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**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 10-55(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ADOPTING HOMER CITY CODE CHAPTER 1.70, PUBLIC ARTS COMMITTEE; AMENDING HOMER CITY CODE 18.07.040, IMPLEMENTATION; AMENDING HOMER CITY CODE 18.07.050 SELECTION; REPEALING HOMER CITY CODE 18.07.060, PROGRAM ADMINISTRATION; PUBLIC ARTS COMMITTEE; AND AMENDING HOMER CITY CODE 18.07.070, EXEMPTIONS; REGARDING THE APPOINTMENT, COMPOSITION AND FUNCTIONS OF THE PUBLIC ARTS COMMITTEE.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 1.70, Public Arts Committee, is adopted to read as follows:

Chapter 1.70 Public Arts Committee

Sections:

- 1.70.010 Created; Membership.
- 1.70.020 Terms of members; Vacancies.
- 1.70.030 Proceedings of Committee.
- 1.70.040 Duties and responsibilities of Committee.

1.70.010 Created; Membership. a. There shall be a City of Homer Public Arts Committee, hereinafter referred to as the Committee. The Committee shall consist of five members, who shall be appointed by the Mayor subject to confirmation by the City Council. Prior to making appointments, the Mayor may solicit nominations from the Pratt Museum, community arts groups, and the public. All members of the Public Arts Committee may have a demonstrated interest and familiarity with arts and culture, either through professional practice or volunteer work.

When considering applicants, preference may be given to:

- 1. A working professional artist.
 - 2. A person working in the public education community.
 - 3. A City Council member.
 - 4. A person with experience or training related to the arts, such as art history, or employment in fields such as architecture, education, curation, conservation, performing arts or visual arts.
 - 5. A person representing the public at large.
- b. One committee member may reside outside the city limits; provided that preference shall be given to city resident applicants.

47 1.70.020 Terms of members; Vacancies. a. Members of the Committee are appointed for
48 two-year terms, with three terms and four terms commencing in alternate years.

49 b. A vacancy on the Committee is filled for the unexpired term by appointment by
50 the Mayor subject to confirmation by the City Council.

51 c. The Committee may declare a vacancy in the office of a Committee member with
52 three or more unexcused absences from successive regular and special meetings of the
53 Committee.

54
55 1.70.030 Proceedings of Committee. a. The Committee may adopt, and from time to time
56 amend, regulations governing its proceedings, which shall be effective upon approval by City
57 Council resolution.

58 b. The Committee annually shall elect a chair and vice chair from its membership.
59 The chair shall preside at meetings of the Committee. In the absence of the chair, the vice chair
60 shall perform the duties of the chair.

61
62 1.70.040 Powers and duties. The Committee shall have the following powers and duties:

63 a. Advise the City Council, and City boards, commissions and departments
64 regarding the support of the arts.

65 b. Establish, subject to approval by City Council resolution, policies and procedures
66 regarding the acquisition, maintenance and disposition of works of art by the City.

67 c. Perform the functions related to the funding of works of art in public places that
68 are prescribed in HCC Chapter 18.07.

69 d. Advise the City in its administration of the public arts fund established by HCC
70 18.07.090:

71 e. Further the development and public awareness of the arts in the City.

72
73 Section 2. Subsection (b) of Homer City Code 18.07.040, Implementation, is amended
74 to read as follows:

75
76 b. The Public Arts Committee may adopt, and from time to time amend regulations
77 setting forth the manner in which the requirements of this chapter shall be carried out, which
78 shall be effective upon approval by City Council resolution.

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80 Section 3. Homer City Code 18.07.050 Selection, is amended to read as follows:

81
82 18.07.050 Selection. a. Where works of art are to be incorporated in the construction,
83 remodeling or renovation of a city building or facility or its grounds, such works of art shall be
84 selected and recommended to the Council for approval by a jury consisting of the architect or
85 project designer, a representative of the user department, a representative of the Public Arts
86 Committee and such additional persons that the Public Arts Committee may designate, subject to
87 Council approval.

88 b. Where works of art are to be commissioned or acquired, but not incorporated in the

89 construction, remodeling or renovation of a city building or facility or its grounds, such works of
90 art shall be selected and recommended to the Council for approval by a jury of at least three
91 members consisting of a representative of the user department, one or more members of the
92 Public Arts Committee and such additional persons that the Public Arts Committee may
93 designate, subject to Council approval.

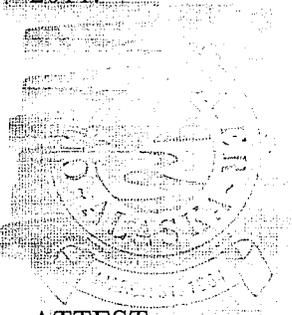
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95 Section 4. Homer City Code 18.07.060, Program Administration; Public Arts Committee,
96 is repealed.

97
98 Section 5. Homer City Code 18.07.070, Exemptions, is amended to read as follows:
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100 18.07.070 Exemptions. The City Council may waive the requirements of this chapter in
101 whole or in part as to the construction, remodeling or renovation of a city the building or facility
102 upon a finding by the Public Arts Committee or City Manager that the inclusion of works of art
103 in the construction, remodeling or renovation as required by this chapter would not provide any
104 aesthetic benefit to the community or to the principal users of the building or facility.

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106 Section 6. This Ordinance is of a permanent and general character and shall be included
107 in the City Code.

108
109 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24th day of January,
110 2011.



CITY OF HOMER

James C. Hornaday
JAMES C. HORNADAY, MAYOR

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119 ATTEST:
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121 *Jo Johnson*
122
123 JO JOHNSON, CMC, CITY CLERK

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125 YES: 5
126 NO: 0
127 ABSTAIN: 0
128 ABSENT: 1

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131 First Reading: 12/13/10
132 Public Hearing: 1/24/11
133 Second Reading: 1/24/11
134 Effective Date: 1/25/11

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137 Reviewed and approved as to form:

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141 Walt E. Wrede
Walt E. Wrede, City Manager

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143

Date: 1/25/11

Thomas F. Klinkner

Thomas F. Klinkner, City Attorney

Date: 1-28-11