. **SOLICITATION UPDATES**: Respondents shall be responsible for monitoring the City's website at <https://bids.leandertx.gov/> for any updates pertaining to the solicitation described herein. Various updates may include addendums, cancelations, notifications, and any other pertinent information necessary for the submission of a correct and accurate response. The City will not be held responsible for any further communication beyond updating the website.
3. **RESPONSE DUE DATE**: Signed and sealed responses are due at or before **9:00 AM**, on the date noted above to the Purchasing Department. Mail or carry sealed responses to:

FedEx, UPS or Hand Deliver to:

**City of Leander
Purchasing Department
105 N. Brushy Street
Leander, Texas 78641**

Mail to:

**City of Leander
Purchasing Department
PO Box 319
Leander, TX 78646**

- 3.1. Responses received after this time and date shall not be considered.
- 3.2. Sealed responses shall be clearly marked on the outside of packaging with the Solicitation title, number, due date and **"DO NOT OPEN"**.
- 3.3. Facsimile or electronically transmitted responses are **not acceptable**.
- 3.4. Late responses will be returned to Respondent unopened if return address is provided.
- 3.5. Responses cannot be altered or amended after opening.

- 3.6. No response can be withdrawn after opening without written approval from the City for an acceptable reason.
- 3.7. The City will not be bound by any oral statement or offer made contrary to the written specifications.
4. **AGREEMENT NEGOTIATIONS:** In establishing an agreement as a result of the solicitation process, the City may:
 - 4.1. Review all submittals and determine which Respondents are reasonable qualified for award of the agreement.
 - 4.2. Determine the Respondent whose submittal is most advantageous to the City considering the evaluation criteria.
 - 4.3. Attempt to negotiate with the most responsive Respondent an agreement at fair and reasonable terms, conditions, and cost.
 - 4.4. If negotiations are successful, enter into an agreement or issue a purchase order.
 - 4.5. If not successful, formally end negotiations with that Respondent. The City may then:
 - 4.5.1. Select the next most highly qualified Respondent and attempt to negotiate an agreement at fair and reasonable terms, conditions, and cost with that Respondent.
 - 4.5.2. The City shall continue this process until an agreement is entered into or until all negotiations are terminated.
 - 4.6. The City also reserves the right to reject any or all submittals, or to accept any submittal deemed most advantageous, or to waive any irregularities or informalities in the submittal received.
5. **POST AWARD MEETING:** The City and Respondent shall have a post award meeting to discuss, but not be limited to the following:
 - 5.1. Identify specific milestones, goals, and strategies to meet objectives.
 - 5.2. Provide City contact(s) information for implementation of agreement.
6. **COSTS INCURRED:** Respondent shall acknowledge that the issuance of a solicitation shall in no way obligate the City to award a contract or to pay any costs associated with the preparation of a response to said solicitation. The costs in developing and submitting proposals, preparing for, and participating in oral presentations or any other similar expenses incurred by a Respondent are the sole responsibility of the Respondent and shall not be reimbursed by the City.

PART III

SPECIFICATIONS

1. **CALL FOR ENTRIES:** The City of Leander through its Public Arts and Culture Commission (LPACC) welcomes all artists to apply.
2. **EXHIBIT DETAILS:** The targeted area is above the masonry and below the soffit of the building. It includes 2 recessed areas and a middle pillar. The area faces most of the park and is closest to a children's playground area. It is finished with stucco or concrete. The mural will occupy a total area that measures approximately 2120 sq. ft. Supplies used must be durable for outdoors in all temperatures & weather with little to no maintenance necessary for 5-10yrs minimum and must be appropriate for all ages. The art must be of original design and execution and will be subject to approval by Leander Public Art and Culture Commission, in conjunction with the City of Leander City Council and Leander Parks and Recreation Department.
3. **PROJECT GOALS:**

- 3.1. LPACC intends to support the City of Leander and Leander Chamber of Commerce by enhancing our inventory of public art.
- 3.2. Conceptually or visually incorporate our designated themes.
- 3.3. Support the City's visitor and tourism industry by enhancing our inventory of public art.
- 3.4. Support the Leander Wildflower Trail Initiative.
4. **ARTWORK GOALS:** Bright, family-oriented, fun, creative, welcoming, representative, and inspiring for our community.
5. **THEME:** "Love Leander Wildly"
6. **WORK SIZE:** Approximately 2120 sq. ft.
7. **SITE PHOTO:** MURAL SITE - ROBIN BLEDSOE PARK - 601 S. BAGDAD RD., LEANDER TX



8. **ADDITIONAL INFORMATION:**
 - 8.1. Artist is solely responsible for the mural creation and installation.
 - 8.2. Artist is expected to attend the revealing/opening ceremony of the mural.
 - 8.3. Artist must provide Leander Public Art and Culture Commission with a monthly update on progress.
 - 8.4. Artist will allow the Leander Public Art and Cultural Commission and its affiliates to photograph and publish photos and information related to the Artist's previous or current work. Artist will be given recognition of the completed artwork.
 - 8.5. LPACC and its affiliates will not be liable for the degradation of the art caused by normal outdoor wear and tear.
9. **COPYRIGHTS:** The artist selected will be required to sign a release of all copyrights over to the City of Leander and the Leander Public Arts and Culture Commission.
10. **SELECTION PROCESS:** Appointed members of the Leander Public Arts and Culture Commission, City of Leander, and Leander Chamber of Commerce & Visitors Center will accept and review all entries. Finalists will be judged on creativity, overall aesthetics, and budget. LPACC reserves the right to reject any artwork it deems inappropriate for display in the public setting. This includes work deemed purposefully designed to advance any form of discriminatory agenda.

If you are selected as a finalist, you will be contacted and asked to submit up to 3 original proposals for the project. Finalists will be given no less than 2 weeks' notice to submit their proposals. The panel of judges will be open to various ideas that fit within the theme and description of the project as laid out in this document. The judges may also reach out for clarifying questions during the second phase of the selection process.

Criteria for selection includes artistic merit as evidenced by the submitted materials; the applicant's professional qualifications; proven ability to perform well on similar projects; and demonstrated ability to work with government agencies, boards, committees, architects, engineers, and other groups for the successful completion of similar art projects.

The finalist selected for the project will be required to enter into a written contract with the City of Leander, meet all contractual requirements and to work as a team to accomplish the goals of the project.

PART IV

RESPONSE REQUIREMENTS

1. **SOLICITATION SUBMISSION REQUIREMENTS:** To achieve a uniform review process and obtain the maximum degree of comparability, the responses shall be organized in the manner specified below. Responses **shall not exceed twenty (25) pages** in length (excluding title page, index/table of contents, work sample attachments (on flash drive) and dividers). Information in excess of those pages allowed will not be evaluated. One page shall be interpreted as one side of a printed, 8 1/2" X 11" sheet of paper.

The Respondent shall submit **one (1) original signed paper copy and two (2) copies** of its Response.

In addition, the Respondent shall submit one (1) flash drive containing a complete copy of Respondent's submission in an acceptable electronic format (PDF, RTF, TXT, DOC, XLS). A complete copy of the Response includes all documents required by this Solicitation. The flash drive shall be titled: "SOLICITATION NUMBER - Complete copy of [Name of Respondent]'s submission." **Failure to provide a flash drive may result in disqualification for award.**

If supplemental materials are included with the Response the flash drive must include such supplemental materials. The Response and accompanying documentation are the property of the City and will not be returned.

TAB #1

- 1.1. Title Page (1 page) – Show the solicitation title and number, the name of your firm, address, telephone number(s) name of contact person and date.

TAB #2

- 1.2. Letter of Transmittal (1 page) – Identify the services for which solicitation has been prepared.
 - 1.2.1. Briefly state your firm's understanding for the services to be performed and make a positive commitment to provide the services as specified.
 - 1.2.2. Provide the name(s) of the person(s) authorized to make representations for your firm, their titles, address, telephone numbers and e-mail address.
 - 1.2.3. The letter of each solicitation shall be signed in permanent ink by a corporate officer or other individual who has the authority to bind the firm. The name and title of the individual(s) signing the solicitation shall be clearly shown immediately below the signature.

1.2.4. Describing exhibition proposal and detail of materials.

- | | |
|---------------|---|
| TAB #3 | 1.3. <u>Table of Contents</u> (1 page) – Clearly identify the materials by Tab and Page Number. |
| TAB #4 | 1.4. <u>Artist Resume</u> – Respondent must submit a resume including biography, educational background, and exhibition record. The resume is limited to three pages or less utilizing a font size of 11 or greater. Resume must include name, address, phone (cell preferred), e-mail and website. |
| TAB #5 | 1.5. <u>Proposed Budget</u> – Respondent shall provide detailed itemized budget including all fees. |
| TAB #6 | 1.6. <u>Samples of Original Artwork</u> – Applicants may include links to Websites and/or Social Media accounts where artwork is available for perusal. |
| TAB #7 | 1.7. <u>References</u> - Provide the name, address, telephone number and e-mail of at least three (3) firms applicable to Municipal, Government, or Clients that utilize the service outlined in the scope within the last two (2) years. Attachment A: Reference Sheet is herein provided. |
| TAB #8 | 1.8. <u>Added Value</u> – Respondent shall explain and propose any added value. |

PART V

1. **CONFIDENTIALITY OF CONTENT:** All documents submitted in response to a solicitation shall be subject to the Texas Public Information Act. Following an award, responses are subject to release as public information unless the response or specific parts of the response can be shown to be exempt from the Texas Public Information Act. Pricing is not considered to be confidential under any circumstances.
 - 1.1 Information in a submittal that is legally protected as a trade secret or otherwise confidential must be clearly indicated with stamped, bold red letters stating "CONFIDENTIAL" on that section of the document. The City will not be responsible for any public disclosure of confidential information if it is not clearly marked as such.
 - 1.2 If a request is made under the Texas Public Information Act to inspect information designated as confidential, the Respondent shall, upon request from the City, furnish sufficient written reasons and information as to why the information should be protected from disclosure. The matter will then be presented to the Attorney General of Texas for final determination.
2. **ETHICS ORDINANCE AND DISCLOSURE STATEMENTS:** The City's Ethics Ordinance requires persons seeking to enter discretionary contracts with the City or appearing before the City Council or another City board or body to disclose certain conflicts of interest. The relevant sections of the Ethics Ordinance are set forth below. The Ethics Ordinance can be found in Article 9.05, Chapter 9 of the City's Code of Ordinances at the following link:
<http://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leanderset>

Sec. 9.05.007 Persons doing business with the City.

(a) Persons seeking discretionary contracts.

- (1) For the purpose of assisting the city in the enforcement of provisions contained in this article, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in [sections 9.05.004](#) and [9.05.005](#) of this article. Further, the

individual or business entity agree to abide by the same ethical standards as set forth for public servants in this article.

- (2) Subsection (a) of this section will become a permanent footnote on documents contained in city bid packets for discretionary contracts.
- (b) Disclosure of conflicts of interest by persons appearing before a board or city body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:
 - (1) An employee or officer of the city that advises or makes presentations to the board or city body; or
 - (2) Any member of the board or city body; has or may have a conflict of interest pursuant to chapter 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.

Sec. 9.05.009(f) Disclosure by persons appearing before a city body. Any person who appears before any city body who has had business dealings within the preceding 12-month period involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more, within the preceding 12-month period with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with this article.



EXECUTIVE SUMMARY

03/3/2023

AGENDA SUBJECT: Discuss the use of Asana Project Management Software.

BACKGROUND: Project Management Software, Asana, is being reviewed by the City Secretary and IT Security Officer to determine compliance with archiving of information per the City's records retention schedules, capabilities of retrieving information for open record requests and compliance with City's IT Information security requirements. Staff Liaison Tummons will report on the findings and discuss with the Commission.

PREPARED BY: Mark Tummons