

## **CITY OF LYNN**

Notice is hereby given that the Ordinance Committee will hold a public hearing on Tuesday, November 26, 2019 at 7:00 pm in Rm 402.

### **IN THE YEAR TWO THOUSAND NINETEEN AN ORDINANCE CREATING A PUBLIC ARTS COMMISSION IN THE CITY OF LYNN**

#### **SECTION 1:00 - ESTABLISHED**

The City of Lynn hereby establishes a board to be known as the Public Arts Commission to: articulate and implement a strategic vision for public art in Lynn, MA.; implement public art projects; release requests for proposals (RFPs); commission and coordinate public art projects in collaboration with city departments and residents' input; and educate and promote public art's value in the City of Lynn. The Public Art Commission shall be a part of the Division of Community Development

#### **SECTION 2:00 - DEFINITIONS**

For the purposes of this ordinance public art will be defined as: publicly accessible original art that enriches the city and evokes meaning. It may include permanent and temporary visual art, light and sound installations, and other work. Public art may possess functional as well as aesthetic qualities; it may be integrated into an existing site or a discrete work.

#### **SECTION 3:00 – STATEMENT OF PURPOSE**

The Lynn City Council hereby affirms that public art has value to the city in the following ways:

1. Stimulate Excellence in Urban Design and Public Arts:
  1. Enhance the aesthetic environment of public places within the City through engaging, unique and high quality public artworks.
  2. Engage qualified artists residing within and outside of Lynn, MA.
2. Enhance Community Identity and Place:
  1. Build awareness of community history, identity, cultures and geography.
  2. Develop artworks that are integrated into City building projects and are compatible with their settings.
  3. Encourage and support place-making efforts (including increased walkability efforts, etc.)
3. Contribute to Community Vitality:
  1. Position Lynn as a nationally and internationally recognized arts city and tourist destination.
  2. Build the capacity of and cooperation between the private and public sectors, artists, arts and community members.
  3. Develop and maintain safe artworks.
4. Involve a Broad Range of People and Communities:
  1. Enhance opportunities for all citizens of all ages, neighborhoods and organizations to participate in the planning, creation, and enjoyment of artworks.

2. Celebrate the City's cultural communities.
3. Provide opportunities for the community to come together inter-generationally and cross-culturally.
5. Value Artists and Artistic Processes:
  1. Provide a range of creative opportunities for artists with a range of experiences and skill sets.
  2. Ensure the ongoing integrity of artworks and respect the creative rights of artists.
  3. Involve artists directly in the concept, design and creation of artworks.
  4. Ensure budgets adequately support artists and the creative process.
6. Use Resources Wisely:
  1. Develop and sustain projects in a cost-effective manner.
  2. Use City funds to leverage private investment in public art and use public art to leverage private investments in other city ventures.

**SECTION 4:00 - MEMBER**

(a) The Public Art Commission shall be composed of 11 members, five (5) of whom shall be appointed by the Mayor and five (5) of whom shall be appointed by the Lynn City Council, and the Director of the Downtown Lynn Cultural District. The Mayoral appointments shall consist of one artist (earning at least fifty (50%) of his/her income from sale or production of art), one member of the Lynn Cultural Council, one representative of a Lynn based nonprofit organization, and two community members. The City Council appointments shall consist of one artist (earning at least fifty (50%) of his/her income from sale or production of art), one representative of a Lynn based nonprofit organization, one representative of the Lynn Public School Fine Arts Department and two community members.

(b) Individuals are encouraged to apply through existing City of Lynn Commission appointment processes.

(c) All members of the Public Art Commission shall serve without compensation. The Commissioners shall initially serve for a two (2) year term; the Director of the Downtown Lynn Cultural District shall serve the length of their employment.

(d) Each Commissioner can serve two consecutive terms and shall be eligible for reappointment after one calendar year after the end of his/her term of office. A member appointed to fill a vacancy shall serve the remainder of the unexpired term. Any member of the Public Art Commission may be removed from office for lack of attendance or neglect of duty, or malfeasance. Removal shall be affected by a majority vote of the Public Arts Commission, with notification and approval of the Council.

(e) The Public Art Commission shall select one of its members as chairman, another as vice- chairman and another as secretary. The chairman, vice-chairman and secretary shall receive no salary for their services.

(f) For the purpose of this ordinance, a full quorum shall consist of 50% + 1, or six (6) present Commission members.

(g) Specific neighborhoods and areas within Lynn will require additional planning and support for public art projects. To that end, the Public Art Commission will deputize a neighborhood / area-specific Ad Hoc public planning committees based on the desires and needs of the community. These Ad Hoc Committees will exist only for the length of the project's conception and execution.

### **SECTION 5:00 - FUNCTIONS**

The duties of the Public Art Commission shall include (a) advocating for public art throughout the City of Lynn, (b) serving as a bridge between public arts projects initiated by artists or businesses and the City, and (c) producing PAC-initiated public arts projects where possible given budget and time restraints.

- (a) advocating for public art throughout the City of Lynn
  1. Increase public awareness of the value of our arts and cultural resources by developing and participating in public information programs;
  2. Respond to assessments of the conditions and needs of the City concerning public arts;
  3. Advise Mayor and Lynn City Council concerning the promotion of coordination among units of government in their projects and programs which involve public art;
  
- (b) serving as a bridge between public arts projects initiated by artists or businesses and the City
  1. Advise the Mayor and Lynn City Council concerning artist-initiated works of art to be placed on municipal property;
  2. Make recommendations to the Mayor and Lynn City Council concerning possible grants from Federal and State agencies, private groups and individuals, and businesses;
  3. Support artists in their coordination with City departments related to the preparation, installation and maintenance of public art in Lynn;
  4. Help to select and approve public art projects, taking under advisement feedback from City agencies and departments, and the community.

5. Facilitate the repair and maintenance of public art in Lynn through coordination between City departments, businesses (if applicable), and the artist(s), as necessary.
- (c) producing PAC-initiated public arts projects where possible given budget and time restraints
1. Keep minutes and records of all meetings and proceedings, including voting records, attendance records, resolutions, findings of fact and decisions;
  2. Solicit businesses to sponsor PAC-initiated public arts projects and/or pursue grants and public funds to support the commission's efforts and projects, when applicable;

**SECTION 6:00 – FUNDING**

Any grants or monetary gifts received by the Public Arts Commission shall be maintained in a designated account within the Department of Community Development for the purposes of said grants or gifts.

**SECTION 7:00 – INDEMNIFICATION**

The City of Lynn shall indemnify and defend all members of the Public Arts Commission for act and omission arising out of the proper scope of their duties as provided by Massachusetts General Laws Chapter 258.

**SECTION 8:00 – INSURANCE**

The City Comptroller shall ensure that any art project commissioned by the Public Arts Commission shall be insured under the City of Lynn property insurance policy.

**SECTION 9:00 – AMENDMENT OF BYLAWS**

- 1 Amendment. These Bylaws may be amended, or new Bylaws adopted, by a majority vote of the Commissioners **and approval of the Council**, provided that the proposed amendments or new bylaws have been introduced at a prior meeting not less than ten days prior to Commission action on the proposed amendment or adoption.

**SECTION 10:00 – TIME OF TAKING EFFECT**

This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.

**Per Janet Rowe, City Clerk  
Posted November 15, 2019**